

**PLANNING AND ZONING COMMISSION
JUNE 23, 2021
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Javier Barrera
Debra Alvarez
Ruben Arcaute
Diana Izaguirre
Raquenel Austin
Belinda O. Deforest
Jasen Hardison
Hector Moreno

P&Z ABSENT

STAFF PRESENT

Susana De Luna
Alex Hernandez
Cynthia Gonzalez
Jessica Munoz

GUESTS PRESENT

JP Terrazas
Irene Morin
Sergio Rojas
Omar Flores
Lorena Cantu
Juan Jose Chapa
Belem Arias
Abel Bocanegra
Milo Salinas
Dony May

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 JUNE 9, 2021

Chairwomen Izaguirre asked if there were any corrections to the minutes for June 9, 2021. Mr. Barrera moved to approve the minutes as presented. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 6:11 p.m.

Item #1.1

Rezoning:

**A 8.9318 gross acre tract of land
out of Lot 266, John H. Shary Subdivision
AO-I to R-1T
F Simon Texas, LLC**

Ms. De Luna went over the write-up stating that site was located $\frac{3}{4}$ mile north of FM 495 along the west side of Taylor Road and north of the Edinburg Main Canal.

SURROUNDING ZONES:

N:	R-1	– Single Family Residential
E:	AO-I	– Agricultural Open Interim/ City of McAllen
W:	R-1/AO-I	– Single Family Residential/Agricultural
S:	AO-I/R-1	– Agricultural Open Interim/Residential

EXISTING LAND USES:

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

FLUM:

Lower Density Residential (LDA)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map, nor surrounding land uses. The R-1 would be a better neighbor for this area.

RECOMMENDATION: Staff is recommending denial.

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

Chairwoman Izaguirre mentioned it would be no difference if they were to be single family residential lots. She added the only difference would be the square feet of the property, the square feet of the home, and the setbacks of the property.

Mrs. Dony May who reside at 2600 E. 28th Street stated she was opposed because it would affect her privacy and her property value. She added each townhouse would look right into her backyard and that was unacceptable.

Mr. Omar Flores representing the applicant stated he these would be a townhouse residential gated private community. He added it would be one townhouse per lot. He mentioned these particular townhomes would be something modern.

Chairwoman Izaguirre asked if the board had any questions

Mrs. Alvarez asked if they were asking for a R-1 rezone.

Ms. De Luna stated it was for a townhouse residential.

Mrs. Alvarez mentioned the homes in the picture looked pretty but the homes were too close together.

Ms. De Luna stated the surrounding areas were all single-family residential. She added the future land use map shows single-family residential for this particular property as well.

Mr. Hardison asked how many lots were being proposed.

Ms. De Luna mentioned that information was not available at the moment since this was only the rezoning process.

Mr. Flores mentioned there would be about 70 lots. He mentioned they are aware of flooding there so they are initiating some flooding studies to see if they would need a lot for detention.

Mrs. May asked how many units per townhome.

Mr. Flores stated only one.

Mr. Moreno mentioned it would be like a home except with a smaller lot.

Mrs. May asked if from their property would they be seeing the backyard of the townhomes.

Mrs. Alvarez stated the city is recommending denial because townhomes are not around the area.

Chairwoman Izaguirre mentioned that when the future land use map was worked on there was not any areas assigned for Townhome residential.

Mr. Milo Salinas the engineer assisting Mr. Flores stated its ranging for about 70 townhome lots.

Mr. Sergio Rojas a resident with several concerns asked Mr. Flores if the townhomes would be for sell or for rent.

Mr. Flores stated all of them would be for sell.

Mr. Rojas asked if they had a price more or less of how much each one would cost.

Mr. Flores mentioned the cost would be approximately \$150,000 per unit.

Mrs. Austin mentioned it was basically 3 family structures in an average single-family residential lot.

Ms. De Luna mentioned that based on the proposal it would be around 2 family structures per lot.

Mr. Rojas mentioned he thought having something for sell would be better than having something being rented out.

Chairwoman Izaguirre asked Mr. Flores why was he proposing townhomes lots instead of residential lots.

Mr. Flores stated it was because townhomes are more esthetic and pretty. He added the cost of the land is too high for him to subdivide and sell them individually.

Mr. Salinas added they looked into the residential option and the multifamily option and the best outcome was for townhomes.

Mr. Rojas asked if the property to the south would also be converted into townhome residential.

Mr. Salinas stated that property was owned by the homes facing Taylor road.

Ms. Belem Arias a resident asked how the rezoning would affect the property value. She added what would happen to the rest of her property.

Ms. De Luna stated that the only property changing would be the one in red. She confirmed to Ms. Arias that her property would remain the same. Ms. De Luna mentioned that as far as the property value that would have to get checked with the appraisal district.

Ms. Arias asked what type of fence was going to be used and how high would the fence be.

Ms. De Luna asked Mr. Flores what type of fence was he proposing for this development.

Mr. Flores stated it would be a regular wood fence.

Mr. Salinas stated it would be a 6'5" cedar fence.

Mrs. Deforest asked how off was this decision in the future land use map.

Mr. Salinas asked if there were any areas on the map that were for townhomes.

Chairwoman Izaguirre stated no.

Mr. Barrera stated it's on a case by case.

Mrs. Irene Morin a resident asked what would be the entrance and exit to each of the townhomes. She also asked if it was going to be 2 structures per lot. She added she did not want to hear vehicles in the middle of the night on the back of her property.

Mr. Barrera explained that right now only the rezoning was being discussed.

Mrs. Morin stated she was told the city had denied the item so how would it proceed.

Ms. De Luna stated the staff was recommending denial based on the future land use map. She added the planning and zoning board is a recommendation board and they recommend to the council. Its up to city council to make the final decision.

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

Started: 6:11 p.m.

Ended: 6:14 p.m.

Item #1.2

Rezoning:

**Lot 12, Gilberto Gutierrez Subdivision
C-2 to R-2
Gilberto Gutierrez**

Ms. De Luna went over the write-up stating that site was located on the east of Trosper Road about 1500' north of W. Mile 2 road. The lot has a total square footage of 10,082.82 square feet.

SURROUNDING ZONES:

N:	R-1T	– Townhouse Residential
E:	C-2 & R-2	– Neighborhood Commercial/Duplex-Fourplex
W:	C-2	– Neighborhood Commercial
S:	R-2	– Duplex-Fourplex Residential

EXISTING LAND USES:

N:	Agricultural
E:	Agricultural
W:	Escobar/Rios Elementary School
S:	Agricultural

Site: Warehouse

FLUM:

Low Density Residential (LD)

REVIEW COMMENTS: The land uses reflect the zonings shown above. The Future Land Use Map reflects a Low Density Residential (LD) land use. When viewing the lots location at Troser Road and W. Mile 2 Road, R-2 would be consistent with the rest of the subdivision and perhaps a better land use for this particular lot. An R-2 zone is a stair down to the current Neighborhood Commercial Zone.

RECOMMENDATION: Staff recommended approval.

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

There was no response.

Chairwoman Izaguirre asked if the board had any questions

There was none.

Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to approve the rezoning request as per staff recommendation. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:14 p.m.

Ended: 6:16 p.m.

Item #1.3

Conditional Use Permit:

**The Complimentary Offering of Alcoholic Beverages for
On-Site Consumption for a Social and/or Cultural Event -
Night at the Museum
900 Doherty Avenue
Lots 4-7, Block 161, Mission Original Townsite
C-3
The Greater Mission Chamber of Commerce
c/o Brenda Enriquez**

Ms. De Luna went over the write-up stating that site was located on the NW corner of Doherty Avenue and Business Highway 83. The applicant will be hosting a Tourism Asset Benefit for the Mission Historical Museum called Night at the Museum on Thursday, August 5, 2021 and would like to offer alcohol to the guests. A \$10 donation will be collected at the door for anyone attending and all proceeds would be donated to the Mission Historical Museum.

- See aerial of site reflecting the common parking spaces that serve the facility.
- Ord. #3436 permits civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks will be offered (not sold) during a social/cultural event.
- A similar CUP was last approved on 3-9-2020 for a period of 3 years for the Upper Valley Art League.
- This event is scheduled from 5:00p.m. to 7:30p.m.

REVIEW COMMENTS: It appears that this type of social events occurred with no incidents. The Greater Mission Chamber of Commerce firmly attests that they will be very watchful of how much the patrons are responsibly served, and intend to have continued vigilance at their social event.

RECOMMENDATION: Staff recommends approval.

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

There was no response.

Chairwoman Izaguirre asked if the board had any questions

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to approve the request as per staff recommendation. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:16 p.m.

Ended: 6:20 p.m.

Item #1.4

Conditional Use Permit:

**Expand Sale & On-Site Consumption of Alcoholic
Beverages – Brick Fire Pizza
704 E. Griffin Parkway, Suites 110 & 130
Being a 1.25 acre tract of land out of
Lot 24-8, West Addition to Sharyland Subdivision
C-3
Brick Fire Pizza & More
c/o Steven Alaniz**

Ms. De Luna went over the write-up stating that the site was located within a commercial plaza between Mayberry Avenue and Augusta along the south side of E. Griffin Parkway. The applicant currently shares a 10,200 sq. ft. building with an adult daycare that is composed of 3 suites. The applicant's suites are totaling 8, 500 sq. ft. The applicant currently has a CUP for the Sale & On-Site Consumption of Alcoholic Beverages for suite 130 and would like to expand to include suite 110. The last CUP for this location was approved on October 14, 2019 for a period of 2 year. The restaurant has a bar area, dance floor, stage, kitchen and an office.

- **Employees:** 25 employees
- **Hours of Operation:** Monday - Thursday 11am to 12pm, Friday & Saturday 11am – 2am, and Sunday 11am – 11pm
- **Parking:** The applicant currently has a total of 68 seating spaces and is adding 133 seating spaces for a total of 201 seating spaces, which require 67 parking spaces (201 seats/1 space for every 3 seats = 67 parking spaces). It is noted that the parking area is held in common (70 existing parking spaces) with existing adult day care.
- **Sale of Alcohol:** Sec. 1.56(3a) of the Zoning Code states: Bars, cocktail lounges, taverns, cantinas, saloons, dancehalls, discotheques, discos or nightclub: "the property line of the lot of any of the above-mentioned businesses which have late hours (after 10:00 p.m.) must be at least 300 feet from the nearest residence, church, school or publicly owned property." There are some residential homes within 300' of the restaurant, therefore a waiver to the 300' separation requirement would be needed.

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

Staff has received several concerns in regards to the noise specifically the loud music. Staff would like to encourage the applicant to install some type of insulation or sound buffer to deflect the loud music from traveling outside the building.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2-year re-evaluation at which time the applicant will have to renew his CUP and TABC License,
- 2) Must comply with all Building, Fire, and Health Codes requirements, and
- 3) Installation of a sound buffer to address noise concerns.

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

There was no response.

Chairwoman Izaguirre asked if the board had any questions

Mrs. Deforest asked if they would be selling alcohol with the daycare beside it.

Mrs. Alvarez mentioned it was just the office.

Mrs. Alvarez asked if they really had 75 parking spaces.

Ms. De Luna mentioned they do comply with the parking spaces.

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

Started: 6:20 p.m.

Ended: 6:23 p.m.

Item #1.5

Conditional Use Permit:

Renewal:

Home Occupation – Insurance & Notary Public Services

1711 W. Mile 3 Road

Lot 2, Lozano Estates

AO-I

Antonio Arellano

Ms. De Luna went over the write-up stating that the subject site is located approximately 1,000 east of Inspiration Road along the south side of Mile 3 Road. The applicant has a large agricultural lot fronting 114.63' along W. Mile 3 Road, with a depth of 516.36' and has his residence thereon. The applicant enclosed the garage to use as an office for his Home Occupation. He would like to renew his conditional use permit to continue to offer Insurance and Notary Public Services by appointment only. The last CUP for this location was approved on June 22, 2020 for a period of 1 year.

Hours of operation: Monday – Friday from 9:00 a.m. to 1:00 p.m. and 3:00 p.m. to 6:00 p.m.

Staff: The applicant and his wife would run the home occupation.

Parking: The applicant has a driveway that could easily stack up 4 to 5 vehicles and a circular driveway in front of the property for at least 5 vehicles.

REVIEW COMMENTS: Staff has received/reviewed several of these types of CUPs in the past and has not had any problems with previous others.

RECOMMENDATION: Approval subject to:

1. A 1-year re-evaluation in order to monitor the business; and
2. Must continue to comply with the Home Occupation portion of the Zoning Code;

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

Mrs. Lorena Cantu the applicant's wife was present.

Mrs. Cantu asked if it was allowed to have a bigger sign.

Ms. De Luna mentioned it was not allowed since it was zoned agricultural.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to approve the request. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:24 p.m.

Ended: 6:25 p.m.

Item #1.6

Conditional Use Permit:

Renewal:

Sale & On-Site Consumption of Alcoholic

Beverages – Mariscos El 7 Mares

2301 E. Griffin Parkway, Ste. D

Lots 10-12, Big Orange Subdivision

C-3

Mariscos El 7 Mares, LLC (c/o Juan Jose Chapa)

Ms. De Luna went over the write-up stating that the subject site is located within an existing commercial plaza located on the NW corner of Citrus Lane and Griffin Parkway. This CUP was last approved on 8-26-19 up until June 6, 2021 in conjunction with their TABC License. The applicant would like to renew his conditional use permit.

Hours of operation: Every day from 11:00 a.m. to 10:00 p.m.

Staff: 6 employees

Parking: The applicant has 80 total seating spaces, which require 27 parking spaces (80 seats/1 space for every 3 seats = 26.6 parking spaces). It is noted that the parking area is held in common (67 existing parking spaces) and is shared with other businesses.

Sale of Alcohol: There are no churches or public/private schools within 300' of the subject site, thus being compliant to Section 6-4. Staff asked Mission PD for a report of any incidents in relation to the sale of alcohol. No incidents have been reported as of this date.

RECOMMENDATION:

Staff recommends approval for 2 years at which time the applicant will have to renew their TABC license and conditional use permit.

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

Mr. Juan Chapa the applicant was present.

Chairwoman Izaguirre asked if the board has any questions.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to approve the request. Mrs. Deforest seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:25 p.m.

Ended: 6:38 p.m.

Item # 1.7

Discussion and Action to Amend Inspection and Planning Fees

Staff has compared Inspection and Planning fees with other municipalities and have determined the need to adjust and approve new fees for some services provided to our citizens.

Inspections:

1. Plumbing Permit Fee – currently fee is calculated by the total square footage of a home, yet the plumbing work is not done on all the home, therefore, we suggest to charge by fixtures like it was previously done.
2. Gas Permit – increase the base fee to be compatible with other cities.
3. Swimming Pool Permit – currently swimming pool permits are calculated by the value. Our inspectors have noticed that for the most part contractors input a lessor amount to pay less on the permit. Inspectors would like to have a set fee of \$300.
4. Solar Panel Permits – currently calculated by cost. Inspectors would like to have a set fee of \$300.
5. Commercial Remodeling Permits – currently charged by .15 sq. ft. Inspectors would like to charge permit based on cost of construction.

Planning & Zoning Fees

1. Subdivision Processing Fee currently - \$250 (5 acre plat or less) / \$300 (5+ acre plat)
Proposed \$400 (5 acre plat or less) / \$500 (5+ acre plat)
2. Lab Testing Fee currently – 3% of total cost
Proposed – 5% of total cost
3. Inspection Fee currently - 2% of total cost
Proposed - 3% of total cost

Chairwoman Izaguirre asked if the board had any questions

Chairwoman Izaguirre asked if for number 2 & 3 it was the total cost of construction.

Mr. Hernandez stated it would be the total cost of the hook up to the city's sewer, water, inspections and streets.

Mr. Hardison mentioned to do a 1% increase.

Ms. De Luna mentioned sometimes its hard to collect any extra money from the developers. The purpose of this is to collect the whole amount and if any left over it would be returned to the customer.

Chairwoman Izaguirre mentioned she personally knew it didn't take as much money for the testing.

Mr. Hernandez explained if the testing fails its another test that has to get done.

Chairwoman asked if the developer would be able to choose the testing company.

Mr. Hernandez stated we only have one.

Ms. De Luna stated it was one company who has a contract with the city.

Chairwoman Izaguirre asked when the contract would end.

Mr. JP Terrazas city engineer stated the contract for the lab testing company would end in December.

Chairwoman Izaguirre asked if the contract was going to be renewed with that company.

Mr. Terrazas mentioned it would stay with the same location.

Mr. Hardison mentioned to go up 1% which would be 4%.

Mr. Terrazas mentioned they want to increase the percentage to have enough escrow to cover expenses from the past.

Chairwoman Izaguirre mentioned the plats shouldn't have been signed.

Ms. De Luna mentioned that the problem was that the invoices were coming in after the subdivision was recorded.

Chairwoman Izaguirre asked what tests were being done. Concrete curb, asphalt, compaction, and what else.

Mr. JP Terrazas mentioned it was course and also rolling patterns. He added for every so many cubic feet they test the concrete depending on how many cubic feet they will pour. And if rains in the middle of the pour they have to retest the first 3 trucks again.

Chairwoman mentioned then the 5% would be good.

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

Started: 6:38 p.m.

Ended: 6:39 p.m.

Item # 1.8

Discussion and Action to Adopt an Ordinance to Regulate Short-Term Rentals, Airbnb (Vacation Rentals, Homes, Experience & Places) and VBRO (Vacation Rentals by Owners)

Direction by the City Council during the June 8, 2020 meeting was to come back with an ordinance to Bann Short Term Rentals after further research with other municipalities which have short-term rentals it was discovered that we cannot Bann them because it would be considered unconstitutional.

(Zaatari vs City of Austin - November 2019)

The attached ordinance will address the concerns the City has received regarding Short-Term Rentals.

Such as noise, alcohol abuse, disturbing behavior, parking on street, etc.

- Cannot Bann (considered unconstitutional)
- Have Control and Monitor
- They will have to be registered with the City and City would be able to contact owner & renter if needed
- Currently the City is aware of 4 locations that have had several calls to the Mission PD

Chairwoman Izaguirre asked if the board had any questions

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

Started: 6:39 p.m.

Ended: 6:42 p.m.

Item # 1.9

Discussion and Possible Action on Ordinance Establishing a Process to Assess and Resolve Building Setbacks, Inclusive of a Contingency Protocol

The attached ordinance is Staff's response to the City Council's & Management's directive to assess the continuing increase of building setback encroachments in Mission, and to see how we can substantially resolve them.

With this direction given, please see the bullet points below that summarize the draft ordinance:

- The proposed ordinance will only amend the zoning districts where staff sees consistent encroachments, i.e., R-1 (single family residential), R-2 (duplex-4plex residential), and R-4 (mobile home & modular home residential).
- These zoning districts' have their typical building setbacks for all structures; *BUT* they also have a reference to Sect. 1.59 – Exceptions & Modifications, which is a 'catch all' code that is being amended herein to include the new **Contingency Protocol**.
- The **Contingency Protocol** is an analysis by staff to Tier-categorize the setback circumstance, and then process it through the instruction in that 'Tier'.
- There are 4 identified 'Tiers'; they are as follows:

TIER 1: a structure is built/moved-on the lot with no permit; structure complies with setbacks; direction to merely have owner secure the permit.

TIER 2: a structure is built/moved-on the lot with no permit, but the structure does not comply with the residential district's LAND USE regulations, i.e., it is a non-conforming use. So, it either has to be moved-off OR there may need to be a rezoning considered or staff to consider amending the residential districts' code to somehow '*permit*' it within the R-1/R-2/R-4. In this Tier, a code change making it a '*conditional*' use FOR EXAMPLE may be considered; and once included in the regs, then the applicant can apply for the newly established 'conditional use'. Whatever the outcome of this process may be (to make a zone change or code change), the final decision will rest with the City Council on whether to approve it or not. Once that outcome is known, staff merely follow through with that final direction.

TIER 3: structure is built/moved on to the lot with a setback encroachment BUT can be reasonably relocated to meet typical setbacks, then the direction and process will be to have the owner relocate it to meet all setbacks (once the permit is secured).

TIER 4: structure is built within setbacks on the property and is NOT (financially) realistic that it can be moved to be setback compliant. This is a scenario that is substantially faced. In this Tier 4 scenario, staff can direct the owner to retrofit the structure to meet fire-rating codes. The extent of fire-rating will be assessed by the Bldg. Inspector, dependent on the extent of encroachment.

- Any structure that was built with no inspection and/or remains infringing on setbacks, will have a Hold Harmless instrument recorded in the deed records. It is best to have the owner sign the HH; but if he/she refuses, Staff can still unilaterally execute the instrument outlining the assessment and final decision as to the structure's setback status.
- If there is a Homeowners' Association (HOA) and staff has their contact info, staff will provide a courtesy notice to the HOA agent. It is noted that the City of Mission is not bound by any HOA recommendation of enforcement of their private restrictions.
- The typical double building permit fee will be imposed as deemed appropriate by the Planning Director.
- Any structure that is processed through the Contingency Protocol that may be destroyed by a fire, will thereafter be re-built according to typical building setbacks.
- Planning Staff will keep and update a ledger/map of structures processed through the Contingency Protocol as a reference resource to possible phoned-in concerns (in subsequent years) that said structure is not meeting setbacks. NOTE: The ledger will also be helpful to setback concerns from banks, for example, that may have done a survey in the selling of the property and the survey displays what appears to be a setback encroachment. Staff will respond to the bank that it is 'not' an encroachment since the structure had complied with fire rating retrofitting measures (for example).
- The ordinance delegates to the Planning Director the authority to assess and, if applicable, to process setback infringements thru the Contingency Protocol. If the circumstances seem challenging, the City Manager is similarly delegated a measure of secondary authority to collaborate with the Planning Director on how best to resolve the infringement.

What is of utmost concern is that any structure that is heavily into the setback, must comply with fire-rating retrofitting. This is one of the primary intents of building setbacks, after all. The City's Building Codes already have fire-rating regulations - - through this Contingency Protocol, we are merely establishing a process by which staff is delegated the authority to use it as deemed appropriate.

STAFF RECOMMENDATION: Approval.

Chairwoman Izaguirre asked if the board had any questions

Mrs. Austin asked how will the city go about determining who has an infraction and who is going to be cited. She added how will the city approach this.

Ms. De Luna stated this are usually the violations are brought in by the code enforcement officers. She added we are trying to help the property owners without having to demolish structures. Normally they have to sign a hold harmless and pay a double permit fee.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the request. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:42 p.m.

Ended: 6:44 p.m.

Item # 2.0

Discussion and Action to Amend Section 110-375 'Parking for Certain Purposes' of Chapter 10 – Traffic and Vehicles, Article VIII, Division 1, of the City of Mission's Code of Ordinances, to Hereafter include the prohibition of parking private vehicles in public parking lot spaces for certain purposes. Prohibited parking by private vehicles on city-owned property includes, but not limited to, overnight, non-business hours or weekend parking.

This ordinance will address the complaints the City has received regarding vehicles parking on City owned parking lots for their own personal gain.

Chairwoman Izaguirre asked if the board had any questions

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

Started: 6:44 p.m.

Ended: 6:46 p.m.

Item #3.0

**Preliminary & Final
Plat Approval:**

Sharyland Business Park Subdivision Phase I

175.221 Acres out of Porcion 57

I-1

Developer: Cascade Real Estates Operating, LP.

Engineer: Melden and Hunt Inc.

Ms. De Luna went over the write-up stating that the proposed subdivision was located on the Northwest corner of Anzalduas Highway and F.M. 494 Road. The developer is proposing (15) Fifth teen Commercial Lots and (1) one Drain Ditch. — see plat for actual dimensions, square footages, and land uses.

WATER

The developer is proposing to connect from an existing 12" water line located along west side of Anzalduas Highway and from an existing 8" water line along Farm Market Road 494. With a

proposed 12" water line too and thru the subdivision to provide water services to each lot. There are (20) fire hydrants provided via direction of the Fire Marshal's office.

SEWER

The developer is proposing to connect from an 8" sewer line along the west side of Anzalduas Highway with an internal 12" sewer line system to provide sewer services to all the lots.

STREETS & STORM DRAINAGE

The proposed internal streets range from a 50ft back to back on a 70ft Right of Way and a 80' back to back on a 120ft Right of Way. The proposed drainage for this subdivision shall consist of surface runoff from the lots into the proposed streets and collected by (24) type "A" Inlets. Storm Pipes shall be 24" R.C.P. and discharge into a proposed detention drain ditch to be constructed in the center of the site, which will then discharge into an existing City of Mission drain ditch A-5. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

Water District Exclusion

RECOMMENDATION

Staff recommends approval subject to:

1. Provide Water District Exclusion
2. Comply with all other format findings.
3. Installation of Street Lighting as per City Standards

Chairwoman Izaguirre asked if the board had any questions

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to approve the request. Mrs. Deforest seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #5.0

ADJOURMENT

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to adjourn the meeting. Mr. Barrera seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:46 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission