

**PLANNING AND ZONING COMMISSION
JUNE 24, 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

Gerardo Chapa
Anna Saenz

CALL TO ORDER

Chairwoman Diana Izaguirre called the meeting to order at 5:30 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR JUNE 10, 2020

Chairwoman Izaguirre asked if there were any corrections to the minutes for June 10, 2020. Mr. Javier Barrera moved to approve the minutes as presented. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:39 p.m.

Ended: 5:42 p.m.

Item #1.1

Conditional Use Permit:

**To Place a Portable Building -
Car Sales Office Use
1519 E. Expressway 83
Lot 4, Henry Saenz Subdivision
C-4
Yolanda S. Ramirez**

Ms. De Luna went over the write-up stating that this site is located 600' west of Stewart Road along the north side of the Expressway 83 Frontage Road. The site was used as a sales office for the rental and sales of R.V.s. by American Dream Vacations. Since the CUP is not transferable to others the property owner would like the opportunity to place a 14' x 72' portable building to be rent out to avoid having to go through the process every time she has a new tenant. The portable building would be located 103' from the property line which allows for the front area to be utilized for the display of

vehicles. Access to the site is off of the frontage Rd. and shared with an existing business to the west.

- **Hours of Operation:** Monday – Saturdays from 9 a.m. to 5 p.m.
- **Staff:** 2; will vary depending on the sales of autos at site.

REVIEW COMMENTS: There are other portable buildings installed in this area and it is not uncommon to have a portable sales office for this type of business. The cars being displayed along the front of the lot and the portable building being 103' away from the Frontage Rd., help shield the portable building from public view. Staff has not received any comments for or against the portable building. 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.

Representing the applicant, Mrs. Anna Saenz stated this building is going to be used for auto sales office. We have prospective tenants that have signed leases already.

Mrs. Debra Alvarez asked at what point does it become a permanent structure?

Ms. Susana De Luna replied until the property owner decides to built a permanent structure.

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

Started: 5:42 p.m.

Ended: 5:44 p.m.

Item #1.2

**Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Suerte Bar & Grill
205 N. Shary Road, Ste. A
Lot 1, South Shary Commercial Subdivision
C-3
Buzz Entertainment, LLC**

Ms. De Luna went over the write-up stating that this site is located 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 with 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 bar & grill. 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 – Sunday from 11a.m. to 2 a.m.

Staff: 10 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 was any input in favor or against the request.

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. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:44 p.m.

Ended: 5:46 p.m.

Item #1.3

Conditional Use Permit: Drive-Thru Service Window
- Tio Jerry Supermarket
4009 N. Inspiration Road
Lot 9, Block 5, Taurus Estates
Subdivision No. 9, Ph. I
C-2
Gerardo Chapa, Jr.

Ms. De Luna went over the write-up stating that this site is located on the NW corner of Inspiration Road and Azalea Street. A CUP to access the drive-thru service window was granted for Panaderia Nuevo Leon on May 11, 2015 for life of use. Since the use was not transferable to others the applicant would like to apply for this own permit for the supermarket. The site has a 30' access point off of Inspiration Road and a 24' access to an alley off of Azalea. Drive-thru customers primarily use the Azalea alley access in order to utilize the drive-thru service window. The location of the window allows for enough stacking for at least 3 vehicles.

- Days /hours of operation: Monday – Sunday from 7:00 a.m. to 9:00 p.m.
- Staff: 5 employees
- Parking: The number of parking spaces required for a building of this size is 12. The applicant is providing 24 spaces, leaving 12 surplus spaces.

RECOMMENDATION: Staff recommends approval subject to: 1) 1-year re-evaluation to assess this new operation, 2) Must comply with all Fire, Health, Building, and Sign Code requirements, and 3) Acquire a business license

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

There was none.

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

Started: 5:46 p.m.

Ended: 5:47 p.m.

Item #1.4

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.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hector Moreno moved to approve the Ordinance Restricting Maximum Floor Elevation, as per staff's recommendation. Mrs. Debra Alvarez second the motion. Upon a vote, the motion passed unanimously.

ITEM #2.0

OTHER BUSINESS

**ITEM #3.0
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