

PLANNING AND ZONING COMMISSION
SEPTEMBER 18, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.

P&Z PRESENT

Diana Izaguirre
Steven Alaniz
Connie Garza
J.D Villarreal
Irene Thompson
Omar Guevara

P&Z ABSENT

Kevin Sanchez
Raquenel Austin

STAFF PRESENT

Susie De Luna
Alex Hernandez
Jessica Munoz
Elisa Zurita

GUEST PRESENT

Ernesto Gonzalez
Jorge Gonzalez
Julio c. Alaniz
Hector Enriquez
Roger de Leon

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:31 p.m.

DISCLOSURE OF CONFLICT OF INTEREST

There was none.

CITIZENS PARTICIPATION

There was none.

APPROVAL OF MINUTES FOR SEPTEMBER 4, 2024

Chairwoman Izaguirre asked if there were any corrections to the minutes for September 4, 2024. Ms. Garza moved to approve the minutes. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:32 p.m.

Ended: 5:51 p.m.

Item #1.1

Conditional Use Permit:

**The Cordelle Event Center
2402 Brock Street, Ste. C
Lot 20, Shary Business Center
(aka Shary Business Center Condos Unit 3)
C-3
Julio C. Alaniz**

Ms. De Luna went over the write-up stating the subject site is located approximately 130' east of Shary Road along the south side of Brock Street. The applicant is leasing a 2,156 sq. ft. suite within a multi-unit commercial plaza for a proposed event center. The applicant proposes to have small scale events such as birthday parties, gender reveals, reunions, seminars, etc. Access to the site will be provided via a driveway off of Shary Road and Brock Street.

- **Hours of Operation:** Sunday – Saturday from 8:00 a.m. to 12:00 a.m.
- **Staff:** 4 employees
- **Parking:** In viewing the floor plan, there is a total of 48 seating spaces, which require 16 parking spaces (48 seats/ 1 space for every 3 seats = 16 parking spaces). It is noted that the parking area is held in common (153 existing parking spaces) and are shared with other businesses. Staff notes that when this commercial plaza was built the parking requirements were based on the square footage and not on the actual use.

REVIEW COMMENTS: Staff mailed out 25 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request. Staff notes that there are 3 existing event centers within this commercial plaza. Based on the existing number of business in this plaza, there is not enough parking to accommodate the guests for the proposed event center.

RECOMMENDATION: Denial.

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. Villarreal moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Ms. Garza asked where the other event centers were located in the plaza.

Ms. De Luna stated they are located in the corners of the plaza.

Mr. Alaniz asked if that was all the parking.

Ms. De Luna stated yes, staff noticed a lot of the suites have been remodeled to allow several businesses in the suite. She added each business requires their own parking.

Chairwoman Izaguirre mentioned that the parking lot needed to be maintained by the business owners.

Ms. De Luna stated that notices were sent out on the maintenance of the parking.

Mrs. Thompson stated that the building looked like it was extended in the rear, where the employee parking was. She asked if the 153 includes the front and rear parking.

Ms. De Luna stated yes, it's a total 153 but currently only 97 parking spots were available, since some of the parking were enclosed.

Mrs. Thompson discussed the type of businesses in the plaza that are open during the weekdays.

Ms. De Luna stated that the parking was the main issue and not the businesses.

Chairwoman Izaguirre stated that the use, the parking and the hours of operation all are an issue for the plaza.

Mr. Julio Alaniz who resides at 2802 Fort Brown Avenue Edinburg, TX stated that the business will mostly operate during the day. He added that the hours he proposed were to be flexible with his customers. He mentioned that the events he was proposing to have were in the evening when other business are not opened.

Chairwoman Izaguirre asked if it was opening at 8am or 8pm.

Mr. Alaniz stated that the hours of operation he proposed were to be flexible with his customers.

E: Single Family Home/Junkyard
W: Single Family Home
S: Commercial
Site: Vacant

FLUM: Moderate Density Residential (MD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map nor surrounding land uses. Moderate Density Residential uses reflect townhomes, mobile homes, duplexes; zonings would include R-1T, R-2, and R-4. An R-3 zone requires a High Density Residential Designation. This category includes fourplexes, multi-family, mobile home and RV parks.

Based on the size of the property it would be difficult to comply with the R-3 and the Subdivision requirements. Staff mailed out 22 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write up, staff has not received any comments.

RECOMMENDATION: Staff recommends denial.

Note: This item was considered by P&Z on September 4, 2024 but was tabled to give the applicant the opportunity to provide a site plan of the proposed apartments. The plans attached were submitted as part of the building permit application no other plan has been submitted after the P&Z meeting.

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

Mr. Roger De Leon & Mr. Hector Enriquez presented the site plan to the board members.

Mr. Alaniz asked if it was a total of 8.

Mr. De Leon stated yes.

Mr. Alaniz asked what was the number of parking spaces required.

Ms. De Luna stated the code requires 2 parking spaces per unit. She added the site plan review showed 12, which it lacked 4.

Mrs. Thompson asked the applicant if he would consider doing 6 units instead of 8 units.

Mr. De Leon stated that he would need to discuss it with his client.

Chairwoman Izaguirre entertained a motion to close the public hearing. Ms. Thompson moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

The board discussed other options the applicant had.

Mrs. Thompson asked if it could be 2 story apartments.

Ms. De Luna stated yes, but require a site plan review.

Mrs. Thompson asked if Mr. Alaniz was the owner or tenant of the suite.

Mr. Alaniz stated he was the tenant.

Mrs. Thompson asked how long had he been leasing the suite.

Mr. Alaniz stated a month.

Mrs. Thompson asked if there was an enclosed area in the rear.

Mr. Alaniz stated that there was enclosed area but it belonged to the suite next door, but had access to the door that lead to the alley.

Mrs. Thompson asked if he could restore the parking spaces.

Mrs. Alaniz stated no, that he wasn't the property owner.

Mrs. Thompson asked if he visited the site during business hours to look at the parking situation.

Mr. Alaniz stated no.

The board discussed different options in regards to the hours of operation.

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

Started: 5:51 p.m.

Ended: 5:54 p.m.

Item #1.2

Conditional Use Permit:

**To have 3 Shipping Containers for
Office & Warehouse Use
1405 Business Park Drive
Being all of Lot 2, Re-plat of Lot 13,
Expressway Business Park Phase VIII
I-1
Arch Renati, LLC**

Ms. De Luna went over the write-up stating the site is located approximately 1,034' south of Trinity Street along the east side of Business Park Drive. The applicant would like to manufacture shipping container homes, also known as "tiny homes", to be used as affordable housing. This units will be built and shipped to different regions in Texas as well as other states. He would like a conditional use permit to move in (3) 40' x 8' shipping containers. One of the containers will be transformed as an office with 2 restrooms for use of the employees, and the other 2 will be used as warehouse space. He is also proposing to construct (2) 50' x 75' metal roofs to provide shade for the manufacturing of the tiny homes. If request is approved the project has been planned in two phases to allow time for company's progression. The first phase will consist of the office, warehouse, and a metal room. The second phase will consist of a warehouse and metal room. Access to the site will be off of Business Park Drive.

- **Hours of Operation:** Monday – Friday from 7:00 a.m. to 5:00 p.m.

- **Staff:** 15 employees
- **Parking:** In viewing the floor plan, there is a total of 15 parking spaces being proposed. Based on the square footage of the structures, there is a total of 6 parking spaces, exceeding code by 9. The applicant will have to comply with the landscaping requirements.

REVIEW COMMENTS: Staff mailed out 10 notices to property owners within 200' radius of the site, and as of this writing staff has not received any comments in favor or against the request. Staff notes that a similar CUP was approved for "Shed's by George" on January 8, 2014.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 year re-evaluation after obtaining the business license in order to assess this new business,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.),
- 3) Acquisition of a business license prior to occupancy, and
- 4) CUP not to be transferable to others

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 moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked the board if they had any questions for staff.

There were none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the Conditional Use Permit. Ms. Thompson seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre entertained a motion to un table item 1.3. Ms. Garza moved to un table item 1.3. Mr. Guevara seconded the motion. Upon a vote the motion passed.

Started: 5:54 p.m.

Ended: 6:11 p.m.

Item #1.3

Tabled

Rezoning:

**Lot 8, Block 5, Taurus Estates #9 Phase I
R-2 to R-3
Erika Padron**

Ms. De Luna went over the write-up stating the site is located approximately 147' North of Azalea Street along the West side of N. Inspiration Road.

SURROUNDING ZONES:

N:	R-2	- Duplex-Fourplex Residential
E:	R-1/AO-I	- Single Family Residential & Agricultural Open Interim
W:	R-1	- Single Family Residential
S:	C-2	- Neighborhood Commercial

EXISTING LAND USES:

N: Apartments

Mrs. Garza stated that the apartments would not align with the apartments that are located on the north side.

Chairwoman Izaguirre asked what was the lot size.

Ms. De Luna stated 136'x136'.

Mrs. Thompson asked if there was a way to fit more than 4 units on the lot.

Ms. De Luna stated 5 units can fit, but the applicant would need to reduce the footprint.

Ms. Thompson asked what was the parking requirements for one apartment.

Ms. De Luna stated the parking requirements for one unit was 2 parking spaces.

Chairwoman Izaguirre asked the board if they had any questions for staff.

There were none.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to deny the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:11 p.m.

Ended: 6:15 p.m.

Item #2.0

**Preliminary & Final
Plat Approval:**

Sonoma Ranch Subdivision Phase I

**A tract of land containing 22.84 acres of land,
being a part or portion of Lot 30-9,
R-1**

Developer: Jason E. Garza

Engineer: Javier Hinojosa Engineering

Mr. Hernandez went over the write-up stating this proposed subdivision is located along the east side of Mayberry Road approximately 1,320' north of Mile 2. — **see vicinity map**. The developer is proposing 108 Single Family Residential lots — see plat for actual dimensions, square footages, and land uses.

WATER

The developer is proposing to connect to an existing 8" water line located along the west R.O.W. of Mayberry Rd. and extend an 8" water line thru the subdivision providing a 1" water service to each lot. This line will be looped into the adjacent property SE of this site and all other ends with be prepped with 2" blow offs for future main extensions. There is a total of 10 proposed fire hydrants via direction of the Fire Marshal's office. — **see utility plan**

SEWER

The developer is proposing to connect to an existing 8" line along and within the R.O.W of Mayberry Road. A proposed 8" Sanitary Sewer line 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 \$21,600.00 (\$200 x 108 Lots).

STREETS & STORM DRAINAGE

The subdivision will have 2 accesses both from Mayberry Road, with all internal streets being 32' Back-to-Back within 50' Right of Ways. This phase will have 2 open end streets leading north for future expansion. Drainage shall be accomplished within this development with the placement of curb inlets to intercept drainage runoff. Pipe sizes shall range from 18" to 36" each discharging into proposed detention ponds along the western part of the subdivision. Each pond will be excavated as part of the construction of its phase. The detention pond in phase II will tie to an inlet in phase I with a choked 18" pipe. The phase I detention pond outfall will be along the east side of Mayberry Road extending south to and tie to an existing inlet approximately 170' north of Mile 2 North. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

- Water District Exclusion
- Assignment of Water Rights or payment of \$3000 per ac. ft.
- Escrow Park fees (108 Lots x \$500 = \$54,000.00)
- 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. Assignment of Water Rights or payment of fee

Chairwoman Izaguirre asked if there were any questions for staff.

Ms. Garza asked if the subdivision being presented had issues with the water and sewer.

Mr. Hernandez stated there were no concerns when the subdivision was last presented.

Chairwoman Izaguirre stated Ms. Garza question was about the offset on the water and sewer.

Mr. Hernandez stated that a water line was attached to an existing 8" line just south of the irrigation canal running north. The developer will be extending an 8" water line through the subdivision and the sewer line will also be connected to an existing 8" sewer line.

Mr. Javier Hinojosa stated there isn't an offset sewer; it will be connected to a adjacent line. There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the subdivision plat. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:11 p.m.

Ended: 6:15 p.m.

Item #2.1

Preliminary & Final

Plat Approval:

Sonoma Ranch Subdivision Phase II

**A tract of land containing 16.14 acres of land,
being a part or portion of Lot 30-9,
R-1**

Developer: Jason E. Garza

Engineer: Javier Hinojosa Engineering

Mr. Hernandez went over the write-up stating this proposed subdivision is located along the east side of Mayberry Road approximately 2,036' north of Mile 2. — **see vicinity map**. The developer is proposing 75 Single Family Residential lots — see plat for actual dimensions, square footages, and land uses.

WATER

The developer is proposing to connect to an existing 8" water line located along the west R.O.W. of Mayberry Rd. and extend an 8" water line thru the subdivision providing a 1" water service to each lot. This line will be looped into the newly installed water mains of phase I. There is a total of 6 proposed fire hydrants via direction of the Fire Marshal's office. – **see utility plan**

SEWER

The developer is proposing to connect to an existing 8" line along and within the R.O.W of Mayberry Road. A proposed 8" Sanitary Sewer line will run through the subdivision and collect from each lot through a 4" front and center stub out service. This line will connect to the newly installed system from phase I. The Capital Sewer Recovery Fee is required at \$200.00/Lot which equates to \$15,000.00 (\$200 x 75 Lots).

STREETS & STORM DRAINAGE

The subdivision will 1 main access from Mayberry Road, with all internal streets being 32' Back-to-Back within 50' Right of Ways. This phase will connect from 2 additional streets extending from phase I having access to phase I. Drainage shall be accomplished within this development with the placement of curb inlets to intercept drainage runoff. Pipe sizes shall range from 18" to 36" each discharging into proposed detention ponds along the western part of the subdivision. Each pond will be excavated as part of the construction of its phase. The detention pond in phase II will tie to an inlet in phase I with a choked 18" pipe. The phase I detention pond outfall will be along the east side of Mayberry Road extending south to and tie to an existing inlet approximately 170' north of Mile 2 North. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

- Water District Exclusion
- Assignment of Water Rights or payment of \$3000 per ac. ft.
- Escrow Park fees (75 Lots x \$500 = \$37,500.00)
- 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. Assignment of Water Rights or payment of fee

Chairwoman Izaguirre asked if there were any questions for staff.

Ms. Garza asked if an 8" waterline was able to service the subdivision.

Mr. Hernandez stated yes, an 8" waterline is the minimum size water line.


Chairwoman Izaguirre stated that an 8" was more than enough for single family residential subdivision.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Ms. Thompson moved to approve the subdivision plat. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#3.0

ADJOURNMENT

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Villarreal moved to adjourn the meeting. Mr. Guevara seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:16 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission