

**PLANNING AND ZONING COMMISSION
FEBRUARY 10, 2021
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
Javier Barrera
Debra Alvarez
Hector Moreno
Ruben Arcuate
Raquenel Austin
Bealinda De Forest

P&Z ABSENT

Jasen Hardison

STAFF PRESENT

Susana De Luna
Irasema Dimas
Jessica Munoz
Alex Hernandez

GUESTS PRESENT

Charles Longoria
Carlos Reyes
Gloria Crum
Nitza Petrides
Mark Hamel
Larry Fair
D. Canals
Claudia Zertuche
Sandra Muriel
Noe Lopez
Sergio Perez

B. Tamez
Kayla Hinojosa
Mario Gonzalez
Ismael Reyes
Steven Alaniz
Pablo Diego
Sharon Black
Daniel Acosta
Isela Freeman
Ariel Vargas
Marisa Garcia

Alfonso Aguirre
Arahtza Garcia
Carlos Ruiz
Christopher Lemke
Debra Rodriguez
Dulce Cuesta
Erika Diaz
Felipe Elizondo
Gerardo Martinez
Luis Ruiz

CALL TO ORDER

Chairwoman Diana Izaguirre called the meeting to order at 5:33 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR JANUARY 27, 2021

Chairwoman Izaguirre asked if there were any corrections to the minutes for January 27, 2021. Mrs. Debra Alvarez moved to approve the minutes as presented. Mr. Javier Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 5:34 p.m.

Item #1.1

Rezoning:

**15.27 acres out of Lot 131,
John H. Shary Subdivision
1609 E. Mile 2 South
AO-I to R-2**

Gerardo Martinez Morales

No Action Taken

Started: 5:35 p.m.

Ended: 5:37 p.m.

Item #1.2

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Brick Fire Xpress
801 N. Bryan Road, B-3
Lot 1, Tamkin Subdivision
I-1, Light Industrial
Brick Fire Xpress, LLC**

Ms. De Luna went over the write-up stating that site was located on the SW corner of Bryan Road and Business Highway 83. The applicant has a mobile food truck within the CEED mobile food park and would like to offer alcoholic beverages with their meals.

- **Employees:** 3 employees
- **Hours of Operation:** Thursday 4 pm to 10 pm, Friday 4 pm – 11 pm, Saturday 2 pm to 12 am, and Sunday 2 pm – 10 pm
- **Parking:** There are currently several existing parking areas shared with the various businesses within the CEED building – see aerial. It is noted that parking is held in common and there is a total of 221 total parking spaces.
- **Sale of Alcohol:** Such uses need to be 300' from residential uses. There are no such uses within this radius.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

RECOMMENDATION: Staff recommends approval subject to:

1. CUP to be valid from a period of 2 years at which time the applicant will need to renew their CUP and their TABC license, and
2. Must continue to comply with all Building, Fire, and Health Codes.

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

There was none.

Chairwoman Izaguirre asked if the board had any questions.

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: 5:37 p.m.

Ended: 5:41 p.m.

Item #1.3

Conditional Use Permit:

Sale & On-Site Consumption of Alcoholic Beverages & Drive Thru Service Window – EI Ronco Servi-Car
1728 W. Griffin Parkway
Lot B, Girasol Estates Subdivision
C-3, General Business
Ismael Reyes

Ms. De Luna went over the write-up stating that site was located on the NW corner of Salinas Drive & W. Griffin Parkway. The applicant is proposing to construct a 3,000 sq. ft. drive-thru business with a drive-thru service window. Access to the site is via a 37' driveway along W. Griffin Parkway and a 24' driveway along Salinas Drive that will allow stacking for approximately 3 vehicles. Based on his existing business the applicant has experience that business is slow during the week so he is proposing to take orders and have them wait in the drive-thru window and during weekends push them to the parking stalls on the west side of the building. The applicant is proposing to have 3 tables with 4 chairs each to allow his customers to be able to consume their snacks and drinks at the site, therefore the need for the conditional use permit for the sale and consumption of alcohol. The applicant is proposing a family-oriented business.

- **Employees:** 5 employees
- **Hours of Operation:** Monday – Friday from 12 pm to 10 pm and Saturday & Sunday from 12 pm to 11 pm
- **Parking & Landscaping:** 11 parking spaces are required for a building this size. The applicant is providing 11, thus meeting code. Landscaping will be in compliance with code requirement.
- **Sale of Alcohol:** Such uses need to be 300' from nearest residence, church, school, or publicly owned property. There are residential homes and a church within the 300' radius, therefore a waiver of the 300' separation would be needed.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

Seventeen (17) notices were mailed to property owners within a 200' radius of the site. As of the date of this write-up, the Planning Department has received 1 call against this request.

RECOMMENDATION: Staff recommends approval subject to:

1. CUP to be valid from a period of 2 years at which time the applicant will need to renew their CUP and their TABC license, and
2. Must continue to comply with all Building, Fire, and Health Codes.

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

There was none.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:41 p.m.

Ended: 5:42 p.m.

Item #2.0

Site Plan Approval: El Ronco Servi-Car
1728 W. Griffin Parkway
Lot B, Girasol Estates Subdivision
C-3
Ismael Reyes

Ms. De Luna went over the write-up stating that site was located on the NW corner of Salinas Drive and W. Griffin Parkway.

In reviewing the site plan, the applicant is proposing a 3000 sq ft. building that includes a drive thru window. The primary access for the drive-thru business will be from a 37' driveway off of W. Griffin Parkway and a 24' driveway off of Salinas Drive.

The minimum required setbacks for the site will be: 60' front setback, 18' rear setback, 6' on the internal side setback and 10' to the corner. It is noted that all setbacks are complying.

With regards to parking, the site plan shows 11 parking spaces plus 3 more for stacking. A building of this size the City Code requires 11, therefore meeting code. The dumpsters are proposed on the NW corner of the property.

The developer is proposing to install 5' sidewalks along Griffin Parkway and Salinas Drive. Ten percent landscaping will be required with a combination of trees, plants, and shrubs, which based on the site plan complies.

RECOMMENDATION: Staff recommends approval subject to:

- 1) Compliance with Building and Fire codes, and
- 2) acquisition of a business license.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:42 p.m.

Ended: 5:45 p.m.

Item #3.0

Homestead Exemption

Variance:

12.280 acre tract of land, save and except
0.59 of an acre of United Irrigation Canal
right of way, being out of a 13.78 acre tract
out of Lot 30-11, West Addition to Sharyland
3608 N. Bryan road
AO-I
Belen Tamez

Ms. De Luna went over the write-up stating that site was located approximately 2 ½ mile north of Mile 2 Road along the east of Bryan Road. The irregular shape lot is 12.280 acres. 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. However, this process needs to be done within 1 year of approval.

WATER – The applicant is proposing to connect to an existing 4” water line located along the west of Bryan Road to provide water service to the lot.

SEWER – The applicant is proposing to connect to existing 8” sanitary sewer line along the east of Bryan 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 Bryan Road, which has an 80’ ROW with a future 57’ B/B paved street. An addition 20’ of ROW will need to be dedicated. 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 dedication of 20’ of additional ROW along Bryan Road and compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

Chairwoman Izaguirre asked if the board had any questions.

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: 5:45 p.m.

Ended: 5:47 p.m.

Item #4.0

Homestead Exemption

Variance:

.312 acres of land out of Lot 29-9,
West Addition to Sharyland Subdivision
907 E. Mile 2 Road
AO-I
Humberto Maldonado III

Ms. De Luna went over the write-up stating that site was located approximately ¼ mile east of Mayberry along the north side of Mile 2 Road. The irregular shape lot is 11,325.60 sq. ft. The lot exceeds the square footage size requirements for an R-1 lot. The applicant desires to construct his 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. However, this process needs to be done within 1 year of approval.

WATER – The applicant is proposing to connect to an existing 12” water line located along the south side Mile 2 Road to provide water service to the lot.

SEWER – The applicant is proposing to connect to existing 12” sanitary sewer line along the south side of Mile 2 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 Mile 2 Road, which has an 80’ ROW with a future 57’ B/B paved street. An addition 10’ of ROW will need to be dedicated. 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 dedication of 10’ of additional ROW along Mile 2 Road and compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:47 p.m.

Ended: 5:47 p.m.

Item #5.0

Preliminary & Final

Plat Approval:

Trosper Fair Heights Subdivision
Being a 5.0 acre out of Lot 29-4,
West Addition to Sharyland Subdivision
R-1

Developer: Earth Works Development, Inc.

Engineer: Salinas Engineering & Associates

No Action Taken

ITEM #6.0

OTHER BUSINESS

ITEM #7.0

ADJOURNMENT

There being no further items for discussion, Mr. Ruben Arcaute moved to adjourn the meeting. Mrs. Bealinda De Forest seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:47 p.m.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission