

**PLANNING AND ZONING COMMISSION
FEBRUARY 27, 2013
CITY COUNCIL CHAMBERS @ 5:00 P.M.**

P&Z PRESENT

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

P&Z ABSENT

Diana Izaguirre

STAFF PRESENT

Daniel Tijerina
Bobby Salinas
Susana De Luna

GUEST PRESENT

Lupe & Laura Gonzalez
Seth B. Duffey
Ezequiel Gonzalez
Steve & Dora Lucio
Cesar Gutierrez

Rene De La Cruz
John Duffey
Lisa Vasquez
Aaron Balli

Joe B. Garza
Mike Duffey
Daniel & Argentina Lucio
Baldemar Montemayor

CALL TO ORDER

Vice-Chairman Ned Sheats called the meeting to order at 5:04 p.m.

CITIZENS PARTICIPATION

Vice-Chairman Ned Sheats asked if there was any citizens' participation.

There was no response.

APPROVAL OF MINUTES FOR FEBRUARY 13, 2013

Vice-Chairman Ned Sheats asked if there were any corrections to the minutes for February 13, 2013. Mr. Carlos Lopez moved to approve the minutes as presented. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:57 p.m.

Ended: 5:59 p.m.

ITEM # 1.1

Discussion and Action to Amend Future Land Use Map within the Boundaries of Conway Blvd. to the East, Scott Lane to the West, Griffin Parkway to the North, and Mile 1 South to the South

Mr. Bobby Salinas went over the write up stating that this is the 5th in a series of FLUM amendments. The FLUM gives the general public, developers, public

officials, and interested others '*broad strokes*' of how the City of Mission's land uses should be located – it is not intended to be a rock solid depiction of a future zoning map. When determining general land use patterns, staff typically factors in the following:

- ❖ Frontage to Existing Major Streets such as FM Roads/MPO arterials – properties next to FM roads or State Highways (or the Expressway) have a larger tendency to be commercial or even attract apartments; if a property is next to Conway (SH 107)
- ❖ Frontage to *Future* Major streets – The MPO Thoroughfare Map is a Countywide map that requires uniform ROW profiles though the road is in different cities; this MPO Map has been reviewed and approved by all municipalities to require the ROWs
- ❖ Existing land uses – if adjoining next to SF Residences, the undeveloped acreage may have a higher tendency to be SF Res – the same for commercially used properties
- ❖ Existing zonings – if undeveloped acreage is in the midst of a certain *zoning* district (middle of R-1), the likelihood is that it will be SF used & zoned & should thus be designated for SF Res purposes
- ❖ Adjoining land uses – if undeveloped acreage is in the middle of a certain *land use*, then it will likely be used similarly
- ❖ Elevation of tracts – if property is naturally in a very low-lying area and it's flood zone reflects this as a perpetual hazard, then it should likely be designated as "Public" for area wide detention purposes and not be designated for SF Res purposes
- ❖ Highest & Best use analysis – this is a common sense approach after factoring all the above items, i.e., Staff can determine what the highest & best use should be for a certain acreage. For example, though there may be estate residential settings along FM 495, the long term effect should likely be for non-residential purposes such as offices, etc.

In order to fully understand the FLUM acronyms, we provide the following legend:

- **LD** – Low Density Residential; typical Single Family Residential setting; zoning would include R-1
- **LDA** – Lower Density Residential; typical SF Residential setting; zoning would include R-1A
- **MD** – Moderate Density Residential; typical uses would reflect townhomes, mobile homes, duplexes; zonings would include R-1T, R-2, R-4 (mobile homes)

- **HD** – High Density Residential; typical uses would reflect apartments; possibly clustered townhouses; RV parks; zonings would usually include R-3 and R-4 (RV’s)
- **•** - Neighborhood Commercial; typical uses would include convenience stores, barber shops, day cares, etc.; usually found at major intersections or in midst of older residential communities to serve the immediate neighborhood; Zoning is C-2
- **GC** – General Business; typically uses would include retail sales, restaurants, shops, offices, etc.; zonings include C-1, C-2, C-3
- **HC** – Heavy Commercial; typical uses would include heavy equipment sales or uses that require a large outdoor sales area; zoning would be C-4
- **P** – Public – typically includes schools, parks, city or county property

ANALYSIS

Mr. Bobby Salinas stated that in this component of the FLUM, there were several reconciliations of land uses/zonings and proposals to the FLUM that are the following:

SITE LOCATION	FROM/TO	JUSTIFICATION
Lot 2, Block 1, Del Monte Subdivision	GC	<i>Since this area was recently annexed there was no designation. We are proposing GC due to the frontage along Business 83 and other existing commercial uses in the area.</i>
Del Oro Subdivision I & II, and a 55.2 acre tract out of Porcion 52	LD to PUD	This property is currently zoned PUD and is part of the Bentsen Palm Development.
NW area of Inspiration and Mile 1 South	LD to GC	With frontage along a widened Mile 1 South and Inspiration Rd., and an existing C-3 zone on the corner of this area; GC seems to be the highest and best use of this tract.
NW area of Expressway 83 and Los Ebanos Road	HD to GC	We are proposing GC due to the frontage along the Expressway and the existing C-3 zone on this property.
Car Mart Subdivision (UR) & American Legion Post 93	MD to GC	We are proposing GC due to the frontage along the Expressway and the existing C-3 zone on these properties.

See Attachment "A".

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

There was no response.

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

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

Started: 5:05 p.m.

Ended: 5:08 p.m.

ITEM # 1.2

Rezoning:

**.626 acres of land out of the
Southeast corner of Lot 29-12,
West Addition to Sharyland
AO-I to P
Baldemar & Randy Morales**

Mr. Bobby Salinas went over the write up stating that the subject site is located 120' west of Stewart Road along the north side of Mile 2 Road. The site measures 105' x 260' (.626 acres).

The surrounding zones and existing land uses include: (AO-I) Agricultural Open Interim; SF Home to the north, east, and west, and (R-1A) Large Lot Single Family Residential; Open Acreage to the south. The site is currently (AO-I) Agricultural Open Interim. The Future Land Use Map reflects a Lower Density Residential (LDA) designation.

On August 13, 2012, City Council created a new Zone which requires all public facilities such as City, County, Federal buildings; **Churches**; and Schools to fall within this zone. Mr. Morales is proposing to convert an existing single family home into a Church facility, thus the need to change of zone from AO-I to P is required.

Mr. Morales has submitted a site plan showing the proposed church and 13 parking spaces for use by the parishioners. The 13 parking spaces allow for up to 52 seating spaces within the main church. Notices were sent to property owners within 200' of the site. Staff has not received comments for or against this proposal. Staff recommended approval to the P zone request.

Vice-Chairman Ned Sheats asked if there was any public opposition to the request.

There was no response.

Vice-Chairman Ned Sheats asked if the applicant or representative were present.

There was no response.

Mr. Mario Garza asked if staff received any input from the notices mailed out.

Mr. Salinas replied, "No".

Mrs. Marisela Marin asked what would happen if Mr. Morales decides not to do the church.

Mr. Salinas stated that basically the use of the property would be an existing non-conforming use as a house and if they were to come back wanting to add to the house or do something to extend then they would need to change the zone back to agricultural or single family residential.

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

Started: 5:08 p.m.

Ended: 5:12 p.m.

ITEM # 1.3

Rezoning:

**Lot 1, and the S. 25' of Lot 2,
Block 1, Bel-Aire Heights Subdivision
C-1 to C-2
Lupe & Laura Gonzalez**

Mr. Bobby Salinas went over the write up stating that the subject site is located on the NW corner of Griffin Parkway and Orange Avenue. The surrounding zonings and land uses include: (R-1) Single Family Residential; SF Home to the north, (C-1) Office Building District; Law Office to the east, and (AO-I) Agricultural Open Interim; SF Home to the west, and (C-1) Office Building District; SF Home to the south. The site is currently (C-1) Office Building District; SF Home. The Future Land Use Map reflects a General Commercial (GC) designation.

The lot is on the corner of Griffin Parkway and Orange Avenue; lots that are adjacent to Griffin Parkway are more compatible for a non-res use as recognized by the City's FLUM designation of General Commercial to this lot. This proposal is

directly consistent to the City's vision of a commercial nature, too. The site also has access to a public alley which is a typical feature of commercial lots. A final aspect observed by Staff is that there are other commercial zonings to the immediate east and south of the site. Staff recommended approval to the C-2 zone 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. Lupe & Laura Gonzalez who reside at 2111 Dorado Drive in Mission stated that they were trying to build a really nice facility.

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

Started: 5:12 p.m.

Ended: 5:44 p.m.

ITEM # 1.4

Rezoning:

Lot 86, Sharyland Orchards Subdivision

R-1T to R-3

Roxanna Gomez Perez

Mr. Bobby Salinas went over the write up stating that the subject site is located on the SW corner of School Lane and Lucksinger Road. The property measures 306.28' x 416.66' (2.93 acres).

The surrounding zones and existing land uses include: (R-1A) Large Lot Single Family; SF Home to the North and East, and (R-3) Multi-Family; Open Acreage to the West, South and at the site, (R-1T) Townhouse Residential; Open Acreage. The Future Land Use Map reflects a Moderate Density (MD) designation.

Though the FLUM shows a Moderate Density designation, Staff can support an R-3 zone on this property due to the site being adjacent to an existing Multi-Family Zone (R-3) to the west and south and it's adjacency to two residential collector streets. Staff recommended approval to the R-3 zone request.

Chairman Rene Flores asked what was an R-3.

Mr. Salinas replied, "Apartments". He added that the Board would be seeing its subdivision on the same agenda.

Mr. Ned Sheats stated that on the site picture and on the description it says to the west (R-3) is multi-family with open acreage is staff counting that little strip as "quote" open?

Mr. Salinas replied, "Yes". He added that it was a 50' strip.

Mr. Ned Sheats stated that then they actually had three sides of residential.

Mr. Salinas replied, "Yes, if you minus the 50' strip".

Mr. Tijerina stated that the map he was referring to was just the Future Land Use Map and was used as a guide but the designation there was high density so in essence staff was looking to modifying it in the future to high density if there was a positive recommendation to the City Council for approval of this item.

Chairman Rene Flores stated that he recalled seeing this area before but he recalled they wanted to build townhouses.

Mr. Salinas stated that it still was the same owner and similar concept they are just reducing the number of lots from 24 to 6 and each lot will have 4-condo/townhouses.

Chairman Rene Flores asked if they were reducing the lots of the previous subdivision approval.

Mr. Salinas stated that previously they had 24 lots and now they were reducing it to 6 but each lot will contain 4-condo/townhouses.

Chairman Rene Flores stated that he remembered the subdivision being very tight. He recalled expressing a concern regarding this type of subdivision; that the lots should have more room to construct and that the buildings be luxurious because people want to see something nice because of their beauty and not because of their convenience. He stated that he was happy to see that the applicant was reconsidering her original proposal.

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

A show of hands indicated that there were 11 persons present in opposition to this request.

Chairman Rene Flores asked if there was a general spokesman to avoid having everybody repeating themselves.

Mr. Mike Duffey stated that his family own 2 houses on 3 lots on Wildwood Dr. just north of the proposed site. He added that his parents live on Lot 1 of Wildwood Drive. Mr. Duffey mentioned that they were in opposition to the rezoning because of the traffic and the type of apartments. He added that they were okay with the townhouse because they were going to be high end townhouses but now going to an apartment concept, he believes it would not be favorable to them because of the traffic and the type of people living in them.

Mr. Steven Lucio who resides at 1718 School Lane which was Lot 36 adjacent to the proposed site. He mentioned that the 50' strip of land that was mentioned earlier was left for irrigation purposes as far as putting the lines there versus tearing up the street on Lucksinger which would be more costly. Mr. Lucio stated there objection was the traffic as it was mentioned earlier. Mr. Lucio added that the subdivision was even suggesting maybe asking the City if they could possibly place an additional stop sign between Ebony Circle and School Lane or possibly a speed bump because there were a lot of kids speeding going to Sharyland High School.

Mr. Tijerina showed the audience & the Board members a layout of the plat for this subdivision for their information.

Chairman Rene Flores asked if this was going to be gated or not gated.

Mr. Tijerina replied, "Not gated". He added that they were proposing a fence/buffer along both streets, and an internal street with an alley all around as required.

Chairman Rene Flores stated that he believes the more information that the neighborhood gets from the applicant the better informed they are and at the same time maybe their opposition might change. He added that the concerns voiced by Mr. Duffey and Mr. Lucio where two things: 1) the influx of traffic and 2) aesthetics. Mr. Flores stated that he could agree with them in the aesthetics because if something is going to be built he would like for it be nice so that when they are driving by or going out the front door its pleasing to look at.

Mrs. Marin asked if they were apartments or townhouses.

Mr. Tijerina stated that the current zoning for this property is R-1T (Townhouses Residential) and originally they were proposing to construct 24 townhouses. Mr. Tijerina mentioned for the Boards consideration that the Board had the power to down zone if they so desired from an (R-3) which was multi-family to maybe an (R-2) which was duplex-fourplex residential. He mentioned that they couldn't go higher to an R-4 zone but they could recommend an R-2, which permits 4-units on each of these lots and basically allows the developer to move forward with her

request instead of an R-3 zone. Mr. Tijerina stated that the reason he mentions this was because once the property is rezoned R-3 and then the developer for whatever reason doesn't move forward with this construction, anybody can purchase the lot and build anything that is allowable under a multi-family residential. Mr. Tijerina added that with an R-2 zone they could still accommodate the developer's needs and still be in compliance with the current (MD) moderate density designation which is R-2.

Mrs. Marisela Marin stated that they would comply with the developer needs but not what the surrounding neighborhood's wants.

Mr. Tijerina replied, "That's correct". He added that the developer was proposing to have a buffer, an alley adjacent to both streets, and common areas along Lucksinger so they are proposing to be buffered on all sides.

Mrs. Marisela Marin clarified that it was currently zoned R-1T which was townhouses and as far as they constructed townhouses the neighborhood was okay with that.

Mr. Lucio stated that she was right because they were going to sell the lots and now they were going to be rented out.

Mr. Salinas stated that it was pretty much the same concept they are going to build 4 townhouses per lot and each lot will have a condominium régime where they would each own that specific space.

Mrs. Marisela Marin asked why they need to change from R-1T to R-3 if they have the same concept.

Mr. Salinas stated that in R-1T the minimum lot size are 20' x 60' and when they went to Council, the Council wanted something that had less lots. He added that it could be R-2 or R-3 but the concept would be the same where they are going to have 1 building with 4-townhouses.

Mrs. Marisela Marin asked if they choose not to build it could someone go and build apartments by this Board approving the R-3 zone.

Mr. Salinas stated that was the reason Mr. Tijerina mentioned that this Board could down zone the property to R-2 that would have a little more control over what would happen with that property and he also mentioned that this property would be buffered from the residential areas.

Mrs. Marisela Marin asked if the reason they were rezoning to R-3 was because the new plan did not fit in the R-1T zone.

Mr. Tijerina stated that if they stay with the R-1T zone and have 20' x 60' lots they are going to have more traffic because they could build one house on every 20' x 60' lot which would be individually. He added that they could build anything that meets parking criteria, meets our codes and requirements so in essence its more traffic and more homes the proposal before this board is to have 6 lots with 4 units per lot.

Mr. Salinas stated that he had conferred with the Project Engineer and he clarified that the original proposal had 36 lots which the Council thought it was too much and wasn't happy with the density of it so the applicant reduced it to 24 units; 6 lots.

Mr. Mario Garza stated that he liked the R-2 zone.

Mr. Ned Sheats stated that he agreed completely with Mrs. Marin and liked Mr. Tijerina's suggestion of R-2.

Mr. Lucio stated that the math would be the same because his lot was slightly larger than one of proposed lots and to have 4 families there is a concern for him. He added that specially because there was no limit on the number of people that live in a home.

Mr. Mario Garza asked if they would have to change their proposal if they down zone to R-2.

Mr. Tijerina stated that the proposal would not change because an R-2 would still allow 4 units per lots and it would still meet the FLUM designations.

Mr. Baldemar Montemayor who resides at 1205 Lucksinger stated that he has lived there for the past 30 years. He added that the type of residents that live there were single family residential and he likes it that way. Mr. Montemayor believes that if they bring apartments to this area it would not be good because of the type of residents that would be coming in if it was a townhouse he would be okay with it because it is ownership and people tend to be responsible and stay there a long time versus apartments where people come and go as they please. He understood that they are still going to have more traffic but would rather keep it the way it is.

Mr. Ned Sheats stated that they were trying to do the best for this neighborhood but as the Chairman mentioned the City of Mission is growing and one of the things that is sadly lacking in his opinion is high quality low number apartments.

Mr. Montemayor stated that he would like the Board to consider his request in keeping it R-1T.

Mr. Joe Longoria who lives on the corner of Lucksinger and School Lane stated that his house overlooks that property. He added that he had 3 kids and shared the same concern in regards to traffic. He mentioned that more importantly this Board is talking about what they envision for the City he had been there for 20 years and likes the small town feeling but that wouldn't be up to him it would be up to this Board to determine how they want the City to look. Mr. Longoria stated that he likes it the way it is and as a family man with 3 kids ages 4, 6, and 8 he likes the safe feeling. He added that not too long ago a drug dealer used to live near his home and was raided. Imagine if you open it up to other people. He mentioned that this was America and they had the right to speak and the right to dictate who sits on this Board because they voted for them and he just hopes they have the same vision for the City as the neighborhood.

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

Mr. Joe B. Garza from Javier Hinojosa Engineering was present representing Mrs. Roxanna Perez. He added they plan to have a security fence. He mentioned that they were not apartments, they were going to be high end townhouses that would be sold individually. Mr. Garza stated that with the current zoning they could build 36 townhouses but they decided to reduce them to 24.

Mr. Tijerina asked if he would be okay with the R-2 zone.

Mr. Garza replied, "Yes". He added that the entire subdivision will have a chain link fenced and they will have a Home Owners Association.

Chairman Rene Flores stated that a chain link fence was not considered a high end.

Mr. Garza stated that it would not be a chain link fence.

Chairman Rene Flores stated that he recalled this area and felt it was too tight with 36 lots and still did not feel comfortable with the 6 lots with 24 townhouses.

Mrs. Marisela Marin asked if the townhouses were going to be for purchase or lease.

Mr. Garza stated that the townhouse would for purchase.

There being no further discussion, Chairman Rene Flores entertained a motion. Mr. Mario Garza moved to approve the R-2 zone instead of the R-3 requested as recommended by staff. Mr. Ned Sheats seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:44 p.m.

Ended: 5:50 p.m.

ITEM # 1.5

Conditional Use Permit:

**Sale & On-Site Consumption of
Alcohol – Chill X
1604 E. Griffin Parkway
Lot 11, Stewart Village Ph. I Subdivision
C-3
Aracely De La Cruz**

Mr. Bobby Salinas went over the write up stating that the subject site is within the Stewart Village Commercial Plaza on the SE area of Stewart and Griffin Parkway. The applicant wishes to open a new 2,250 sq. ft. restaurant.

- **Days & Hours of Operation:** Tuesday & Wednesday from 11 a.m. to 11 p.m., Friday & Saturday from 11 a.m. to 12 a.m.
- **Staff:** 7 employees
- **Parking Requirements:** The restaurant is proposing to have 50 seats which requires a minimum of 17 parking spaces (50 seats/3 = 16.6 spaces). It is noted that the parking area is held in common (517 existing parking spaces) and is shared with other businesses. Staff does not anticipate having any parking issues.
- **Sale of Alcohol:** Section 6-4 states: "...the sale of all alcoholic beverages within 300 feet of any church, public school, private school or public hospital..., is hereby prohibited. There are no such uses within 300' of this site.
- **Noise Code:** The applicant has assured us that the noise/music level would be regulated at all times and that the building would be sound proof where the residents to the south would not be disrupted.

This site was previously a Taqueria restaurant, thus there is no concern regarding parking for a restaurant. There are also existing dance halls within this plaza which are located closer to the residents to the south in which staff has not received any complaints. Due to this fact, Staff does not anticipate any issues with noise. Staff recommends approval subject to: 1) a 1 year re-evaluation after occupancy to assess this new business; 2) wet zone the site if needed; 3) must comply with the noise code; and 4) must acquire a business license.

Mr. Salinas stated that staff received a phone call in opposition quoting parking and the fact that there is a daycare near the restaurant as their opposition.

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

There was no response.

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

Mr. Rene De La Cruz who resides at 3308 N. Conway stated that his wife Aracely was the applicant/owner of the business. He stated that all they were asking was for 1 year to see if there business will work out.

Chairman Rene Flores mentioned that the alcohol businesses were closely monitored in the City of Mission so he suggested that they be diligent with his patrons and be cautious and comply with all of staff's recommendations to avoid having any trouble with his business.

Mr. De La Cruz stated that he was not proposing to sell any liquor, just beer and wine.

Chairman Rene Flores stated that people get drunk with beer and wine too.

Mr. Mario Garza asked where was this business located exactly.

Mr. Tijerina stated that this business would be next to Mr. Balli's future dancehall business.

Mr. Aaron Balli stated that hopefully he will be building next to Mr. De La Cruz and he mentioned that he was not against it or opposed to this business. He said he thought it would bring more revenue to the City and would benefit everybody.

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

Started: 5:50 p.m.

Ended: 5:57 p.m.

ITEM # 2.0

Preliminary & Final Plat Approval: Aries Subdivision

Lot 86, Sharyland Orchards Subdivision

R-1T (R-3 proposed)

Developer: Aries Construcciones, LLC

Engineering: Javier Hinojosa Engineering

Mr. Bobby Salinas went over the write up stating that the subject site is located on the SW corner of School Lane and Lucksinger Road. The proposed subdivision

consists of 6 multi-family lots. The developer is proposing to have 4 attached townhouses built per lot.

The project engineer is asking for permission to allow a fence buffer to be placed on the alley right of way along the north and east side of the subdivision due to the abutting ROWs of School Lane and Lucksinger Road. If approved, the developer/owners must perpetually maintain the fence. Staff does not object to the proposal, subject to the signing of a Hold Harmless Agreement, having a related 'maintenance' plat note, and adding this maintenance encumbrance to their deed restrictions.

Water: The developer is proposing water service by upgrading an existing 8" asbestos concrete line along School Lane and installing a new 8" line along Lucksinger Road, which will provide water to the subdivision with an internal 8" line. The line along Lucksinger will be stubbed to the south for future development. The developer is also proposing 2 new fire hydrants located via the direction of the Fire Marshal's office.

Sewer: An 8" sewer line will be installed within the subdivision which will then connect into an existing 12" sewer line located along School Lane. The Capital Sewer Recovery Fee is required at \$200/Lot which equates to \$4,020 (\$670 x 6 four-plexes).

Streets & Storm Drainage: The subdivision has access to Lucksinger Road, a future 60' ROW, 37' B/B street. The developer will be dedicating an additional 15' of ROW along Lucksinger Road to equate to the minimum 30' from centerline. The developer's portion of both School Lane and Lucksinger Road will be fully widened. The subdivision will pave a single 50' ROW, 37' B/B paved street with 20' wraparound alleys along the perimeter of the subdivision. Storm drainage is proposed through the use of private detention areas which will connect into School Lane's existing drainage system located along the NE corner of the subdivision. A plat note requiring the HOA to maintain the detention areas in a viable condition will be evident. The developer will also be required to install a 24" R.C.P. line located along Lucksinger Road to the southern boundary line of their subdivision (to be escrowed).

Other comments include: Park Fees - \$300/Housing Unit Equivalent = \$7,200, 5' sidewalks to be installed along School Lane and Lucksinger Road; 4' sidewalks will be required along the interior street at the building permit stage; Must submit a street light plan for review; Water District Exclusion; and Must comply with all other format findings. Staff recommended approval subject to: 1) no objection to fence on ROW request as cited above (HH, etc.); 2) payment of capital sewer recovery and park fees; 3) escrow the installation of the drainage line; and 4) comply with all other format findings.

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

There was no response.

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

Mr. Joe B. Garza from Javier Hinojosa Engineering was present to address any questions that the Board might have.

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

ITEM # 3.0
ADJOURNMENT

There being no further items for discussion, Mr. Ned Sheats moved to adjourn the meeting. Mr. Abiel Flores seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:00 p.m.

Rene A. Flores, Chairman
Planning and Zoning Commission