

PLANNING AND ZONING COMMISSION
MARCH 22, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.

<u>P&Z PRESENT</u>	<u>P&Z ABSENT</u>	<u>STAFF PRESENT</u>	<u>GUESTS PRESENT</u>
Steven Alaniz	Raquenel Austin	Alex Hernandez	Patty Corpus
Kevin Michael Sanchez	Jasen Hardison	Jessica Munoz	Urbano Corpus
Connie Garza	Ruben Arcaute	Gabriel Ramirez	Norma Arriaga
Javier Barrera		Irasema Dimas	Raquel Garza
Diana Izaguirre		Victor Flores	Esperanza Flores
			Jeanette Gutierrez
			Tomas Gutierrez
			Stanley Jacobson
			Domingo Flores
			Nancy & Dean Lougheed
			David Balderas
			Sergio Garcia
			Rosa Ross
			Maria Ester Salinas
			Omar Martinez
			Dolly Elizondo
			Wayne Pearson
			Alberto Balderas
			Daniel Balderas
			Jenny Hernandez
			Gerardo Hinojosa
			Monica Guerra
			Luis Hinojosa
			Carlos Narvais
			Hector Gutierrez
			Emigdio Salinas
			Hector Moreno
			Fernando Estevan
			Juan Trevino
			Don Mayer
			Raymundo Plata
			Victor Darek

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:37 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR MARCH 8, 2023

Chairwoman Izaguirre asked if there were any corrections to the minutes for March 8, 2023. Mr. Barrera moved to approve the minutes. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:38 p.m.

Ended: 5:39 p.m.

Item #1.1

Rezoning:

**Being 1.12 acres of land out of
Lot 172, John H. Shary Subdivision
AO-P to C-3
Rosas Children Irrevocable Trust**

Ms. Irasema Dimas went over the write-up stating the site is located approximately 543' North of W. Griffin Parkway (F.M. 495) on the East side of Holland Avenue.

SURROUNDING ZONES:

N:	R-1	- Single Family Residential
E:	R-1/C-3	- Single family Residential/ General Business
W:	R-1	- Single Family Residential
S:	R-1	- Single Family Residential

EXISTING LAND USES:

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

FLUM:

Low Density Residential (LD)

REVIEW COMMENTS: The R-1 zoning request is consistent with the Future Land Use Map and acclimates to the R-1 zoning already existing in the area.

RECOMMENDATION: Staff recommends Approval.

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. Mrs. Garza motioned to close the hearing. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Garza moved to the approve the rezoning as presented. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:41 p.m.

Ended: 5:44 p.m.

Item #1.2

Rezoning:

**A tract of land containing 4.50 acres
of land, being part of Lot 25-5,
West Addition to Sharyland
AO-I to R-1
JJAB Family Limited Partnership**

Ms. Irasema Dimas went over the write-up stating the subject site is located approximately 543' North of W. Griffin Parkway (F.M. 495) on the East side of Holland Avenue.

SURROUNDING ZONES:

N:	R-1	- Single Family Residential
E:	R-1/C-3	- Single family Residential/ General Business
W:	R-1	- Single Family Residential
S:	R-1	- Single Family Residential

EXISTING LAND USES:

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

FLUM:

Low Density Residential (LD)

REVIEW COMMENTS: The R-1 zoning request is consistent with the Future Land Use Map and accimates to the R-1 zoning already existing in the area.

RECOMMENDATION: Staff recommends Approval.

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. Mrs. Garza motioned to close the hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to the approve the rezoning as presented. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:44 p.m.

Ended: 5:52 p.m.

Item #1.3

Rezoning:

**A 0.77 of and acre of land out of Lot 159,
Addition "A" to Sharyland Orchards Subdivision**

R-1A to R-3
Jorge Maldonado

Mr. Alejandro Hernandez went over the write-up stating the subject site is located at the Southeast corner of Shary Road and Sunset Lane.

SURROUNDING ZONES:

N:	R-1A - Large Lot Single Family
E:	R-1A - Large Lot Single Family
W:	R-1A - Large Lot Single Family
S:	R-1A - Large Lot Single Family

EXISTING LAND USES:

N:	Single Family Residential
E:	Single Family Residential & Parking lot
W:	Single Family Residential
S:	Single Family Residential
Site:	Single Family Residential

FLUM: Lower Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map nor surrounding land uses. Approving a R-3 zone in this location would be detrimental to the surrounding single-family residential properties. On March 16, 2023 staff received a petition against the rezoning reflecting 45% in opposition to the R-3 request.

RECOMMENDATION: Staff recommends Denial.

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

Mrs. Esperanza Corpus who resides at 2412 Sunset Lane stated that she was in opposition. Her main concerns were safety for children walking to school and traffic that the apartments would cause. She added that there are specific areas to build apartments and this is not an area.

Mrs. Esperanza asked how many apartments were being built?

City Attorney Mr. Victor Flores stated that a conversation with the bored was not allowed, that only staff could provide that information.

Mr. Omar Martinez who resides at 2409 Sunset Lane stated that he agreed with Mrs. Corpus. He added that he strongly disagrees with this being zoned as a multi-family area. He stated that he has small kids that walk to school.

Mr. Corpus who resides at 2412 Sunset Lane stated that he was Mrs. Corpus husband. His main concern was safety for students walking to school.

Mrs. Norma Arriaga stated that she agreed with what Mr. & Mrs. Corpus and Mr. Martinez concerns. She added that exiting sunset onto shary was very difficult because of traffic.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:52 p.m.

Ended: 5:58 p.m.

Item #1.4

Rezoning:

**The South 5.4 acres of Lot 38,
Bell-Woods Company's Subdivision "C"
AO-I to R-3
Raymundo Patricio Platas Merino**

Mr. Alejandro Hernandez went over the write-up stating the subject site is located approximately 625' North of W. Mile 2 Road on the West side of Compton Drive.

SURROUNDING ZONES:

N:	AO-I	- Agricultural Open Interim
E:	AO-I	- Agricultural Open Interim
W:	AO-I	- Agricultural Open Interim
S:	AO-I	- Agricultural Open Interim

EXISTING LAND USES:

N:	Vacant
E:	Vacant
W:	Vacant
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 nor surrounding land uses.

RECOMMENDATION: Staff recommends Denial.

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

Mrs. Maria Ester Salinas who resides at 715 Miller Avenue stated that she was in opposition. She mentioned that she had a lot of questions in regards to extension of road, water, and sewer. She added that this area is a historical area and wouldn't want apartments to be built.

Mr. Stanley Jacobson who resides at 1505 Doherty. He stated that he owns 5 acres in that area and that his main concern was traffic. He added that traffic is increasing daily and by building apartments would increase it more.

The applicant Mr. Raymundo Platas stated that he knew that the street was limited but he was willing to do any and all improvements needed. He added that he wants to invest and bring more property taxes to the city.

Chairwoman Izaguirre asked do you want duplex-fourplex or multifamily.
Mr. Raymundo Platas stated that he wants lots for fourplexes.

Chairwoman Izaguirre stated that the zone that is required to build fourplexes is R-2 (Duplex-Fourplex) not R-3 (Multi-Family).

City Attorney Mr. Victor Flores stated that a new publication and notices would need to be sent since it's a public hearing.

No Action Taken

Started: 5:58 p.m.

Ended: 6:09 p.m.

Item #1.5

Rezoning:

**A tract of land containing 16.76 acres
of land, being a part of portion of
Lot 183, John H. Shary Subdivision
R-2 to R-3
Dragonfly RGV, LLC
c/o Dolly L. Elizondo**

Mr. Alejandro Hernandez went over the write-up stating the subject site is located approximately 1700' north of U.S. Expressway 83, along the east side of Glasscock Road - see vicinity map. Except for the SW corner area (Oak Forest Subdivision), the R-2 tract, being ¼ mile (E to W at 1320'), is largely square-shape and vacant.

SURROUNDING ZONES:

N:	R-1/R-4	- Single-Family Residential Mobile & Modular Homes
E:	R-3	- Multi-Family Residential
W:	C-2/R-1	- Neighborhood Commercial/ Single-Family Residential
S:	R-1T/R-1	- Townhouse Residential/ Single-Family Residential

EXISTING LAND USES:

N:	Mobile Home Park; some Single-Family Res.
E:	Apartments; lake/pond
W:	Single-Family Residential
S:	Townhomes
Site:	Vacant

FLUM:

Sites' north portion reflect Moderate Density Residential (MD)
Sites' south portion reflect General Commercial (GC)

REVIEW COMMENTS: The desired Multi-family Residential (R-3) zoning district for the **entire acreage** appears to be a bit beyond what may comfortably acclimate to the surrounding land uses and surrounding zoning districts:

When the property was rezoned R-2 not long ago, this was considered a good '*moderate/middle ground*' zoning because the anticipated '*4plex per lot*' would not be as large a disparity to the residential districts that have long invested in their homes, e.g., R-1's Glasscock South, R-1T's Oak Forest (a MD land use), and R-4's Twin Lakes Mobile Home Subdivision (another MD land use). Another reason the R-2 was not objected to was because it was largely consistent to the FLUM's Moderate Density (MD) designation.

Also, let's not overlook the vast R-1 zoned acreage to the abutting south, too, which should continue to be buffered from any High-Density effect of R-3 (population, property values, etc.).

Referring to property values and the FLUM's Moderate Density designation, please be advised that one of R-3's primary intents is "**To promote the most desirable use of land and direction of building development NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN (meaning the FLUM) of the City of Mission; to promote STABILITY OF RESIDENTIAL DEVELOPMENT; to PROTECT THE CHARACTER OF THE DISTRICT; to CONSERVE THE VALUE OF LAND AND BUILDINGS; and to PROTECT THE CITY'S TAX BASE.**" (Section 1.39 (1)(f))

If you may recall, when R-2 was approved, Staff noted that R-2 was a Moderate Density (MD) land use; and as such, the stair-step pattern of naturally evolving land uses to R-2 seemed palatable – the following shows the *stair-step* that should be adhered to as much as possible:

- Low Density (R-1) land uses; then transitioning to
- Moderate Density (R-2, R-1T, R-4) land uses; then transitioning to
- High Density (R-3) land uses; then transitioning to
- General Commercial land uses

In view of the investment reality of current R-1's, and the future potential of the R-1 district to the south; and also protecting the R-1T Oak Forest neighborhood, Planning believes that R-3 may be a viable option **BUT only if kept distant from the R-1, the R-1T, and a small measure of R-4.**

Using the R-1T Oak Forest development as a gauge, the frontage to Glasscock should be retained R-2 – this being the E-W depth of Oak Forest.... see attached marked map for this more palatable concept where **the applicant gains largely what is being sought but only to the degree that existing LD/MD land uses/zones are also buffered with the current R-2.**

Staff Recommendation: Based on the above land use logic & to retain as much integrity to the City's Comprehensive Plan (FLUM), Planning recommends that R-3 may be favored but only to the NE component, as shown on the marked zoning map.

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

Ms. Dolly Elizondo the applicant stated that she is one of the developers of Las Esperanzas. A 66 lot multi-family Subdivision. She added that the subdivision has both designations, R-2 for 66 lots and R-3 for 20. She added that she was here today to ask to grant an R-3 designation to the 66 lots. She mentioned that this request is response to community feedback and research on current house market.

Chairwoman Izaguirre asked how many acres is it?

Ms. Dolly Elizondo stated it was 16 acres.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Barrera motioned to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to the approve 16.76 acres to R-3. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

City Attorney Mr. Victor Flores advised staff for clarification on item 1.6

Started: 5:39 p.m.

Ended: 5:41 p.m.

Item #1.6

Rezoning:

**A tract of land being the South 7.8 acres
of the North 103.8 acres of a certain
203.8 acres tract of land known as the
Fernandez Strip out of Porcion 52
PUD to R-3
M2 Engineering, PLLC**

Mr. Alejandro Hernandez went over the write-up stating the subject site is located approximately 1,700' South of Mile 1 South Road on the West side of Inspiration Road.

SURROUNDING ZONES:

N: PUD - Planned Unit Development
E: PUD - Planned Unit Development
W: PUD - Planned Unit Development
S: PUD - Planned Unit Development

EXISTING LAND USES:

N: Single Family Residential
E: Meadow Creek Country Club
W: Vacant
S: Vacant
Site: Single Family Residential

FLUM:

Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map nor surrounding land uses.

RECOMMENDATION: Staff recommends Denial.

City Attorney Mr. Victor Flores stated that the applicant requested an R-2 and not an R-3. Therefore, this item will be seen on our next P&Z meeting. A new publication and notice will be sent.

Mr. Milo Salinas with M-2 Engineering stated that an R-2 (Duplex-Fourplex Residential) is being proposed for this property. He added that they made a mistake on the application and submitted for R-3.

No Action was taken.

Started: 6:09 p.m.

Ended: 6:11 p.m.

Item #1.7

Conditional Use Permit:

**Contract a Pool House on Property Zoned
Large Lot Single Family Residential
1300 Encanto Blvd.
Lot 3, Encanto Estates
R-1A
Gerardo Hinojosa**

Ms. Irasema Dimas went over the write-up stating the subject site is located approximately 435' east of Bryan Road along the south side of Fair Oaks Drive. The applicant is requesting a conditional use permit for the construction of a pool house. The proposed pool house will have 2,891 square feet. It will consist of a game room, indoor lounge, bath, storage shed, covered patio. 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 total square footage is 48,902 sq. ft. and all building setbacks will be met. The proposed driveway is more than sufficient to accommodate any incoming vehicle. The pool house must be connected to the same water and electrical meters, i.e. no separate utilities. Staff mailed out 9 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) No separate utility and electrical connections,
- 2) Transferability to other future owners imposing the same conditions imposed to this applicant, and
- 3) Not to be used for rental purposes.

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. Alaniz moved to close the public hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve the conditional use permit. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:11 p.m.

Ended: 6:29 p.m.

Item #1.8

Conditional Use Permit:

Home Occupation – Sale of Firearms

3106 Granite Drive

Lot 14, Stonegate Subdivision

R-1

David Balderas

Ms. Irasema Dimas went over the write-up stating the subject site is located approximately 342' north of Stonegate Drive along the east side of Granite Drive. The applicant has his single-family residence thereon with a paved driveway off of Mile 2 Road. A 6' wooden fence is in place along the residence and covers the backyard. Mr. Balderas has his office in the dining area where he proposes to use as a Firearm Licensing Business. This business will only be used for online fulfillment and order of gun accessories. No customers would be visiting the home. The firearms would be stored in a safe at his home but will only be sold in trade shows. Mr. Balderas long term goals is to move into a commercial location once he has the funds to do so.

- **Hours of Operation:** Monday - Saturday from 1 pm to 6 pm
- **Staff:** Mr. Balderas will be the only person running the operation
- Must continue to comply with Sec. 1.56-1, Zoning Code (Home Occupation regulations)

REVIEW COMMENTS: Mr. Balderas is in the process of obtaining a type 01 (Firearms Dealers License) which would allow him to buy and sell firearms, do repairs and/or custom work on the firearms for customers, sell at gun shows and do online sales. However, before Mr. Balderas is issued a license, he is required to have the approval from the City for a home occupation. Staff mailed out 14 notices to property owners within 200' radius to get any comments in favor or against the request. Staff received one call in opposition to this request. In staff's assessment, the proposed service will not increase traffic and there will be no signage indicating that the site is anything else other than a residence. Staff notes that the City has approved other Firearms Dealers License in the past for the sale of firearms.

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, etc.),
- 3) Compliance with Section 1.56-1 of the Zoning Ordinance, and
- 4) Must acquire a business license after securing the Firearm License.

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

Mrs. Nancy Loughheed who resides at 3105 Granite Drive stated that she was in opposition to this request. Her concerns were no infrastructure to support a commercial enterprise. She added that additional traffic to the neighborhood that only has a single outlet, which would pose an increased danger to children and small pets. She mentioned that the home owners in the neighborhood purchased their residence because of the quiet, established subdivision.

Mr. Victor Derek who resides at 2310 Pebble Drive stated that he was in opposition to this request. He mentioned that this house was not secure to have a fire arm business. He added that in a recent study that area has a population of 30% children and having this type of business wouldn't be safe.

Mr. Juan Trevino who resides at 2207 Pebble Drive stated that he was in opposition to this request and agreed with Mrs. Loughheed.

Mr. Don Mayer who resides at 3003 Dove Ave stated that a gun shop doesn't belong in residential neighborhood. He added that the house is one 2 mile road since the driveway is facing 2 mile road. He mentioned that a lot of children get on and off school buses and having this type of business is very dangerous and doesn't belong in a residential neighborhood.

Mr. Luis Hinojosa who resides at 3005 Granite Drive stated that he's in opposition to this request and agrees with all the other comments that have been made.

Mr. Wayne Pearson who resides at 2309 Sandstone Drive stated that he was in opposition and was here to support his neighbors.

Mr. David Balderas the applicant who resides at 3106 Granite Drive stated that his proposal was not to have customers go to his home and purchase fire arms. He added that he would be selling his merchandise at trade shows. He mentioned that in order for him to get his FFL license he needed a permit with the city. He stated that he sold fire arms already with his tax id but needed his FFL license to sell at trade shows.

Chairwoman Izaguirre stated the hours of operation on the application are Monday – Saturday 1:00pm – 6:00pm.

Mr. David Balderas stated that is correct.

Chairwoman Izaguirre questioned the applicant asking him if fire arms would be sold?

Mr. David Balderas stated no. He added that the application for FFL hours of operation are required so FFL can contact me when needed.

City Attorney Victor Flores asked the applicant Mr. David Balderas to explain what the FFL license is for.

Mr. David Balderas stated that he sells fire arm accessories online. He added that to sell fire arms and accessories at trade shows he needs the FFL license. He mentioned that some residents that live in the area have that license.

Chairwoman Izaguirre questioned the applicant asking him in the mission area.

City Attorney Victor Flores stated that the federal government requires to get an FFL license to sell at trade shows. He stated that part of the FFL license is permission from the city which requires a home occupation.

Mr. David Balderas stated that there's an online website called gun broker that tells you who has an FFL License. Mr. Balderas stated that 2407 Mimosa St. and 2208 Monaco Dr. has an FFL license.

Mr. Steven Alaniz asked if a business license was required?

Ms. Dimas stated "yes".

Chairwoman Izaguirre asked if 2407 Mimosa St. had a business license.

Ms. Irasema Dimas stated she didn't know that information.

Mr. Kevin Sanchez stated if we grant this conditional use permit, fire arms would be sold only at trade shows.

Mr. David Balderas stated "yes" only at trade shows.

Mr. Kevin Sanchez asked what kind of inventory will you have at your house?

Mr. David Balderas stated that he will have accessories and a couple of fire arms.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to table the conditional use permit renewal. Mr. Alanis seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:30 p.m.

Ended: 6:32 p.m.

Item #1.9

Conditional Use Permit:

**To have a Restaurant in a C-2 zone
Don Ponchitos Café #5, LLC
800 E 1st Street
Lots 88 & 89, Mayberry Plaza UT No. 3
C-2
Jenny Hernandez**

Ms. Irasema Dimas went over the write-up stating the subject site is located at the SE corner of Mayberry Road and E. 1st Street. The property currently has a commercial building with a nail shop within. The applicant intends to open a Mexican Restaurant on the property. The property is currently zoned Neighborhood Commercial (C-2 zone). Section 1.42(3)(e) of the Zoning Code states that restaurants require a CUP if in a Neighborhood Commercial Zone (C-2).

- **Days/Hours of Operation:** Monday - Sunday from 7:00 a.m. to 10:00 p.m.
- **Number of Employees:** 3
- **Parking:** The restaurant will have a total of 44 seats which require 15 parking spaces ($44 \text{ seats} / 3 = 14.6 \text{ spaces}$). Currently the property has a total of 17 parking spaces that are held in common with the other business. The applicant has submitted a written agreement from the adjoining businesses granting permission to utilize their parking.
- **Landscaping:** The site has minimal green space. Staff would ask for them to install additional landscaping and that once installed it be maintained and irrigated.
- Must comply with all Building, Fire, and Health Codes

REVIEW COMMENTS: P&Z has seen previous requests for restaurants in a C-2 zone without creating a negative impact to the surrounding areas. Staff mailed out 19 notices to property owners within 200' radius to get any comments in favor or against the request. Staff has not received any comments in favor or against this 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, etc.), and
- 3) Must acquire a business license prior to occupancy.

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 hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to the approve the conditional use permit. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:32 p.m.

Ended: 6:39 p.m.

Item #2.0

Conditional Use Permit:

**Designate an Area as a Mobile Food Park
& Open-Air Market
2515 Colorado Street
Lot 1, Block 2, Santa Lucia Development
C-3
MDM Commercial Properties**

Ms. Irasema Dimas 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 the owner of the entire commercial development and would like to designate an area as a Mobile Food Park and Open-Air Market. This will be an outdoor market for local vendors, patrons, and foodies. The applicant is proposing to have 8 Mobile Food Units, 3- containers, 4-kiosk for pop-up shops, restrooms facilities, and an area on the parking lot designated for the vendors of the Open-Air Market. Access to the site will be provided off of Colorado or Taylor Road through existing 24' driveways.

- **Hours of Operation for Mobile Food Park:** Monday – Sunday from 8am to 12pm
- **Hours of Operation for Open-Air Market:** Every Saturday from 6pm – 10pm
- **Parking & Landscaping:** The designated area for the proposed Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage he is required 23 parking spaces. The applicant 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 continue to comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 16 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. If request is approved each mobile food unit has to obtain a conditional use permit and their business license.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 yr. re-evaluation in order to assess this new business at which time they will have to renew their CUP and TABC License,
- 2) Must continue to comply with all City Codes (Building, Fire, etc.),
- 3) Must comply with Noise ordinance; and
- 4) Each mobile food unit to acquire a CUP & Business License prior to occupancy.

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

Mrs. Jeanette Gutierrez the applicant stated that she was excited to bring a food park to the community. She added that the food park will consist of different type of food and snack vendors. She mentioned that the purpose of the open-air market was to give our local farmers and local small businesses a platform to sell their products.

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

Mrs. Connie Garza asked what are the requirements for restrooms?

Ms. Irasema Dimas stated that restrooms are being proposed in the floor plan.

Mrs. Connie Garza asked how many restrooms are required?

Ms. Irasema Dimas stated two.

Mrs. Connie Garza asked if the applicant planned to have live entertainment?

Mrs. Jeanette Gutierrez stated that the goal right now was mainly the food trucks.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to the approve the conditional use permit. Mr. Alanis seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:39 p.m.

Ended: 6:41 p.m.

Item #2.1

**Conditional Use Permit
Renewal:**

**Sale & On-Site Consumption of Alcoholic -
Ranch House Burgers II
409 N. Bryan Road, Suites 104 & 105
Lot 1, City Plaza Subdivision
C-3
Ranch House Burgers, LLC
c/o Christine Alaniz**

Ms. Irasema Dimas went over the write-up stating the subject site is located on the Northwest corner of Matamoros Street and Bryan Road - see vicinity map. The applicant has operated at this location since early 2015 and the PNZ most recently approved a CUP for the Sale and On-Site Consumption of Alcoholic Beverages at this location on July 11, 2018 for a period of 4 years. Mrs. Alaniz would like to renew her conditional use permit. Staff notes that this would be their 3rd renewal.

Hours of Operation: Monday – Wednesday from 11am – 9pm, Thursday - Friday from 11am to 10pm, and Sunday from 10am to 4pm

Staff: 10-15 employees

Parking: There are 158 total seating spaces, which requires 53 parking spaces (158 seats/1 space for every 3 seats = 53 parking spaces). It is noted that the parking area is held in common (87 existing parking spaces) with other smaller suites.

Landscaping: There is existing landscaping along Bryan Road and is in compliance with code.

REVIEW COMMENTS: Ranch House Burgers is a family-oriented restaurant that successfully acclimates to its commercial location. Although there is a small bar sitting area, the restaurant is not open past 10 p.m. Staff has checked with PD for any incident reports and as of this date no reports regarding alcohol have been reported.

Since the sale of alcohol is not the primary intent of the applicant, staff does not object to this proposal. Additionally, notices were sent to 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) 4 yr. re-evaluation in order to assess the business at which time they will have to renew their CUP and TABC License,
- 2) Must continue to comply with all City Codes (Building, Fire, etc.), and
- 3) 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. Ms. Garza motioned to close the hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to the approve the conditional use permit renewal. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:41 p.m.

Ended: 6:43 p.m.

Item #3.0

Site Plan Approval:

**Construction of Medical Buildings
Being 1.12 acres of land out of Lot 172,
John H. Shary Subdivision
C-3
Rosas Children Irrevocable Trust**

Mr. Ramirez went over the write-up stating the subject site is located on the north side of E. Expwy 83 (IH 2) along Frontage Rd. approximately 875' west of Glasscock Rd. The developer is proposing two main structures on the property being a vacant 1.12-acres.

Upon reviewing the site plan, main access will be from E. Expwy 83, Frontage Rd. The building sizes will measure 4,800 sqft. each which includes the main medical suite and 2 lease spaces for building "A" and building "B" will house exam rooms, vital areas, and offices.

The front building setback is approximately 40' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 51 parking spaces will be allocated to serve the building, 4 being handicapped stalls. A fire hydrant will be installed approximately 150' into the site along the east lot line and fire lanes will be noted at restricted locations throughout the parking zone.

Storm water detention will be provided by a drainage area along the east side of the property in accordance with City drainage requirements. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan has been reviewed so that nearby residential properties won't be affected.

OTHER COMMENTS:

1. 1 enclosed dumpster will be located within the Lot to be screened with a 6' block fence and opaque (solid) gates.
2. Sign permits will be required.
3. Installation of a solid buffer fence abutting properties.

RECOMMENDATION: Staff recommends approval.

Chairwoman Izaguirre asked if the bored had any questions.

There were none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the site plan. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:43 p.m.

Ended: 6:44 p.m.

Item #3.1

**Preliminary & Final
Plat Approval:**

Holland Terrance Subdivision

**Being a Subdivision of a 4.50 acre tract
of land out of Lot 25-5,**

**West Addition to Sharyland Subdivision
AO-I (Proposed R-1)**

Developer: 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. 1/4 of a mile south of Mile 3 Rd. The developer is proposing (23) twenty-three single family residential lots. The developer is requesting a variance from the subdivision ordinance Sec. 98-134, to allow a street offset of less than 125'. The original planned design features W. 25th St. as a straight ROW running east to west abutting

Holland Ave. with a street jog of 55' to the nearest intersection. A secondary design has been submitted for review with noted compliances. - see plat for actual dimensions, square footages, and land uses.

WATER

Water will be supplied through an 8" PVC line that will connect to an existing 8" water line located on the south side of this development and looped at the east side of the site. The water line will extend to and thru the subdivision and provide 1" water service to each lot. There are 2 proposed fire hydrants for this project via direction of the Fire Marshal's office.

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 is required at \$200.00/Lot which equates to \$4,400.00 (\$200 x 22 Lots).

STREETS & STORM DRAINAGE

The subdivision will have access from Holland Ave. and Thornton Ave., and proposed streets will be 32' Back-to-Back within a 50' Right of Way. 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

Escrow Park fees (22 Lots x \$500 = \$11,000.00)

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. Consent for the variance request

Chairwoman Izaguirre asked if the bored had any questions.

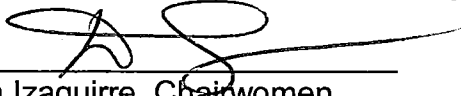
There were none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to approve the subdivision. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #4.0

ADJOURMENT

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to adjourn the meeting. Mr. Alaniz seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:45 p.m.

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

Diana Izaguirre, Chairwomen
Planning and Zoning Commission