

**PLANNING AND ZONING COMMISSION
JUNE 10, 2020
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Hector Moreno
Diana Izaguirre
Debra Alvarez
Ruben Arcaute
Bealinda Deforest
Jasen Hardisen

P&Z ABSENT

Javier Barrera
Raquenel Austin

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez

GUESTS PRESENT

Cecilia Gonzalez
Eleazar Gonzalez
Lyanne Bazan
Rigoberto Reyna
Rose Duran
Lorena Cantu
Antonio Arellano
Norma Hull
Stevan Hull

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 27, 2020

Chairwoman Izaguirre asked if there were any corrections to the minutes for May 27, 2020. Mr. Ruben Arcaute moved to approve the minutes as presented. Mr. Hector Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:32 p.m.

Ended: 5:39 p.m.

Item #1.1

Conditional Use Permit:

**Home Occupation – Licensed Child Daycare
2212 Lily Cove Drive
Lot 103, Springfield Ph. 2 Subdivision
R-1
Rose Duran**

Ms. De Luna went over the write-up stating that this site is located near the intersection of Summer Breeze Drive and Lily Cove along the south side of Lily Cove Drive. The applicant wishes to obtain a CUP for a Home Occupation for a licensed child daycare. The applicant is proposing to enclosed her back patio to be used for the daycare. She will also be adding a sidewalk attached to the driveway that would lead to the back of the property. The applicant has worked in the daycare business for 35 years and

owned a daycare center for 9 years, but due to the coronavirus she would like a smaller place for the children and herself.

The home has a 4-car driveway off of Lily Cove Drive capable of accommodating the safe drop off and pick up of children – see site plan. There is a six-foot opaque buffer fence surrounding the rear of the residence to maximize protection of the children.

Hours of Operation: Monday – Friday from 7:30 a.m. to 5:30 p.m.

Staff: The applicant and 1 other adult would run the licensed child daycare.

Applicant must continue to be DHS certified.

Must continue to comply with signage requirements of Sec.1.56-1 of Zoning Code.

REVIEW COMMENTS: Staff has received/reviewed several of these types of CUP's in the past and has not had any problems with previous others.

RECOMMENDATION: Approval subject to:

1. A 1-year re-evaluation in order to monitor the child care facility;
2. Must continue to be DHS certified;
3. Must continue to comply with the Home Occupation portion of the Zoning Code;
4. Must acquire a business license.

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

Mrs. Rose Duran was available to answer any questions the board might have.

Mrs. Alvarez asked what is the square feet of the patio?

Mrs. Rose Duran replied it's 493 square feet.

Mrs. Debra Alvarez asked what are the ages of the kids that you will have?

Mrs. Rose Duran replied no more than 12 kids.

There being no further 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: 5:39 p.m.

Ended: 5:43 p.m.

Item #1.2

**Conditional Use Permit: Home Occupation – Insurance & Notary Public Services
1711 W. Mile 3 Road
Lot 2, Lozano Estates
AO-I
Antonio Arellano**

Ms. De Luna went over the write-up stating that this site is located 1,000 east of Inspiration Road along the south side of Mile 3 Road. The applicant wishes to obtain a CUP for a Home Occupation to offer Insurance and Notary Public Services by appointment only. The applicant has a large agricultural lot fronting 114.63' along W. Mile 3 Road, with a depth of 516.36' and has his residence thereon. The applicant proposes to enclose the garage to be used as an office.

Hours of operation: Monday – Friday from 9:00 a.m. to 5:00 p.m.

Staff: The applicant and his wife would run the home occupation.

Must continue to comply with signage requirements of Sec.1.56-1 of Zoning Code.

Since the home is set about 80' back from W. Mile 3 Road he would like the board to consider allowing him to have a bigger sign so that it can be viewed from the street.

REVIEW COMMENTS: Staff has received/reviewed several of these types of CUPs in the past and has not had any problems with previous others.

RECOMMENDATION: Approval subject to:

1. A 1-year re-evaluation in order to monitor the business;
2. Must continue to comply with the Home Occupation portion of the Zoning Code;
3. Must acquire a business license.

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

Mr. Antonio Arellano was available to address any questions the board might have.

There was none.

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

Started: 5:43 p.m.

Ended: 5:46 p.m.

Item #1.3

Discussion and Action to Adopt an Ordinance Restricting Maximum Floor Elevation

Ms. Susana De Luna stated the city has an Ordinance in place that requires new constructions to be 18" above the curb. We have experienced lately that new subdivisions that are tying into adjacent existing old subdivisions are building 3' to 3.5' above the curb and that are affecting the adjacent properties. They are flooding the

neighbors and this is one of the reasons why the City would like to get the board input in setting a maximum elevation.

Chairwomen Izaguirre asked are we following the same ordinance as the City of Mcallen?

Ms. De Luna replied "yes".

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Ruben Arcaute moved to approve the Ordinance Restricting Maximum Floor Elvation, as per staff's recommendation. Mr. Jasen Hardisen second the motion. Upon a vote, the motion passed unanimously.

Started: 5:46 p.m.

Ended: 5:48 p.m.

Item #2.0

**Site Plan Approval: Construction of 8 Apartments
3700 Plantation Grove Blvd.
Lot 2, Plantation Grove Hotel/Bungalow
PUD
Cantu Construction**

Ms. De Luna went over the write-up stating that this site is located near the SE corner of Shary Road and Plantation Grove Blvd. along the south side of Plantation Blvd. Site Plan approval is required prior to permit issuance for multi-unit complexes of five or more.

Viewing the site plan, there is 2 single story buildings that have 4 units each that make up the 8-unit multi-family apartment complex. The applicant is proposing 8 one-bedroom units that each has approximately 500 sq. ft. of living area each. The buildings must comply with all fire code requirements for a multi-family complex.

The minimum required setbacks for the site will be: 10' front setback, 10' rear setback, and 10' side setbacks. It is noted that all setbacks are in compliance.

As seen in the aerial, the primary access will be to Plantation Grove Blvd. With regards to parking and landscaping, the parking is held in common within the Plantation Grove Bungalows and landscaping is already in place. A large commercial size dumpster is already located on the southern portion of the lot.

Staff notes that capital sewer recovery fees and parks fees have already been paid.

RECOMMENDATION: Staff recommends approval subject to: Compliance with all building and fire codes.

Chairwoman Izaguirre asked if there was any input in favor or against the request. There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Debra Alvarez moved to approve the request, as per staff's recommendation. Mr. Ruben Aracute second the motion. Upon a vote, the motion passed unanimously.

Started: 5:48 p.m.

Ended: 5:51 p.m.

Item #3.0

**Preliminary & Final
Plat Approval:**

**Trosper Heights Subdivision
(Formerly named Gilberto Gutierrez Subdivision)
Being 4.00 acres, more or less, out of
Lot 42, Bell – Woods CO's Subdivision "C"
R-2 & C-2
Developer: Gilberto Gutierrez
Engineer: SAMS Engineering & Surveying**

Ms. De Luna went over the write-up stating the proposed subdivision is located approximately 1320' north of Mile 2 Road on Trosper Road. – see vicinity map. The developer is proposing 10 duplex-fourplex residential lots and 3 neighborhood commercial lot, and 1 detention pond.

WATER – The developer has looped an 8" water line for all 14 properties. This 8" looped system ties into an existing 8" water line along the west side of Trosper Road to provide water service to each lot. Fire hydrants were installed per the Fire Marshal's direction.

SEWER – In regards to sewer, the developer connected an 8" sanitary sewer line to an existing 10" sewer line along the east side of Trosper Road. The Residential Lot Capital Sewer Recovery fee will be imposed as required by Ordinance #4310. The fee for every Duplex is \$330 and the fee imposed for a fourplex is \$670. The fee will need to be paid prior to permit issuance; any existing apartments will not be accessed this fee.

STREETS & STORM DRAINAGE – The subdivision has frontage to Trosper Road, which is a future 80' ROW 57' B/B street. There is an additional 20' of ROW proposed which will comply with the requirement of 40' from centerline. The developer widening Trosper Road during the utility phase of this subdivision, no fees will be collected by City for street widening costs. The internal lots will be fronting a 50' ROW 32' B/B paved street built to the City's construction specifications. Drainage for the subdivision is via one detention pond connecting with an 8" bleeder line into an existing City of Mission curb inlet.

OTHER COMMENTS

Escrow Park Fees (9 lots x \$500 = \$4,500)
Installation of Street Lighting as per City standards
Install sidewalks along Trosper Road

Exclusion from the Water District

RECOMMENDATION: Staff recommends approval subject to:

1. Must meet the Model Subdivision Rules;
2. Comply with the street alignment policy; and
3. Must pay the capital sewer recovery fees and park fees.

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

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Ruben Arcaute moved to approve the Subdivision Plat, as per staff's recommendation. Mrs. Debra Alvarez second the motion. Upon a vote, the motion passed unanimously.

**ITEM #4.0
OTHER BUSINESS**

**ITEM #5.0
ADJOURMENT**

There being no further items for discussion, Mr. Ruben Arcaute moved to adjourn the meeting. Mr. Hector Moreno seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:52 p.m.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission