

**PLANNING AND ZONING COMMISSION
OCTOBER 11, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Raquenel Austin
Diana Izaguirre
Connie Garza
Ruben Arcaute
Kevin Sanchez

P&Z ABSENT

J.D. Villarreal
Steven Alaniz
Jasen Hardison

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez
Virginia Cantu

GUEST PRESENT

Mary McLaughlin
Joe McLaughlin
Marianne Samardich
Jeff N
Jim Nelson
Lewis Olson
Louie Sanchez
Miguel Torres

CALL TO ORDER

Kevin Sanchez called the meeting to order at 5:36 p.m.

CITIZENS PARTICIPATION

Kevin Sanchez asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR SEPTEMBER 13, 2023

Kevin Sanchez asked if there were any corrections to the minutes for September 13, 2023. Mr. Arcuate moved to approve the minutes. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:38 p.m.

Ended: 5:42 p.m.

Item #1.1

Conditional Use Permit:

To Move In-In a Home on
Property Zoned R-4 (Mobile & Modular Home)
500 N. Bryan Road (aka 1424 Caramel Drive)
Lot 5, Block F, Wintergreen Estates
R-4
Joanie Martucci

Ms. De Luna went over the write-up stating the subject site is located approximately 134' west of Yosemite Drive on the South side of Carmel Drive within the Wintergreen Estates Mobile Home Park – see vicinity map. Mrs. Martucci desires a CUP to be allowed to move-in a site-built home. The R-4 zone typically only allows mobile homes and RV's as the primary structure unless a CUP is awarded by the City for a site-built home, but they must comply with the R-1 setback requirements. Staff notes that if the request is approved they would still need to seek a variance for the setback and square footage requirements.

REVIEW COMMENTS: Staff mailed out 57 notices to property owners within 200' radius for input in regards to this item. On October 3, 2023, staff received a letter from the Chair of the Wintergreen Estates Architectural Committee in favor of the conditional use permit. They consider this unit to be no different than a traditional park model being manufactured because it

would still be required to be placed on piers and skirted as per their by-laws. Staff notes that a similar request was approved for Lot 2, Block K on March 14, 1994.

RECOMMENDATION: Staff recommends approval for life of use subject to being transferable to others.

Vice Chairman Kevin Sanchez asked if there was any input in favor or against the request.

Mr. Lewis Olson Residing at 500 N Bryan Road, Lot C-11, commented on the agenda saying "To have a site-built home at property" This is not a site-built home. It is per say a Park Model, it's built off site and brought in the same as a Park Model. There is no difference between it and a regular Park Model. Mr. Olson's stated he didn't under stand how it got transformed to be site-built, because it is built off site and brought in as a regular Park Model.

Vice Chairman Kevin Sanchez asked if anyone else was in favor and if they would like to speak.

Vice Chairman Kevin Sanchez entertained a motion to close the public hearing. Mr. Arcuate moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 5:43 p.m.

Ended: 5:45 p.m.

Item #1.2

Conditional Use Permit:

La Minerva Event Center
1416 W. Mile 2 Road
Lots B, C, D, Mountain View Ph. I Subdivision
C-3
Emmanuel Villanueva

Ms. De Luna went over the write-up stating the subject site is located at the NE corner of Los Ebanos Road and Mile 2. –see vicinity map. Mr. Villanueva recently took over the 2,911 sq.ft. building that has been used as an Event Center for such activities as weddings, reunions, birthday parties, seminars, etc.

- **Hours of Operation:** The hours of operation vary depending of the type of activity; however, most events are during the evenings and on weekends and typically take place during the hours of 6:00 pm till 2:00 am
- **Staff:** 5 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 10 tables with 10 chairs each for a total of 100 seating spaces proposed, which would require 33 parking spaces. (1 parking space for every 3 seats = 33.3). There is a total of 85 parking spaces that are held in common. Staff notes that additional landscaping will be required.

REVIEW COMMENTS: Staff notes that this building has been used as a banquet and event center since it was constructed. Staff mailed out 17 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Compliance with all City Codes (Building, Fire, etc.), and
- 2) Must comply with Noise Ordinance.

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

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Arcuate seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Sanchez clarifying discussion on moratorium on B.Y.O.B establishments.

Ms. De Luna stated it would only be for the event center and they wouldn't be able to have a B.Y.O.B. If they choose to eventually, they would have to come after six months.

Vice Chairman Sanchez asked if the applicant was aware of the moratorium.

Ms. De Luna stated yes.

Chairwoman Izaguirre asked Ms. De Luna if applicant was asked to re-strip?

Ms. De Luna stated that one of the requirements during the business license is to re-strip.

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

Started: 5:45 p.m.

Ended: 5:47 p.m.

Item #1.3

Conditional Use Permit:

La Marquesa Event Center
1410 W. Mile 2 Road
Lot E, F, G, H, Mountain View Ph. I Subdivision
C-3
Emmanuel Villanueva

Ms. De Luna went over the write-up stating the subject site is located at the NE corner of Los Ebanos Road and Mile 2. –see vicinity map. Mr. Villanueva recently took over the 5,049 sq.ft. building that has been used as an Event Center for such activities as weddings, reunions, birthday parties, seminars, etc.

- **Hours of Operation:** The hours of operation vary depending of the type of activity; however, most events are during the evenings and on weekends and typically take place during the hours of 6:00 pm till 2:00 am
- **Staff:** 5 employees
- **Parking:** In reviewing the floor plan, there is a total of 200 seating spaces proposed, which would require 67 parking spaces. (1 parking space for every 3 seats = 66.6). There is a total of 85 parking spaces that are held in common.

REVIEW COMMENTS: Staff notes that this building has a bar component, but in talking to the applicant he clarified that it was a snack bar no alcoholic beverages will be sold. This building has also been used as a banquet and event center since it was constructed. Staff mailed out

19 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Compliance with all City Codes (Building, Fire, etc.), and
- 2) Must comply with Noise Ordinance.

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

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Arcuate seconded the motion. Upon a vote, the motion passed unanimously.

Mrs. Garza asked if the number of parking spaces are enough for both locations.

Ms. De Luna Stated yes, they are limited to the number of people they can have and speaking with applicant "they try to not have to events at the same time" and that most of the time they try not to book two events on the same date.

Chairwoman Izaguirre asked what if they were booked at the same time?

Ms. De Luna stated the parking would still be accommodating.

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

Started: 5:47 p.m.

Ended: 5:49 p.m.

Item #1.4

Conditional Use Permit:

Drive-Thru Service Window-Dofia Nena Bakery
708 N. Inspiration Road, Suites 1 & 2
Lot 1, Rivalsebas Subdivision
C-3
Lucy C. De Leon

Ms. De Luna went over the write-up stating the subject site is located 400' south of E. Expressway 83 Frontage Road along the east side of Inspiration Road—see vicinity map. The applicant leased suites 2 & 3 of the commercial plaza total 1,664 sq.ft. for a proposed bakery. The applicant would like to continue the use of the drive-thru service window located along the west end of the building. Access to the site is from a 24' driveway from Inspiration Road. The last CUP for the Drive-Thru Service Window for this location was approved by the P&Z on February 9, 2022 for a period of 3 years. Since the use is not transferable to others and this is a new tenant, therefore the need for a new conditional use permit.

- **Hours of Operation:** Monday thru Sunday from 7:00 a.m. to 8:00 p.m.
- **Staff:** 3 employees during operating hours
- **Parking:** Based on the square footage of the building there is a total of 9 parking spaces required. There is a total of 13 parking spaces that are held in common at this location and exceeds code. Applicant will need to comply with the landscaping requirements.

REVIEW COMMENTS: The drive-thru service window allows for 5 vehicles to be easily stacked. Staff mailed out 8 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 year re-evaluation to assess this new operation,
- 2) Compliance with all City Codes (Building, Fire, and Health, etc.), and
- 3) Acquisition of a business license.

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

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Austin moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 5:49 p.m.

Ended: 5:54 p.m.

Item #1.5

Conditional Use Permit:

Drive-Thru Service Window
722 E. 8th Street
Lots 11 & 12 & 20' strip adj.
To Lots, Block 113, Mission Orginal Townsite
C-3
Noe Salinas & Julian Arrellano

Ms. De Luna went over the write-up stating the subject site is located on the Southwest corner of N. Mayberry Road and E. 8th Street. The applicant purchased a 5,370 sq. ft. plaza with 7 units and would like to add a drive-thru service window to one of the units. Their proposing a 12' x 35' circular driveway off of E. 8th Street driving from the eastern entrance and exiting through the western exit. Access to this site is provided off of 8th Street and Mayberry. It is noted that by doing the circular driveway, the applicant will be removing one parking space.

This item was previously considered and approved by City Council on August 8, 2022, however Section 1.54(4) of the Zoning Code states that if a conditional use permit has not been used within one year after the date granted, the permit is automatically canceled. Since it's being over a year and the drive-thru window has not been constructed, therefore the need to re-apply.

- **Parking:** Based on the square footage of the building, a total of 16 parking spaces are required for the plaza. The applicant has 15 parking spaces including the handicap parking. Based on the site plan the drive-thru lane will allow stacking for 3 vehicles, thus complying with parking.
- **Landscaping:** Landscaping is meeting code.

REVIEW COMMENTS: Staff mailed out 20 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. Staff notes that the parking requirements would not be met because in order to accommodate the circular driveway they would need to remove 2 parking spaces in total leaving 15 parking spaces. Staff also notes that there is not enough room for stacking of any vehicles.

RECOMMENDATION: Staff recommends approval subject to: 1) Compliance with Building and Fire Codes; 2) Meet paving requirements; and 3) if approved by City Council tenant will have to apply for their CUP for use of the Drive-Thru Window.

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

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Arcuate asked about the parking space considering it was the third time it was being seen.

Ms. De Luna stated reason being was because, they had applied for building permit but weren't able to get the permit on time. So that's why they had to reapply, they were barely going to start with the construction.

Mrs. Garza asked if they were making any changes on what was previously approved?

Ms. De Luna said no and it would be the same.

Ms. De Luna stated that she's aware that staff is recommending denial but the council gave the opportunity to apply for the permit. He understands that even though it's a conditional use and if ever being any issues, he might end up removing the Drive-Thru window if it becomes a concern.

Chairwomen Izaguirre asked if the Drive- Thru would stay?

Ms. De Luna stated no, if it creates a problem it would have to be deleted.

Chairwomen asked so the concrete would be removed?

Ms. De Luna stated no the window.

Chairwomen asked if whether or not palm tree would be removed?

Vice Chairman Sanchez stated wants to expand apron to the left side to make it wider, but where the palm tree stands don't interfere in any way.

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

Started: 5:54 p.m.

Ended: 5:57 p.m.

Item #1.6

Conditional Use Permit:

Drive-Thru Service Window -
Starbucks Coffee Shop
307 East Expressway 83
Lot 6-D, El Pueblo Subdivision Ph. I
C-3
Kaylee Hurych

Ms. De Luna went over the write-up stating the subject site is located between Conway Avenue and Mayberry Road along the north side of Expressway 83—see vicinity map.

This item was previously considered and approved by City Council on April 25, 2022, however Section 1.54(4) of the Zoning Code states that if a conditional use permit has not been used within one year after the date granted, the permit is automatically canceled. Since it's being over a year and the drive-thru window has not been used, therefore the need to re-apply.

The applicant purchased the 2,395 sq.ft. commercial building in May of 2022. The original plan was to remodel the building into a typical Starbucks café with a drive-thru component, keeping the parking and drive-thru layout close to what exists currently. After acquiring the CUP, Starbucks determined that the existing parking and drive-thru configuration could lead to site congestion issues. If the drive-thru queue were to exceed 8 cars, it could prevent cars from backing out of the parking spaces on the east side of the site. It could also prevent from circulating and exiting the site.

As a result, Starbucks wants to change gears and convert the building into a "drive-thru only" with an interior pickup area. This interior lobby would be approximately 450 sq. ft. and there wouldn't be any interior seating for customers. To resolve the site's congestion issues, Starbucks also wants to increase the drive-thru queue, replace the eastern row of parking with a bypass lane, and reconfigure the western parking spaces to provide adequate room for the drive-thru and bypass lanes. The proposed reconfiguration would allow for a drive-thru queue of over 15 cars, while still allowing for adequate site circulation and parking for a prototype of this nature. Due to constraints caused by the existing building location and the site's width, the proposed parking space depths and the width of the western bypass lane are both 1' shy of the City's code requirement, therefore a variance would be needed.

- **Days / Hours of operation:** 7 days a week, but the actual hours per day vary by location.
- **Staff:** 18-25 employees in different shifts
- **Parking:** Based on the 2,395 sq.ft of the building, there will be 32 parking spaces required (1 space for every 75 sq.ft). The applicant is proposing 28 parking spaces and is seeking a variance for the 4 additional parking spaces needed. Landscaping and lighting requirements are being met, however it needs to be maintained.

REVIEW COMMENTS: Staff notes that other conditional use permits have been approved for this location in the past. Staff mailed out notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

RECOMMENDATION: Approval for life of use subject to: 1) Compliance with Building, Fire, and Sign Codes, 2) Resurface and restripe parking lot, 3) Installation of a speed bump and stop sign as you exit the driveway, 4) CUP not transferable to others, 5) Obtain a business license, and 6) approval of variance of the 4 additional parking spaces needed

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

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Arcuate seconded the motion. Upon a vote, the motion passed unanimously.

Vice Chairman Mr. Sanchez asked If a variance was no longer needed?

Ms. De Luna stated no, because they will be meeting parking requirements.

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

Started: 5:58 p.m.

Ended: 5:58 p.m.

Item #1.7

Conditional Use Permit:

No Action Taken

Started: 5:58 p.m.

Ended: 6:01 p.m.

Item #1.8

Conditional Use Permit

Renewal:

To Keep a Portable Building for Office Use

302 S. Taylor Road

Being a 0.102 of one acre tract of land out

Of a tract of land adjacent to Lot 176 & 186,

John H. Shary Subdivision

C-3

Best Assets, LLC (c/o Ryan Stauffer)

Ms. De Luna went over the write-up stating the subject site is located on the northwest corner of Victoria Avenue and Taylor Road. The applicant desires to keep the 12' x 64' modular office for the general contractor of the Jeep dealership. Access to the site is off of Victoria Street & Taylor Road.

- **Days/Hours of Operation:** Monday – Friday from 8:00 a.m. to 5:00 p.m.
- **Staff:** 2 employees
- **Parking:** Based on the square footage of the building a total of 5 parking spaces are required. The parking requirements are being met.

REVIEW COMMENTS: Staff mailed out 12 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to: 1) 1 year approval to continue to assess this operation, 2) continued compliance with all City Codes, (Building, Fire, Parking, etc.), and 3) CUP not transferable to others.

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

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Arcuate seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre stated if property was taken from the Victoria, for clarification.

Ms. De Luna stated yes.

Mrs. Garza asked where are the designated parking spaces? and are five parking spaces enough? Because she passes by regularly and sees vehicles parked on the drive way facing Victoria and Taylor yet, often sees vehicles parked on yard.

Ms. De Luna stated they have a total of five parking spaces right off of Taylor and two off of Victoria, so they have a total of seven parking spaces. Required is only five based on the sq.ft. of the building. With that being said, they are meeting the parking requirements. We can address your concern regarding the parking on the grass or the number of employees, but as far that they're only proposing two employees'.

Mrs. Garza stated she was just stating what she had seen at the portable building office.

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

Started: 6:01 p.m.

Ended: 6:14 p.m.

Item #1.9

Request by Jose A. & Juana Machuca to have the City dedicate a 24' access easement from a City drain ditch out of Lot 47, Melba Carter Subdivision (aka Lot 47, Earnhardt Subdivision U/R)

On September 27, 2023 staff received a letter from San Juanita Machuca on behalf of Jose Atanacio & Juana Machuca requesting a 24' access easement from the property adjoining theirs that belongs to the City of Mission. Mr. & Mrs. Machuca have lived at 408 Melba Carter Street for the last 30 years. They currently own a property that is considered to be landlocked since they don't have any access to a public street. Since then, Mr. & Mrs. Machuca have been using the City's drain ditch that adjoins their property to get in and out of their property.

Mr. Machuca has applied for the Housing Assistance Program on or about September 17, 2020. Although he appeared to be eligible based on income, CDBG was unable to continue with the eligibility process due to planning issues. Specifically, the Planning Department was unable to issue any building permit to demolish and reconstruct due to having no public access to his residence. The Planning Department could only issue a permit to remodel but for CDBG it was more cost effective to demolish and reconstruct than to remodel the existing home. They have asked all of their immediate neighbors for a 24' access easement but have not been successful. Since, they have exhausted all other measures their last resource was to come before the City Council to humbly ask for a 24' access easement from the existing Drain ditch. It is difficult to ask for help but I plea you look into your hearts and have compassion for this elderly couple who have worked honest jobs and fulfilled their duties as law abiding citizens. CDBG has been kind enough to offer them assistance with their current home, but without this access easement they are unable to move forward.

RECOMMENDATION: Staff is seeking direction

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

Chairwoman Izaguirre stated if it was an unrecorded subdivision, and asked to see aerial picture because it has different homes.

Ms. De Luna stated if she can explain from the beginning and said that she believes they were the owners to parts of the land and the land. In selling that land they land locked themselves.

Chairwoman Izaguirre stated the citizens at the back of the property.

Ms. De Luna stated according to the gentlemen, Previous Administration or he was under the impression that the drain ditch would become a street. So, he would have access that being the reason to why he sold the land.

Mrs. Austin asked if he was the original owner to all the land?

Ms. De Luna stated not all but part.

Ms. De Luna stated according to him he thinks that, that drain ditch would be covered and converted to a street and we don't have plans for that.

Chairwoman Izaguirre asked if this man applied to CDBG and wasn't granted that?

Ms. De Luna stated once CDBG will give him the permit, the problem at hand is they don't have access.

Chairwoman Izaguirre stated so they can't help him without access.

Ms. De Luna stated the only way to get permission without having to ask for this is, if their neighbors from the front and from back give him permission to go all the way back. With that being said, they've asked and because of construction there nowhere to pass through.

Chairwoman Izaguirre stated she saw a little store on property and if there doing commercial or selling out of there home will it still be approved by CDBG?

Ms. De Luna stated she didn't know the requirements and the probability was no. 1) The property won't get rezoned commercial.

Chairwoman Izaguirre asked what is the width of the right of way for the drain ditch there.

Ms. De Luna stated 140 ft

Chairwoman Izaguirre asked if we had any upcoming projects on the drain ditch?

Ms. De Luna stated that we know of no.

Chairwoman Izaguirre asked not in any future projects not even with the drainage district?

Ms. De Luna stated it's the city's drain ditch.

Chairwoman Izaguirre stated she knows just that sometime the drain ditch will do bond projects in city laterals.

Ms. De Luna stated that we know of there's nothing and what they'll be using if dedicated is what's with adjoining their property.

Vice Chairman Sanchez asked if there's any other option, because an easement seems so permanent. Can we give a revocable license?

Ms. De Luna stated this is the only option they have that the city grants them. Unless, one of the other neighbors gives them access.

Mr. Arcuate stated this is a lot tied more to the CDBG grant and needs a more permanent solution.

Vice Chairman Sanchez stated no easement by necessity through the necessity owners, understanding the other property owners don't want to give that passage.

Ms. De Luna stated we asked them to try that option first.

Chairwoman Izaguirre stated he would need more than just a short entrance, being all the way to the back.

Ms. De Luna stated it would be just to their property.

Chairwoman Izaguirre stated they would need to go all the way to the back and they're already using it, but it's a liability.

Ms. De Luna stated if at any point the city needs the property, it could be covered up and they wouldn't have any access and we can do that if we need the access.

Chairwoman Izaguirre asked if the city can't sell it to CDBG?

Ms. De Luna stated the problem is, that it wouldn't be with CDBG.

Vice Chairman Sanchez stated that if we give them an easement we can't take it back.

Ms. De Luna stated it's a unique request.

Chairwoman Izaguirre the city will own it and all there getting is an easement for access.

Vice Chairman Sanchez stated we would still have to grant them permanent access.

Ms. De Luna stated they would need 200 feet.

Vice Chairman Sanchez stated there's no way CDBG will accept a license?

Ms. De Luna stated CDBG will do the home the problem is the city will not be able to issue a permit because it's a land locked property.

Vice Chairman Sanchez stated if we give them a license for one to two years, knowing they need something permanent. We've actually encountered problems with CDBG regarding land locked properties, because it really is too assist properties like this. The experience with CDBG requires a fix because there allocating funds. So, they can build this house, and they want to make sure the house is accessible. Because if it becomes inaccessible, it's like throwing money away.

Mrs. Austin asked if the neighbors said they don't want to grant them that access?

Ms. De Luna stated the property in the front has a storage in the way and the second property wouldn't give them access.

Chairwoman Izaguirre stated the second property has a fence there.

Ms. De Luna Stated they would have to remove their structure to grant access therefore making it a unique request.

Chairwoman Izaguirre asked where the twenty-four feet are located on the image.

Ms. De Luna stated she didn't know.

Mrs. Austin stated twenty-four or 200 feet?

Ms. De Luna stated twenty-four wide and 200 feet long.

Chairwoman Izaguirre stated so it twenty-four feet wide.

Ms. De Luna stated these lots are very long and are owned by a variety of property owners. It wasn't ever recorded as a subdivision, it was proposed but never recorded.

Mrs. Austin stated she felt that their help was to be put in action.

Mr. Sanchez stated this is to just grant them access and legal with the city, we'll set the terms and allow them to only access that property.

Chairwoman Izaguirre stated that it would just be an in and out access.

Vice Chairman Sanchez stated it wouldn't be the entire track. The city has never done anything like this in the past like a case of first impression?

Ms. De Luna stated eventually and one it can set precedents to others that is a possibility.

Vice Chairman Sanchez asked how many more of these are we going to be seeing now?

Mr. Flores stated there aren't many, the CDBG projects and there are two others that are land locked properties. But there aren't any city properties we can grant an access easement to.

Chairwoman Izaguirre stated for example had nothing to do with CDBG, "and says hey well you granted them access because they needed it, well I need it too."

Ms. De Luna stated the only reason it's coming before us is because, it's the city's property and if it was a private owner they would need to get permission from the private owner.

Chairwoman Izaguirre stated she's saying the same thing but didn't need a CDBG funds but, needed the twenty-four-foot easement.

Mr. Flores stated let's say somewhere downtown like commercial property is like land locked and there's an alley or right of way.

Chairwoman. Izaguirre stated she would feel bad if she did it for them and not the other one.

Ms. De Luna stated at that point we would have to see it case by case.

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

Started: 6:14 p.m.

Ended: 6:14 p.m.

Item #2.0

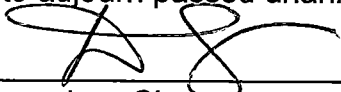
Discussion and Action to Amend Building Permit Fees

No Action Taken

ITEM#3.0

ADJOURNMENT

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to adjourn the meeting. Mrs. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:14 p.m.

A handwritten signature in black ink, appearing to be 'Diana Izaguirre', written over a horizontal line.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission