

**PLANNING AND ZONING COMMISSION
AUGUST 14, 2019
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

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

STAFF PRESENT

Jaime Acevedo
Susana De Luna
Maribel Quintanilla
Jessica Muñoz

GUESTS PRESENT

Juan Chapa
Ruben Pina
Pat Risica
John Escamilla
Guadalupe Ramirez

CALL TO ORDER

Chairwoman Diana Izaguirre called the meeting to order at 5:31 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR JULY 24, 2019

Chairwoman Izaguirre asked if there were any corrections to the minutes for July 24, 2019. Mr. Javier Barrera moved to approve the minutes as corrected. Hector Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 5:44 p.m.

Item #1.1

Request to abandon a 20' Street right-of-way easement an in a 0.124-acre tract of land, more or less, being the West 271.11 feet of an existing 20' street right-of-way located adjacent to north line of Lots 5 & 6, Yewell Subdivision

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

There were no comments.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Ruben Arcaute moved to approve the 20' Street right-of-way abandonment as presented. Mrs. Raquenel Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 5:44 p.m.

Item #1.2

Rezoning: A 6.545 acre tract of land being the North 241' of Lot 27-2, West Addition to Sharyland AO-I to R-3 Leonel Olivarez

Mr. Jaime Acevedo went over the write-up stating that the subject site is located Approximately 1500' south of West Mile 2 Road along the west side of Los Ebanos Road

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

EXISTING LAND USES: N: Vacant Agricultural
E: Vacant Agricultural & Water Treatment Plant No. 2
W: Vacant Agricultural
S: Single Family Residential
Site: Vacant Agricultural

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The land uses reflect the zonings shown above. The Future Land Use Map reflects a Low Density Residential (LD) land use, too; thus, R-1 is directly consistent to the LD designation.

RECOMMENDATION: Approval.

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

Mr. Pat Risica was present and in opposition. His main concern is the noise. He stated that when he bought that property he was told that the 20' easement was going to be an alley and not a street that's the reason he bought cattle. He added that during the holidays the noise of fireworks disturbed his animals but he never made a call or a complaint to the police.

Mr. Tony Mercado was also present and the noise is his concern as well. He owns 5 acres right next to Mr. Risica. He stated that he would purchase the land next to him in order to have privacy and no noise around his property.

Mrs. Alvarez asked Mr. Acevedo about the noise ordinance.

Mr. Acevedo stated that he would get together with Chief Dominguez about it, especially about the fireworks and about sending patrol over.

Chairwoman asked Mr. Acevedo what they are proposing.

Mr. Acevedo responded a subdivision with 19 homes. It will be discuss later on the agenda.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Javier Barrera moved to approve the rezoning as presented. Mr. Hector Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:44 p.m.

Ended: 5:46 p.m.

Item #1.3

Rezoning:

**A 7.557 acre tract, and also being a part or Portion of shares 3, 4, & 5, San Jose Subdivision AO-I to R-1A
Jose Manuel & Ismael Garcia**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located approximately 150' north of Trinity Road along the east side of Stewart Road.

SURROUNDING ZONES:

N: R-1A – Large Lot Single Family
E: R-1 – Single Family Residential & R-1A – Large Lot Single Family
W: AO-I – Agricultural Open Interim
S: R-1 – Single Family Residential

EXISTING LAND USES:

N: Single Family Residential
E: Wilson Drain Ditch & Single Family Residential
W: San Jose Cemetery
S: Single Family Residential
Site: Vacant Agricultural

FLUM:

Lower Density Residential (LDA)

REVIEW COMMENTS: The land uses reflect the zonings shown above. The Future Land Use Map reflects a Lower Density Residential (LDA) land use, too; thus, R-1A is directly consistent to the LDA designation.

RECOMMENDATION: Approval.

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

There were no comments.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Ruben Arcaute moved to approve the rezoning as presented. Mrs. Raquanel Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:46p.m.

Ended: 5:48 p.m.

Item #1.4

**Conditional Use Permit: To Move in a Wood Frame Home on Property
Zoned (R-4) Mobile & Modular Home District
2807 Estevan Street
Lot 79, Inspiration Manor Subdivision
R-4
Life of Use
Guadalupe Ramirez**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located approximately between Inspiration Road and Gabriel Street along the west side of Estevan Street.

REVIEW COMMENTS: Mr. Ramirez desires a CUP to be allowed to move in a single-family structure, complying with R-1 setbacks. The R-4 zone typically only allows mobile homes or an RV as the primary structure unless a CUP is awarded by the City to site-built or move in a home. The code specifically states that the requirements of the R-1 Single Family Zoning District would need to be adhered to. The lot in question is a 60' wide X 120.98' in depth for a total square footage of 7,258. (Note: The site meets the R-1 minimum frontage of 60' and exceeds the minimum lot depth of 100' and square footage requirements of 6,000 sq. ft.) A field visit to Inspiration Manor revealed that there are several other existing single-family structures that have been awarded a CUP including some on Estevan Street. Since this is nothing new to the area and since the lot is larger than typical R-4 lots, Staff does not object.

RECOMMENDATION: Approval subject to the CUP being transferable to others.

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

There were no comments

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Raquanel Austin moved to approve the conditional use permit as presented. Mr. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:11 p.m.

Ended: 5:11 p.m.

Item #1.5

Conditional Use Permit:

**Drive-Thru Service Window – El Tropical
708 N. Inspiration Road, Suite 1
Lot 1, Rivalsebas Subdivision
C-3
Veronica Cepeda**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located approximately 400' south of E. Expressway 83 Frontage Road along the east side of Inspiration Road. This site was approved by the PNZ on July 10, 2019. However, when approved the owner did not have a tenant for the operation and only wanted an approval to construct the drive-thru window. There is now a tenant that would like consideration for use of this drive-thru window.

Mrs. Cepeda, owner/developer, will be the operator of El Tropical from an 827 sq. ft. commercial suite that is being constructed with a drive-thru service window is along the west end of the commercial plaza. Access to the site is from a 24' driveway from Inspiration Road.

- **Hours of Operation:** Monday thru Sunday from 1:00 p.m. to 11:00 p.m.
- **Staff:** 2 employees during operating hours
- **Parking:** Parking is held in common at this location and exceeds code.
- **Landscaping:** The commercial plaza is under construction but their landscaping plan is in compliance with code.

REVIEW COMMENTS: The drive-thru service window allows for 5 vehicles to be easily stacked. There has been no opposition voiced against the proposed 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 for a period of 1 year to assess this new operation.

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

There were no comments

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the conditional use permit as presented. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:50 p.m.

Ended: 6:00 p.m.

Item #1.6

Conditional Use Permit:

**Sale and On-Site Consumption of Alcoholic
Beverages – Cristobal’s Bar & Grill
515 N. Conway Avenue
Lot 10, Block 192, Mission Original Townsite
C-3
John Escamilla**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located approximately along the west side of Conway between 5th and 6th Street. Access to the site can be from Conway or from the alley where there is a paved parking area. The applicant would like to operate a bar and grill from this location and requires a CUP for sale and on-site consumption of alcohol. Previously, this was the site for a grandfathered cantina in the downtown area. However, the cantina closed down over 15 years ago and lost its grandfathered status.

- **Hours of Operation:** Monday – Thursday from 4:00 p.m. to 11:00 p.m. and Friday – Sunday from 11:00 a.m. to 11:00 p.m.
- **Staff:** 5
- **Parking:** In viewing the floor plan, there are 63 total seating spaces in the indoor area and 38 parking spaces for the outdoor patio area. Although they have a paved parking area off the rear alley, this falls within the central business district so the parking requirements are waived.

REVIEW COMMENTS: Such uses need to be 300’ from residential and institutional (church) areas. There are residential homes directly behind the alley and Guadalupe Church is also within a 300-foot radius. The area appears to be limited in space for both a bar and grill. In an area where the council has previously pushed for the elimination of alcohol sales, reintroducing alcohol to the area would be going against the wishes of the council. As of the time of this writing (August 8, 2019) there had not been a food menu submitted to the City.

RECOMMENDATION: Denial. Staff recommends approval of a business license for a restaurant use only. We can evaluate how the restaurant operates for 1 year and perhaps reconsider a CUP for alcohol after 12 months of being in operation as a restaurant.

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

Mrs. Alvarez made a comment to Mr. Acevedo about why he said that they are trying to go away from the sale of alcohol, then that he is recommending not having liquor and finally you said that you can recommend approval after the first year of operating as a restaurant.

Mr. Acevedo replied that his recommendation would be to hold beer and wine sale for the first twelve months just to see if they want to operate as a restaurant and not a bar.

Chairwoman Izaguirre asked if the applicant or representative were present.

The applicant was present and explains to the board that his intention was not to use it as a cantina or a bar. He stated that he is applying to serve only beer and wine, not hard liquor. No standard bar amenities (i.e. pool table) will be present and we did not request extended hours permit from TABC. It will only be open until 12 midnight. TABC has a provision that no alcohol sales are permitted within 300 feet from a church. My contractor and I recently conducted a measurement of 433 feet from the front door of my restaurant to the front door of the Our Lady of Guadalupe Church. Only dinner will be serving. He also stated that he has no intentions in requesting after hours during the day or night due to this Consulting Firm job during the day.

The board and staff had discussion regarding the use of a restaurant versus a cantina and the distance from the church to the location.

Mr. Acevedo recommended the board to take no action until he has more clarification from the applicant and can be seen next meeting.

Chairwoman Izaguirre asked if there was any public opposition to the request.

There was no response.

There being no further discussion, Chairwoman Izaguirre entertained a motion to table Item #1.6. Mr. Ruben Arcaute moved to table the item as per staff's recommendations. Mrs. Alvarez seconded the motion.

Started: 6:00 p.m.

Ended: 6:03 p.m.

Item #1.7

Conditional Use Permit:

Sale & On-Site Consumption of Alcoholic
Beverages – Che Puerco Restaurant Bar
205 N. Shary Road, Ste. A
Lot 1, South Shary Commercial Subdivision
C-3
Naim Entertainment Group, LLC (c/o Antonio Naim)

SITE: The subject site is near the NW corner of Shary Road and Selena Street (E. 1st Street) along the west side of Shary Road. The appliance desires to occupy a vacant suite thereon and add an outdoor terrace along the south side of the existing commercial building. The applicant is requesting a CUP at this location for the sale of alcohol for this proposed restaurant. It is also noted that the applicant is proposing a "bar" component within the restaurant which requires the use of Sec. 1.56 (3a.) of the

Zoning Code which states: *Bars, cocktail lounges, taverns, cantinas, saloons, dancehalls, discotheques, discos or nightclub*: “the property line of the lot of any of the above mentioned businesses which have late hours (after 10:00 p.m.) must be at least 300 feet from the nearest residence, church, school or publicly owned property . . .”. There is one residence to the north a few mobile homes to the west within 300 feet.

Hours of operation: Monday – Thursday from 11a.m. to 11p.m. and Friday – Sunday from 11a.m. to 2 a.m.

Staff: 26 employees

Parking: In viewing the floor plan, there are 42 seating spaces in the interior portion of the restaurant/bar and 24 seating spaces in the terrace for a total of 66 seating spaces, which require 22 parking spaces (66 seats/1 space for every 3 seats = 22 parking spaces). It is noted that the parking area is held in common (58 existing parking spaces) and will be shared with other businesses.

RECOMMENDATION:

Staff recommends approval subject to: 1) 2 year re-evaluation at which time the applicant will have to renew his CUP and TABC License, 2) Waiver of the 300’ separation requirement from the residential homes, 3) Must comply with all Fire, Health, and Building Code requirements, and 4) Acquire a business license

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

There were no comments

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the conditional use permit as presented. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:03 p.m.

Ended: 6:04 p.m.

Item #1.8

**Conditional Use Permit: To Keep a 24’x60’ Portable Building
 915 W. Expressway 83
 Lot 1, Nido De Aguila Subdivision
 P
 Luz Para Las Naciones Church**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located **SITE:** The subject site is located at the SW corner of S. Olmo Street and south side of U.S. Expressway 83 Frontage Road. The applicant wishes to renew his CUP to keep the 24’ x 60’ portable building for instructional use. This CUP was last approved on 6-8-16 by P&Z for a period of 3 years. The portable building is currently being used as a classroom. The applicant wishes to renew his CUP and is requesting a life of use

approval. Access to the site will be off of U.S. Expressway 83 Frontage and South Olmo Street.

Hours of operation: Monday – Friday from 8:00 a.m. to 3:30 p.m.

Staff: 2 teachers and about 40 students are occupying the portable building

Parking: In regards to parking, the educational component of the church will operate during non-church hours and utilize the existing 238 parking spaces on-site.

Landscaping: Landscaping requirements for the church are in compliance.

REVIEW COMMENTS: It is not uncommon to have a portable building in educational settings. The portable being setback 39' from Olmo Street and 134' from 1 Mile South will help lessen its visibility from Expressway 83. Staff knows that having a portable building along Expressway 83 may not be a long-term desire of the City when considering aesthetics along a major corridor. Staff does not object to this CUP since in the near future the portable will be upgraded with an on-site built structure.

RECOMMENDATION:

Staff recommends approval subject to a 3-year re-evaluation to assess the CUP.

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

There were no comments.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Raquene Austin moved to approve the conditional use permit as presented. Mr. Hector Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:04 p.m.

Ended: 6:06 p.m.

Item #1.9

Conditional Use Permit:

**Sale and On-Site Consumption of Alcoholic Beverages – Mariscos El 7 Mares Restaurant
2301 E. Griffin Parkway, Suite D
Lot 10-12, Big Orange Subdivision
C-3
Juan Jose Chapa**

Mr. Jaime Acevedo went over the write-up stating that Mariscos El 7 Mares is located within an existing commercial plaza located on the NW corner of Citrus Lane and Griffin Parkway. This CUP was last approved on 6-28-17 by P&Z and the owner is requesting to renewal in conjunction with their TABC License.

Hours of operation: Every day from 11:00 a.m. to 8:00 p.m.

Staff: 4 employees

Parking: The applicant has 80 total seating spaces, which require 27 parking spaces (80 seats/1 space for every 3 seats = 26.6 parking spaces). It is noted that the parking

area is held in common (67 existing parking spaces) and is shared with other businesses.

Sale of Alcohol: There are no churches or public/private schools within 300' of the subject site, thus being compliant to Section 6-4. Staff asked Mission PD for a report of any incidents in relation to the sale of alcohol. No incidents have been reported as of this date.

RECOMMENDATION:

Staff recommends approval up until June 6, 2021 at which time the applicant will renew their TABC license and conditional use permit.

Chairwoman Izaguirre asked if there were any comments for or against the request.

There were no comments.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to approve the conditional use permit as per staff's recommendations. Mrs. Raquene Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:06 p.m.

Ended: 6:09 p.m.

Item #2.0

Single Lot Variance:

**The West 660' – East 140' – South 208'
of Lot 25-8, West Addition to Sharyland
(.54 ac) 423 E. Griffin Parkway
C-2 (Neighborhood Commercial)
Ruben Piña**

Mr. Jaime Acevedo went over the write-up stating that the property is located at the NE corner of Tanglewood Drive and Griffin Parkway (F.M. 495). The irregular site measures .54 acres or 23,522 sq. ft. The purpose of this Single Lot Variance (SLV) is to comply with the subdivision ordinance so that a permit can be issued for the construction of a commercial office. Since the property has all of the required utilities and infrastructure in place, a Single Lot Variance can be considered instead of subdividing the property.

WATER & SEWER: Water service is available through an existing 2" water line located along Tanglewood Drive. There is a fire hydrant at the NE corner of Griffin Parkway and Tanglewood Drive therefore a fire hydrant will not be required for this location. Regarding sewer, the property is served by an existing 8" sewer line located along the north side of Griffin Parkway (F.M. 495) that provides sewer services. As required with all new subdivisions, a Capital Sewer Recovery will be assessed in the amount of \$750.00 an acre per ordinance No. 3022.

STREETS: The property has frontage to both Griffin Parkway (F.M. 495) and Tanglewood Drive. Griffin Parkway (F.M. 495) is designated as a minor arterial requiring 100' of right of way (50' from center line to the north and south). Currently, TXDOT has 80' of ROW on Griffin Parkway (F.M. 495), thus an additional 20' is required or 10' from each side. Any future pavement widening of Griffin Parkway (F.M. 495) will be done TXDOT. Storm drainage will be accomplished through on-site detention.

OTHER COMMENTS:

- Park Fees will be waived since the use is for commercial.
- There is a fire hydrant at the NE corner of Griffin Parkway and Tanglewood Drive.
- The property must be excluded from the United Irrigation District.
- 5' sidewalks are existing along Griffin Parkway (F.M. 495).
- Street lights are existing along Griffin Parkway (F.M. 495).

RECOMMENDATION:

Staff recommends approval subject to:

1. Providing proof of exclusion from the water district.
2. Dedication of additional ROW along Griffin Parkway (F.M. 495) if required by TXDOT.
3. Capital Sewer Recovery Fee of \$750 per acre.
4. Submittal of a paving and grading plan for any new construction.
5. Acquisition of a permit for any new construction.

Chairwoman Izaguirre asked if there were any comments in favor or against the request.

There were no comments.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to approve the conditional use permit as per staff's recommendation. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:09p.m.

Ended: 6:33 p.m.

Item #3.0

Pre-Final Plat Approval:

Glasscock Hills Subdivision

Being a 19.61 acre tract of land, comprised of the South ½ of Lot 262, John H. Shary Subdivision, and 1.10 acre out of a certain second tract lying adjacent to Lot 262, Being 3.75 acre

R-1

Developer: MJVM LTD. (Miguel Brito)

Engineer: AEC Engineering, LLC

Mr. Jaime Acevedo went over the write-up stating that the proposed subdivision is located approximately ¼ north of Griffin Parkway (F.M. 495) along the west side of Glasscock Road. The developer is proposing 83 Single Family Residential lots.

VARIANCE: The developer is requesting a variance of the parks and sewer capital recovery fees due to the dedication of land that is being given up to the City for the expansion of the City of Mission Drainage ditch located along the west side of the property. The park fees total \$58,100.00

WATER: With regards to water, the developer is proposing to tap to an existing 8" water lines along Glasscock Road. The looped water system will have two connections will be made one at the north end of the subdivision and on at the south end of the subdivision. Fire hydrants are shown pursuant to the direction of the Fire Marshal.

SEWER: In regards to sewer, the developer is proposing to extend an 8" sewer line coming in from Glasscock and extending West to a manhole from Taurus Estates No. 8. All interior lots will have 8" sewer lines extending and taping into this 8" line coming in from Glasscock and extending to Taurus #8. The Capital Sewer Recovery Fee 83 residential lots X \$200.00/Lot= \$16,600.00

STREETS & STORM DRAINAGE: The subdivision has frontage to Glasscock Road which calls for 80' of ROW. An additional 20' of ROW will be dedicated along Glasscock and the developer is proposing to widen his section of frontage along Glasscock. Interior streets will be 50' ROW, 37 B-B Streets. As for the storm drainage, the developer is proposing storm sewer infrastructure consisting of valley gutters, curb and/or, grated inlets and RCP pipe. Discharge will be into an un-named City of Mission Drainage ditch located on the west side of the property. As per City, on-site detention will not be required as the Ditch capacity will be expanded to accommodate the necessary detention.

RECOMMENDATION

Staff recommends denial of the variance request as it would set precedence and approval of the subdivision plat subject to:

1. Must pay capital sewer recovery fees at \$200 per lot = 83 x \$200 = \$16,600.00.
2. Dedication of water rights.
3. Park Fees at \$500 per lot = 83 x \$500 = \$41,500.
4. Must provide a street light plan for review by Staff.
5. 5' sidewalks along Glasscock Road.
6. Compliance with the Model Subdivision Rules.

Chairwoman Izaguirre asked if there were any comments for or against the request.

Mr. Carlos Garza from AEC Engineering was present on behalf of applicant. He discussed why they are requesting the variance of the parks and sewer capital fees. He also stated the City of Mission encroached into his client's property along the west side.

That is why he is asking the board to consider and waive the variance by taking consideration that he has been paying taxes.

Mrs. Alvarez asks Mr. Acevedo if the city didn't buy that piece of land.

Mr. Acevedo responded "no".

Chairwoman Diana made a comment to Mr. Garza about the survey that they had and clarify to him that his client knew exactly what he was buying. A survey explains everything.

The board and staff had discussion regarding the variance request. They will approve the plat and deny the variance.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to deny the variance as presented. Mrs. Alvarez seconded the motion. Approving only the Subdivision Plat. Upon a vote, the motion passed unanimously.

Started: 6:33 p.m.

Ended: 6:37 p.m.

Item #3.1

Pre-Final Plat Approval:

Carrizales Subdivision

**Being a 76.87 acre tract of land out of
Block 16, Texan Gardens Subdivision
ETJ**

Developer: Norberto Salinas

Engineer: AEC Engineering, LLC

Mr. Jaime Acevedo went over the write-up stating that the subject site is located near the NE corner of 6 Mile Road and Western Road. The developer is proposing 48 Single Family Residential lots all exceeding area requirements.

WATER - The water CCN belongs to Agua Special Utility District. There is an 8" water line along Western that will be extended and looped in the subdivision. The developer is proposing an 8" water system within the subdivision to provide water service to each lot. This is in the rural ETJ thus fire hydrants are not required.

SEWER - Sanitary sewer service for this subdivision will be addressed by individual on-site sewage facilities (OSSF) of a standard design septic tank and drain field on each lot. Each lot meets or exceeds the County's typical ½ acre standard where septic tanks are permitted. This area is not within the City of Mission's Sewer CCN. (NOTE: Mission sewer is over 4.25 miles away).

STREETS & STORM DRAINAGE

The subdivision has frontage to Western Road a paved county road with 60' of ROW, it is noted that an additional 20' will be dedicated for the future widening of Western Road.

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 via an internal storm sewer system with inlets in the street to collect surface runoff from lots and street. This system will be sized as per calculations with pipes ranging between 18" and 48", and will consist of an existing outfall and one proposed outfall. These two outfalls will discharge into the Hidalgo County Regional Detention on Western and Mile 6. The Regional Detention is located in Lots 30, 31, 32, 33, and 34, of Block 1, Texan Gardens Subdivision. The peak rate for runoff for this development will be mitigated to the existing 50-year storm—see attached HCDD #1 drainage report.

RECOMMENDATION

Staff recommends approval subject to:

1. Must meet the Model Subdivision Rules;
2. Comply with the street alignment policy; and
3. Comply with comments from the County Planning Department.

Chairwoman Izaguirre asked if there were any comments for or against the request.

There were no comments.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to approve the Preliminary & Final Plat Approval as per staff's recommendation. Mr. Hector Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:37 p.m.

Ended: 6:40 p.m.

Item #3.2

Pre-Final Plat Approval:

**Del Oro Subdivision Unit No.5
Being a Resubdivision of 10.731
Acres of land out of the South end
Of Porcion 52
PUD**

**Developer: Rhode Enterprises, Inc. (Nick Rhodes)
Engineer: Melden & Hunt, Inc.**

The proposed subdivision is the 5th phase of the Del Oro Subdivision located approx. $\frac{3}{4}$ mile East of Schuerbach Road on Mile 1 South. The developer is proposing 56 Single Family Residential lots.

WATER

Tap to existing 8" water line along Mile 1 South Road; take that 8" water line north along South Tecate Drive to connect on to existing 8" water line on Del Oro Drive looping the system. Fire hydrants are shown pursuant to the direction of the Fire Marshal.

SEWER

In regards to sewer, the developer is proposing to extend an 8" sewer network along Del Oro Drive and extend South on South Tecate Drive that would service all lots in Phase 5.– see utility plan. The Capital Sewer Recovery Fee 56 residential lots X \$200.00/Lot= \$11,200.00

STREETS & STORM DRAINAGE

The developer is proposing to extend Del Oro Drive and propose a new extension of South Tecate Drive. This will be 50' ROW, 37 B-B Streets. As for the storm drainage, the developer is proposing to install 8 curb inlets and install 30" R.C.P. lines through easement on South Tecate Drive that will flow into an existing drain ditch adjacent to north side of this property. Said existing drain ditch discharges into Perezville drain ditch with an ultimate outfall into the Mission Pilot Channel.

OTHER COMMENTS

- Dedication of water rights
- No park fees; M.L. Rhodes' dedication of park land still satisfies the Park Dedication Ord.
- Must provide a street light plan for review by Staff.
- 5' sidewalks along Mile 1 South Road

RECOMMENDATION

Staff recommends approval subject to:

1. Must pay capital sewer recovery fees.
2. Dedication of water rights.
3. Compliance with the Model Subdivision Rules

Chairwoman Izaguirre asked if there were any comments for or against the request.

There was none.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcuate moved to approve the Pre-Final Plat Approval as per staff's recommendations. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:40 p.m.

Ended: 6:44 p.m.

Item #3.3

Pre-Final Plat Approval:

Periquitos Subdivision

**A 7.557 acre tract, also being a part or
Portion of shares, 3, 4, & 5**

AO-I (R-1A Proposed)

Developer: Jose M. Garcia & Ismael Garcia

Engineer: BIG Engineering Group, Inc

Mr. Jaime Acevedo went over the write-up stating that the subject site is located at the intersection of Trinity and Frio Street along the north side of Trinity. The developer is proposing 5 Single Family Residential to be used as a family partition.

VARIANCE REQUEST – To allow the subdivision to be private and gated. The subdivision code states that a “Lot means an undivided tract or parcel of land having frontage on a public street...” We have seen many similar proposals for gated communities and we do not see any issues regarding this proposal as well. The developer is also requesting a variance on the pavement width. He is proposing a 40’ ROW with a pavement width of 20’. Staff does not object to these variances because of the size and layout of the subdivision.

WATER - The developer is proposing an 8” water system connecting to an existing 8” line located along the north side of Trinity and extending through the proposed subdivision and connecting to an 8” water line at Oak Alley at Cimarron Subdivision. Fire hydrants will be installed per the Fire Marshal’s direction.

SEWER - In regards to sewer, the developer is proposing to connect an 8” sanitary sewer line to an existing 8” sewer line along the north side of Trinity. The \$200.00/Residential Lot Capital Sewer Recovery Fee will be imposed as required by Ordinance #4310, i.e. 5 lots X \$200.00/Lot = \$1,000.00.

STREETS & STORM DRAINAGE

The subdivision has frontage to Trinity and they are proposing a 20’ paved private drive with a 40’ ROW. Drainage for the subdivision is proposed via inlets along the roadway leading storm water to private detention pond via 18” RCP drainage lines and draining via an 8” line into the nearby Hidalgo County Drain Ditch No. 1.

OTHER COMMENTS

Escrow Park Fees (**5 Lots X \$500.00 = \$2,500.00**)
Installation of Street Lighting as per City standards
Exclusion from the Water District

RECOMMENDATION

Staff recommends approval subject to:

1. No objection to variance, subject to meeting private street policy;
2. Must meet the Model Subdivision Rules;
3. Comply with the street alignment policy; and
4. Must pay the parks and capital sewer recovery fees.

Chairwoman Izaguirre asked if there were any comments for or against the request.

There were no comments.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to approve the Pre-Final Plat approval as per staff’s recommendation. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:44 p.m.

Ended: 6:47 p.m.

Item #3.4

Pre-Final Plat Approval:

Los Ebanos Village Subdivision

**A 6.44 acre tract of land being the North 216' of
Lot 27-2, West Addition to Sharyland Subdivision
AO-I (R-1 Proposed)**

Developer: Leonel Olivarez & Amparo L. Olivarez

Engineer: Nain Engineering, LLC

Mr. Jaime Acevedo went over the write-up stating the proposed subdivision is the second phase of Crystal Estates located near the NW corner of Los Ebanos Road & Esperanza Avenue. The developer is proposing a subdivision which will consist of 19 single family lots.

WATER

An internal 8" water line system will provide service to all lots with fire hydrants to be installed 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 the Crystal Estates Subdivision.

SEWER

An internal 8" system will provide sewer service to the lots as it ties into an existing 15" sanitary sewer line along the west side of Los Ebanos Road. The capital sewer recovery fee will be imposed to the residential lots, being \$200/lot X 19 lots = \$3,800.00.

STREETS & STORM DRAINAGE

There are no streets proposed via this development. All lots will have frontage to Esperanza Avenue a 60' collector street with 60' ROW and paved with of 38' BB. Storm drainage will be detained with the property by a detention area at the rear of the lots and out falling via 8" PVC at two locations into two curb inlets located on the north side of Esperanza Street.

OTHER COMMENTS

Street names to comply with street alignment policy

Comply with all format findings

Must exclude the property from the Water District.

Must provide park fees in the amount of \$500/lot which equates to \$9,500.

Must provide a street light plan for review by staff.

RECOMMENDATION

Approval subject to:

1. Payment of park fees and sewer capital recovery fees
2. Water district exclusion
3. Comply with all other format findings

Chairwoman Izaguirre asked if there were any comments for or against the request.

There were no comments.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to approve the Pre-Final Plat Approval as per staff's recommendation. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:47 p.m.

Ended: 6:50 p.m.

Item #3.5

Pre-Final Plat Approval:

M.E.D.C. Subdivision

A tract of land containing 18.83 acres of land,

Being a part or portion of the abandoned

Old Edinburg Canal R.O.W., and Lots 175 & 185,

John H. Shary Subdivision

C-3

Developer: Leonel Olivarez & Amparo L. Olivarez

Engineer: Nain Engineering, LLC

Mr. Jaime Acevedo went over the write-up stating that the subject site is located on the NE corner of Shary Road & Victoria Drive. The developer is proposing a subdivision which will consist of 9 commercial lots.

WATER

An internal 8" water line system will provide service to all lots with fire hydrants to be installed via direction from the Fire Marshal's office. The system will be looped by connecting the internal 8" lines to an existing 16" line that runs from Shary Road to the water tower north of the Mission Event Center.

SEWER

An internal 8" system will provide sewer service to the lots. The 8" system ties into a larger 15" sanitary sewer line along the east side of the commercial lots abutting the Mission Drain Ditch. The capital sewer recovery fee will be imposed to the commercial lots, being \$750 per acre X 18.83 acres = \$14,122.50

STREETS & STORM DRAINAGE

The developer is proposing to extend Grapefruit Boulevard a new 90' internal street which will provide access to the 9 commercial lots and leads to the Mission Even Center. The 90' ROW consists of four lanes divided by a center median. Storm drainage will be part of the Master Storm Plan for the Mission Event Center. Storm inlets will be placed along the proposed streets and within the parking lots to collect storm runoff. Pipe sizes range from an 18" to a 36" at the outfall into the City of Mission Drain Ditch.

OTHER COMMENTS

Street names to comply with street alignment policy
Comply with all format findings
Must exclude the property from the Water District.
Must provide a street light plan for review by staff.

RECOMMENDATION

Approval subject to:

1. Payment of capital recovery fees
2. Water district exclusion
3. Comply with all other format findings

Chairwoman Izaguirre asked if there were any comments for or against the request.

There were no comments.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to approve the Pre-Final Plat Approval as per staff's recommendation. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #4.0
OTHER BUSINESS**

**ITEM #5.0
ADJOURNMENT**

There being no further items for discussion, Mr. Arcaute moved to adjourn the meeting. Mrs. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:50 p.m.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission