

**PLANNING AND ZONING COMMISSION
FEBRUARY 26, 2020
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Javier Barrera
Diana Izaguirre
Debra Alvarez
Jasen Hardisen
Bealinda DeForest

P&Z ABSENT

Raquenel Austin
Ruben Arcaute
Hector Moreno

STAFF PRESENT

Jaime Acevedo
Jessica Munoz
Joel Chapa
Susana De Luna

GUESTS PRESENT

Miguel Kamel
Pedro Balderas Jr.
Pedro Luna
Benito Aguirre
Maxilou Wink
Robert Codina
Carla Meyer
Alexis N. Rios

CALL TO ORDER

Chairwoman Diana Izaguirre called the meeting to order at 5:36 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR FEBRUARY 12, 2019

Chairwoman asked if there were any corrections to the minutes for February 12, 2020. Mr. Javier Barrera moved to approve the minutes as presented. Mr. Jasen Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:36 p.m.

Ended: 5:36 p.m.

Item #1.1

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Foot's Ice House
815 N. Francisco Avenue
The South 109.5' of Lot 2, Block 137,
Mission Original Townsite Subdivision &
All of Lot 52, John H. Shary Industrial Subdivision
C-3
Aimee Severson**

No action taken to the item.

Started: 5:36 p.m.

Ended: 5:40 p.m.

Item #1.2

**Conditional Use Permit: Drive-Thru Service Window –
Bar-B-Cutie
2211 E. Griffin Parkway, Suite 100
Elizondo 495 Plaza Subdivision
C-3
O & C Bar B Cue, LLC**

Mr. Acevedo went over the write-up stating that this site is located 300' west of Citrus along the north side of Griffin Parkway (F.M. 495). There is a new commercial plaza and the new tenant would a drive-thru service window for proposed BBQ restaurant. Previously, the developer was granted a CUP to build a drive-thru at this location. Since CUP's are not transferable, the tenant would like a CUP to be considered for his new operation. Access to the site is from a 35' driveway from Griffin Parkway. The restaurant is located at the west end of the existing commercial plaza.

- **Hours of Operation:** Monday - Sunday from 11 AM to 10 PM
- **Staff:** 8 Employees
- **Parking:** Parking is held in common at this location and exceeds the City's requirements for a commercial development of this size.
- **Landscaping:** has been provided as a part of the overall commercial plaza.

The BBQ restaurant service window allows for 3 vehicles to be easily stacked. There have been no complaints regarding the drive-thru service window. Notices have been sent to the surrounding neighbors where Staff has not received comments for or against this request.

RECOMMENDATION: Staff recommends approval subject to 2 years to access this new operation and the CUP not being transferable to others.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Debra Alvarez moved to approve the Conditional Use Permit as per staff's recommendation. Mr. Jasen Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:50 p.m.

Ended: 5:41 p.m.

Item #1.3

**Conditional Use Permit: Sale & On-Site Consumption of
Alcoholic Beverages – Bar-B-Cutie
2211 E. Griffin Parkway, Suite 100
Elizondo 495 Plaza Subdivision
C-3**

O & C Bar B Cue, LLC

Mr. Acevedo went over the write-up stating that this site is located 300’ west of Citrus along the north side of Griffin Parkway (F.M. 495). The applicant is requesting a CUP for the Sale and On-Site Consumption of Alcoholic Beverages at the BBQ restaurant. The restaurant has leased a total of 4,676 square feet of commercial area.

- **Hours of Operation:** Monday - Sunday from 11 AM to 10 PM
- **Staff:** 8 Employees
- **Parking:** Parking is held in common at this location and exceeds the City’s requirements for a commercial development of this size.
- Landscaping has been provided as a part of the overall commercial plaza.
- **Sale of Alcohol:** Such uses need to be 300’ from residential uses. There are some residences within this radius); thus, a waiver of the separation requirement needs consideration.
- Must continue to comply with Fire and Health Codes.

This proposed CUP is for a family-oriented restaurant. There is no bar component. A total of 12 notices were sent out to property owners within 200’ of the proposed restaurant. Staff has not received any calls or complaints in regards to the proposed business.

