

**PLANNING AND ZONING COMMISSION  
FEBRUARY 22, 2012  
CITY COUNCIL CHAMBERS @ 5:00 P.M.**

**P&Z PRESENT**

Rene Flores  
Marisela Marin  
Mario Garza  
Carlos Lopez  
Abiel Flores  
Diana Izaguirre  
(1 vacancy)

**STAFF PRESENT**

Sergio Zavala  
Bobby Salinas  
Irasema Dimas  
Sonia Marroquin  
Julio Cerda  
John Hernández  
Roberto Salinas

**GUESTS PRESENT**

Jose L. Rosales  
Elida Gonzalez  
Rogelio Gonzalez  
Elida C. Gonzalez  
Sergio Carranza  
Dinora Carranza  
Orlando Jiménez  
Polo De Leon  
Pablo Peña  
Lynn Gascon  
Rodrigo Guerrero  
Minerva R. Alvarado  
Ruben Lozano  
Gilberto Flores  
Mariano Garcia  
Andres Eduardo Rosas  
Abel Beltrán  
Andres Adame  
Jose M. Garcia  
Steve Sopor  
Everardo Sustaita  
Santos Mendoza

**CALL TO ORDER**

Chairman Rene Flores called the meeting to order at 5:02 p.m.

**CITIZENS PARTICIPATION**

Chairman Rene Flores asked if there was any citizens' participation. There was no response upon inquiry.

**APPROVAL OF MINUTES FOR FEBRUARY 8, 2012**

Chairman Rene Flores asked if there were any corrections to the minutes for February 8, 2012. There being no corrections, Mrs. Marisela Marin moved to approve the minutes as presented. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:03 p.m.**

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

**ITEM # 1.1**

**Pre-Final Re-plat Approval:**

**Re-subdivision plat of Lot 4, Block 21**

**Cimarron Country Club, Phase I, Section IV  
PUD (Townhouse)**

**Developer: Ruben Lozano**

**Engineer: Peña Engineering**

Mr. Bobby Salinas went over the write up stating that the proposed re-plat is located on the NW corner of Rio Grande Drive and Shary Road. State Code requires re-plats to have a public hearing. IF a variance is requested, then a minimum  $\frac{3}{4}$  majority is needed to approve the re-plat. If no variance is proposed, then a simple majority will prevail. No variance is being requested, thus a simple majority will rule. The subdivision consists of an existing townhouse lot that will increase in size by utilizing what used to be a golf course reserve, now owned by the applicant.

**WATER:** There is an existing 4" water line that runs along the north side of Sabine Court, which currently provides water service for Lot 4. The subdivision also required the installation of a fire hydrant along the southeast corner of Sabine Street and Sabine Court pursuant to the direction of the Fire Marshal.

**SEWER:** There is an existing 8" sewer within Sabine Court that currently provides service to Lot 4. The capital sewer recovery fee of \$200.00 is required as per Ord. # 3022.

**STREETS & STORM DRAINAGE:** This re-plat abuts Sabine Court (50' ROW, 40' B/B) on the north, Shary Road (120' ROW, 81' B/B) on the east and Rio Grande Drive (100' ROW, 2 - 30' drives with intervening 20' median) on the south. The re-plat is dedicating an additional 10' along Shary Road in order to comply with the MPO Thoroughfare Plan, all other roads are fully built and do not require additional ROW. The site will only be permitted access on to Sabine Court, i.e., no access will be permitted onto Shary Road or Rio Grande Drive. Drainage exists from the first plan, where runoff will empty onto Sabine Court and with 0.02 cubic feet of water being detained on the lot.

**OTHER COMMENTS:** Park Fees are not required since previously platted lot, already excluded from the water district, comply with format findings, and must escrow sidewalks along Shary Road, Rio Grande Drive and Sabine Court.

Since subdivision and zoning codes are met, staff must recommend approval subject to: **1)** escrow the sidewalks along the adjoining streets, **2)** provide the capital sewer recovery fee, and **3)** comply with all typical format findings.

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. Ruben Lozano, the applicant, was present to answer any questions from the board.

Mrs. Marisela Marin asked Mr. Zavala if he could clarify if he was only talking about the sidewalk along the cul-de-sac.

Mr. Zavala replied that it would be both along all streets.

There being no comments, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to approve the re-plat as per staff's recommendations. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 5:12 p.m.**

**ITEM # 1.2**

**Rezoning:**

**Lot 14, Block 3,  
Oakwood Estates Subdivision  
R-1 to C-2  
Andres Rosas**

Mr. Bobby Salinas went over the write up stating that the site is located 250' east of River Oak Avenue along the north side of Griffin Parkway. The site's dimensions are 60' x 290' (17,400 sq.ft.). The lot fronts Griffin Parkway, i.e., it does not have access to the interior residential streets.

The surrounding zones include Single Family Residential (R-1) to the north and east; and General Commercial (C-3) to the west and south. The surrounding land uses consist of single-family homes to the north and east, a drive-thru convenience store and home to the west, and a daycare to the south. The subject site is vacant. Due to the Lot's depth, the Future Land Use Map reflects both a General Commercial (GC) designation and a Low Density (LD) designation.

Though the FLUM shows both an LD designation and GC designation, we anticipate the highest and best use for this site is of a commercial nature. Since it is deeper than other lots though, thus adjoining more residential lots, a C-2 would (at this time) be more appropriate than a heavier C-3. Meriting C-2, we convey the following:

- 1) The subject property adjoins Griffin Parkway, a seven lane major arterial (mandates a minimum 100' ROW).
- 2) The traffic produced along Griffin Parkway is more conducive for a non-residential use, rather than having a home along such congestive traffic patterns.
- 3) Due to the limited size of the lot, it will only allow for a limited amount of commercialism where a large percentage of the property will be used for parking and landscaping, thus the commercial traffic impact is anticipated to be minimal towards the adjoining residential neighbors.

Staff recommended approval to the C-2 zone request.

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

There was no response.

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

Mr. Andres Rosas, the applicant was present to answer any questions from the board.

Mr. Mario Garza asked Mr. Rosas what he was planning to build at the site.

Mr. Andres Rosas replied that he would like to build a laundry, a phone & accessories store and two more units for rent.

There being no further comments, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to approve the rezoning as recommended by staff. Mr. Lopez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:12 p.m.**

**Ended: 5:15 p.m.**

**ITEM # 1.3**

**Conditional Use Permit:**

**Institutional Use – Classrooms for Bible Teaching at Iglesia De Cristo  
3305 N. Shary Road  
Lot 1, Iglesia De Cristo Subdivision  
AO-I  
Iglesia De Cristo**

Mr. Bobby Salinas went over the write-up stating that this site is located 260' north of Mile 2 along the west side of Shary Road. The church wishes to construct a new addition to the existing church that will include 2 classrooms for Bible studies.

- **Hours of Operation:** The church is used only on Wednesdays from 7:00 p.m. to 8:00 p.m. and Sundays from 9:30 a.m. to 11:30 a.m. While the parents are at service, the children will be in Bible study.
- **Parking:** Parking for a church is calculated based on 1 space for every 4 seating spaces in the main auditorium. The main auditorium has 90 seats, which requires 23 parking spaces (90 seats/4 = 22.5). There are 24 parking spaces, thus compliant to code. There are an additional 4 spaces along the west side of the property, which do not currently meet the minimum 24' maneuvering lane requirement, thus not included with the total parking spaces. Regardless, the City's minimum code is met.
- Must meet Building, Fire and Health Codes prior to occupancy.

Staff recommended approval subject to: **1)** must comply with Fire and Health Code, plus meet all typical building codes, prior to occupancy, and **2)** transferable to others stipulating new owners to same CUP/Zoning requirements.

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. Jose Rosales member of the church was present to answer any questions.

There being no comments, Chairman Rene Flores entertained a motion. Mr. Abel Flores moved to approve the conditional use permit subject to staff's recommendations. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:15 p.m.**

**Ended: 5:28 p.m.**

**ITEM # 1.4**

**Conditional Use Permit:**

**A Frame Home for Servant's Quarters**

**2807 N. Bryan Road**

**A 9.41 ac. tract out of Lot 27-10,**

**West Addition to Sharyland Subdivision**

**R-1A**

**Mario Treviño**

Mr. Bobby Salinas went over the write-up stating that there is an existing 5,600+ sq.ft. home on the property, where on January 2012, it was discovered that a 25' x 18' wood frame home had been moved-in without first obtaining a permit. The frame home includes one bedroom, a full bathroom, a kitchen, and a living room.

The home is setback 25' from the rear property line and 10' from the side, thus exceeding R-1A setback requirements.

In speaking with the applicant, the home is proposed to serve as a living space for the caretaker of the property. Section 1.37(3e) of the Zoning Code allows for separate servant quarters in an R-1A zone with a conditional use permit. The elongated driveway is more than sufficient to accommodate any guest vehicle. The guest home must be connected to the same water and electrical meters, i.e., no separate utilities. If approved, a recorded instrument should be evident to this effect to alert any (potential) future owners.

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, via recorded instrument, **3)** not to be used for rental purposes, and **4)** 1 year re-evaluation to confirm non-permanent residency, i.e. legitimate CUP use to be verified.

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

Mr. Abel Beltran from 2800 Highland stated that his concern was that if there would be other units that the owner would be bringing into the property without first obtaining permits. Mr. Beltran's main concern was not the house, but the possibility of moving others, and he asked if the board could instead consider a 6-month period instead of 1 year.

He also stated that he has a health concern. When he gets the southwest or northwest winds, he gets the foul smell of the animals that Mr. Treviño has on his property. He mentioned that Mr. Treviño moved the animals to the east, but they still get the smell.

Mr. Sergio Zavala stated that currently the property is zoned R-1A and it forbidden to have any livestock. He also mentioned that Animal Control Division would be informed, and the owner would need to remove the animals.

Mr. Beltran stated that he was wondering what they were using as a bathroom, if they were connected to the sewer or if they had a septic tank system. He was wondering if they could also include as a condition that the owner connect to the sewer line on Bryan Road.

Mr. Zavala replied that he would need to send an inspector to investigate.

Mr. Bobby Salinas replied that at this point staff did not know if the house was connected to the sewer system.

Chairman Rene Flores asked Mr. Beltran if staff alleviated some of the concerns if he was okay with the structure being there.

Mr. Beltran replied that as long as the house is connected to the sewer or septic tank, and no animal smell, he would be okay. He also stated that Mr. Treviño had some chickens right next to his property line about 10 to 15 feet and the smell was "horrendous". He said that Mr. Treviño moved the chickens to the east of the property but he left the goats in the same place.

Mrs. Lynn Gascon from 2802 Highland wanted to know how close the structure was going to be from the property line, and she was also concerned of the animals.

Chairman Rene Flores replied that the structure would continue being in the same location that it currently is. He also stated that the board had already addressed the animal issue, and that Mr. Zavala would be working on resolving that.

Mrs. Gascon stated that she did not know where the actual sewer line ran on the applicant's property, but to her knowledge the main line ran through Bryan Road. She would like for the applicant to connect to the actual sewer system, because that she did not like the idea of a septic tank being used.

Chairman Rene Flores mentioned that staff would enforce whatever the code allows and calls for.

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

Mr. Rodrigo Guerrero, a relative of the owner, stated that the structure would only be used for the maintenance man to take a shower, and use the bathroom. He also mentioned that Mr. Treviño installed a septic tank to connect the structure. (NOTE: No septic tank permit was issued nor inspected).

Chairman Rene Flores told Mr. Guerrero that livestock was not allowed on the residentially zoned property and they would have to be removed.

Mr. Guerrero replied that they were relocated to the east side of the property.

Chairman Rene Flores stated that the current zoning does not allow livestock; therefore they would have to be removed entirely from the property.

Mrs. Marisela Marin stated that with so many issues, if the board could wait until all of them be resolved in order to make a decision on the conditional use permit.

Mr. Sergio Zavala suggested P&Z place it on the 'Table' until these issues are investigated and resolved.

There being no further comments, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to 'Table' the conditional use permit with the hearing having been 'closed'. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:28 p.m.**

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

**ITEM # 1.5**

**Conditional Use Permit:**

**Commercial Storage of Coca-Cola Products  
953 Adams St.  
Lot 18, Block 1, Tolle Subdivision No. 1  
R-1  
Sergio Carranza**

Mr. Bobby Salinas went over the write up stating that the subject site is located 150' south of Barnes Street along the west side of Adams Street. According to the applicant, he sells the sodas at the Flea Market, delivers to restaurants, and does not sale at the site. He is currently storing a large quantity of Coca-Cola cases (full and empty) in the back yard. He was unaware that the commercial storage of sodas was not permissible in a residential area. Staff explained that this was a non-residential use and thus would not be permitted. Though there would be exterior storage, the rear yard is enclosed with a solid fence/wall barrier thus obstructed from typical visibility. The home has a two-car driveway meeting the minimum of 2 off-street parking spaces for residential areas.

- **Days/Hours of operation:** Everyday from 8:00 a.m. to 5:00 p.m.
- **Staff:** The applicant and his son operate the business.
- **Signage:** There is no signage proposed.

Staff checked into the cost of renting out a self-storage unit, because the applicant stated that the cost was just "too much". We checked into various self-storage facilities and found that monthly fees for large storage units (10' x 30') range from \$115 to \$135, that's approx. \$4 to \$5 per day. Due to the thousands of soda bottles stacked over 6' in height, Staff does not feel that it would be beneficial to the neighborhood to allow such a use. We've also received several phone calls against this proposal. Staff recommended denial.

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

Mrs. Minerva Alvarado from 957 Adams stated that her main concerns are that the site is so noisy all the time, since they are always throwing things everywhere. She also stated that the applicant has 4 vehicles always pulling out or coming in from the property. She explained that on several occasions they had problems with



traffic jam due to these vehicles and in one incident they almost run over a little girl. She stated that they have lived in a residential zone for years, and they want their grandkids to live in nice peaceful surroundings and not in a dangerous area. Mrs. Alvarado also mentioned that homes depreciate in value because of this business. She mentioned that if the applicant wished to have this kind of business, he could relocate to Business 83.

Mrs. Elida Gonzalez from 955 Adams stated that the applicant sometimes uses orange traffic cones to deter traffic or to help with the moving of their vehicles. She mentioned that as far as she knew the applicant does have 3 commercial cargo vans that he uses to transport and transfer the crates of Coca-Cola products; whether to the flea market or to a restaurant; that's a business. He has the entire inventory to supply the demand. She also mentioned that the applicant stated that he does not sell at the site, but they have seen people going with their vehicles load and un-load the crates whether their empty or full, over 5' tall, is very dangerous. She also stated that anybody could easily access these crates of Coca-Cola products through the neighbor's back yard and that is a safety concern. She also mentioned that they don't live in the greatest community in Mission, but they don't want more bad things to come their way. She mentioned that Mr. Carranza approached them and admitted that previously he had this business on Washington Street for 4 years. She said that she spoke with Mr. Robert Salinas on February 7<sup>th</sup> about her concerns and that Mr. Salinas stated that nothing could be done with the situation on Washington Street. She also stated that Mr. Carranza told them that he had a permit for 4 years from the City of Mission while on Washington Street, but now he doesn't have a permit for his current location. She also stated that the empty Coca-Cola containers produce an attraction to bees and the crates could create a possum infestation. She concluded by saying that her mother and brother were present and were also against the request.

Mr. Roy Gonzalez from 955 Adams stated that he basically had the same concerns as his sister, but that he would like to ask the board to have the opportunity to refute everything that Mr. Carranza would say, since they haven't been given the opportunity to expose their case.

Chairman Rene Flores stated that if the board needs any further information, they would ask Mr. Gonzalez for his input. Chairman Rene Flores asked if the applicant or representative were present.

Mr. Sergio Carranza the applicant stated that he does store the products there, but is not what the neighbors are saying. He mentioned that he only stores them there; that's his way of living. He said that he sells them at the flea markets, delivers to some restaurants and taquerias and he didn't understand what all the concerns were about. He mentioned that he tries to do everything quietly and calmly. He expressed that he does not sell at the site, only stores the products

there. Mr. Carranza mentioned that he has proof that he works at the flea markets especially at Ochoa's flea market, Palmview, Val-verde and with other clients.

Mr. Carranza did mention that he used to live on Washington Street and he had the same situation, but his neighbors did not oppose to it, they were always in his favor. He also mentioned that he came to the city and that the city told him that there wouldn't be a problem if none of his neighbors oppose to this business.

Chairman Rene Flores asked Mr. Sergio Zavala to explain what Mr. Carranza was in violation of and if he had explained that to him.

Mr. Zavala stated that actually he had met with the applicant at the site and he strongly discouraged him from applying for the CUP. He stated that staff imposes the letter of zoning law over the property and in this case the property is zone single family residential. The only uses permitted in residential in nature only for him and his family and certainly not warehousing to sell at the flea market or restaurants and things of that sort. Staff does not see this typically on residentially zoned properties, so that is one of the reasons why staff is against the proposal. He also mentioned that another reason why he visited the site, was because of the canopy structure that Mr. Carranza built was over the setbacks without a permit.

Chairman Rene Flores asked if Mr. Carranza would need to take the structure down.

Mr. Zavala replied that if Mr. Carranza would like to keep the structure he would have to obtain a permit and relocate the columns in order to meet the setbacks or apply for a variance to the Zoning Board of Adjustments, which more than likely would not be approved.

Chairman Rene Flores asked Mr. Zavala that if in his opinion this was a business operating in a residential area.

Mr. Zavala replied that it was a warehousing business on residentially zoned property.

Chairman Rene Flores explain to Mr. Carranza that based on the amount of inventory that he had on the site it was classified as a business and it was not allowed on the property.

Mr. Carranza asked what was going to happen to the entire product that he has in his property.

Mrs. Marisela Marin replied that since the zone did not permit that type of business, and if it were denied by P&Z, he would have to remove it.

Mr. Zavala stated that one of the alternatives was to rent a storage room facility.

After a brief discussion, Chairman Rene Flores entertained a motion. Mrs. Marisela Marin moved to deny the conditional use permit. Mr. Abel Flores seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 6:26 p.m.**

**ITEM # 1.6**

**Conditional Use Permit:**

**Drive-Thru Convenience Store**

**210 N. Conway**

**Lot 4, Block 50, Mission Original Townsite  
C-3**

**Andres A. Adame**

**c/o Lorenzo Adame**

Mr. Sergio Zavala went over the write up stating that the property is located approximately 100' north of 2<sup>nd</sup> Street on the east side of Conway Avenue. The subject site has an existing 38' X 50' drive-thru convenience store.

- **Days/Hours of operation:** Sunday – Friday from 10 a.m. to 12 a.m. & Saturday from 10 a.m. to 1 a.m.
- **Staff:** 2 employees
- **Parking:** The drive thru business requires 5 parking spaces; 5 are provided.
- **Landscaping:** At the time of the original approval there were 2 trees that were preserved in order to comply with the landscaping code; however, the applicant has removed 1 of the trees and must now re-install the same number of calipers removed from the site. We estimate that the calipers removed were a minimum of 24" that need to be replaced.
- Must comply with the City's Sign Ordinance.

**HISTORY:** 6/27/07 & 10/15/08 A CUP was approved/renewed for a drive-thru convenience store with several conditions which included: 1) Directional arrows/signage installed within the drive-thru lane; 2) relocate or install bollards to protect the gas meters in the area, 3) install a speed bump prior to entering the alley.

8/20/10 Letter sent to Mr. Adame asking that he install the speed bump and paint the directional arrows. The letter also mentions complaints received regarding delivery trucks parking in the alley, impeding driveway access to the residential neighbors to the east. Staff asked to have delivery trucks "park on paved drive-thru lane or unload in a way to not disrupt the access/exit rights of adjoining owners."

9/15/11 Revocation proceedings commence due to several complaints from the neighboring properties. P&Z gave Mr. Adame the opportunity to remain open subject to: 1) install 4" high speed bump; 2) NO DELIVERY in alley; 3) install bollards to protect gas meter; 4) paint a "Stop Sign" for exiting cars into alley; 5) elongate/raise existing speed bumps in alley; 6) replace existing trash bins with commercial dumpsters; and 7) must be done within 30 days revoke CUP.

9/19/11, 9/26/11, & 10/18/11 Coca-Cola Delivery trucks continued to park/deliver in the alley and the speed bump as you enter the alley was not installed, thus CUP revoked.

10/25/11 City Council sustained P&Z's action to revoke the CUP due to delivery trucks still parking in the alley way.

10/31/11 Charges filed for having the Drive-Thru open after revocation.

According to Mr. Adame's agent, there will no longer be any deliveries in the alley. They state that the applicant himself will perpetually go to Coca-Cola personally for merchandise; no Coca-Cola deliveries will be made to the site. As of this write-up the speed bump exiting the building has not been installed. Also, the estimated 12" - 18" caliper tree has been unilaterally removed due to, we suspect, making maneuverability easier for the traffic; however, there has been no tree-replacement caliper inches compensated for its removal.

Ultimately, the City Council has tendered a recent decision on this matter already. Though the applicant is stating that he will now make a commitment to start complying, the applicant's history seems to reflect otherwise. Staff recommended denial to the request.

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. Orlando Jimenez, attorney for Mr. Adame, stated that there was a little history regarding Mr. Adame and, unfortunately, the fault was his own. He mentioned that they do have documentation and letters that Mr. Adame gave to the Coca-Cola Company, which was the big problem back in October, and even before then it was a big problem. Mr. Adame has now communicated with the Coca-Cola Company who is not going to make any more deliveries whatsoever. Mr. Adame is going to pick up any beverages, any material, any items that they need for the drive-thru, so that issue, which was a big impediment of the ingress and egress of the alley, has been removed even before the CUP was actually denied. Mr. Jimenez stated

that as soon as Mr. Adame called him, he immediately called some people that he knows, since he used to be an Assistant for the Planning Director of Pharr, Texas. He mentioned that as the board could see, this was a drive-thru and without the people or the vehicles driving thru, it becomes very hard for the business to function. He stated that the drive around is very dangerous due to the lot being too narrow since it sits in a major thoroughfare, which is Conway and no vehicles could back up around there. This doesn't give Mr. Adame another option but to use the building for its intended purpose, which is a drive-thru.

Mr. Jimenez stated that the issue of the alley and the Coca-Cola Company was no longer an issue. He stated that from the drive-thru to the south there was less than a 100' to the nearest roadway and to the north about 120' where the customers could easily exit to the north or south. He mentioned that Mr. Adame installed additional security cameras on the back of the building back in October since that was part of the issue. He also mentioned that the neighbor behind Mr. Adame's drive-thru had some issues regarding his fence, which has been taken care of. He also hired additional employees that were going to direct traffic in a faster way, so that way they could go in and out and make some business and money and also for the City of Mission. He stated that the tree was removed for the simple purpose of curb entrance, so that vehicles could get out. He acknowledge that the City of Mission does have a landscaping ordinance and Mr. Adame had no problem adding some additional bougainvilleas, little roses, or whatever he needs in order to make it more beautiful that way it won't become an eyesore.

He concluded that they appreciate and understand the recommendation of denial from staff, but he would like to request to see if they could 'Table' the item for at least two more weeks in order to allow them an opportunity to present all the evidence with regard to the Coca-Cola Company no longer being a factor, inclusive of additional lighting and cameras on the back. He also stated that Conway was a dangerous thoroughfare and he was surprised that the police hadn't made an issue there, because the radius was not big enough to make a full turn, but Mr. Adame was making what he could. Mr. Jimenez stated that the display stand for chips were at the entrance of the drive-thru to impede the traffic from going in there, and that it has been that way since October when they revoked the CUP. He said that Mr. Adame and himself were happy to be there to answer any questions and comply with any requirements, all the conditions, and ordinances that this great city has in place. He mentioned that spring is the perfect time to re-do landscaping.

Mrs. Diana Izaguirre asked if the speed bump had been installed.

Mr. Jimenez replied that there were 2 speed bumps in the alley, as soon as a vehicle exits the property one on the north side and one on the south side of the property. He also stated that Mr. Adame installed some bollards next a neighbor's the gas meter due to some damage issues. He was also using a residential

dumpster in the past, but he went ahead and requested a commercial dumpster. He stated that Mr. Adame complied with everything that he could and everything that the court and the commission requested of him.

Mr. Abiel Flores stated that Mr. Jimenez needed to understand that there is a history on this site, and now Mr. Adame is willing to comply, but with that type of history it is difficult for the Planning and Zoning Commission to say 'okay, now the applicant is going to listen and abide by the conditions, go ahead and continue with the operation.'

Mr. Jimenez replied that he understands that, and that he explained that to Mr. Adame. The only defense they have, and though it's terrible to point the finger at someone when you have 3 pointing back at you, but honestly "it was Coca-Cola dropping the ball." Mr. Adame did notify them; they do have the letters notifying the manager. Unfortunately, if there was a miscommunication between the Coca-Cola manager and the driver, that's another issue. He mentioned that one of Mr. Zavala's colleagues approached the driver and the driver replied that nobody had told him anything. He explained to Mr. Abiel Flores that the best thing that they could do with the history was that "it was history", and affirmed that there wouldn't be any more issues regarding the Coca-Cola delivery truck. He mentioned that Mr. Adame could get a letter from the Coca-Cola Company stating that there wouldn't be any more deliveries at the site. If that were the issue, they would be more than happy to present any additional evidence to the commission if they *tabled* the item. He mentioned that another possible condition could be that as soon as anybody sees any delivery truck, the commission could revoke the CUP and they wouldn't be allowed to apply for it again.

Mrs. Marisela Marin stated that Mr. Jimenez only addressed Coca-Cola, but Coca-Cola was not the only big vendor that is going there. She said that she was happy that they fixed the problem with them, but she wasn't sure how hard they tried to fix the problem until it came to this. She wondered what was going to happen to the other vendors. She asked Mr. Jimenez what he was going to do in order to make sure that the residents around the drive-thru don't have to go to him first if it doesn't work like that. The neighbors main concern is that they have to tell Mr. Adame what to do like installing a speed bump, and other stuff. Mrs. Marin stated that Mr. Adame should be the one taking care of the surrounding community. The neighbors that called him and said that there is a problem, but is he going to be putting the neighbors first. She concluded by saying that the commission does want his business back but at the same time they don't want to force someone to do something when it should be to their best interest to have the neighbors happy in order to succeed in business. She mentioned that there were a lot of things in the past and to talk about the future, she does not want for the board to tell Mr. Adame "every time" what needs to be done, i.e., it should his responsibility to know what needs to be done, if he wants to keep it.

Mr. Adame replied that the other delivery trucks go at 8 o'clock in the morning and they park in front of the building, inside his property to deliver the merchandise. He mentioned that the issue with the Coca-Cola driver was that he refused to park in the front, and that's why from now on he is the one that picks up the merchandise.

Mrs. Marisela Marin stated that what she would like to hear was that if someone else creates a predicament to the residents around the drive-thru, Mr. Adame would resolve it. At least that what she needs to hear; that he will be willing to address any issues without the commission telling him every time what needs to be done.

Mr. Adame stated that there hasn't being any complaints.

Mrs. Marisela Marin stated that in the past, every meeting that the P&Z saw this item, the neighbors where here and there was a reason why they were here.

Mr. Jimenez mentioned that the neighbors do go and buy supplies and they do talk to the owner about the issues. He also mentioned that now that Mr. Adame has legal representation, he would ask him 'how bad does he want to keep the business? The board did what they could, I did what I could, but now the ball is on Mr. Adame. In other words, if a neighbor goes and tells him that someone hits the fence, take care of it, or if someone says 'hey, someone was speeding down the alley', tell your worker that he needs to take care of that because that is his business' reputation through the neighborhood, but not only the neighborhood, but in the community.

Mr. Abiel Flores asked Mr. Zavala that if the commission decides to deny the drive-thru, Mr. Adame could continue to use the current setup going in and out of the driveway through Conway Avenue, because that seems to pose concern due to it not being a viable option, and it doesn't look safe. He asked if there was a more viable alternative.

Mr. Zavala replied that he was not going to re-design the maneuvering plans; it's up to the applicant to consult with professional designers stating that there is only one way in and out or same way out. Then they need to work on that turning radius as well; all of that needs to be factored in. He stated that if he could take a couple of steps back; as far as the roles of the Planning and Zoning Commission it is only an advisory board. The members are here to advise the City Council. However, in this case, the decision by the City Council has already been rendered and the direction was conveyed pretty recently. Staff's take on this once again is that we can't move forward favorably, and we would like to re-state that this CUP should not be approved. If the applicant submits a redesign, he hires a designer of his choice to come up with something so that staff could see it. Maybe there would

be a way that the tree could be replaced. Due to the tree preservation ordinance, if you remove a tree of that magnitude, then it should be replaced by landscaping.

Julio Cerda, City Manager, stated that on a business like this, the city does give them an opportunity and when the city gives someone an opportunity but you don't listen to those opportunities, it went to the point that the City Council had to make a determination that it could no longer be used as a drive-thru. He mentioned that this was one of the reasons why there was a drive-thru ordinance, so that in cases like this, where residential properties exist on the back and commercial properties in the front, due to it being the old part of town, where there is Laundromats, beauty shops and this is the only drive-thru business that exists along Conway Avenue. He also stated that staff was against it, City Council was against it, and he wanted to make sure that the Planning and Zoning Commission understood that businesses like this were given several opportunities. Staff has been dealing with complaint after complaint with the neighbors trying to see if they could work something out with the owner, while it was still in operation. The bottom line is that staff has the right recommendation.

Mr. Abiel Flores thanked the city manager for addressing those concerns, but his biggest concern was if the commission denies this CUP, the business is going to continue to operate with the neighborhood behind them, especially because the neighbors have said that this is a bad place; as a city, we should stop this. The business is going to continue operating that way it has since they denied the CUP and he was concerned about traffic congestion onto Conway.

Mr. Julio Cerda replied that the way the city addresses any business issue that is located along Conway Avenue, since being that it's a very special road in regards to any other road in the City of Mission. He stated that this business was opened up originally as a drive-thru, but unfortunately, it does not work in the area. Bottom line is that the city would address those issues at their particular time when they present themselves, through Traffic Control or PD.

Mr. Jimenez stated, " I never met the City Manager but he does have a gift of exaggeration". I believe that he has mutated the facts, when he says that my client was given an opportunity, and he did not take that opportunity, that's just a lie. My client has documentation where he told Coca-Cola pursuant to the staff, pursuant to the commission's request. Now, what happens thereafter, I guess ultimately it falls on us, but for him to say that we were given the opportunity or in this case that Mr. Adame was given the opportunity and he didn't take advantage of it, it's just a fabrication of the truth. The other issue is that he said that they would take care of it when it happens - - well its happening now as we speak. If we go to 210 N. Conway, we will see at least 3 vehicles impeding traffic, so we need to address it."



Chairman Rene Flores asked what types of law that pertains to this type of business being located at this area, what does the city say.

Mr. Zavala replied that on a C-3 zone, a drive-thru would be permissible if approved by a conditional use permit through the Planning and Zoning Commission, of course with conditions.

Chairman Rene Flores mentioned that if this business continued to operate the way that it is right now, delivery trucks would have to continue going to this location, including Coca-Cola; but not anymore according to their counsel, but others will.

Mr. Zavala replied that this was correct.

Chairman Rene Flores stated that the only problem is the issue of the alley.

Mr. Santos Mendoza, from 209 Doherty, stated that this was the 3<sup>rd</sup> time that he comes to a meeting. He mentioned that the first time that he came to a meeting, the chairman at that time gave Mr. Adame 30 days to comply with all the requirements, but he didn't do anything during that time. He also mentioned that he went ahead and talked to Mayor Salinas and he told him that there were going to have another meeting, which he attended. Then the chairman gave him 10 days to close the exit to the alley, since that's what's affecting him and his neighbors. He stated that since they built the drive-thru, he feels like he's in *hell all 24 hours*. He mentioned that the patrons that go through the drive-thru are 50-50, 50 are conscientious and the other 50 aren't. Mr. Mendoza mentioned that they had damaged his fence door twice, and that he has them in the ranch for evidence. He also mentioned that the trash can does not have a lid, and he picks up trash every morning from the drive-thru. He explained that when he comes back from the ranch around 4 or 5 in the afternoon, he goes into the alley without noticing that there's a vehicle exiting the drive-thru and the other driver starts yelling at him to move back in order for them to exit. He stated that there has being several instances where the girls working in the drive-thru had told him to move back because the other driver could hit him. He mentioned that this happens frequently at least 1 or 2 times a week.

Chairman Rene Flores asked Mr. Mendoza if he had talked to Mr. Adame previously in reference to this issues.

Mr. Mendoza replied `Yes'.

Chairman Rene Flores asked if Mr. Mendoza thought if there was a way where this business and he could get along.

Mr. Mendoza replied that Mr. Adame doesn't have any necessity to do anything, and that he was not going to continue to expose his life or his property, since the gas meter is immediately across from the alley in front of the drive-thru exit. He stated that one day he came back from the ranch, and he saw some poles next to the gas meter and he went ahead and removed them.

Chairman Rene Flores stated that Mr. Adame was complying with the requirements from the board by installing those poles next to the gas meter.

Mr. Mendoza stated that they should have advised him before, because the gas meter was on his side of the alley and not on their property.

Mrs. Diana Izaguirre stated that this issue has been going on since September 2011 and nothing had been fixed and it seemed like it was not going to get any better.

Chairman Rene Flores thanked Mr. Jimenez for the time and effort that he took and for his presence. He mentioned that obviously he heard all of the comments made along with the staff's recommendation. He was familiar with the role of the Planning and Zoning Commission as being just an advisory board. Either way, if denied or approved, it would have to be acted on by the City Council, and this board has to make decision as to what they feel is in the best interests of the city.

After a brief discussion, Chairman Rene Flores entertained a motion. Mr. Abiel Flores moved to deny the conditional use permit. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:27 p.m.**

**Ended: 6:28 p.m.**

**ITEM # 1.7**

**Conditional Use Permit Renewal:**

**Home Occupation – Registered**

**Home Daycare**

**3304 Santa Inez**

**Lot 123, Los Nogales Phase III Subd.**

**PUD**

**Martina D. Almazan**

Mr. Sergio Zavala went over the write up stating that this CUP was most recently approved by P&Z on 12/8/10. The subject site is located 136' from the SW intersection of San Armando and Santa Inez. The home has a two-car driveway off of Santa Inez capable of accommodating the safe drop off and pick up of children. There is also an existing 4' sidewalk for pedestrian traffic. There is an existing six-foot opaque buffer fence surrounding the rear of the residence to maximize

protection of the children. The dining room and living room are the areas utilized for childcare.

- **Days/Hours of Operation:** Monday – Friday from 7 a.m. to 7 p.m.
- **Staff:** Herself and 3 others. All live in the home except one, thus complying to code.
- DHS certification has been obtained as previously required.
- Must comply with Sec. 1.56-1, Zoning Code (home occupations regs.)

Staff recommended approval subject to a 1-year re-evaluation to continue to monitor this daycare operation at Sharyland Plantation.

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.

There was no response.

There being no comments, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as recommended by staff. Mrs. Diana Izaguirre seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:28 p.m.**

**Ended: 6:30 p.m.**

**ITEM # 2.0**

**Site Plan Approval:**

**Construction of a canopy over an Existing stage at St. John of the Fields Church  
Lots 75, 79, 83, & 87, Mission Acres Subd. R-1  
St. John of the Fields Church**

Mr. Sergio Zavala went over the write up stating that the Zoning Ordinance mandates that any expansion to existing institutional uses (such as a church), secure the approval of the P&Z Commission.

The site is located on the SE corner of Washington Ave. and Blake St. St. John of the Fields wishes to construct a new 480 sq.ft. canopy over an existing stage located in the south area of the church site. The minimum setbacks are: Front: 20', Rear: 10', Sides: 6', Side Corner: 10'. The proposal is exceeding all setback

requirements, thus compliant to code. There will be no need to install new utilities or additional parking with this project. Staff recommended approval to the request.

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

Mr. Polo De Leon stated that the church uses the stage a lot for musicians and for when they have the event of loteria. What the church is proposing is to add a roof for protection of the entertainers and their equipment against the weather.

There being no further comments, Chairman Rene Flores entertained a motion. Mr. Carlos Lopez moved to approve the site plan. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:30 p.m.**

**Ended: 6:33 p.m.**

**ITEM # 3.0**

**Single Lot Variance:**

**7.56 acres out of Shares 3, 4, & 5,  
San Jose Subdivision  
AO-I  
Juan Manuel Garcia**

Mr. Sergio Zavala went over the write up stating that this property is approximately ¼ mile east of Stewart Road along the north side of Trinity. The site measures approximately 519' x 635.60' with a 24' access easement located on the SE area of the lot. The site is vacant. The applicant is proposing to build a new single family home on the subject property.

**WATER & SEWER:** There is an existing 8" waterline located along the north side of Trinity Street. The applicant is proposing to install an 8" line that will lead into the subject site. There is an existing fire hydrant along the north side of Trinity, approximately 120' from the lot entrance. A fire hydrant will not be required at this time however, if the property is further developed, fire hydrants will be required. In regards to sewer, there is an existing 8" sewer line that stubs into the property. The Capital Sewer Recovery Fee will be imposed at \$200.00/Housing Unit Equivalent.

**STREETS:** Though the property does not 'officially' have frontage to Trinity Street, the applicant was granted a 24' access easement through an existing drainage easement. This will serve as the egress/ingress to the property.

**OTHER COMMENTS:** Park Fees - \$300.00/Lot, no sidewalks will be required at this time, and exclusion from the Water District for the acreage for the new home.

Staff recommended approval subject to: **1)** payment of capital sewer recovery fee & park fees, **2)** install the new 8" waterline into the subject property, and **3)** provide proof of exclusion from the water district.

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

Mr. Sergio Zavala stated that the applicant Mr. Jose Manuel Garcia was present in the audience.

There being no comments, Chairman Rene Flores entertained a motion. Mrs. Diana Izaguirre moved to approve the single lot variance subject to staff's recommendation. Mr. Abiel Flores seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:33 p.m.**

**Ended: 6:38 p.m.**

**ITEM # 4.0**

**Pre-Final Plat Approval:**

**LDS Subdivision**

**A 4.87 ac. tract of land out of Lot 28-10**

**West Addition to Sharyland Subdivision**

**AO-I**

**Developer: The Church of Jesus Christ of  
Latter Day Saints**

**Engineer: Spoor Engineering  
Consultants, Inc.**

Mr. Sergio Zavala went over the write up stating that the proposed subdivision is located on the SW corner of Bryan Road and Mile 2. The subdivision consists of 1 lot, which is proposed for a new church facility.

**WATER:** Service will be provided through an existing 12" water line located along the south side of Mile 2 and a proposed 8" waterline to be installed by the developer along the west side of Bryan Road. The proposed 8" waterline is required to connect the existing 8" line that was installed by D & D Subdivision located 360' south of this tract. There are three fire hydrants shown pursuant to the direction of the Fire Marshal, however additional hydrants may be required during the construction of the church facility.

**SEWER:** Sewer service will be provided by extending a 6" service line from an existing 15" sewer line located along the east side of Bryan Road. The Sewer Capital Recovery Fee (SCRF), \$750.00/acre will be imposed as required by Ordinance # 3022.

**STREET & STORM DRAINAGE:** This subdivision abuts both future 100' ROW, 65' B/B streets. Mile 2 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. The developer is proposing to widen Bryan Road to the minimum 32.5' from the centerline of Bryan and will provide a 24" storm system for the road, thus complying with code. The developer is also proposing a 24" R.C.P. drain line to be located along the south side of the lot, that will lead to a proposed 24" line along Bryan Road that will ultimately outfall into the Mission Lateral. The proposed line along Bryan Road must comply with the minimum subdivision code requirements and must include a drainage service area for the abutting properties to be reviewed and approved by our City Engineer. A reimbursement contract may be submitted as well.

**OTHER COMMENTS:** Water District exclusion required; 5' sidewalks must be installed along Bryan Road; must pay off-site sewer lift station reimbursement to the City of Mission in the amount of \$1,088.83 (Mayberry Manor Subdivision Reimbursement Contract); and provide a street light plan for Bryan Road.

Staff recommended approval subject to: **1)** payment of the SCRF & Sewer Lift Station Reimbursement, **2)** escrow the widening along Mile 2 Road, **3)** provide exclusion from the Water District, and **4)** provide street lighting along Bryan Road.

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

Mr. Steve Spoor, the project engineer stated that they were willing to comply with all the requirements.

There being no further comments, Chairman Rene Flores entertained a motion. Mrs. Diana Izaguirre moved to approve the plat subject to staff's recommendation. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:38 p.m.**

**Ended: 6:51 p.m.**

**ITEM # 5.0**

**Pre-Final Plat Approval:**

**Verona Subdivision**

**A 2.47 ac. tract of land out of Lot 165,  
John H. Shary Subdivision**

**R-3**

**Developer: Everardo Sustaita Piceno**

**Engineer: M. Garcia Engineering, L.L.C.**

Mr. Sergio Zavala went over the write up stating that the subject site is located south of Wal-Mart, west of the Reserve at Cimarron Apartments. The subdivision consists of a single flag-shaped lot, which is being proposed for multi-family apartments. The developer is proposing a driveway off of Colorado that will lead to the future apartment complex. There will also be access to the driveway from the Holiday Inn, a future pediatric clinic, and future commercial users along its east side.

With the various types of businesses accessing the site, Staff is recommending the continuation of the driveway to the north property line with the intention of connecting to Wal-Mart's service alley to maximize cross access traffic circulation (no tractor trailer).

The developer is requesting to '*not*' stub to the north. Staff believes that it is in the City's best interest- traffic circulation wise – to make the connection since this will provide a safer avenue for the public, inclusive of the current and future apartment residents, to access and safely return from the Wal-Mart/Kohl's shopping district.

If viewing an aerial, the general public has already trafficked this open area as a '*natural evolution*' of the traffic patterns needed by the public, i.e., any southbound traffic from Wal-Mart's driveway cuts would have to navigate thru 2 northbound lanes, a crossing lane, and 2 south bound lanes to '*safely enter Shary*'. On the other hand, if the Colorado/Wal-Mart alley is made, this will provide the general public with entering at a controlled signalized intersection (Shary/Colorado). Staff re-states its recommendation to make the traffic-safety interconnection, i.e., stub to the north.

Reading the un-signed request to '*not*' stub, **1)** cites that "*it will be an easy target for vandalism*" though the apartment complex will have a security fence...this statement is totally unfounded pursuant to what Staff has been told of security measures; **2)** Wal-Mart trailers driving thru the access easement is un-founded as well since he states in his request that the 16' driveway would be too small for such big trailers; **3)** public driveway will be maintained by the developer...if an easement, it is maintained by the legal owner...if the developer desires to convert it to a public street, the plat must be denied and changed to provide the 50' ROW with a 32' B-B paved street with streetlighting to meet code; **4)** no reason to respond to this – understood; **5)** no other neighbor was asked to provide the N-S connectivity due to their location, i.e., the N-S connectivity is more conducive ('*common sense*') to not be too close to Shary; also, the evolved traffic patterns already used by the general public reflected this alignment as ideal; **6)** the '*appearance*' of an un-finished street should be temporary and though the statement is made that "*it will give bad appearance to*" the apartments, the street stub is to the furthest perimeter northwest of the acreage thus not being too dominant to the complex as the developer makes it seem; **7)** the last charge is that

their business will lose private appearance - - again, with the private gates installed, it will have no other appearance but as a private secured complex.

**WATER:** The developer is proposing to install new 8" waterlines that will connect to an existing 8" waterline located along the west side of the property and will loop the system by connecting to an existing line located along the NE area of the subdivision.

**SEWER:** Sewer will be provided by extending an existing 8" line located along the NW corner of the lot east and to the south to provide a stub out for future development. The Capital Sewer Recovery Fee is required at \$70/1 Bedroom Apt X 14 Apts. = \$980 & \$120/2 Bedroom Apt. X 29 Apts. = \$3,480 for a grand total of \$4,460.00

**STREETS & STORM DRAINAGE:** The subdivision fronts Colorado, a future 80' ROW, 57' B/B street. There is an existing 50' of ROW with the remaining 30' to be obtained from the property on the south, thus no ROW will be required by this plat. The developer is providing a public access easement that will be utilized by the adjoining businesses for access to Colorado. The access will be paved with two 16' lanes and a 4' median in the center. As with the Retreat at Cimarron, there will be no alley but the fire lanes will be marked via the Fire Marshal's direction during the building process.

**DRAINAGE:** will be detained on-site at a post-development rate as it would prior to development for a 10-year storm. Engineering has reviewed their proposal and found that the final calculations will be made during the building permit stage.

**OTHER COMMENTS:** Park Fees - \$300.00/Unit = \$12,900.00, a 5' sidewalk is required along the east side of the public access easement leading into the apartment complex.

Staff recommended approval subject to: **1)** stub the driveway easement along the perimeter to the north for future connection to Wal-Mart's alley, i.e., deny developer's request to 'not' stub to the north, and **2)** comply with other format findings.

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

Mr. Everardo Sustaita, the applicant, stated that they were ready to start with the project and the bank was just waiting to provide the numbers, but they don't feel comfortable providing the numbers until the plan is finalized/approved. He mentioned that he understood that the city was trying to alleviate the traffic problem in the area especially during school hours. He also stated that he had stopped several mornings to watch the traffic flow. He mentioned that 95 % of the



traffic that use the man made road, exit on the Holiday Inn, very rarely is used all the way to Wal-Mart.

Chairman Rene Flores asked Mr. Sustaita if the apartments would be gated.

Mr. Sustaita replied that they will be gated immediately just south of the panhandle. He also stated that on the long entrance drive through Colorado Street, he left another access to a property on the west side just south of the Holiday Inn for a doctor that would have a small doctor pharmacy clinic with a drive-thru.

Chairman Rene Flores asked that if then he was allowing them access to use the drive.

Mr. Sustaita replied that he was. He also mentioned that he wants to do some luxury apartments, but if they were to relocate the gates, the way that staff was proposing them; the possible tenant may be discouraged due to the amount of traffic.

Mr. Zavala stated that for the past 8 to 10 months, the applicant's conceptual showed that the location of the gates would be one on the south side of the panhandle, and the other one on the northwest corner of the building, leaving the drive completely open for traffic flow. This new site plan was recently submitted, which was a shock because they were led to believe that they were going to proceed via a stubbed plan. He also advised the board that the drive would not be a collector street where they would have to wait in order to exit south or to the north. Looping the drive to the north would help the tenants have an easier way to go to the shopping district if they desire. He stated that as far as commercial usage of the drive, it could be stipulated that no semi-trucks would be allowed, inclusive of adding speed bumps since it'd be an easement.

Chairman Rene Flores said that Mr. Sustaita was in agreement to work with the city in order to get the project on its way. He also mentioned that he had some banks waiting on the numbers in order to start with the project.

After a brief discussion, Chairman Rene Flores entertained a motion. Mrs. Diana Izaguirre moved to approve the plat subject to staff's recommendation. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

## **OTHER BUSINESS**

Mr. Zavala mentioned to the board members that in the next City Council meeting, they would see the appointment of the new board member.

**ITEM # 3.0**  
**ADJOURNMENT**

There being no further items for discussion, Mrs. Marisela Marin moved to adjourn the meeting. Mr. Mario Garza seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:52 p.m.

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Rene Flores, Chairman  
Planning and Zoning Commission