

**PLANNING AND ZONING COMMISSION
SEPTEMBER 22, 2021
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
Debra Alvarez
Raquenel Austin
Javier Barrera
Ruben Arcaute
Bealinda O.
Deforest

P&Z ABSENT

Hector Moreno
Jasen Hardison

STAFF PRESENT

Susana De Luna
Alex Hernandez
Irasema Dimas
Cynthia Gonzalez

GUESTS PRESENT

Cristian A. Ventura
Guillermo Romero
John Escamilla

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:30 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR SEPTEMBER 8, 2021

Chairwomen Izaguirre asked if there were any corrections to the minutes for September 8, 2021. Mr. Arcaute moved to approve the minutes as presented. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:30 p.m.

Ended: 5:31 p.m.

Item #1.1

Conditional Use Permit:

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

Ms. De Luna went over the write-up stating the 2,171 sq. ft. restaurant was located within a commercial plaza approximately 420' south of Griffin Parkway along the east side of Shary Road. The applicant is proposing to have karaoke every Thursday from 9 p.m. to 12 a.m.

- **Hours of Operation:** Monday – Sunday from 11:00 a.m. to 2:00 a.m. Alcoholic beverages will only be sold during allowable State selling hours.
- **Staff:** 10 employees

- **Parking:** In viewing the floor plan, there is a total of 110 seating spaces, which require 37 parking spaces (110 seats/ 1 space for every 3 seats = 36.6 parking spaces). It is noted that the parking area is held in common (153 existing parking spaces) and are shared with other businesses.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There are no residences, church, or school that fall within the 300'.

REVIEW COMMENTS: Since they are proposing to have music staff suggests that they install a sound buffer to prevent any noise concerns. As of this writing we have not had any calls or letters in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to CUP to be valid for a period of 2 years at which time the applicant will need to renew his CUP and TABC license.

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

Chairwoman Izaguirre asked the board if they had any questions.

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

Started: 5:31 p.m.

Ended: 5:33 p.m.

Item #1.2

Conditional Use Permit

Renewal:

Drive-Thru Service Window

- Kayala Coffee Company, LLC

2138 E. Griffin Parkway

Lot 20, Block 2, Springfiled Subdivision Ph. 1

C-3

Kayala Coffee Company, LLC

c/o Cristian A. Ventura

Ms. De Luna went over the write-up stating the subject site is located on the southwest corner of Helen Avenue and E. Griffin Parkway along the south side of Griffin Parkway. The applicant currently runs the small coffee shop within his Medical Supply Business. The site has an access point off of Helen Avenue. Drive-thru customers use the Helen Avenue access in order to utilize the drive-thru service window and exit either to parking lot or Helen Avenue. The location of the window allows enough stacking for at least 3 vehicles. The last CUP for this location was approved on August 10, 2020 for a period of 1 year. The applicant would like to renew his conditional use permit.

- **Days/hours of operation:** Monday – Sunday from 7:00 a.m. to 7:00 p.m.
- **Staff:** 2 employees
- **Parking:** It is noted that the parking area is held in common (76 existing parking spaces) and will be shared with other businesses.

RECOMMENDATION: Staff recommends approval subject to: 1) 3-year re-evaluation to continue to assess business, and 2) Must continue to comply with all Fire, Health, Building, and Sign Code requirements.

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

There was none.

Chairwoman Izaguirre asked the board if they 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: 5:33 p.m.

Ended: 5:35 p.m.

Item #1.3

Conditional Use Permit

Renewal:

Sale & On-Site Consumption of Alcoholic

Beverages – Extreme Pizza

608 N. Shary Road, Units 4 & 5

Lot 1, Alba Plaza Subdivision

C-3

Argos Foods, LLC

Ms. De Luna went over the write-up stating the subject site is located ¼ mile south of East Business Highway 83 within a commercial plaza along the east side of Shary Road. Extreme Pizza is a family-oriented restaurant that sells pizza, chicken wings, sandwiches, salads, and desserts. They also offer alcoholic beverages with their meals. The last CUP for the sale & on-site consumption of alcohol at this location was approved on September 9, 2019 for a period of 2 years. The applicant would like to renew his conditional use permit.

- **Hours of operation:** Monday through Sunday from 11a.m. to 11p.m.
- **Employees:** 12 to 13 employees, 3 to 5 per shift
- **Parking:** Parking is held in common and is meeting code at this commercial plaza.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within this radius; P&Z and City Council waived this separation requirement in the CUP's previous approval.

REVIEW COMMENTS: The restaurant has been in operation for the past 2 years with no complaints. The hours of operation are consistent with other family restaurant in the area. A total of 25 notices were mailed out to property owners within 200' of the pizzeria. As of the time of this writing, staff had not received any calls in favor or against the CUP request. Staff does not object to allowing the sale of alcohol at this location.

RECOMMENDATION

Staff recommends approval subject to: 1) CUP to be valid for a period of 2 years at which time the applicant will need to new his CUP and TABC license, and 2) Waiver of the 300' separation requirement from residential neighborhoods.

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

There was none.

Chairwoman Izaguirre asked the board if they had any questions.

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

Started: 5:35 p.m.

Ended: 5:37 p.m.

Item #1.4

Conditional Use Permit

Renewal:

Sale & On-Site Consumption of Alcoholic

Beverages – Cristobal's Bar & Grill

515 N. Conway Avenue

Lot 10, Block 92, Mission Original Townsite

C-3

Cristobals's Bar & Grill

C/O John Escamilla

Ms. De Luna went over the write-up stating the 1,394 sq. ft. restaurant is located along the west side of Conway between 5th and 6th Street. The applicant fenced in a 1,425 sq. ft. area along the south side of the building to add to the existing outdoor patio area. Access to the site can be from Conway or from the alley where there is a paved parking area. The applicant operates a bar and grill which offers alcohol with his meals. The last CUP for the sale & on-site consumption of alcohol at this location was approved on September 9, 2019 for a period of 2 years. The applicant would like to renew his conditional use permit.

- **Hours of Operation:** Monday from 5:00 p.m. to 11:00 p.m. Tuesday & Wednesday is closed, Thursday – Sunday from 12:00 p.m. to 11:00 p.m.
- **Staff:** 5
- **Parking:** In viewing the floor plan, there are 45 total seating spaces in the indoor area and 11 seating spaces for the outdoor patio area. Although they have a paved parking area off the rear alley, this falls within the central business district so the parking requirements are waived.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be 300' from residential and institutional (church) areas. There are residential homes directly behind the alley that fall within the 300'. Guadalupe Catholic Church is outside the 300-foot radius since measurement is taken from front door to front door; P&Z and City Council waived this separation requirement in the CUP's previous approval.

REVIEW COMMENTS: The restaurant has been in operation for the past 2 years with no complaints. The hours of operation are consistent with other family restaurants. We have approved similar CUP's along Conway without any issues just north at El Rodeo Restaurant. As of the time of this writing, staff had not received any calls in favor or against the CUP request.

RECOMMENDATION: Staff recommends approval subject to: 1) CUP to be valid for a period of 2 years at which time the applicant will need to new his CUP and TABC license, and 2) Waiver of the 300' separation requirement from residential neighborhoods.

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

There was none.

Chairwoman Izaguirre asked the board if they had any questions.

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

ITEM #3.0

ADJOURNMENT

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 5:37 p.m.

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

Diana Izaguirre, Chairwoman
Planning and Zoning Commission