RECOMMENDATION: Staff recommends approval subject to a waiver of the 300’s separation requirement from the residential neighborhood and that the CUP be approved for 2 years at which time the applicant will have to renew their TABC license and Conditional Use Permit.

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

Started: 5:41 p.m.

Ended: 5:43 p.m.

Item #1.4

Conditional Use Permit

Renewal:

The Complimentary Offering of Alcoholic Beverages for On-Site Consumption for Social and/or Cultural Events
921 E. 12th Street
Lot 1, Mission Library Subdivision
R-2
Upper Valley Art League

- Mr. Acevedo went over the write-up stating that this site is located on the NE corner of Kika de la Garza and 12th street.
- See aerial of site reflecting the common parking spaces that serve the facility.

- Ord. #3436 permits civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks will be offered (not sold) during a social/cultural event.
- CUP last approved on February 2017; P&Z voted to approve a request by the UVAL for the offering of alcoholic beverages for 3 years. UVAL is now requesting a renewal for another year that would allow the serving of **complimentary** alcoholic beverages during upcoming Art events.
- All events are scheduled from 7:00p.m. to 9:00p.m.

It appears that the for the past three years social events occurred with no incidents. UVAL firmly attests that they are very watchful of how much the patrons are responsibly served, and intend to have continued vigilance at their social exhibit events.

RECOMMENDATION: Staff recommends approval for year a period of 4 years.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Their being none

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Debra Alvarez moved to approve the request as per staff's recommendation. Mr. Jasen Hardisen seconded the motion. Upon a vote, the motion passed unanimously

Started: 5:43 p.m.

Ended: 5:46 p.m.

Item #2.0

Homestead Exemption

Variance:

**The East 100' of the West 400' of the
South 105' of the South 210' of the East
630' of Lot 30-12, West Addition to
Sharyland Subdivision
AO-I
Carla Mayer**

Mr. Acevedo went over the write-up stating that this site is located 300' east of Stewart Road along the north side of Bluerock Road. The lot measures 100' x 105' or 10,500 sq. ft. The lot exceeds the square footage size requirements for an R-1 lot. The applicant desires to construct her single-family residence thereon. On 11-10-14, the City Council passed the HEV ordinance which allows for homesteads to be granted various waivers to the City's subdivision requirements if and only if, the lot is being proposed for the applicant's personal single-family home.

WATER – The applicant is proposing to connect to an existing 6" water line located along Bluerock Road to provide water service to the lot.

SEWER – The applicant is proposing to connect to existing 6” sanitary sewer line located along Bluerock Road to provide sewer service to the lot. The capital sewer recovery fee is waived via the HEV.

STREETS & STORM DRAINAGE – The subject site has frontage to Bluerock Road, which is an older County Road which only has 20’ of ROW. Since this area is developed, no additional ROW will be required at this time. Drainage will be onsite.

OTHER COMMENTS

- Must comply with Model Subdivision Rules.
- Must dedicate water rights.
- The street light requirement is also waived via the HEV.
- The park fees are also waived.

RECOMMENDATION: Staff recommends approval subject to compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mrs. Carla Mayer was available to answer any questions the board might have.

Chairwoman Izaguirre asked where exactly is this property?

Mr. Javier Barrera mentioned it’s passed 2-mile Rd. on Stewart, passing the canal.

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

Started: 5:46 p.m.

Ended: 5:54 p.m.

Item #3.0

Site Plan Approval:

**Construction of 12 Apartments
1002 N. Glasscock Road
Lot 2, Callanan Subdivision
R-3
Abel Hernandez**

Mr. Acevedo went over the write-up stating that this site is located at NE corner of Glasscock Road and Business Highway 83. Site Plan approval is required prior to permit issuance for multi-unit complexes of five or more.

Viewing the site plan, there is a combination of 3 and 3-bedroom single story buildings that make up the 12-unit multi-family apartment complex. The applicant is proposing 6 two-bedroom units that each has approximately 910 sq. ft. of living area and 6 three-bedroom units with 1,188 sq. ft. of living area each. The building must comply with all fire code requirements for a multi-family complex.

The minimum required setbacks for the site will be: 30' front setback, 15' rear setback, and 6' side setbacks. It is noted that all setbacks are in compliance.

As seen, the primary access will be to Glasscock Road. With regards to parking, the site plan shows 28 parking spaces. For a multi-family building of this size the City Code requires 24, therefore exceeding code by 4. A large commercial size dumpster is proposed near the SW corner of the property. Staff will work with our City Sanitation Department to ensure that the proposed dumpster locations are adequate for a front-loading trash truck. The dumpsters must also be screened with cedar or block fence with gates.

This development will have 5' sidewalks along Glasscock and with the interior perimeters. Ten percent landscaping will be required with a combination of trees, plants, and shrubs. Parking light poles are required after every 10 parking spaces in all parking areas within islands or peninsulas.

The Residential Lot Capital Sewer Recovery Fee will be imposed as required by Ordinance #4310, i.e. (6) two-bedroom units X \$120/Unit = \$720, and (6) three-bedroom units X \$140/Unit = \$840.00. The park fees are \$500/Unit X 12 Units = \$6,000.

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) compliance with front loading requirements of trash dumpsters; and
- 5) payment of capital sewer and park fees.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre asked how big is this property?

Mr. Jaime Acevedo stated it's small, your allowed 28 units in a 1-acre tract and in a ½ acre 14.

Mr. Jaime Acevedo mentioned another condition of approval could be for them to meet the city density requirements, for an R-3 property. Mr. Jaime Acevedo added my only concern is the residential homes on the north side.

Chairwoman Izaguirre asked what is the sq. ft of these apartments?

Mrs. Debra Alvarez stated 6 two-bedroom units are 910 sq. ft of living, and 6 three-bedroom units are 1,188 sq. ft.

Mr. Jaime Acevedo stated currently there's a fence on the north side and on the east side. Mr. Jaime Acevedo added when you develop a R-3 development next to a residential area, it's required for you to install a privacy fence.

Mr. Jasen Hardisen mentioned your concern was cars backing out to a residential area, if so, has the applicant submitted another site plan.

Mr. Jaime Acevedo stated "no" they haven't.

Chairwoman Izaguirre asked do the townhomes have a backyard?

Mr. Jaime Acevedo stated "no" by looking at the aerial they have a reduced rear set back.

Chairwoman Izaguirre asked what is the rear setback 10'?

Mr. Jaime Acevedo stated "yes" the rear setback is 10'. Mr. Acevedo added what I had suggested was all the parking on the north side and the apartments on the south.

Mr. Jaime Acevedo mentioned maybe we can talk to the applicant to relocate two of the units to the south side, since there moving the parking. That would only leave two units on the north side only.

After further discussion, the board decided to take no action on this item.

Started: 6:11 p.m.

Ended: 6:13 p.m.

Item #4.0

Preliminary & Final

Oak Forest Subdivision

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mr. Miguel Kamel is available to answer any questions the board might have.

Mr. Javier Barrera asked what is the parking requirement?

Mr. Jaime Acevedo mentioned these units have a driveway and a 1 car garage. Mr. Acevedo added they need to have two off street parking spaces per unit.

Mr. Javier Barrera mentioned I believe a one car garage is fine, but at least a two-car driveway, so cars wont park on both side of the street and make the street narrow. Mr. Javier Barrera added just in case of an emergency they can get through.

Chairwoman Izaguirre asked do we have a site plan for these units?

Mr. Jaime Acevedo mentioned “no” I’ve seen some renderings. Mr. Jaime Acevedo added maybe they can do a long garage and stack one car behind another.

Mr. Jaiver Barrera stated no one likes to stack cars.

Chairwoman Izaguirre stated instead of a 50’ ROW a 60’ ROW, for the road, it does make a big difference.

Mr. Miguel Kamel mentioned I don’t have a problem building a side by side 2 car driveway.

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

**ITEM #5.0
OTHER BUSINESS**

**ITEM #6.0
ADJOURMENT**

There being no further items for discussion, Mrs. Raquenel Austin moved to adjourn the meeting. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:03 p.m.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission