

**PLANNING AND ZONING COMMISSION  
SEPTEMBER 26, 2012  
CITY COUNCIL CHAMBERS @ 5:00 P.M.**

**P&Z PRESENT**

Ned Sheats  
Carlos Lopez  
Marisela Marin  
Diana Izaguirre  
Rene Flores

**P&Z ABSENT**

Abiel Flores  
Mario Garza

**STAFF PRESENT**

Bobby Salinas  
Alex Hernandez  
Susana De Luna

**GUESTS PRESENT**

Pedro Valdez  
Jose H. Acosta  
Maria Flores  
Edward De La Tejera  
Iliana Patricia Medina Bustamante  
Hugo Alberto Garza  
Joe B. Garza

**CALL TO ORDER**

Vice-Chair Marisela Marin called the meeting to order at 5:05 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 SEPTEMBER 12, 2012**

Vice-Chair Marisela Marin asked if there were any corrections to the minutes for September 12, 2012. Mr. Ned Sheats moved to approve the minutes as corrected. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:06 p.m.**

**Ended: 5:10 p.m.**

**ITEM # 1.1**

**Conditional Use Permit: Home Occupation – Two Chair Beauty Salon  
1819 Mile 1 South Road  
Lot 8, Block 2 Erdahl Subdivision  
R-1  
Nancy N. Valdez**

Mr. Bobby Salinas went over the write up stating that the subject site is located 200' east of South Olmo Street along the north side of Mile 1 South Road. The site has frontage to Mile 1 South where the street width is 37' B-B with abutting sidewalks. The home has a two car driveway thus, in compliance with code requirements of 2 off-street parking spaces for residential areas. However, Staff would still like to

review the traffic patterns to ensure that there are no problems with traffic in that area in order to decide whether a driveway extension is required.

The applicant is proposing a new 2-Chair Beauty Salon, where no one will live at the home. Section 1.56-1(g) states the following:

*"With regard to proposed variances to subsections 1.56-1(a), (d), or (f), a minimum 90% of the property owners within the 200-foot mail out radius shall provide written support for the proposed home occupation to request variance."*

The applicant does not wish to reside at the home and has obtained the required 90% signatures of approval from the surrounding property owners within a 200' radius.

- Hours of Operation: Monday – Sunday 9 a.m. to 9 p.m. (By Appointment Only)
- Staff: 2 employees will be operating the salon.
- Any signage would have to be a max. of 1' x 1' and must be attached to the home; there are to be no exterior markings or lettering that may reflect a use other than a home.
- Must comply with Sec. 1.56-1, Zoning Code (home occupations regs.)

Since the applicant was able to obtain the required 90% signatures of approval; and Staff does not anticipate an increase in traffic, staff does not object to the proposal. Staff recommended approval subject to: 1) 1 year re-evaluation to assess this new operation and traffic patterns; 2) comply with Sect. 1.56-1 of the Zoning Ordinance; and 3) Acquiring a business license.

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. Pedro Valdez who resides at 1005 W. "E" Street was present to address any questions from the Board.

Vice-Chair Marisela Marin asked Mr. Valdez he was receptive to staff's recommendations.

Mr. Valdez stated that he would comply with staff's recommendations.

There being no further discussion, Vice-Chair Marisela Marin entertained a motion. Ms. Diana Izaguirre moved to approve the conditional use permit as per staff's

recommendations. Mr. Ned Sheats seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:10 p.m.**

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

**ITEM # 1.2**

**Conditional Use Permit:**

**To Move In a 11' x 64' Portable  
Building for Use as a Sales Office  
1519 E. Expressway 83  
Lot 4, Henry Saenz Subdivision  
C-4  
Jose H. Acosta**

Mr. Bobby Salinas went over the write up stating that the site is located 600' west of Stewart Road along the north side of the Expressway Frontage Road. This site used to be utilized for the sale of semi-trailers. The applicant wishes to install a new 11' x 64' portable building to be used as a sales office for the rental and sales of R.V.s. The portable will be located 103' from the property line that will allow for the front area to be utilized for R.V. displays. Access to the site will be off of the Frontage Road and shared with an existing business to the west.

- **Days/Hours of Operation:** Monday – Friday from 8 a.m. to 6 p.m., Saturday from 9 a.m. to 4 p.m., and closed Sundays.
- **Staff:** 3 employees
- **Parking:** A business office of this size requires a minimum of 5 parking spaces. The applicant is providing 5 total spaces, thus compliant with code.
- **Landscaping:** In speaking with the applicant there is a lot of existing pavement along the front of the lot. He has agreed to install landscaping along 25% of the street frontage area in order to improve what is currently in existence.

There are other portable buildings installed in this area and it is not uncommon to have a portable sales office for this type of business. The proposal to have the R.V.s displayed along the front of the lot and having the portable 103' away from the Frontage Road will help shield the portable building from public view and should not have a negative impact to the area. However, staff knows that having a portable sales office along Expressway 83 may not be a long term desire of the City when considering aesthetics along a major corridor. Thus, perpetual (CUP) monitoring will be the norm where, one day the portable will need to be upgraded with an on-site built structure.

Staff recommended approval subject to: 1) 1 year re-evaluation to assess this new business; 2) installing and maintaining new landscaping along 25% of the front area of the property, and 3) portable building to be skirted.

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. Jose H. Acosta whose address is 1519 E. Expressway 83 was present to address any questions from the Board.

Vice-Chair Marisela Marin stated that since the property was right on frontage she would like to see better landscaping to improve the area.

Mr. Acosta stated that his associate Art Benavides and him understood the codes and were willing to comply with all the codes. He added that the building looked very professional and it was going to be skirted.

Mr. Ned Sheats stated that the building looked great and he would not even mind having it closer. He asked Mr. Acosta what the surface of the property was where they were proposing to move in the portable.

Mr. Acosta stated that the surface of the property was pavement.

Mr. Ned Sheats asked if most of the vehicles were going to be stored on the pavement.

Mr. Acosta stated that all of the vehicles would be stored on the pavement.

Mr. Ned Sheats mentioned that since he had houses right behind him, his concern was if there was a lot of traffic across caliche, they are going to get dusted.

There being no further discussion, Vice-Chair Marisela Marin entertained a motion. Mr. Ned Sheats moved to approve the conditional use permit as per staff's recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 5:24 p.m.**

**ITEM # 1.3**

**Conditional Use Permit: To Keep an Existing Portable Structure  
For the Sale of Tacos on Property Zoned AO-I  
4108 N. Inspiration Road  
Lot 3, Alex Cavazos Subdivision  
AO-I**

## Eduardo Hernandez

Mr. Bobby Salinas went over the write up stating that the subject site is located in the NE area of 41<sup>St</sup> 1/2 Street and Inspiration Road. There is an existing, non-conforming mechanic shop and taco stand located on the property. This property was annexed into the City Limits on 1-11-10. When this property was still in the County, the applicant had permission to operate the taco stand with a permit valid until 11-1-10. The stand has since been closed and now the applicant wishes to re-open it. The restroom facilities for the stand will be available from the existing mechanic shop, which is owned by the applicant.

- **Day/Hours of Operation:** Monday – Sunday from 6:00 p.m. to 11:00 p.m.
- **Staff:** 2 employees
- **Parking:** In regards to the parking area, there is an existing paved area that is used to receive the mechanic's customers that will also be used for the customers of the taco stand. Staff has not received any complaints regarding parking, however staff will need to monitor that there are no cars parking along the Inspiration Road frontage.
- A business license is required.
- Must obtain approval from the City Health Department

Section 1.36 (3i) of the Zoning Code permits a "temporary structure used for temporary purposes" with an approved conditional use permit (CUP). Having a portable food stand along Inspiration Road may not be a long term desire of the City when considering aesthetics however; a CUP allows the City the option to work with the applicant to allow his business to progress and, and if needed, may be phased-out once a more aesthetic improvement is realized. When P&Z and Council see fit, the stand and adjacent carport would need to be removed. Staff recommends approval subject to: 1) a 1 year re-evaluation to assess the new business; 2) approval from the Health Department; 3) Acquire a business license; and 4) non-transferable to others.

Vice-Chair Marisela Marin asked if the business has been closed since November 2010.

Mr. Salinas replied, "Yes".

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

Mrs. Maria Flores who resides at 4114 N. Inspiration Road stated that she was against this request because she has had a lot of problems with the applicant in regards to his welding business. She mentioned that the workers from the welding business would park along Inspiration Road and when they're asked to remove the

vehicles the applicant gets upset. She added that the paint from the work that she does there goes to her house as well.

Vice-Chair Marisela Marin asked if she was against the welding business or the portable structure for the tacos stands.

Mrs. Flores stated that she was against both because the portable would be right next to her window and as it is they already park along Inspiration Road.

Vice-Chair Marisela Marin stated that the only item being considered at this time was the portable structure for the sale of Tacos.

Mrs. Flores stated that she was against the portable structure as well because he was proposing to have his business open until late hours.

Ms. Diana Izaguirre asked if there were other neighbors also in opposition to this request.

Mrs. Flores stated that they were also in opposition but there were not able to come to the meeting because they were working.

Vice-Chair Marisela Marin stated that the applicant has not been operating the Taco Stand since 2010 and that was the only item on the agenda that could be considered.

Mrs. Flores stated that she understood but would like the Board's help to not allow the operation of the Taco stand.

Vice-Chair Marisela Marin asked Mrs. Flores how long she has lived at this address.

Mrs. Flores stated that she has lived at this address for 22 years.

Mr. Ned Sheats asked if it was a different portable than the one on the presentation.

Mr. Salinas stated that it was the same portable the applicant just cleaned it up.

Mr. Ned Sheats stated that he agreed with Mrs. Flores in that he was proposing to have late hours and she would be the most affected because the portable was right next to her house.

Mrs. Diana Izaguirre mentioned that P&Z had approved another portable structure on the west side of Inspiration Road in a bakery and she recalled that aesthetically, their building was better looking than this one.

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

There was no response.

Ms. Diana Izaguirre asked Mr. Salinas if the applicant was meeting all the setbacks.

Mr. Salinas replied, "No". He added that the setback in that area is 40' but because it's a portable structure he would be able to keep it as is now if he was asked to remove it then they would need to comply with the 40' setback.

Vice-Chair Marisela Marin asked if he had concrete underneath the canopy.

Mr. Salinas replied, "Yes".

Ms. Diana Izaguirre asked if he was complying with the side setback.

Mr. Salinas replied, "Yes".

Mr. Ned Sheats asked Mr. Salinas if he knew why the applicant was proposing to open from 6:00 p.m. to 11:00 p.m.

Mr. Salinas stated that he assumed the applicant would run his mechanic shop from 8 a.m. to 5:00 p.m. then close the shop and open the stand.

Vice-Chair Marisela Marin stated that she didn't see the need for a Taco Stand when they had houses right next to him and residents opposing it.

There being no further discussion, Vice-Chair Marisela Marin entertained a motion. Mr. Ned Sheats moved to deny the conditional use permit request. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:24 p.m.**

**Ended: 5:33 p.m.**

**ITEM # 1.4**

**Conditional Use Permit:**

**Home Occupation – Business Office**

**1210 Elm Street**

**Lot 6, Block 4, Pecan Heights Subdivision**

**R-1**

**Terra Homes Corp./Iliana M. Bustamante**

Mr. Bobby Salinas went over the write up stating that the subject site is located at the SW corner of Elm and Bryan Road. On 3-23-11, P&Z had approved a home occupation CUP for Mr. De La Tejera to have his construction company's office company for 1 year. He obtained his business license in November, 2011. Mr. De

La Tejera is in the process of building a model home for use as his new office and anticipates being at the current site for only 1 to 2 months more. Now, Mrs. Bustamante wishes to continue to have her glass business office at that location, as well. In speaking to the applicant, Mr. and Mrs. Bustamante are currently living at the residence and have their glass business office thereon. They have been sharing the office area with Mr. De La Tejera until he completes the model home.

**Hours of Operation:** Monday – Friday from 8:00 a.m. to 5:00 p.m.

**Staff:** Only the applicant’s husband will run the glass business.

**Parking:** The people operating the home occupation park in the rear via the alley’s access. Thus, the ‘front’ parking area should be available most of the time. Since the office has minimal traffic (business by appointment only), traffic is not an issue.

According to the applicant there is no storage of glass materials on-site and the customer traffic is minimal. Also, since the site has been used as a business office before and staff has not received any complaints against the proposal, staff does not object to the CUP’s continuation as a business office.

Staff recommended approval subject to: 1) 1 year re-evaluation in order to assess the glass business; 2) Compliance with Sect. 1.56-1 of the Zoning Code (Home Occupations); 3) No signage permitted on the home larger than a 1’x1’ name plate; and 4) Acquisition of a business license.

P&Z recommended that this item be placed on the ‘Table’ so that the conditional use permit be under Mrs. Bustamante since Mr. De La Tejera was no longer the owner of the property and the CUP was not transferable to others.

There being no further comments, Vice-Chair Marisela Marin entertained a motion. Mr. Carlos Lopez moved to ‘Table’ the conditional use permit as recommended by the Board. Mr. Sheats seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:33 p.m.**

**Ended: 5:37 p.m.**

**ITEM # 1.5**

**Conditional Use Permit: Sale & On-Site Consumption of  
Alcoholic Beverages – La Playa Miramar  
2105 W. 3 Mile Road, Ste. 8  
Lot 3, Block 4, Taurus Estates No. 9 Subd. Ph. I  
C-3  
La Playa Miramar, LLC**

Mr. Bobby Salinas went over the write up stating that the site is located 370’ east of Moorefield Road along the south side of Mile 3 Road. There is an existing

commercial plaza located on the site, which has an existing seafood restaurant. The applicant wishes to offer the sale and on-site consumption of alcohol. There is no 'bar' component in the restaurant. Access to the site is from an existing driveway off of Mile 3 Road. There are no churches or public/private schools within 300' of the subject site, thus being compliant to Section 6-4 of the Mission Code of Ordinances.

- **Hours of Operation:** Tuesday – Sunday from 11:00 a.m. to 12:00 a.m. Alcoholic beverages will only be served during allowable State selling hours.
- **Staff:** 5 employees
- **Parking:** In reviewing the floor plan, the suite has 40 seats, which requires 13 parking spaces (40 seats/ 3 = 13.3 spaces). It is noted that the parking area is held in common and is shared with other businesses. Staff has not received any complaints regarding a lack of parking.

Since the family-oriented restaurant will not be open after 12 a.m., and the sale of alcohol is not the primary item of purchase, staff does not object to this proposal. Additionally, notices were sent to property owners within a 200' radius of the site and no comments against this request have been forwarded to the Planning Department.

Staff recommended approval subject to: 1) a 1 yr. re-evaluation in order to assess the sale of alcohol at this location, and 2) "wet zone" the property (if needed).

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

There was no response.

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

Mr. Hugo Garza who resides at 3301 Anita Street was present to address any questions from the Board.

Vice-Chair Marisela Marin stated that she has been there and liked it. She asked Mr. Garza if he was receptive to staff's recommendations.

Mr. Ned Sheats stated that the sale of alcohol was not the primary item for purchase which was good.

Mr. Hugo Garza stated that in Reynosa they've had this same restaurant for over 30 years which includes a big bar but they don't really serve many mixed drinks that contain vodka they use mainly beer and it's served mainly with their meals.

There being no further discussion, Vice-Chair Marisela Marin entertained a motion. Mr. Ned Sheats moved to approve the conditional use permit as per staff's

recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:37 p.m.**

**Ended: 5:43 p.m.**

**ITEM # 1.6**

**Conditional Use Permit:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Buda’s Sushi Bar  
1522 E. Expressway 83, Ste. 113  
Lot 4, Stewart Plaza Subdivision  
C-3  
Jorge G. Moreno**

Mr. Bobby Salinas went over the write up stating that the site is located on the SW corner of Stewart Road and Expressway 83. There is a new commercial plaza located on the site which is proposing a new 2,119.90 sq. ft. sushi bar with the sale and on-site consumption of alcohol. Access to the site will be provided from a 38’ driveway off of Expressway 83. Buda’s restaurant is currently located at 303 N. Shary Rd. and wanting to re-locate to the Expressway area. In speaking to Mission PD regarding their current location, they stated that there were no reported incidents at their current location, i.e. they are in good standing with the City in that regard.

- **Hours of Operation:** Monday – Saturday from 6p.m. to 2:00a.m., Closed on Sundays. Alcoholic beverages will only be served during allowable State selling hours.
- **Staff:** 15 employees
- **Parking:** In viewing the floor plan, the 2,119.90 sq.ft. restaurant/bar has a total of 131 seating spaces which require 44 parking spaces (131 seats/3 = 43.6 spaces). It is noted that the parking area is held in common (219 existing parking spaces) and is shared with other "future" businesses.
- **Sale of Alcohol:** The proposed restaurant includes a 'bar' component. Section 1.56 (3a) of the Zoning code requires a minimum separation of 300' from the property line of any churches, schools, publicly owned property, and residences. There are 4 residential lots that are within the 300'.
- Must comply with sign and noise codes.
- Must comply with all Building, Fire, and Health codes.
- Must acquire a business license prior to occupancy.

The suite is centrally located within the plaza which is beyond the 300' separation; thus being an extenuating circumstance. This being the case, there should be minimal impact from the restaurant/bar towards the residential neighborhood. Staff recommends approval subject to: 1) No objection to waiver of the 300' separation requirement; 2) 1 yr. re-evaluation after business license issuance to assess this

new operation; 3) Wet zone the property (if needed); 4) Must comply with typical sign and noise codes; 5) Must comply with Building, Fire, and Health codes; 6) Must acquire a business license.

Vice-Chair Marisela Marin stated that her only concern was that there were about 4 restaurants in this shopping center and they were all sharing the same parking area. She asked if Staff would foresee any problems with that in the future.

Mr. Salinas stated that he had talked to Mr. Moreno about that and he conferred that this would be the last restaurant in that area. He mentioned that they had worked on the calculations for the parking area and they are in compliance.

Vice-Chair Marisela Marin asked if it had a second floor.

Mr. Salinas replied, "Yes".

Vice-Chair Marisela Marin asked if the Fire Department was okay with it.

Mr. Salinas stated that they had already gone through the permit process and the Fire Department had already seen the permit. He added that they were proposing to have a secondary access.

Mr. Ned Sheats stated that the City didn't normally have two-story restaurants so he understood Mrs. Marin's concern regarding fire.

Mr. Salinas stated that Buda's was currently a two-story building which used to be Café de Paris.

Vice-Chair Marisela Marin asked if they were going to have a balcony.

Mr. Salinas replied, "No".

Vice-Chair Marisela Marin asked if they were going to move from their currently location.

Mr. Salinas stated that they had not gotten the full version as to whether they were just going to move to this new location or if this would be a second location although he would think this was a relocation.

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

There was no response.

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

There was no response.

Ms. Diana Izaguirre asked if the 300' radius just included 3 lots in the Legends at Cimarron.

Mr. Salinas replied, "Yes".

Ms. Diana Izaguirre stated that if the people were against the request they would have come to the meeting.

Vice-Chair Marisela Marin stated that they were already 3 other residents that proposed to sell alcohol and nobody has showed up to any of the meetings.

Mr. Salinas stated that there was Muelle Del Pacifico, Da Sa Yuan, Solo Empanadas, and the Sushi Bar.

Chairman Rene Flores walked in at 5:41 p.m.

There being no further discussion, Vice-Chair Marisela Marin entertained a motion. Mr. Carlos Lopez moved to approve the conditional use permit as per staff's recommendations. Mr. Ned Sheats seconded the motion. Upon a vote, the motion passed unanimously.

At this time, Vice-Chair Marisela Marin handed the gavel to Chairman Rene Flores.

Chairman Rene Flores apologized to P&Z and staff for being late.

**Started: 5:43 p.m.**

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

**ITEM # 2.0**

**Single Lot Variance:**

**0.78 acre tract out of Lot 23-4,  
West Addition to Sharyland Subdivision  
AO-I  
Felipe & Rosa Cedillo**

Mr. Bobby Salinas went over the write up stating that the property is approximately 600' west of Holland Road along the south side of W. 20<sup>th</sup> Street. The vacant site measures approx. 208.70' X 208.70'. The applicant is proposing to build a new single family home on the subject property. The property is currently zoned AO-I. The applicant will be filing for rezoning to R-1.

Water & Sewer: Water service is available through an existing 8" waterline located along the north side of W. 20<sup>th</sup> Street. The applicant will need to bore the street in

order to access the line. There is an existing fire hydrant along the north side of W. 20<sup>th</sup> Street, located along the north side of W. 20<sup>th</sup>, on NW area of this property. In regards to sewer, there is an existing 6" line along W. 20<sup>th</sup> Street and an existing 6" line along the SE corner of the property, which would be the preferred service line for the property. The Capital Sewer Recovery Fee will be imposed at \$200.00/Housing Unit Equivalent.

Streets: The property has frontage to W. 20<sup>th</sup> Street which will serve as the egress/ingress to the property.

Other Comments include: Park Fees – \$300.00/Lot; A 4' sidewalk is required at building permit stage; and Exclusion from the Water District

Staff recommends approval subject to: 1) Rezone the property from AO-I to R-1; 2) Payment of capital sewer recovery fee & park fees; 3) Install 4' sidewalks at building permit stage; and 4) Provide proof of exclusion from the water district.

Mr. Salinas stated that the applicant has already paid all the fees.

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

There was no response.

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

There was no response.

Mr. Ned Sheats asked Mr. Salinas why staff didn't ask them to rezone to R-1A (Large Lot Single Family) with that size of a lot.

Mr. Salinas stated that the surrounding lots in that area are R-1 (Single Family Residential).

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

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

**Ended: 5:52 p.m.**

**ITEM # 3.0**

**Preliminary & Final Plat Approval: Orchards at Shary Road Subdivision, Ph. II  
7.98 Ac. out of Lot 285,  
John H. Shary Subdivision**

**R-1A**

**Developer: 3M Venture, LLC**

**Engineer: Javier Hinojosa Engineering**

Mr. Bobby Salinas went over the write-up stating that the proposed subdivision is the second and final phase of the existing Orchards At Shary Road Subdivision located approximately ¼ mile south of 2 Mile Road along the east side of Shary Road. The master plan for the entire area for the Orchards At Shary Road subdivision was approved by P&Z and City Council in December, 2004. The proposed subdivision is the development of the remaining un-subdivided lots. The subdivision consists of 30 SF Residential lots with lot sizes ranging from 8,936 sq. ft. to 11,437 sq. ft.

Water: An internal 8" water line system will provide service to all lots with 3 fire hydrants located via direction from the Fire Marshal's office. The system will be looped by connecting the internal 8" lines to existing 8" lines located within Phase I and within Shary Forest Subdivision III.

Sewer: An internal 8" system will provide sewer service to the lots as it ties into the existing 8" line network within Orchards At Shary Road, Ph. I. The capital sewer recovery fee will be imposed to the residential lots, being \$200/lot X 30 lots = \$6,000.00.

Streets & Storm Drainage: The developer is proposing to remove the temporary cul-de-sac located along the west area and extend the 50' ROW, 32' B/B street through to Hackberry Avenue on the east side of the subdivision. The extension will connect the subdivisions located to the north and to the south. Storm drainage is accomplished through a series of 24" lines connecting to the existing storm system currently located south of the subdivision.

Other Comments include: Street names to comply with street alignment policy (Pebble Dr.); Comply with all format findings; Must exclude the property from the Water District; Must provide park fees in the amount of \$300/lot which equates to \$9,000; Developer to provide/escrow 5' sidewalks along Shary Road; and Must provide a street light plan for review by staff.

Staff recommends approval subject to: 1) Payment of park fees and sewer capital recovery fees, 2) Escrow 5' sidewalks along Shary Road; 3) Water district exclusion; and 4) Comply with all other format findings.

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

There was no response.

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

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

Chairman Rene Flores asked Mr. Salinas what was the water district exclusion.

Mr. Salinas stated that the water district exclusion was for properties that still pay taxes or receive water for irrigation and staff requires this in order to get water rights for the city.

Chairman Rene Flores asked if this subdivision plat would connect to Phase I.

Mr. Salinas replied, "Yes".

There being no further discussion, Chairman Rene Flores entertained a motion. Ms. Diana Izaguirre moved to approve the subdivision plat as per staff's recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Salinas updated the Board on McDonald's Drive-Thru and Delia's Tamales that were approved for life of use.

**ITEM # 4.0**  
**ADJOURNMENT**

There being no further items for discussion, Mr. Ned Sheats moved to adjourn the meeting. Ms. Izaguirre seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:54 p.m.

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Rene A. Flores, Chairman  
Planning and Zoning Commission