

**PLANNING AND ZONING COMMISSION
MAY 27, 2020
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Javier Barrera
Diana Izaguirre
Debra Alvarez
Raquenel Austin
Ruben Arcaute
Jason Hardison

P&Z ABSENT

Hector Moreno
Bealinda Deforest

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez
David Flores
Juan P. Terrazas

GUESTS PRESENT

Everardo Garza
Daniel Salazar

CALL TO ORDER

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

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR MAY 13, 2020

Chairwoman Izaguirre asked if there were any corrections to the minutes for May 13, 2020. Mr. Ruben Arcaute moved to approve the minutes as presented. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 5:42 p.m.

Item #1.1

Rezoning:

**A 0.242-acre (Gross 0.176 acre) tract of land out of the North 206.28' out of Lot 31, Sharyland Orchards Subdivision (aka Lot 1, King Mobile Park)
R-4 to R-2
Daniel Salazar**

Mrs. De Luna went over the write-up stating that this site is located within King's Mobile Subdivision along the north side of Pleasant Lane. The lot measures 88.14' x 87' for a total of 7,668 sq. ft.

SURROUNDING ZONES: N: R-4 – Mobile & Modular Home
E: R-4 – Mobile & Modular Home
W: R-1A – Large Lot Single Family
S: R-4 – Mobile & Modular Home

EXISTING LAND USES: N: Mobile Home
E: Mobile Home
W: Residential
S: Mobile Home

Site: Vacant

FLUM: Low Density Residential (LDA)

REVIEW COMMENTS: The predominate land uses in this area are Mobile & Modular Homes (R-4) and Single Family (R-1) residential. Staff feels that surrounding the area to Duplex Fourplex would have a detrimental effect on an area that has long been for Mobile Homes and Single Family Residential. Changing the zone to R-2 would also be spot zoning since there are no apartments in that area.

RECOMMENDATION: Staff recommends Denial of Duplex Fourplex Residential (R-2).

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

The applicant wife Mrs. Amelia Villarreal asked what is the reason the request is getting denied?

Ms. De Luna replied that area is designated for mobile homes and residential homes only. Ms. De Luna added we don't allow apartments in that area, that would be considered spot zoning.

Mrs. Villarreal mentioned even if it benefits the city by changing the zone and having a more modern living place.

Ms. De Luna mentioned we could consider a residential home or a mobile home but not a duplex-fourplex in this area.

Mrs. Villarreal asked can we build two homes on this property?

Ms. De Luna replied "no" only one house or one mobile home.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Ruben Arcaute moved to deny the rezoning as per staff's recommendation. Mrs. Raqueneel Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:43 p.m.

Ended: 5:44 p.m.

Item #1.2

**Conditional Use Permit: To Place a Portable Building
For Car Sales Office Use**

**1519 E. Expressway 83
Being Lot 4, Henry Saenz Subdivision**

Mrs. De Luna went over the write-up stating that this site is 600' west of Stewart Road along the north side of the Expressway 83 Frontage Road. The site was currently used as a sales office for the rental and sales of R.V.s. by American Dream Vacation for a period of 2 years. Since CUP are not transferable to others the new applicant would like to apply for his own permit to move in a new 16' x 48' portable building to be used as his sales office.

- **Hours of Operation:** Monday – Saturday from 8 am to 7 pm
- **Staff:** 2
- **Parking & Landscaping:** The car lot has 33 parking spaces where 4 are required, thus exceeding code. With regards to landscaping green areas exceed code and when this CUP was first approved a total of 9 shade/ornamental trees were required along the Expressway Frontage. Those trees were installed.

REVIEW COMMENTS: While the use of portable buildings is allowed via a CUP, the intent is for use to be temporary and that there eventually be a transition into a permanent building.

RECOMMENDATION: Staff recommends approval subject to:

1. 1 year re-evaluation to assess this new operation;
2. Compliance with Building, Fire, Landscaping, and Sign Codes;
3. CUP not transferable to others;
4. Re-stripe parking lot; and
5. Acquisition of a business license.

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

Mr. Everardo Garza was available to address any questions the board might have.

There was none.

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

Started: 5:45 p.m.

Ended: 5:49 p.m.

Item #1.3

Discussion and Action to Adopt an Ordinance for Short Term Rentals, Airbnb (Vacation Rentals, Homes, Experiences & Places) and VBRO (Vacation Rentals by Owner)

Ms. Susana De Luna stated the city does not have an ordinance in place for any short-term rentals, the city has noticed we have several in our city. We worked on an ordinance that would enforce this.

Mr. Javier Barrera asked to register these short-term rentals?

Ms. De Luna mentioned "yes" they would register with the city and we would have the owner/renter information on file.

Mr. Javier Barrera mentioned I don't know if we would have every renter register, but it would be good for police and fire department.

Chairwoman Izaguirre asked what happens if they don't pay the registration fee?

Mr. Javier Barrera mentioned they could get fined if they don't register.

Chairwoman Izaguirre mentioned what if I want to rent my house to my cousin for the weekend, and the rent is less than the registration fee. Why would I pay registration if I'm going to make less than the registration?

Mr. Barrera mentioned this will only apply if you register your house with VBRO or Airbnb.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Jasen Hardsen moved to approve the Ordinance for Short Term Rentals, as per staff's recommendation. Mr. Javier Barrera second the motion. Upon a vote, the motion passed unanimously.

Started: 5:50 p.m.

Ended: 5:54 p.m.

Item #1.4

Discussion and Action to Adopt Ordinance Restricting Maximum Floor Elevation

No Action taken

ITEM #2.0

OTHER BUSINESS

ITEM #3.0

ADJOURMENT

There being no further items for discussion, Mr. Ruben Arcaute moved to adjourn the meeting. Mrs. Raquene Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:54 p.m.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission