

**PLANNING AND ZONING COMMISSION
DECEMBER 13, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Steven Alaniz
Kevin Sanchez
Ruben Arcaute
Connie Garza

P&Z ABSENT

J.D. Villarreal
Raquenel Austin
Diana Izaguirre
Jasen Hardison

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez
Victor Flores
Irasema Dimas

GUEST PRESENT

Kabubi Tacos
Panaderia Donato
Israel Gaona
Gilberto Maldonado
Javier Covarrubias
Jose Rios
Mike Rhodes
Antonio Izaguirre
Hector Gutierrez
Mario Reyna

CALL TO ORDER

Vice Chairman Mr. Sanchez called the meeting to order at 5:37 p.m.

CITIZENS PARTICIPATION

Vice Chairman Mr. Sanchez asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR NOVEMBER 20, 2023

Vice Chairman Mr. Sanchez asked if there were any corrections to the minutes for November 20, 2023. Mr. Sanchez moved to approve the minutes. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:39 p.m.

Ended: 5:41 p.m.

Item #1.1

Rezoning:

**A tract of land containing 6.33 acres,
being a part or portion of Porcion 52
PUD to R-3
Amigos Del Valle, Inc.**

Ms. De Luna went over the write-up stating the subject site is located ½ mile south of Mile One South and Inspiration Road along the west side of Inspiration Road – see vicinity map.

SURROUNDING ZONES:

N:	R-2	– Duplex-Fourplex Residential
E:	PUD	– Planned Unit Development
W:	PUD	– Planned Unit Development
S:	PUD	– Planned Unit Development

EXISTING LAND USES:

N:	Single Family Residential
E:	Single Family Residential
W:	Single Family Residential
S:	Vacant
Site:	Vacant

FLUM:**Low Density Residential (LD)**

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map, and current surrounding land uses. However, staff notes that FLUM can be amended. The Board recently approved a duplex-fourplex residential subdivision on the north side of the proposed site. The developer has advised staff that if the rezoning request is approved they would like to construct an assisting living for senior citizens. Staff does not foresee any detriment to the surrounding areas with the applicant's proposal.

RECOMMENDATION: Staff is recommending Approval.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

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

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mrs. Garza moved to approve the rezoning as per staff's recommendation. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:41 p.m.

Ended: 5:44 p.m.

Item #1.2

Conditional Use Permit:

**Build a Pool House
2505 San Lorenzo
Lot 17, Sharyland Plantation Village
San Miguel Ph. 8
PUD
Arnulfo R. Achirica**

Ms. De Luna went over the write-up stating the subject site is located approximately 460' off of the Santa Monica & San Lorenzo intersection along the north side of San Lorenzo –see vicinity map. The request before the Board is to consider permitting the construction of a pool house. The irregular lot is located at the cul-de-sac of San Lorenzo and measures 35,135 square feet. The proposed pool house will have 2,557 square feet and will consist of the following: pool room, 1.5 bathrooms, gym, 2-car garage, storage, kitchen, grill area, bar, hall, pergola, and a terrace. Pool houses are allowed in a Large Lot Single Family Zone as long as they apply for a conditional use permit and comply with the following conditions:

- Lot be a minimal of 12,000 sq. ft.
- Cannot be made available or used for lease, rent, hire, and the owner of such use may not receive remuneration for the use of one of the above
- Proposal must be clearly secondary to the primary residence
- Shall not have access to a public street (No shared/extended driveway)
- Shall not have separate kitchen area or utilities

REVIEW COMMENTS:

The lot complies with the square footage requirements and all building setbacks will be met. The driveway is more than sufficient to accommodate any guest's vehicle. The pool home must be connected to the same water and electrical meters, i.e. no separate utilities. Staff notes that if the request is approved the site plan would have to be amended deleting the kitchen, since no separate kitchens are allowed. The property owner and contractor has been made aware and are willing to comply.

RECOMMENDATION: Staff recommends approval subject to:

- 1) no separate utility and electrical connections,
- 2) transferability to other future owners imposing the same conditions imposed to this applicant,
- 3) not to be used for rental purposes, and
- 4) removal of the kitchen.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

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

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

Started: 5:44 p.m.

Ended: 5:45 p.m.

Item #1.3

Conditional Use Permit:

**Mobile Food Truck – Kabubi Arabian Tacos & Gyros
2509 Colorado Street, Ste. 202
Lot 1, Block 2, Santa Lucia Development
C-3
Michel J. Abou Yakzan**

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Colorado and Taylor Road along the north side of Colorado Street. The applicant is leasing a space on the Mobile Food Park and would like to place his mobile food truck to offer Arabian Tacos y Gyros. Access to the site will be provided off of Colorado or Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Monday – Sunday from 10:00 am to 12:00 am
- **Employees:** 2
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.

- **Other Requirements:** Must comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 19 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 yr. re-evaluation in order to assess this new operation,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.) and
- 3) Must acquire a business license prior to occupancy.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 5:45 p.m.

Ended: 5:47 p.m.

Item #1.4

Conditional Use Permit:

**Xulcan Event Center
2813 E. Griffin Parkway, Suite C
Lot 1, Adams Crossing
C-3
Xulcan Event Center
c/o Antonio Izaguirre**

Ms. De Luna went over the write-up stating the subject site is located at the NE corner of Griffin Parkway & Taylor Road. The applicant is leasing a 1,200 square feet suite within a multi-unit commercial plaza for his proposed event center. The applicant proposes to have small scale events such as birthday parties, gender reveals, reunions, seminars, etc. Access to the site will be provided via a driveway off of Griffin Parkway and Taylor Road.

- **Hours of Operation:** The hours of operation vary depending on the type of event; however, most of the events are during the evenings and on weekends and typically take place during the hours of 6:00 pm till 2:00 am
- **Staff:** 1 employee
- **Parking & Landscaping:** In reviewing the floor plan, the 1,200 sq. ft. building will have 8 tables with 8 chairs for a total of 64 seats. A total of 21 parking spaces will be required for this site. Staff notes that there is a total of 63 parking spaces that area held in common within the commercial plaza. Landscaping is meeting code.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 18 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

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

- 1) Compliance with the Building, Fire and Sign Codes.
- 2) Must comply with noise ordinance, and
- 3) Acquisition of a business license.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute 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: 5:47 p.m.

Ended: 5:50 p.m.

Item #1.5

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Tommasino Pizza, Pasta & Vino
2100 E. Griffin Parkway
Lots 1 & 2, Block 2, Springfield Ph. I Commercial
C-3
Tommasino Ristorante, LLC
c/o Javier D. Covarrubias**

Ms. De Luna went over the write-up stating the subject site is located on the southeast corner of Creek Run and Griffin Parkway (FM 495) along the south side of Griffin Parkway. The applicant is leasing a suite within a multi-tenant commercial plaza for his proposed Italian Restaurant. He would like to offer alcoholic beverages with his meals. Access to the site is off of Griffin Parkway and Lawndale Road.

- **Days & Hours of Operation:** Monday – Sunday from 8 am to 2 am
- **Staff:** 10 employees
- **Parking 0& Landscaping:** In reviewing the floor plan, there is a total of 116 seating spaces, which require 39 parking spaces. It is noted that the parking is held in common and there are 72 parking spaces that are shared with other businesses. Landscaping is meeting code.
- **Sale of Alcohol:** Such uses require that no alcoholic beverages be sold within 300' of church, public or private school, private hospital, or residential uses; there is a residential subdivision within 300' radius; thus, a waiver of the separation requirement needs consideration. P&Z and City Council have waived this requirement for other similar businesses.

REVIEW COMMENTS: Staff mailed out 50 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2 year re-evaluation at which time the applicant will have to renew his CUP & TABC License,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.),
- 3) Wet zone property, and
- 4) Acquire a business license prior to occupancy.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Alaniz moved to close the public hearing. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute 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: 5:50 p.m.

Ended: 5:52 p.m.

Item #1.6

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Las Calles De Mexico Taqueria
308 N. Shary Road, Ste. A
Lot 1, Sundance Crossing
C-3
Las Calles De Mexico, LLC**

Ms. De Luna went over the write-up stating the subject site is located approximately 214' south of E. 4th Street along the east side of Shary Road – see vicinity map. The applicant has been running a taqueria at the above location since June 2020 and would like to offer alcoholic beverages with his meals. Access to the site is off of two 25' driveways off of Shary Road along the north and south side of the property.

- **Days & Hours of Operation:** Sunday – Thursday from 11am to 10pm and Friday and Saturday from 11am to 11pm
- **Staff:** 6 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 78 seating spaces, which require 26 parking spaces. It is noted that the parking is held in common and there are 47 parking spaces that are shared with other businesses. Landscaping is meeting code.
- **Sale of Alcohol:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of church, public or private school, private hospital, or residential uses; there is none.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 20 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request. Since the restaurant is not open after 12 a.m., and the sale of alcohol is not the primary item for purchase, staff does not object to the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2 year re-evaluation at which time the applicant will have to renew his CUP & TABC License,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.), and
- 3) Wet zone property

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

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

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

Started: 5:52 p.m.

Ended: 5:55 p.m.

Item #1.7

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic Beverages
- Whistling Duck
1603 E. Griffin Parkway
Lots 10 & 11, Block 3
Shary Gardens Subdivision
C-3
Whistling Duck, Inc.**

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Garden View Drive and Griffin Parkway (F.M. 495). The applicant has been in operation at this location since September 2017 and is requesting renewal of his Conditional Use Permit for the sale and on-site consumption of alcohol. They are a family restaurant offering weekend brunch and dinner options. They have a full bar and offer a variety of domestic and craft beer. This CUP was last approved by P&Z on August 23, 2021 for a period of 2 years. Staff notes that this would be the applicant's 4th renewal.

- **Hours of Operation:** Monday - Wednesday from 7:00 a.m. to 10:00 p.m., Thursday from 7:00 a.m. to 12:00 a.m., Friday & Saturday 7:00 a.m. to 1:00 a.m., and Sunday from 10:00 a.m. to 10:00 p.m.
- **Staff:** 10 employees during different shifts.
- **Parking:** There is a total of 119 parking spaces which are held in common for this commercial plaza.

- **Sec. 6-4:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of a church, public or private school, or public hospital. There are none of these land uses within the above radius (measured *door to door* for church or hospital; measured *lot line to lot line* for schools.)
- **Sale of Alcohol:** Such uses need to be 300' from residential uses. There are some residences within this radius); thus, a waiver of the separation requirement needs consideration.

REVIEW COMMENTS: Staff mailed out 22 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request. Staff has asked Mission PD to provide a report in relation to the sale of alcohol and there have been no reports since its last approval. Since there have been no incidents, staff does not object to approving the request for a longer period of time.

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

1. No objection to a waiver of 300' separation requirement from residential,
2. Must continue to comply with all Building, Fire, and Health Codes, and
3. Not to be transferable to others.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 5:55 p.m.

Ended: 5:57 p.m.

Item #1.8

Conditional Use Permit:

Sale & On-Site Consumption of Alcoholic Beverages
- The Grove at Sharyland Bar & Grill
2402 Brock Street, Unit 2
Lots 21 & 22, Shary Business Center
(aka Shary Business Center Condos Unit 3)
C-3
Grove at Sharyland
c/o Mauricio Hernandez

Ms. De Luna went over the write-up stating the subject site is located within a commercial plaza approximately 420' south of Griffin Parkway along the east side of Shary Road. The applicant operates a bar & grill which offers alcoholic beverages with their meals. The applicant has live entertainment or DJ on Friday thru Sunday from 9 p.m. to 12 a.m. The applicant would like to re-apply for the conditional use permit. The last CUP approved for this location was on October 11, 2021 for a period of 2 years.

- **Hours of Operation:** Monday – Sunday from 11:00 a.m. to 2:00 a.m. Alcoholic beverages will only be sold during allowable State selling hours.
- **Staff:** 10 employees
- **Parking:** In viewing the floor plan, there is a total of 110 seating spaces, which require 37 parking spaces (110 seats/ 1 space for every 3 seats = 36.6 parking spaces). It is noted that the parking area is held in common (153 existing parking spaces) and are shared with other businesses.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residence within the 300' radius, however P&Z and City Council have waived this requirement for a similar business in this plaza.

REVIEW COMMENTS: Staff mailed out 27 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request. Staff has asked Mission PD to provide a report in relation to the sale of alcohol and there have been no reports since its last approval.

RECOMMENDATION: Staff recommends approval subject to:

- 1) CUP to be valid for a period of 2 years at which time the applicant will need to renew his CUP and TABC license
- 2) Waiver of the 300' separation requirement from residential neighborhoods.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute 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: 5:57 p.m.

Ended: 6:01 p.m.

Item #1.9

Conditional Use Permit

Renewal:

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

Ms. Dimas went over the write-up stating the subject site is located on the NW corner of Salinas Drive & W. Griffin Parkway—see vicinity map. The applicant constructed 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. The applicant has experienced that business is slow during the week so he takes 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 originally had 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 since then he has removed them but would still like to renew the conditional use permit just in case he gets a request from a customer to seat outside to enjoy his snacks. This CUP was previously approved on February 22, 2021 for a period of 2 years. Staff notes that this would be the 1st renewal.

- **Hours of Operation:** Sunday – Thursday from 12 pm to 10 pm and Friday & Saturday from 12 pm to 11 pm
- **Employees:** 5 employees
- **Parking & Landscaping:** 11 parking spaces are required for a building this size. The applicant is providing 11, thus meeting code. Landscaping is meeting code.
- **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.

REVIEW COMMENTS: Staff mailed out 18 notices to property owners within a 200' radius of the site. As of the date of this write-up, the Planning Department has not received any comments in favor or 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,
2. Waiver of the 300' separation requirement from the residential homes, and
3. Must continue to comply with all Building, Fire, and Health Codes.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 6:01 p.m.

Ended: 6:02 p.m.

Item #2.0

Conditional Use Permit

Renewal:

**Drive-Thru Service Window -
Panaderia Donato
3003 N. Conway Avenue**

Lot 1, Husain Subdivision

C-3

Jorge A. Melesio

Ms. Dimas went over the write-up stating the subject site is located approximately ¼ of a mile south of W. Mile 2 Road along the west side of Conway Avenue. The applicant has a bakery and would like to continue utilizing the existing drive-thru service window. Access to the site is off of a 22' driveway cut along Conway on the south side of the property. Entrance to the 10' x 98' drive-thru lane is off of the west side of the property.

- **Hours of Operation:** Monday to Sunday from 7:00 a.m. to 9:00 p.m.
- **Staff:** 4 employees
- **Parking & Landscaping:** Based on the square footage of the building, a total of 22 parking spaces are required for the commercial plaza. The commercial plaza has a total of 32 parking spaces that are held in common and are shared with the other businesses. Staff notes that the applicant will need to install landscaping to meet code.

REVIEW COMMENTS: Staff mailed out 16 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.) 2 yr. re-evaluation in order to assess this business;
- 2.) Must comply with all City Codes (Building, Fire, etc.)
- 3.) CUP not to be transferable to others.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 6:03 p.m.

Ended: 6:02 p.m.

Item #2.1

Preliminary & Final

Replat Approval:

KMDG Subdivision

Being a 1.364-acre tract, A Re-Plat

of Lots 3-9, of Morwil Heights Subdivision

C-3

Developer: Luis L. Khit

Engineer: SOTEX Engineering, LLC

Mr. Ramirez went over the write-up stating the subject site is located approximately 430' south of E. 8th Street on the west side of Bryan Road. The developer is proposing to combine Lots 3-9 to make 1 commercial use lot. Currently, the property is vacant. – see plat for actual dimension, square footages, and land uses.

UTILITIES

When MorWil Heights Subdivision was developed, water and sewer services were made accessible to each lot. This replat will not affect any utility lines or the availability to connect to them upon issuance of permits.

STREETS & STORM DRAINAGE

The main access to this property will be from Bryan Rd. This is a simple re-plat; the detention will be based on a 50-year storm event with a 10-year release flow rate. the proposed runoff will be detained in a proposed detention pond situated in the eastern portion of this tract along Bryan Rd. and discharge into an existing TxDOT drainage inlet with an 8" bleeder line. Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

- Must comply with all other format findings
- Street lighting already exists

RECOMMENDATION

Staff recommends approval.

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

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Arcaute moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Alaniz moved to the approve the replat as per staff's recommendation. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:04 p.m.

Ended: 6:14 p.m.

Item #3.0

Preliminary & Final

Approval:

Retama Phase VI Subdivision

Being 9.173 acres out of Lot 14,

Del Monte Irrigation Co. Subdivision

PUD (R-1)

Developer: Rhodes Development, Inc.

Engineer: Melden & Hunt, Inc.

Mr. Ramirez went over the write-up stating the subject site is located on the SE corner of Bentsen Palm Dr. and Military Parkway East. This tract is currently vacant with a proposed land use for

15 residential lots, 22 cottage lots, and 3 common areas— see plat for actual dimensions, square footages, and land uses.

VARIANCE 1

Request variance from Sec. 98-134 'Streets' of the Code of Ordinances Ch. 98 - Subdivisions to allow the design and proposed construction of a 30' ROW whereas the code requires streets within a subdivision to be at least 50'.

VARIANCE 2

Request variance from Sec. 98-134 'Streets' of the Code of Ordinances Ch. 98 - Subdivisions to allow a pavement width of 30' whereas the minimum pavement width of minor residential streets shall have 32' back-to-back

WATER

The developer is proposing to connect to an existing 8" water line located along the south R.O.W. of Hummingbird Lane and extend an 8" water line through the site providing water service to each lot. It will be looped to the south onto the existing 8" line which was stubbed by the Phase V development and to the existing 12" main line along the south ROW of Military Pkwy East. This system will be stubbed at Hummingbird Ln. and Mallard Dr. ends for future extensions. There are 3 proposed fire hydrants via direction of the Fire Marshal's office. – **see utility plan**

SEWER

The developer is proposing to connect to an existing sewer cleanout on the north side ROW of Hummingbird Ln., which was left for this purpose, and extend an 8" PVC line to collect from all lots abutting to this street which will end with a standard MH. Lots 346-372 will be serviced by an 8" sewer line located on the west side of the street to be connected to an existing 12" sewer main along the north side of Ballard Dr. which will collect from the remaining lots. All lots will be stubbed front-and-center with a 4" PVC line. The Capital Sewer Recovery Fee is required at \$200.00/Lot which equates to \$7,400.00 (\$200 x 37 Lots).

STREETS & STORM DRAINAGE

The subdivision will have 2 existing streets extended from phase V (Hummingbird L. and Ballard Dr.) to have dead-ends for future expansions with a main access to Military Pkwy East from Hummingbird Ln. between Lots 340 & 341. This access will have an 80' ROW with median islands. The design will also include an internal street with a proposed paved 30' ROW.

This property is located in a Zone "B" on FEMA's Flood Insurance Rate Map. This development is included in Drainage Basin 45 of the Bentsen Palms Master Drainage Study therefore in accordance with the Approved Master Drainage Plan. The plan will route storm water into a detention pond from Mission Main Canal which will outfall into the mission Pilot Channel of the H.C.D.D. No. 1 System. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

1. No Park Fees – Mike Rhodes dedication of park land still stratifies the park Dedication Ord.
2. Installation of Street Lighting as per City Standards
3. Compliance with the Private Street policies
4. Comply with all other format findings

RECOMMENDATION

Staff recommends denial to include all variances due to the lack of evidence for any hardships or willingness to fulfill required subdivision design criteria.

Vice Chairman Mr. Sanchez asked if the board had any questions.

Mr. Arcaute asked what were the reasons for the adjustments?

Mr. Mike Rhodes stated that he was the developer. He added that they were doing similar designs in other cities. He mentioned that these cottages face a park and a trail instead of a road. He added that the road behind was a rear entry house and it was curb, gutter and drainage and functions more like an alley. He stated that with a 30' right of way you still have 15' utility easement on each side.

Mr. Mario Reyna stated that he was the project engineer. He mentioned that they have a 30' right of way, a 15' utility, sidewalks, and electrical easements adjacent to it. He added that in a typical city street you have a 50' right of way you only have 9' from back and curb to maintain utilities, so in this case you actually have 15. He mentioned that it's giving the city bigger room to maintain the facilities.

Mr. Arcaute asked that why did staff recommend denial.

Ms. De Luna stated that staff recommend denial because it was not meeting subdivision code.

Mr. Reyna stated that the codes were not developed for innovative development like this one. He added that every city that they develop they ask for variances. He stated that this was a private development.

Vice Chairman Sanchez asked that if the street needed to be 50 feet.

Mr. Reyna stated that the right of way needed to be 50 feet. He added that a typical alley is 24' we are doing 30'. He mentioned that in that 50' you have 9' for utilities and we are giving you 15'. The more innovative way to look at it is to help us with the setbacks.

Mr. Arcaute stated that the concept looks great.

There being no further discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to approve the subdivision with the variances. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:14 p.m.

Ended: 6:15 p.m.

Item #3.1

Preliminary & Final

Approval:

Holland Terrace Subdivision

Being a Subdivision of a 4.50 acre tract of land

**Out of Lot 25-5, West Addition to Sharyland
Subdivision**

R-1T

Development: JJAB Family Limited Partnership

Engineer: Spoor Engineering Consultants, Inc.

Mr. Ramirez went over the write-up stating the subject site is located on the east side of Holland Ave. approximately 600' north of Griffin Pkwy. - **see vicinity map**. The developer is proposing (34) thirty-four single family residential lots and (1) one lot for detention. Presently, this site is occupied by an old single-family residence and the remaining land is a vacant field. - see plat for actual dimensions, square footages, and land uses.

WATER

Water will be supplied through an 8" PVC line running to and through the development which will be looped by boring and connecting to an existing 10" line on the west side of Holland Ave. and teeing to existing valves at W. Rose Marie Ave. and N. Thornton Ave. This will allow 1" water services to each lot. There are 2 proposed fire hydrants for this project via direction of the Fire Marshal's office. – **see utility plan**

SEWER

The sanitary sewer line will connect to an existing 8" line along and within the east R.O.W of N. Holland Ave. A proposed 8" Sanitary Sewer main will run through the subdivision and collect from each lot through a 4" front and center stub out service. The Capital Sewer Recovery Fee will be applied at \$200.00/Lot which equates to \$6,800.00 (\$200 x 34 Lots).

STREETS & STORM DRAINAGE

The subdivision will have access from Holland Ave. by either Stacie Ln. or W. 24th Place. Proposed W. 25th St. will be 40' Back-to-Back within a 60' Right of Way and N. Thornton Ave. will be retrofitted to connect to the existing 50' ROW and expand from a 32' B-B to a 40' B-B. Rainfall detention will be accomplished on site in the proposed detention area. A new 24" drain is proposed to convey the street and residential lot runoff into the proposed detention area of Lot 1. An 18" drain is proposed from the detention area to connect to an existing City of mission 24" drain line on W. 24th Place which drains to the 42" drain located on the west side of Holland with the ultimate outfall being the City of Mission detention area north of Chaparral Heights. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

Water District Exclusion

Payment of Park fees (34 Lots x \$500 = \$17,000.00)

Installation of Street Lighting as per City Standards

Must comply with all other format findings

RECOMMENDATION

Staff recommends approval subject to:

1. Payment of Capital Sewer Recovery Fees
2. Payment of Park Fees
3. Provide Water District Exclusion, and
4. Comply with all other format findings

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Alaniz moved to approve the subdivision. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:15 p.m.

Ended: 6:16 p.m.

Item #3.2

Preliminary & Final

Approval:

La Villita Estates No. 3

**A 9.37 acre tract of land out of Lot 45-3,
West Addition to Sharyland**

Rural E.T.J.
Development: COMAREX, LLC
Engineer: Pablo Soto, Jr. P.E.

Mr. Ramirez went over the write-up stating the subject site is located 330' east of the intersection of Mile 6 North Road and Los Ebanos Road on the north side of Mile 6 North Road. (Mission Rural ETJ) – see vicinity map. The property is open land and the proposed use will be for 48 single family residential lots and 1 detention pond – see plat for actual dimension, square footages, and land uses.

WATER

The water CCN belongs to the Sharyland Water Supply Corporation. The developer is proposing to install an 8" PVC water main line along the west side of the internal street to be connected to an existing 12" water line located along the south side of Mile 6 North Road. Water will be supplied to each lot by a 1" service line. There are 3 fire hydrants within the development to be used as filling stations via direction of the Fire Marshal's office – see utility plan

SEWER

This site will be treated by wastewater service from the City of Alton. This system consists of an 8" diameter line that taps into the existing 12" line. This 8" line then runs north along the east side of the internal street ROW ending with a 48" sanitary sewer manhole on the northwest corner of Lot 25. From the 8" line, 48 - 4" diameter sewer service lines will be stubbed out for each lot. This is not within the City of Mission's Sewer CCN.

STREETS & STORM DRAINAGE

The subdivision is designed to have only 1 internal street which will be accessed from Mile 6 North Road. The proposed internal street is a 32' back-to-back within a 50' Right of Way. This street will include a turnaround at mid-point and end with a cul-de-sac.

The area lies in a Zone "X" (unshaded) as per FEMA's Flood Insurance Rate Map being determined to be outside the 500-year floodplain. Proposed drainage design will include storm inlets with piping and a detention pond with an 18" bleeder connecting into the West Main III Drain located along the northside of the subdivision. The City Engineer has reviewed and approved the drainage report.

RECOMMENDATION

Staff recommends approval.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mrs. Garza moved to approve the subdivision. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:16 p.m.

Ended: 6:17 p.m.

Item #3.3

Consider a Variance request to allow an installation of septic tank on Lot 49, Misiones de San Jorge as requested by Cesar Cabello from CABA Investments, LP

Variance request from the Code of Ordinances / Chapter 98 - SUBDIVISIONS / ARTICLE I. - IN GENERAL / Sec. 98-6. – General provisions. (a) No permit shall be issued within the city for the installation of septic tanks upon any lot in a subdivision. All residents in any subdivision shall be connected to public utility services provided by the city.

On November 8, 2023 staff received a letter from Cesar Cabello, Acting Manager for CABA Investment, LP requesting the installation of a septic system at the proposed subdivision of Las Misiones de San Jorge Lot 49. Currently, the project is under construction. As per statement, the system will service a 14'10"x48'10" portable structure which will serve as a sales and construction office for personnel use as the project develops up until the said lot will need to be cleared for vertical construction. The building is classified as a temporary sales office for the sale of lots which is considered a permitted use per Article VIII – Use Districts and Conditional Uses.

The request may have merit since the subdivision is underway and is currently not connected to the city's infrastructure. It has been determined that due to this unusual circumstance and the lack of options available, denying this request would deprive the applicant of the formal use of the proposed structure. In addition, there is no evidence that the general public's health, safety, convenience and/or welfare would be negatively affected in any way. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area either. This request is restricted and will be monitored thru permitting and payment of fees and noted within the adopted schedule of fees for non-residential per building lined item septic tanks. The applicant has submitted a certified design of the proposed system and will be subject to City's requirements and inspections.

RECOMMENDATION: Staff recommends approval.

Vice Chairman Mr. Sanchez asked if the board had any questions.

Mr. Arcaute asked that if the sales office was going to be removed and septic once the project was done.


Mr. Ramirez stated "yes".

There being no further discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to approve the request. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#4.0

ADJOURNMENT

There being no further items for discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Arcaute moved to adjourn the meeting. Mr. Alaniz seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:16 p.m.


Kevin Sanchez, Vice Chairman
Planning and Zoning Commission