

**PLANNING AND ZONING COMMISSION
JUNE 27, 2012
CITY COUNCIL CHAMBERS @ 5:00 P.M.**

P&Z PRESENT

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

P&Z ABSENT

Rene Flores

STAFF PRESENT

Sergio Zavala
Bobby Salinas
Irasema Dimas

GUESTS PRESENT

Rafael Pacheco Jr.
Rafael Pacheco Sr.
Hermelinda G. Salazar
Rene Barrera, P.E.

CALL TO ORDER

Vice-Chair Marisela Marin called the meeting to order at 5:00 p.m.

CITIZENS PARTICIPATION

Vice-Chair Marisela Marin asked if there was any citizens' participation. There was no response upon inquiry.

APPROVAL OF MINUTES FOR JUNE 13, 2012

Vice-Chair Marisela Marin asked if there were any corrections to the minutes for June 13, 2012. There being no corrections, Mr. Sheats moved to approve the minutes as presented. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:01 p.m.

Ended: 5:09 p.m.

ITEM # 1.1

Conditional Use Permit:

**Manufacturing and Packing of
Tortilla Chips in a C-4 Zone
715 N. Glasscock Road, Suite 12
Lot 12,
83 International Business Plaza Subd.
C-4
Rafael Pacheco**

Mr. Bobby Salinas went over the write up stating that the subject site is located within a warehouse plaza 765' south of U.S. Business 83 and west along "C" Street. The applicant is proposing to manufacture, process, package, and store tortilla chips within the C-4 warehouse suite. The Zoning Code requires the "manufacturing...processing, packaging of food products" to be done within a I-1 I(Light Industrial Zone). However, any I-1 permitted use may be permitted within a C-4 with a CUP (Zoning Code, Art. VIII, Sect. 1.44 (3) (g).

The applicant is proposing the use of 3 mixing machines, 3 tortilla machines, and three bagging machines. Once the product is bagged, it will be stored until the Esquisita Tortilla Co. picks up the orders and takes them to their warehouse. There will be no sales on-site, i.e., no customers on-site.

- **Hours of operation:** Monday – Saturday from 8:00 a.m. to 5:00 p.m.
- **Staff:** There will be 4 employees operating the business.
- Must comply with the sign code.
- Must comply with all Building, Fire, and Health Codes.
- Must acquire a business license.

We note that the proposed use will not be open to any customers, and the number of employees can be easily accommodated on the existing parking area. Also, the vehicles that will pick-up the orders must park within the front entry and not park in the alley; this will include drop-offs of preparatory items, too. Finally, sect. 1.56(8) of the Zoning Code prohibits any form of pollution to be dispensed to adjoining properties.

Staff recommended approval subject to: **1)** 1 year re-evaluation to assess this new operation, **2)** comply with the City's Sign Code, **3)** comply with all Building, Fire, and Health Codes, **4)** acquire a business license and any health cards that may be required, **5)** pick-up and drop-off items must be solely within the front of the site; i.e., no alley deliveries/pick-ups, and **6)** comply with Sect. 1.56(8) of the Zoning Code.

Vice-Chair Marisela Marin asked if there was any public opposition to the request.

There was no response.

Vice-Chair Marisela Marin asked if the applicant or representative were present.

Mr. Rafael Pacheco was present to answer any questions from the board.

Mr. Sergio Zavala stated that he wanted to make sure that the applicant understood that the alley could not be blocked at any given time.

Mr. Ned Sheats asked how staff could regulate the usage of the alley, especially in these kinds of situations, where the alley is for public usage.

Mr. Sergio Zavala replied that the best way to answer the question was to read the section 110-381. Parking in alleys, which states: *"No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property."*

Mr. Sergio Zavala asked Mr. Pacheco what type of vehicle would be picking up and dropping off the merchandise.

Mr. Pacheco replied that it would be a van.

After a brief discussion, Vice-Chair Marisela Marin entertained a motion. Mrs. Izaguirre moved to approve the conditional use permit as per staff's recommendations. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:09 p.m.

Ended: 5:10 p.m.

ITEM # 1.2

**Conditional Use Permit Renewal: Home Occupation – "2 Chair
Beauty Salon"
804 W. 24th Place
Lot 74, Chaparral Heights Subd.
R-1
Hermelinda G. Salazar**

Mr. Bobby Salinas went over the write up stating that the subject site is located 150' west of Holland Road along the north side of 24th Place. This 2-chair salon has been in operation since 11/17/10 and was most recently approved by P&Z on 6/22/11. The applicant has always complied with the "home occupation" regulations provided in sect. 1.56-1 of the Zoning Code. Her hours of operation are Monday – Friday from 10:00 a.m. to 7:00 p.m. (by Appointment only) and Mrs. Salazar is the only person running the salon. Staff has never received any complaints regarding this CUP.

Staff recommended approval subject to a 3 year re-evaluation to keep monitoring this hair salon in the midst of a residential neighborhood.

Vice-Chair Marisela Marin asked if there was public opposition to the request.

There was no response.

Vice-Chair Marisela Marin asked if the applicant or representative were present.

Mrs. Hermelinda Salazar was present to answer any questions from the board.

There were no comments, Vice-Chair Marisela Marin entertained a motion. Mr. Garza moved to approve the conditional use permit as recommended by staff. Mr. Sheats seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:10 p.m.

Ended: 5:17 p.m.

ITEM # 2.0

**Preliminary & Final Plat
Approval:**

**Keystone Subdivision
A 10.78 acre tract of land out
Of the South 20 acres of Lot 186,
John H. Shary Subdivision
R-1
Developer: GV Shary Development, LTD
Engineer: Barrera Infrastructure Group,
 Inc.**

Mr. Bobby Salinas went over the write up stating that the subject site is located 215' north of Victoria Road along the west side of Taylor Road. The proposed subdivision consists of 45 single family residential lots. The lot sizing ranges from 6,041' to 10,875'. These lot sizes are consistent with the R-1 lot minimum area dimensions.

WATER: The developer is proposing water service with a new internal 8" waterline network that will connect to an existing 8" water line located along the west side of Taylor Road and will provide a secondary loop to the system by connecting to an existing 8" line located along the western perimeter of the subdivision. There are also 5 new fire hydrants located via the direction of the Fire Marshal's office.

SEWER: An 8" sewer line network will be installed within the subdivision which will then connect into an existing 8" sewer line located along the west side of Taylor Road. The Capital Sewer Recovery Fee is required is required at \$200/Lot which equates to \$9,000 (\$200.00 x 45 lots).

STREETS & STORM DRAINAGE: The subdivision has access to Taylor Road, a future 80' ROW, 57' B/B street. The developer will be dedicating an additional 10' of ROW along Taylor Road to equate to the minimum 40' from centerline. The subdivision consists of a single street with three internal cul-de-sacs, all being the minimum 50' ROW, 32' B/B paved streets. Storm drainage is accomplished through a series of 24", 30", & 36" storm lines which will connect into an existing regional drainage ditch system currently located on the north and west side of the subdivision. An additional 15' of drainage ditch ROW is also being dedicated along the north side of the subdivision by this plat for future widening, maintenance, etc. of the drainage ditch.

OTHER COMMENTS:

- Park Fees - \$300.00/Lot = \$13,500.00
- Escrow 5' sidewalk along Taylor Road in the amount of \$1,589.52 (132.46' X \$12 l.f.)
- Escrow street widening for Taylor Road in the amount of \$9,193.54 (164.46' x \$55.90 l.f.)
- 6' opaque buffer required along the perimeter of the subdivision due to the existing ditches and commercial uses to the south.
- Water District Exclusion
- Must comply with all other format findings.

Staff recommended approval subject to: **1)** dedication of additional ROW along Taylor Road, **2)** payment of Park and Capital Sewer Recovery Fees, **3)** escrow the 5' sidewalk and street widening along Taylor Road, **4)** provide Water District Exclusion, and **5)** comply with all other format findings.

Vice-Chair Marisela Marin asked if the applicant or representative were present.

Mr. Rene Barrera, P.E., the project engineer was present to answer any questions from the board.

Vice-Chair Marisela Marin mentioned that the drainage report and the general plat notes did not match as to the flood zone designation.

Mr. Rene Barrera replied that would correct the flood zone to match the general notes.

There being no further comments, Vice-Chair Marisela Marin entertained a motion. Ms. Izaguirre moved to approve the preliminary & final plat as recommended by staff. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously.

ITEM # 3.0
ADJOURNMENT

There being no further items for discussion, Mr. Lopez moved to adjourn the meeting. Mr. Flores seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:18 p.m.

Marisela Marin, Vice-Chair
Planning and Zoning Commission