

**PLANNING AND ZONING COMMISSION
APRIL 13, 2016
CITY HALL'S COUNCIL CHAMBERS @ 5:00 P.M.**

P&Z PRESENT

Ned Sheats
John Guerra
Mario Garza
Carlos Lopez
Julio Cerda
Diana Izaguirre

P&Z ABSENT

Marisela Marin

STAFF PRESENT

Daniel Tijerina
Jaime Acevedo
Susana De Luna
Michael Rosales

GUESTS PRESENT

Ludivina Saldana
Margarita De La Fuente
Laura Brussolo
Nancy Rodriguez
Fernando Ramirez
Fred Kurth

Susana Aguilar
Laura & Jesus Ruiz
David Duff
Mario A. Salinas
Cesar Sanchez

Josie Chapa
Jorge Benavides
Cindy Barrera
Carlos S. Lugo
Abiel & Ismena Garcia

CALL TO ORDER

Chairman Ned Sheats called the meeting to order at 5:01 p.m.

CITIZENS PARTICIPATION

Chairman Sheats asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR MARCH 23, 2016

Chairman Sheats asked if there were any corrections to the minutes for March 23, 2016. Mr. Julio Cerda moved to approve the minutes as presented. Mr. John Guerra seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:02 p.m.

Ended: 5:18 p.m.

Item #1.1

Rezoning:

**Lots 5 & 6, Block 112,
Mission Original Townsite Subdivision
C-2 to C-3
Margarita De La Fuente**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located on the NE corner of 6th & Keralum. The corner lot measures 100' x 150' or 15,000 sq. ft.

SURROUNDING ZONES: N: R-I – Single Family Residential
E: R-1 – Single Family Residential
W: R-1 – Single Family Residential
S: R-1 – Single Family Residential

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

FLUM: Low Density (LD)

REVIEW COMMENTS: The land uses reflect the zonings shown above. The Future Land Use Map reflects a Low Density (LD) land use, too; thus, C-3 is not consistent to the LD designation and would be too high of a commercial designation for this area.

RECOMMENDATION: Denial.

Chairman Sheats asked if the applicant or representative were present.

The applicant, Mrs. Margarita De La Fuente stated that she was requesting the rezoning to have more options on the business allowed in her proposed commercial plaza. She added that the businesses being considered were a small restaurant, bakery/Tortilleria, beauty salon, dry cleaning.

Mr. Tijerina stated that most of the businesses that she was proposing were allowed in the current zone. The only business that required a conditional use permit was the restaurant.

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

In opposition, Mrs. Ludivina Saldana who resides at 614 N. Keralum stated that this was a quiet neighborhood mainly composed of elderly people. She added that there were a lot of children in this area and it would not be safe for them specially because they didn't know what type of businesses were they doing to put in that area.

Mrs. Josie Chapa who resides at 601 N. Keralum stated that she had several concerns one being that this property has not been used for commercial for over 30 years. She added that the current business was not in use. Mrs. Chapa added that why didn't they rezone to residential.

Mr. Tijerina stated that this property was rezoned to C-2 when the City Council initiated a mass rezoning because it had being used as commercial. He added that most of the surrounding properties used to be R-2 which is duplex-fourplex and the Council didn't want any more apartments in this area.

Mrs. Chapa stated that she wanted to do a triplex and was told by staff that it would not be allowed based on the current zoning. Mrs. Chapa added that another concern she had was in regards to drainage how could they tell if she was in compliance with the drainage especially since its being inactive for more than 30 years. Mrs. Chapa stated that businesses should be kept where they belong in the commercial area and residential homes should be kept in residential owner.

Mrs. Saldana stated that these types of business would be better suited on Mayberry Road.

Mr. Julio Cerda mentioned that he just wanted for them to understand that she does not need a C-3 zone to have the businesses that she was proposing with the exception of the restaurant that needed a conditional use permit.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Julio Cerda moved to deny the rezoning as per staff’s recommendations. Mr. John Guerra seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:18 p.m.

Ended: 5:22 p.m.

Item #1.2

**Rezoning: Lot 1, Gomez Estates Subdivision
C-2 to C-3
Elias Gonzalez**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located on the NE corner Inspiration Road and W. Mile 2 Road—see vicinity map. The corner lot measures 230’ x 281 or 41,316 sq. ft.

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

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

FLUM: Low Density (LD)

REVIEW COMMENTS: With the expansion of Mile 2 Road, this transition zone has seen several commercial rezoning’s in the past few months. Although the FLUM shows a Low Density (LD) designation, staff notes the FLUM can be amended to reflect the C-3 use. Staff mailed notices to property owners within a 200’ radius of the site to solicit comments in favor

or against this request. As of the date of this write-up, staff has only received one inquiry about what was being proposed.

RECOMMENDATION: Approval.

Chairman Sheats asked if the applicant or representative were present.

Mr. Tijerina stated that the applicant was out of town and was unable to attend the meeting. He mentioned that he received a call from a concerned citizen that needed information regarding this rezoning but once he explained what the applicant was trying to do he was not in opposition to the request.

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

There was no response.

Chairman Sheats asked what they were constructing on the vacant lot.

Mr. Acevedo stated that it was part of the commercial development going on.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Marion 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: 5:22 p.m.

Ended: 5:22 p.m.

Item #1.3

Rezoning:

**A 4.12 acre tract of land out of Lot 202,
John H. Shary Subdivision
C-4 to R-3
Terra Homes**

Mr. Jaime Acevedo stated that no action needed to be taken on this item since the applicant had withdrawn his rezoning request this afternoon.

Started: 5:22 p.m.

Ended: 5:27 p.m.

Item #1.4

Conditional Use Permit:

**Drive-Thru Service Window – Delia's Tamales
602 W. Griffin Parkway
Lot 1, West View V Subdivision (Unrecorded)
C-3
Lubin Properties, LLC**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located approximately 800' east of Holland Road along the north side of W. Griffin Parkway (F.M.

495). The applicant is proposing to open a new Delia's Tamales Restaurant with a *drive-thru service window* at this new development. The drive-thru window is being proposed on the west side of the building, traffic must travel into development off the 38' driveway along Griffin Parkway. Traffic would follow the long drive-thru lane which wraps around the perimeter of the property and comes alongside the west side of the building. There is an ordering area just before the reaching the building. There are two services windows along the west side of the building which are used to pay and pick up customer orders. The drive-thru lane allows stacking for over 18 vehicles. Exiting would be done by continuing southbound along the western most side of the building and exiting back onto Griffin Parkway.

- **Hours of Operation:** Monday - Saturday from 6 a.m. to 8:30 p.m. and Sunday from 7:00 a.m. to 6:30 p.m.
- **Staff:** 10-15 Employees during different shifts
- **Parking:** The 5,000 sq. ft. building will have a total of 86 seating spaces for the restaurant. A total of 29 spaces are required for this site (5,000 sq. ft./75sq.ft.= 66 parking spaces). It is noted that a 65 parking spaces are proposed with this development. However, when we add the 18 parking spaces created by drive-thru lane we have a total of 83 total parking spaces within the commercial development which exceeds code by 17.
- Landscaping has been provided as a part of the overall commercial development.
- Must comply with all Building, Fire, and Health Codes, prior to obtaining a business license.
- A business license is required prior to occupancy.

REVIEW COMMENTS: Staff does not object to the proposed drive-thru service windows.

RECOMMENDATION: Staff recommends approval subject to:

1. 3 yr. approval in order to assess this new operation;
2. Must comply with all Building, Fire, and Health Codes, prior to obtaining a business license;
3. Must acquire a business license.

Chairman Sheats asked if the applicant or representative were present.

Representing the applicant, Mr. Fred Kurth from Melden Hunt Ramiro Gonzalez whose address is 423 E. Griffin Parkway stated that his brother was not able to attend the meeting due to him been in the hospital but would appreciate the Boards consideration for approval of his request.

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

There was no response.

Mr. Julio Cerda suggested that the conditional use permit be for 3 years instead of 1 year since it was a big investment and Delia's Tamales was a well-known business.

Chairman Sheats agreed with the 3 year recommendation.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendation including a 3 year re-evaluation. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:27 p.m.

Ended: 5:27 p.m.

Item #1.5

**Conditional Use Permit: Drive-Thru Service Window – Mexican Restaurant
Being a 1.15 of an acre out of Lot 30,
Bell-Woods Co's "C" Subdivision
C-3
Raul Gonzalez**

Mr. Jaime Acevedo stated that the applicant was changing the site plan for his business therefore no action needed to be taken on this item.

Started: 5:27 p.m.

Ended: 5:31 p.m.

Item #1.6

**Conditional Use Permit: Drive-Thru Service Window
- Papa Taco Mexican Restaurant
2714 E. Griffin Parkway, Ste. B
Lot 3, Sparks & Townsend Plaza
C-3
Susana Aguilar**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located at the SE corner of Taylor and F.M. 495. Mrs. Guerra desires a CUP for a drive-thru for a Mexican Restaurant at this location to be allowed. The drive-thru window is on the east side of the building where driveway approach will be via a 35' driveway cut from Taylor Road. To exit one would either go out onto F.M. 495 or exit back onto Taylor. Viewing the site plan there is enough room to accommodate (1) vehicle at the service window and there is enough space for the stacking of (1) additional vehicle. Previously, The Brisket Haus had operated at this location with a drive-thru service window without any issues or concerns.

- **Hours of Operation:** Monday - Sunday from 7 a.m. to 9:00 p.m.
- **Staff:** 4 Employees during different shifts
- **Parking:** The 1,600 sq. ft. building will have a total of 20 seating spaces for the restaurant. A total of 21 spaces are required for this site (1,600 sq. ft./75sq.ft.= 21 parking spaces). It is noted that parking is held in common with this development and exceeds code.
- Landscaping has been provided as a part of the overall commercial development.
- Must comply with all Building, Fire, and Health Codes, prior to obtaining a business license.
- A business license is required prior to occupancy.

REVIEW COMMENTS: Staff does not object to the proposed drive-thru service window.

RECOMMENDATION: Staff recommends approval subject to:

1. 1 yr. approval in order to assess this new operation;
2. Must comply with all Building, Fire, and Health Codes, prior to obtaining a business license;
3. Must acquire a business license.

Chairman Sheats asked if the applicant or representative were present.

Mrs. Susana Aguilar stated that this building has been in existence and didn't foresee why it would not get approved if she was proposing a similar use to what was there previously.

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

There was no response.

There being no discussion, Chairman Sheats entertained a motion. Mr. Julio Cerda moved to approve the conditional use permit as per staff's recommendations. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:31 p.m.

Ended: 5:31 p.m.

Item #1.7

**Conditional Use Permit: Home Occupation – Swimming Lessons
1001 Alameda Drive
Lot 12, Mayberry Manor Subdivision
R-1
Myriam L. Gonzalez**

Mr. Jaime Acevedo stated that no action needed to be taken on this item since the applicant had withdrawn her request on Monday and the agenda had already been delivered.

Mrs. Diana Izaguirre walked in at 5:31 p.m.

Started: 5:32 p.m.

Ended: 5:34 p.m.

Item #1.8

**Conditional Use Permit: Drive-Thru Service Window – Shipley Donuts
2575 E. Griffin Parkway, Ste. 1
Lot 1, Tres Picos Ph. I Subdivision
C-3
David S. Duff**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located approximately 700' west of Taylor Road on the north side of E. Griffin Parkway (F.M. 495). The applicant is proposing to open a new donut shop with a *drive-thru service window* at this new development. The drive-thru window is being proposed on the west side of the building, traffic must travel into the northernmost 38' drive via Harmony Lane then proceed along the west side of the building to the drive-thru window. The drive-thru window allow stacking for approximately 4 vehicles. Exiting would be done by continuing southbound along the western most side of the building and exiting back onto Harmony Lane.

- **Hours of Operation:** Monday - Sunday from 5 a.m. to 10 p.m.
- **Staff:** 10-12 Employees during different shifts
- **Parking:** The 1,661 sq. ft. building will have a total of 24 seating spaces for the restaurant. A total of 22 spaces are required for this site (1,661 sq. ft./75sq.ft.= 22 parking spaces). It is noted that a total of 150 parking spaces are held in common within the commercial development.
- Landscaping has been provided as a part of the overall commercial plaza.
- Must comply with all Building, Fire, and Health Codes, prior to obtaining a business license.
- A business license is required prior to occupancy.

REVIEW COMMENTS: Staff does not object to the proposed drive-thru service windows.

RECOMMENDATION: Staff recommends approval subject to:

1. 1 yr. approval in order to assess this new operation;
2. Must comply with all Building, Fire, and Health Codes, prior to obtaining a business license;
3. Must acquire a business license.

Chairman Sheats asked if the applicant or representative were present.

Mr. David Duff who resides at 1519 N. Jackson in Edinburg stated that he was bringing his franchise business to Mission and would like for the Board to consider his request to have a drive-thru service window.

Chairman Sheats asked Mr. Duff if he was receptive to staff's recommendations.

Mr. Duff replied, "Yes".

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

There was no response.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Julio Cerda moved to approve the conditional use permit as per staff's recommendations. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion was approved unanimously.

Started: 5:34 p.m.

Ended: 5:40 p.m.

Item #1.9

Conditional Use Permit:

**Beauty Salon in a C-1 (Office Building Zone)
2215 N. Shary Road
Lot A, Glenwood Terrace Unit No. 2 Subdivision
C-1
Laura Brussolo**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located on the NW corner of Brock Street and Shary Road. The applicant is proposing to open a beauty salon at this C-1 zoned property. A hair salon service is a permitted use with a Conditional Use Permit in a C-1 zone. Lot A will go no higher than C-1 due to its size. In addition to hair salon services, the applicant will offer facials, massages, nails, and pedicures. Although the site is commercially zoned, the structure is still a residence and not a commercial building.

- **Hours of Operation:** Tuesday – Saturday from 9 a.m. to 7 p.m.
- **Staff:** 2 Employees
- **Parking:** The 1,384 sq. ft. building will have a total of 4 parking spaces for staff and customers. A total of 6 spaces are required for this site to meet the parking code.
- Must comply with all Building, Fire, Sign, and Health Codes, prior to obtaining a business license.
- A business license.

REVIEW COMMENTS: Since this location will operate as a business and not a home occupation, Staff cannot support this CUP until a commercial parking layout with 6 parking spaces is proposed.

RECOMMENDATION:
Denial.

Chairman Sheats asked if the applicant or representative were present.

Mrs. Laura Brussolo and Mr. Jorge Benavides who resides at 2707 Sonora Street stated that the parking would not be an issue because they really didn't need more parking since it was going to be by appointment only.

Mr. Tijerina stated that based on the new information staff would be inclined to approve the conditional use permit for 1 year to monitor the business and the need for parking. He asked Mrs. Brussolo how many people would be helping her.

Mrs. Brussolo stated that it would only be her sister and her as the only stylists.

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

There was no response.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendations. Mr. John Guerra seconded the motion. Upon a vote, the motion was approved unanimously.

Started: 5:40 p.m.

Ended: 5:46 p.m.

Item #2.0

Site Plan Approval:

Construction of 8 Apartments

3304 Hillcrest Drive

Lot 5, Taurus Estates No. 10 Subdivision

R-3

Jesus Ruiz

Mr. Jaime Acevedo went over the write-up stating that the subject site is located at the Graham/Hillcrest intersection along the east side of Hillcrest. Site Plan approval is required prior to permit issuance for multi-unit complexes of five or more.

In reviewing the site plan, there is one 2-Story Building, to be used as a multi-family apartment complex, approximately 87'x 40' sq. ft. per story for a total of 6,962 sq. ft. The building must comply with all fire code requirements for a multi-family 2 story building. Residents of the first floor will enter through doors along the front side of the building. There is an exterior stair wells along the rear side of the building for the second story residents. There will be no open balconies along the building.

The minimum required setbacks for the site are: 20' front along Hillcrest; rear setbacks of 4'; and 6' side setbacks. It is noted that all setbacks are in compliance.

As seen, one 26' driveway on to Hillcrest Drive will lead the traffic into and out of the facility. Also, there is access through the rear alley.

With regards to parking, the site plan shows 16 regular parking spaces. For a multi-family building of this size the City Code requires 16, therefore meeting code. Each occupant will have an individual residential trash bin which will be collected through alley.

This development will consist of 5' sidewalks along all the perimeters. Ten percent landscaping will be required with a combination of trees, plants, and shrubs. A minimum of seven (7) – three (3') inch caliper trees are required to be planted within the green areas. In addition, one light pole in each of the front parking areas and one light pole in rear parking area will be required.

When the plat was recorded, the park fee was levied at 6 units per lot @ \$200/unit—with the new upgrade in fees, the additional 2 units (see total of 8 proposed apartments) will require the new 2 @ \$300/unit = \$600 park fee to be imposed. In addition a \$240 sewer capital recover fee (2 @ \$120/unit) will be imposed.

RECOMMENDATION: Staff recommends approval subject to:

- 1) The submittal of grading and detention plan to our City Engineer;
- 2) Compliance with landscaping and parking light pole requirements as noted above;
- 3) Compliance with all building and fire codes;
- 4) \$240 sewer capital recovery fees and \$600 park fees;
- 5) Compliance with Fire Marshal's requirements.

Chairman Sheats asked if the applicant or representative were present.

Mr. Jesus Ruiz was present to address any questions from the Board.

Mr. John Guerra asked if there were other apartments in this area.

Mr. Acevedo stated that this subdivision was all for apartments.

Chairman Sheats asked why was staff only asking for 1 light pole.

Mr. Tijerina stated that 1 light pole is required for every 10 parking spaces. He mentioned that with 1 light pole it would be sufficient for this area.

Mr. Julio Cerda asked if staff was being consistent with all the requirements.

Mr. Acevedo replied, "Yes".

There being no further discussion, Chairman Sheats entertained a motion. Ms. Diana Izaguirre moved to approve the site plan approval as per staff's recommendations. Mr. Julio Cerda seconded the motion. Upon a vote, the motion was approved unanimously.

Started: 5:46 p.m.

Ended: 5:46 p.m.

Item #3.0

Single Lot Variance:

**0.250 acres being a part of portion of the Golf Course and Lake Reserve out of Meadow Creek Country Club Phase I-A
AO-I
Ismena Garcia**

Mr. Jaime Acevedo stated that no action needed to be taken on this item since the rezoning part of the request had been remanded back to the P&Z Board.

Started: 5:46 p.m.

Ended: 5:50 p.m.

Item #4.0

Tabled Conditional Use Permit:

**Drive-Thru Service Window
– Mini Max #6 Convenience Store
1500 W. Business Highway 83**

**Lot A, Mission Acres Subdivision
C-3
Omar Hadroun**

Chairman Sheats entertained a motion to remove the item from the Table. Mr. Mario Garza moved to remove the item from the table. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion was approved unanimously.

Mr. Jaime Acevedo went over the write-up stating that the subject site is located at the NW corner of Los Ebanos and Business Highway 83.

EVALUATION: The applicant has purchased the long standing E-Z Mart Convenience Store and is requesting a drive-thru service window to be allowed at this location. During the remodeling of the store, Mr. Hadroun was alerted by staff that he must first obtain a CUP for a drive thru service window to be allowed. Entrance to this site is derived from two driveway cuts along Los Ebanos, and two from Business Highway 83. The drive-thru service window will be along the east side of the building. The lane allows stacking for approximately 2 vehicles.

- **Days / Hours of operation:** Monday – Sunday from 6:00a.m. to 12:00a.m.
- **Staff:** 7 employees
- **Parking:** There are a total of 11 striped parking spaces (includes 1 handicap parking space) at the Minimax #6 Convenience Store for which all 11 are required for the store's use, however, a total of 19 are available when factoring the parking under the canopies; thus, parking is satisfactory to our codes.
- **Landscaping:** Complies with landscaping ordinance for the City.

REVIEW COMMENTS: Applicant will have to comply with all Building, Health, and Fire department for their Business License.

RECOMMENDATION: Approval subject to acquiring a building permit and subject to a 1 year re-evaluation.

Mr. Acevedo mentioned that the reason it was tabled was because they wanted a better site plan than the one originally submitted by the applicant. The applicant has now submitted a revised plan for their review.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendations. Mr. John Guerra seconded the motion. Upon a vote, the motion was approved unanimously.

Started: 5:50 p.m.

Ended: 5:57 p.m.

Item #4.1

**Preliminary & Final Plat Approval: MAR Subdivision
A 12.11 acre tract of land out of**

**Lot 304, John H. Shary Subdivision
R-1T**

Developer: Mar Designs & Construction, Inc.

Engineer: Mario Salinas Engineering, LLC

Mr. Jaime Acevedo went over the write-up stating that the proposed subdivision is located approximately ½ mile north of 2 Mile on the west side of Shary Road. The developer is proposing 95 Townhouse Residential lots, all exceeding area requirements, and a detention area.

WATER - The developer is proposing a looped 8" water system to an existing 10" line located along the west side of Shary Rd. to provide water service to each lot. Fire hydrants will be installed per the Fire Marshal's direction.

SEWER - In regards to sewer, the developer is proposing to connect a 4" sanitary sewer line to a 8" sewer line along the east side of Shary Road. The \$200.00/Residential Lot Capital Sewer Recovery Fee will be imposed as required by Ordinance #4310, i.e. 95 lots X \$200.00/Lot = \$19,000.00.

STREETS & STORM DRAINAGE - The subdivision has frontage to Shary Rd., which is a future 120' ROW 81' B/B street. There is an additional 20' of ROW proposed which will comply with the MPO Thoroughfare Plan requirement of 60' from centerline. The street widening cost for Shary will be \$120.37 per linear feet or \$120.37 x 322.72 lf = \$38,845.81 The internal lots will be fronting a 50' ROW 32' B/B paved street built to the City's construction specifications. Drainage for the subdivision is proposed through the use of 24" H.D.P.E. lines located within the proposed street that will flow into a detention pond located to the westernmost area of the subdivision. There is also a 8" bleeder line connected to the TXDOT Storm Drain Inlet located on the west side of Shary Road-see HCDD #1 approved drainage report.

OTHER COMMENTS

Escrow Park Fees **(95 Lots X \$300.00 = \$28,500.00)**

Install or Escrow Street Lighting

Install or Escrow 5' sidewalks along Shary Rd. **(322.72' X \$12.00/L.F. = \$36,408.36)**

Exclusion from the Water District

RECOMMENDATION: Staff recommends approval subject to: 1) Must meet the Model Subdivision Rules; 2) Comply with the street alignment policy; 3) Must pay the capital sewer recovery fees; and 4) Must pay street widening fee.

Chairman Sheats asked if the applicant or representative were present.

Mr. Mario Salinas whose address is 4037 W. Expressway 83 in McAllen was present to address any questions from the Board.

Mr. John Guerra stated that he recalled that they were proposing less townhouses.

Mr. Tijerina stated that originally they were proposing 120 -130 townhouses and now they were proposing 95.

Ms. Diana Izaguirre asked how many buildings they were proposing.

Mr. Tijerina stated that the subdivision has 95 lots but only 87 lots were buildable due to the others having a gas line running through them.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Julio Cerda moved to approve the subdivision plat as per staff's recommendations. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion was approved unanimously.

Ms. Diana Izaguirre stepped down from the Board.

Started: 5:57 p.m.

Ended: 6:01 p.m.

Item #4.2

**Preliminary & Final Plat Approval: Eduardo's #14 Subdivision
A 10.25 acre tract of land out of Lots 34-3,
& 34-4, West Addition to Sharyland Subdivision
ETJ
Developer: Diana Laura Izaguirre
Engineer: Izaguirre Engineering Group, LLC**

Mr. Jaime Acevedo went over the write-up stating that the proposed subdivision is located approximately 550' west of Trospen Road approximately 1/2 mile north of Mile 3 Road Mile 4 North Road. The developer is proposing 32 Single Family Residential lots all exceeding area requirements.

WATER - The water CCN belongs to Sharyland Water Supply Corporation. The developer is proposing to connect to an existing 8" line located along the east side of Trospen Rd. to provide water service to each lot. Fire hydrants will be installed per the Fire Marshal's direction or funds escrowed pending approval of SWSC water line access agreement.

SEWER - In regards to sewer, the developer is proposing to extend an 8" sewer line out along Westside Lane and through an easement connecting to 10" 'a sewer line along the side of Trospen Road. The \$200.00/Residential Lot Capital Sewer Recovery Fee will be imposed as required by Ordinance #4310, i.e. 32 lots X \$200.00/Lot = \$6,400.00. There will also be a \$260 sewer tap fee and \$58.50 Sewer Permit Fee imposed per lot x 32 lots = \$10,192.00.

STREETS & STORM DRAINAGE - The subdivision has frontage to Westside Lane a paved county road with 40' of ROW. The applicant will have a transition from Westside Lane into the subdivision. The internal lots will be fronting a 50' ROW 32' B/B paved street built to the County's construction specifications. Drainage for the subdivision is proposed through the use of 18" H.D.P.E. lines located within the proposed street that will flow into a La Vista Drain

ditch located along the westernmost area of the subdivision-see HCDD #1 approved drainage report.

RECOMMENDATION: Staff recommends approval subject to: 1) Must meet the Model Subdivision Rules; 2) Comply with the street alignment policy; 3) Must pay the capital sewer recovery fees; and 4) Comply with comments from the County Planning Department.

Chairman Sheats asked if the applicant or representative were present.

There was no response.

There being no discussion, Chairman Sheats entertained a motion. Mr. Julio Cerda moved to approve the subdivision plat as per staff's recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion was approved unanimously.

**ITEM #5.0
OTHER BUSINESS**

**ITEM #6.0
ADJOURNMENT**

There being no further items for discussion, Mr. Mario Garza moved to adjourn the meeting. Mr. John Guerra seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:01 p.m.

Ned Sheats, Chairman
Planning and Zoning Commission