

**PLANNING AND ZONING COMMISSION
APRIL 24, 2019
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
Ruben Arcaute
Jasen Hardison
Raquenel Austin
Debra Alvarez
Javier Barrera
Hector Moreno

P&Z ABSENT

STAFF PRESENT
Jaime Acevedo
Maribel Quintanilla
Jessica Muñoz
Joel Chapa, Jr.

GUESTS PRESENT

Vincent Huebinger
Eduardo Martinez
Gracie Ramirez

CALL TO ORDER

Chairwoman Diana Izaguirre called the meeting to order at 5:32 p.m.

CITIZENS PARTICIPATION

Chairwoman Izaguirre asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR APRIL 10, 2019

Chairwoman Izaguirre asked if there were any corrections to the minutes for April 10, 2019. Mrs. Javier Barrera moved to approve the minutes as presented. Mr. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:33 p.m.

Ended: 5:35 p.m.

Item #1.1

Rezoning:

**Lot 6, Block 168, Mission Original Townsite
C-1 to C-3
Tomas C. Robles**

Mr. Acevedo went over the write-up stating that the property is located along the NW corner of E. St. Marie and E. Tom Landry Blvd.

SURROUNDING ZONES: N: C-1 – Office Commercial
E: C-1 – Office Commercial
W: C-3 – General Commercial
S: R-3 – Multi-Family Residential

EXISTING LAND USES: N: Residential

E: Residential
W: Commercial Vacant
S: Vacant
Site: Vacant

FLUM: The Future Land Use Map reflects a General Commercial (GC) designation.

REVIEW COMMENTS: The Future Land Use Map reflects a General Commercial (GC) land use, too; thus, C-3 is consistent to the GC designation. It seems that the commercial zoning proposal is an expected transition zone, with the proper buffering to the residential neighbors the C-3 proposal should not be detrimental to its neighbors.

RECOMMENDATION: Staff recommended approval.

Chairwoman Izaguirre asked if there were any comments from the board or the audience in favor or against this request.

There was none.

There being no discussion, Chairwoman Diana Izaguirre entertained a motion. Mr. Ruben Arcaute moved to approve the rezoning as per staff’s recommendations. Mrs. Debra L. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:36 p.m.

Ended: 5:38 p.m.

Item #1.2

**Conditional Use Permit: Sale and On-Site Consumption of Alcoholic Beverages – 39 Taqueria
2813 E. Griffin Parkway
Lot 1, Adams Crossing Subdivision
C-3
James Montes**

Mr. Acevedo went over the write-up stating that the property is located at the NW corner of Taylor Road and Griffin Parkway. The site is at the east corner of a multi-unit commercial plaza and has shared parking. The taqueria has been in operation for almost 1 year now and the applicant now desires a Conditional Use Permit for the sale and on-site consumption of alcohol at this location.

- **Hours of operation:** Sunday – Thursday from 11:30a.m. to 10 p.m. and Friday – Saturday from 11:30 a.m. to 11:00 p.m.
- **Staff:** 12
- **Parking:** Parking is held in common and meets code at this commercial complex.
- **Landscaping:** In regards to landscaping, there are existing green areas and landscape islands with trees within the parking lot along Griffin Parkway.

- **Sale of Alcohol** – Section 1.56 (3a) of the Zoning code requires such uses to be 300’ from residential areas. There is a residential subdivision within this radius; P&Z and City Council waived this separation requirement in the CUP’s previous approval.

REVIEW COMMENTS: In viewing the menu and hours of operation, it is easy to see that the primary use at this location is a restaurant. Notices were mailed to property owners within a 200’ radius of the site. As of the date of this write-up, the Planning Department has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to waiver of 300’ separation requirement to Residential Neighborhoods and CUP to be valid for a period of two years at which time the applicants TABC license will need to be renewed.

Chairwoman Izaguirre asked if there were any comments from the board or the audience in favor or against this request.

There being no further discussion, Chairman Diana Izaguirre entertained a motion. Mrs. Raqueneel Austin moved to approve the request as per staff’s recommendations. Mr. Javier Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:38 p.m.

Ended: 5:43 p.m.

Item #1.3

Conditional Use Permit:

Construction of a 110’ Monopole Cellular Phone Tower & associated ground equipment within a 50’ x 50’ leased area on property zoned AO-I (Agricultural Open Interim)

612 S. Schuerbach Rd

Being a 0.0574 acre out of 7.35 acres out of the S. ½ Lots 6-7 & 8, Block 7, Del Monte, excluding 33’ of all Lots excluding the West 35’ of Lot 6 and excluding the North East corner 0.41 Acres

AO-I

Verizon Wireles

Mr. Acevedo went over the write-up stating that this site is located near the Mile One South and Schuerbach Road intersection along the west side of Schuerbach. Access to the site is provided through Schuerbach Rd. Verizon Wireless is proposing to construct a 110’ tall self-supported communications tower and associated ground equipment within a 50’ x 50’ leased area of this Agricultural Open Interim (AO-I) zoned property. This location was chosen by Verizon Wireless to fill in gaps in their network and expand their cell coverage.

Section 1.36(3)(d) of the City’s Zoning Code requires ‘broadcast towers for radio, television, or microwave’ to obtain a conditional use permit.

REVIEW COMMENTS: Since the towers will be within private property, and the overall height is very similar to other towers that are within the City, Staff does not object to the installation of the proposed privately-owned towers for cell coverage at the proposed location.

RECOMMENDATION: Staff recommends approval subject to: 1.) The installation of a mesh screen or solid buffer along the perimeter of the fenced in 50' x 50' area, and 2.) Allowing of other cell phone providers to co-locate onto this proposed tower.

Chairwoman Izaguirre asked if there were any comments from the board or the audience in favor or against this request.

Mr. Jaime Acevedo mentioned there is a representative from Verizon Wireless that would like to give a short presentation on the tower.

Mr. Vincent Huebinger representative for Verizon Wireless mentioned that the site location is far south of HWY 83 located in a good agricultural area.

Mr. Arcaute asked if there were any easements running into that property, just in case other mobile coverages come in and out

Mr. Vincent Huebinger said yes in case they need to co-locate, the easement is located on Mile 1 South Rd.

Chairwoman Izaguirre asked if there were any question

There were none

There being no discussion, Chairwoman Diana Izaguirre entertained a motion. Mr. Javier Barrera moved to approve the request as per staff's recommendations. Mrs. Debra L. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:43 p.m.

Ended: 5:46 p.m.

Item #1.4

**CONDITIONAL USE PERMIT
RENEWAL:**

**Sale & On-Site Consumption of Alcoholic
Beverages – Arelis Celebration Hall
1905 W. Griffin Parkway
Lots 1-4, Southern Oaks, Ph. I Subdivision
C-3
Daisy A. Vela**

Mr. Acevedo went over the write-up stating that the property is located 500' west of Inspiration Rd. along the south side of Griffin Parkway. There is a portion of an existing 7,200 sq. ft. building that is currently being used as a Banquet/Party Hall for such activities as weddings, reunions, birthday parties, seminars, etc. This business has

been in operation since June 11, 2014 with the most recent approval coming on March 14, 2016 at which time the applicant was given a CUP for a period of 3 years. The applicant has operated for 3 years since the last approval without any complaints or incidents reported.

- **Hours of Operation:** Friday & Sunday from 6 pm to 12 am, and Saturday from 6 pm to 1 am
- **Staff:** 10-15 employees depending on size of event
- **Parking:** In viewing the floor plan there are 16 tables being proposed. Assuming that 10 seats are proposed per table, 53 parking spaces are required for the hall (160/3 seats = 53.3). There is a total of 114 parking spaces held in common at this development. Since activities are proposed to be held at later hours and only on weekends, when most businesses at this development should be closed. There have not been any complaints regarding the number of parking.
- **Landscaping:** There is landscaping and parking lighting that has been installed by the applicant.

REVIEW COMMENTS: In viewing the location map, there are single family residences located within three-hundred feet (300') to the south of the business. The City's Alcohol Beverage and Zoning Code states the following:

The property line of the lot of any of the above-mentioned businesses, especially those businesses which have late hours must be at least 300 feet from the nearest residence, church, school or publicly owned property, or must provide sufficient buffering and sound insulation of the building such that the business is visible and cannot be heard from such structure or areas, and must be designed to prevent disruption of the character of adjacent residential areas.

The planning and zoning commission may, under extenuating or special circumstances unique to the site or event, recommend waiver of the 300-foot requirement on a temporary or permanent basis to the city council who shall have the ultimate decision on the matter.

For the most part this proposal should not be a major concern, since this site has been used as an event center for several years without incident.

RECOMMENDATION: Staff recommends approval subject to waiver of 300' separation requirement to Residential Neighborhoods and CUP to be valid until 10/05/2019 at which time the applicants TABC license will need to be renewed.

There being no further discussion, Mrs. Raquenel Austin moved to approve the request as per staff's recommendation. Mr. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:46 p.m.

Ended: 5:47 p.m.

Item #1.5

**CONDITIONAL USE PERMIT
RENEWAL:**

**Sale & On-Site Consumption of Alcoholic
Beverages – Arelis Event Center
1809 W. Griffin Parkway
Lots 9-11, Southern Oaks Subdivision
C-3
Daisy A. Vela**

Mr. Acevedo went over the write-up stating that the property is located 500' west of Inspiration Rd. along the south side of Griffin Parkway. This is the second of two event centers that the applicant operates at this commercial plaza. The Banquet/Party Hall is used for such activities as weddings, reunions, birthday parties, seminars, etc. The PNZ last saw this item on April 11, 2018.

- **Hours of operation:** The business will be open on Fridays & Sundays from 6p.m. to 12a.m. & Saturdays from 6p.m. to 1a.m.
- **Parking:** In viewing the floor plan there are 16 tables. Assuming that 10 seats are proposed per table, 53 parking spaces are required for the hall (160/3 seats = 53.3). There is a total of 114 parking spaces held in common at this development. Since activities are proposed to be held at later hours and only on weekends, when most businesses at this development should be closed. Staff does not believe that there will be any complaints regarding the number of parking.
- **Landscaping:** Landscaping meets code.

REVIEW COMMENTS: In viewing the location map, there are single family residences located within three-hundred feet (300') to the south of the business. The City's Alcohol Beverage and Zoning Code states the following:

The property line of the lot of any of the above-mentioned businesses, especially those businesses which have late hours must be at least 300 feet from the nearest residence, church, school or publicly owned property, or must provide sufficient buffering and sound insulation of the building such that the business is visible and cannot be heard from such structure or areas, and must be designed to prevent disruption of the character of adjacent residential areas.

The planning and zoning commission may, under extenuating or special circumstances unique to the site or event, recommend waiver of the 300-foot requirement on a temporary or permanent basis to the city council who shall have the ultimate decision on the matter.

Notices were mailed to property owners within a 200' radius of the site. As of the date of this write-up, the Planning Department has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to waiver of 300' separation requirement to Residential Neighborhoods and CUP to be valid until 1/23/2021 at which time the applicants TABC license will need to be renewed.

There being no further discussion, Mrs. Raquenel Austin moved to approve the request as per staff's recommendation. Mr. Javier Barrera seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #3.0
OTHER BUSINESS**

**ITEM #4.0
ADJOURMENT**

There being no further items for discussion, Mrs. Debra Alvarez moved to adjourn the meeting. Mrs. Hector Moreno seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:47 p.m.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission