

**PLANNING AND ZONING COMMISSION**  
**APRIL 12, 2023**  
**CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

<b><u>P&amp;Z PRESENT</u></b>	<b><u>P&amp;Z ABSENT</u></b>	<b><u>STAFF PRESENT</u></b>	<b><u>GUESTS PRESENT</u></b>
Steven Alaniz Connie Garza Diana Izaguirre Jasen Hardison	Kevin Michael Sanchez Javier Barrera Raquenel Austin Ruben Arcaute	Victor Flores Susie De Luna Cynthia Gonzalez Jessica Munoz Gabriel Ramirez Pat Martinez	Nancy Lougheed Dean Lougheed Otila M. Lopez Edna Ornelas Alicia Cantu Perez Jennifer Ann Rocha Tomas Rocha Maria Ester Salinas Monica Salazar Jeannette Lopez Deborah Hernandez Faviola Sanchez Julio Bravo Isabel Balderas Albert Balderas David Balderas Stanley Jacobson Wayne Pearson Eduardo Sanchez Monica Guerrero Cesar Cardenas Ricardo Morales Martha Pizano

**CALL TO ORDER**

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

**CITIZENS PARTICIPATION**

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

There was none.

**APPROVAL OF MINUTES FOR MARCH 22, 2023**

Chairwoman Izaguirre asked if there were any corrections to the minutes for March 22, 2023. Mr. Hardison moved to approve the minutes. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:34 p.m.**

**Ended: 5:36 p.m.**

**Item #1.1**

**Rezoning:**

**Lot 11, Block 176,  
Mission Original Townsite  
C-4 to R-1**

## **Estevan Gabriel Rocha**

Ms. De Luna went over the write-up stating the subject site is located 50' south of W. 11<sup>th</sup> Street along the west side of Perkins Avenue.

**SURROUNDING ZONES:**

N:	C-4	- Heavy Commercial
E:	C-4	- Heavy Commercial
W:	C-4	- Heavy Commercial
S:	C-4	- Heavy Commercial

**EXISTING LAND USES:**

N:	Single-Family Home
E:	Single-Family Home
W:	Warehouse
S:	Single-Family Home
Site:	Vacant

**FLUM:** General Business (GC)

**REVIEW COMMENTS:** The proposed zone does not comply with the City's Future Land Use Map. However, it complies with the existing land uses. In 2006, the City did a mass rezoning of this area and zoned the entire block C-4 (Heavy Commercial). Staff notes that the area has not changed the existing land uses nor any new business have been built since the mass rezoning. A viable alternative would be to award the R-1 and have them built an attractive single-family residence that will assimilate well into the predominant single-family residential neighborhood.

**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. Alaniz moved to the approve the rezoning as presented. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started:** 5:36 p.m.

**Ended:** 5:38 p.m.

**Item #1.2**

**Rezoning:**

**Lot 1, Block 3, out of the  
Del Monte Orchards Company Subdivision No. 1  
AO-I to C-3  
Yvette Espericueta**

Ms. De Luna went over the write-up stating the subject site is located approximately 1,024' south of W. Business Highway 83 along the west side of Schuerbach Road.

**SURROUNDING ZONES:**

N: C-3 - General Commercial  
E: R-1 - Single Family Residential  
W: AO-I - Agricultural Open Interim  
S: AO-I - Agricultural Open Interim

**EXISTING LAND USES:**

N: Vacant  
E: Jose Escandon Elementary & Single-Family Home  
W: Vacant  
S: Vacant  
Site: Angel's Car Care

**FLUM:**

Lower Density Residential (LD)

**REVIEW COMMENTS:** The proposed zone does not comply with the City's Future Land Use Map. However, it complies with the existing land uses. Staff notes that with the expansion of Business Highway 83 this transition has seen several commercial rezoning in the past. The FLUM shows a General Commercial (GC) designation fronting Business Highway 83 and Low Density (LD) further south, staff notes that the FLUM can be amended to reflect the current C-3 use. This property was annexed into the City on January 14, 2013 and has always been used as a commercial business.

**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. 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. Mr. Hardison moved to the approve the rezoning as presented. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:52 p.m.**

**Ended: 5:58 p.m.**

**Item #1.3**

**Rezoning:**

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

No Action Taken

**Started: 5:39 p.m.**

**Ended: 5:41 p.m.**

**Item #1.4**

**Rezoning:**

**A tract of land being the South 7.8 acres  
of the North 103.7 acres of a certain**

**203.7 acres tract of land known as the  
Fernandez Strip out of Porcion 52  
PUD to R-3  
M2 Engineering, PLLC**

No Action Taken

Chairwoman Izaguirre entertained a motion to remove the item from the table. Mrs. Garza moved to remove the item from the table. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:38 p.m.**

**Ended: 6:18 p.m.**

**Item #1.5**

**Tabled Conditional Use Permit:**

**Home Occupation – Sale of Firearms  
3106 Granite Drive  
Lot 14, Stonegate Subdivision  
R-1  
David Balderas**

Ms. De Luna 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 she was in opposition. Her main concerns were potential target for theft in the area and neighborhood safety. She added she presented a petition with 63 signatures within the subdivision that were opposed to the request.

Mrs. Otila Lopez who resides at 2202 Pebble Drive stated she was in opposition. Her main concerns were children safety, real weapons being stored at the home, property value, people observing the gun sales, and gun sale promotion within the City.

Mrs. Jeannette Lopez who resides at 2202 Pebble drive stated she was in opposition. Her main concerns were fear for her children at school, children safety, how the guns are being stored, predators around the area, and lockdowns in school with firearms.

Mr. Dean Loughheed who resides at 3105 Granite Drive stated he was in opposition. His main concerns were that the area is for residential use, theft, quietness, and safety for kids. He added this business should be somewhere else.

Mrs. Isabel Balderas who resides at 3106 Granite Drive stated she was in favor of the request. She stated there would be no changes to the home or signs. She added everything would be online. She mentioned her main entrance is on Mile 2. She mentioned that people go through her property to go to El Tigre and has never had issues.

Mr. David Balderas the applicant stated that he already sales out of his home. He added he already sales 95% of the firearm. He added his not the only person with an FFL License. He stated he is not selling to just any individual and he makes sure they have a clean record. He mentioned he is trying to be responsible and have everything right. He added that eventually he would like to have a business in a commercial area.

Mr. Albert Balderas who resides at 3106 Granite Drive stated he has held an FFL license before and he stopped renewing because of the cost and he no longer needed it. He added he has 5 safes in his home. He added he is also a concealed weapon holder. He mentioned their entrance is on Mile 2.

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

City Attorney, Victor Flores stated he would like to discuss legal aspects and provide guidance as per "Section 551.07 Consultation with Attorney related to legal matters" for this request and suggested to go into executive session.

Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to go into executive session. Mr. Alanis seconded the motion. Upon a vote, the motion passed unanimously.

5:58p.m. Board and City Attorney went into executive session.

6:14p.m Chairwoman Izaguirre entertained a motion to return from executive session. Mrs. Garza moved to leave executive session. Mr. Alanis seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked Ms. De Luna for a list of Conditional Use Permits similar to this one.

Ms. De Luna stated there was a total of 3. She added one was on 2208 Monaco Drive, 2607 E. 28<sup>th</sup> Street, and 503 Olmo Street. She added there was one on 2407 Mimosa that has been there prior to the requirement of the Conditional Use Permit.

Ms. De Luna stated she asked for a report for all of these addresses and there has been no incidents.

Mrs. Garza asked if all of them have a Conditional Use Permit.

Ms. De Luna stated 3 of them do and the fourth one does not since it was there prior the adoption of the Conditional Use Permit requirement.

Chairwoman Izaguirre asked Ms. De Luna that how often are those being renewed.

Ms. De Luna stated those were granted life of use.

Chairwoman Izaguirre asked if any of them were located near a school or daycare.

Ms. De Luna stated she did not have that information at that time.

Mrs. Garza asked if this address of 3106 Granite had any schools, daycares, or church around the area.

Ms. De Luna stated there was a church but it was not within the 200' area.

Mrs. Garza asked if there was a church on Melody Lane.

Chairwoman Izaguirre asked if this information could be provided at the next meeting.

Chairwoman Izaguirre asked when the ordinance was approved and if any of the other items had opposition.

Ms. De Luna stated she would have that information for the next meeting.

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

**Started: 6:18 p.m.**

**Ended: 6:21 p.m.**

**Item #1.6**

**Conditional Use Permit:**

**For a Social Club/Night  
Blackout Private Social Club  
1512 E. Expressway 83, Suite 109,  
Lot 109, Re-plat of Lots 3 & 4, Stewart Plaza Subdivision  
C-3  
Yair Cruz**

Ms. De Luna went over the write-up stating the subject site is located on the SW corner of Stewart Road and Expressway 83. Access to the site is provided from a 38' driveway off of Expressway 83 Frontage Road. The applicant leased a 1,400 sq.ft. suite within a commercial plaza to be used for a private social club only members can attend. They propose to host different types of social gatherings such as members birthday parties, school's looking for fundraisers, quinceaneras, private concerts, and after concert meet and greets, etc. It is noted that a social club/nightclub is an allowable use under the General Business Zone (C-3), as long as they apply for a conditional use permit. The last conditional use permit for this location was approved on February 24, 2020 for a period of 4 years for Sr. Mostacho.

- **Days/Hours of Operation:** 24 hours a day, 7 days a week (depending on the event)
- **Number of Employees:** 10
- **Parking:** In reviewing the floor plan, there are a total of 147 seating spaces between tables and sofas, which require 49 parking spaces ( $147 \text{ seats} / 3 = 49 \text{ spaces}$ ). It is noted that the parking area is held in common (219 existing parking spaces) that are shared with the other businesses in this commercial plaza.
- **Landscaping:** The landscaping requirement is meeting code.
- Must continue to comply with all City Codes.

**REVIEW COMMENTS:** The social club/nightclub includes a 'bar' component and a stage. Although no alcohol will be sold only the setups. This will be a BYOB business. Section 1.56(3a) of the Zoning code requires a minimum separation of 300' from the property line of any churches, schools, publicly owned property, and residences. There are no churches, schools, publicly owned property or residences within the 300'. The applicant has 8 securities on-site to monitor the overall operation of the business. Staff mailed out 11 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 (Noise, 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. Mrs. Garza moved to close the hearing. Mr. Hardison 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. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:21 p.m.**

**Ended: 6:23 p.m.**

**Item #2.0**

**Preliminary & Final**

**Plat Approval:**

**Bravo Subdivision**

**A replat of a 1.04 acre tract of land out of Lot 1  
and 24, Basham Subdivision Unit No. 6**

**C-1**

**Developer: Julio Cesar Bravo**

**Engineer: Spoor Engineering**

Mr. Ramirez went over the write-up stating the replat of a 1-1/2 lot subdivision is within Basham Subdivision Unit No. 6 located approximately 1/2 mile North of W. Mile 2 Road along the East side of N. Inspiration Rd. The developer is proposing to combine all of Lot 1 and the North 1/2 of Lot 24 out of Basham Subdivision Unit No. 6 for commercial use.

### **UTILITIES**

The developer is to propose extending a 6" waterline from the West side of Inspiration Rd. to the site for the installation of a typical fire hydrant per Fire Marshal's office and a separate parallel 2" water line to service the site. Sanitary sewer for this subdivision will be addressed by an on-site sewage facility (OSSF) of a standard design septic tank and drain field due to the unavailability for this service.

### **STREETS & STORM DRAINAGE**

This is a simple re-plat; Rainfall detention will be accomplished on site in the landscaped areas. Detention required will be installed along the east line, with a private 8" outlet from the detention pond to the existing inlet on Inspiration Rd. No additional public drainage improvements are proposed. The City 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 subject to complying with all typical format findings and recording of Restrictions.

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 moved to close the hearing. Mr. Hardison 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 request. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.



**Started: 6:23 p.m.**

**Ended: 6:24 p.m.**

**Item #2.1**

**Single Lot Variance:**

**Being the North one-half of Lot 42,  
Toellner Subdivision  
R-1  
Ana Delia Mendez**

Mr. Ramirez went over the write-up stating the subject site is located south of E. 2<sup>nd</sup> ½ Street west of Toledo Street. The property measures .5 acres for a total square footage of 21,793.47 sq.ft. The property is currently vacant. The owner wishes to construct a residential home.

**WATER:** There is an existing 6" water line located on the north side of E. 2<sup>nd</sup> ½ Street readily available to service the lot. The Fire Marshal does not require any additional hydrants for this site since there is an existing fire hydrant located within 500' of the site.

**SEWER:** The site has access to an existing 8" sanitary sewer line located along the within the ROW of E. 2<sup>nd</sup> ½ St. A Capital Sewer Recovery fee will be assessed in the amount of \$200.00 (\$200/HUE) as per Ordinance #3022.

**STREETS & DRAINAGE:** The subject property will have frontage to E. 2<sup>nd</sup> ½ St. No additional ROW is required. Storm drainage will be accomplished through on-site detention.

**OTHER COMMENTS:**

- Payment of Park Fees in the amount of \$500 x HUE.
- There is an existing streetlight located at the NW corner of this lot.

**RECOMMENDATION:**

Staff recommends approval subject to:

1. Payment of the Capital Sewer Recovery Fee
2. Payment of the Park Fee
3. Comply with all other format findings

Chairwoman Izaguirre asked if the board had any questions.

There was none.

Mrs. Debra Hernandez who resides at 604 W. 27<sup>th</sup> Street stated she was the cousin of the applicant.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve Single-Lot Variance. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:24 p.m.**

**Ended: 6:25 p.m.**

**Item #2.2**

**Single Lot Variance:**

**A 1.00 acre tract of land out of Lot 226,  
John H. Shary Subdivision  
R-1T  
Alicia Cantu Perez**

Mr. Ramirez went over the write-up stating the subject site is west of Taylor Road approximately 380' south of Country Club Drive. The property measures 1.00 acre for a total square footage of 38,332.80 sq.ft. The property is currently vacant. The owner wishes to construct a residential home.

**WATER:** There is an existing 6" water line located on the west ROW and is readily available to service the lot. An existing fire hydrant is located within 500' of the site thus no need for additional units per Fire Marshal.

**SEWER:** The site has access to an existing 6" sanitary sewer line located along the west property line. A Capital Sewer Recovery fee will be assessed in the amount of \$200.00 (\$200/HUE) as per Ordinance #3022.

**STREETS & DRAINAGE:** The subject property will have a frontage to Taylor Road. No additional ROW is required. Storm drainage will be accomplished through on-site detention.

**OTHER COMMENTS:**

- Payment of Park Fees in the amount of \$500 x HUE.
- Installation of a sidewalk along Taylor Rd.
- There is an existing streetlight located across from Taylor Rd.

**RECOMMENDATION:**

Staff recommends approval subject to:

1. Payment of the Capital Sewer Recovery Fee
2. Payment of the Park Fee
3. Installation of a sidewalk along Taylor Rd.
4. Comply with all other format findings

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: 6:25 p.m.**

**Ended: 6:26 p.m.**

**Item #2.3**

**Site Plan Approval:**

**Construction of a Health Care Facility  
Lot 1 and the N. ½ of Lot 24, Resubdivision Plat of  
Basham Subdivision Unit No. 6  
C-1  
Julio Bravo**

Mr. Ramirez went over the write-up stating the subject site is located on the east side of Inspiration Road, approximately 2,100' south of Mile 3 Road. The developer is proposing one main structure on the property being a vacant 1.01-acres of a combined 1-1/2 lots.

Upon reviewing the site plan, main access will be from Inspiration Road. The building size will measure 4,600 sq.ft. which will consist of 10 exam rooms, 4 offices, nurse stations, utility, data, and storages, break and procedure rooms, adult and kid's lobby, and restrooms.

The front building setback is approximately 92' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 44 parking spaces will be allocated to serve the Plaza, 3 being a handicapped stall. A fire hydrant will be installed at the entrance of the site and fire lanes will be noted at restricted locations throughout the parking zone.

Storm water detention area will be at the rear of the property to comply with drainage requirements as stipulated on the approved drainage report. 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. Construction of a 5' sidewalk along Inspiration Rd. will be required.
4. Installation of a solid buffer fence abutting residential properties.

**RECOMMENDATION:** Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There were none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the Site Plan. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:26 p.m.**

**Ended: 6:29 p.m.**

**Item #2.4**

**Site Plan Approval:**

**Construction of a Commercial Plaza  
(222 Plaza – 2205 E. Griffin Parkway)  
Lot 1, Edna Ornelas Subdivision  
C-3  
Arqcarpa Construction**

Mr. Ramirez went over the write-up stating the subject site is located on the north side of Griffin Parkway between Shary Rd. and Glasscock Rd. The developer is proposing one main structure on the property being a vacant 1.00-acre tract of land.

Upon reviewing the site plan, main access will be from Griffin Parkway by a common shared access driveway. The building size will measure 11,466 sq.ft. which will consist of 6 suites.

The front building setback is approximately 67' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 48 parking spaces will be allocated to serve the Plaza, 2 being handicapped stalls. There is a proposed fire hydrant and its assemblies to be located along the east side of this site. Fire lanes will be noted at restricted locations throughout the parking zone.

Storm water will be captured by curb and gutter, asphalt paving and drainage detentions ponds and bleed into city's system one lot east on E. Griffin Parkway. 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 per tenant.
3. Construction of a 5' sidewalk along Griffin Parkway will be required.

**RECOMMENDATION:** Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

Chairwoman Izaguirre asked about the entrance.

Mr. Ramirez stated it would have a shared entrance with the existing plaza.

Mr. Hardison asked if it would have one through the west side.

Mr. Ramirez stated it would not continue to the west side.

Chairwoman Izaguirre stated the Site plan showed an entrance. She added the Site Plan needs to be modified.

Chairwoman Izaguirre stated they need to add some type of barricade.

Mr. Ramirez stated the storage units have a buffer.

Mr. Hardison stated there was landscaping.

Mr. Ramirez stated landscaping is considered a barricade.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the Site Plan subject to adding a barricade on the West side. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:30 p.m.**

**Ended: 6:35 p.m.**

**Item #3.0**

**Variance request to allow a septic tank system instead of the required sewer line connection at 2913 Los Ebanos Road, being 5.26 acres gross out of Lot 28-5, West Addition to Sharyland, AO-I, Nancy Leal**

Ms. De Luna stated the site is located approximately 400' south of North Mile 2 Road along the western side of Los Ebanos Road. Mrs. Leal desires a variance to install a septic tank due to the acreage and distance. She owns two tracts of land out of Lot 28-5, West Addition to

Sharyland totaling 10 acres. She recently remodeled her home and would like the Board to consider her request. There is an existing sewer line along Los Ebanos Road approximately 500' away from the home but according to the plumbers the sewer line is 12' to 14' deep which makes it impossible to connect.

Staff notes that a similar variance was requested back in February 23, 2004 for the property located across the street in that case there was no sewer line available when the home was constructed. The variance to allow a temporary septic tank was granted with the stipulation that once the sewer line was installed they would abandon the septic tank use and connect to the sewer line. The sewer line was installed in this area as part of the EDAP project back in 2006. The City usually encourages all property owners to connect to the sewer line when available.

#### **RECOMMENDATION**

Staff cannot support this variance request since there is a sewer line available in which the applicant can connect to. The City has always encouraged property owners to connect to sewer when available as it was done to the neighbor across the street back in 2004. The applicant will probably need to hire a contractor to do the connection.

Chairwoman Izaguirre asked if the bored had any questions.

Chairwoman Izaguirre mentioned that she believes its more viable for the applicant for the applicant to use a septic tank until they subdivide.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the variance request subject to connecting to sewer with a new development. Mrs. Garza 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. Hardison moved to adjourn the meeting. Mr. Alaniz seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:35 p.m.

  
\_\_\_\_\_  
Diana Izaguirre, Chairwomen  
Planning and Zoning Commission