

PLANNING AND ZONING COMMISSION
MAY 24, 2017
CITY HALL'S COUNCIL CHAMBERS @ 5:00 P.M.

P&Z PRESENT

Ned Sheats
John Guerra
Carlos Lopez
Jaime Gutierrez
Julio Cerda
Marisela Marin

P&Z ABSENT

Diana Izaguirre

STAFF PRESENT

Jaime Acevedo
Virgil Gonzalez
Susana De Luna

GUESTS PRESENT

Bryan Burger
Eliecer Uresti
Victor Treviño
Monica Marin

CALL TO ORDER

Chairman Ned Sheats called the meeting to order at 5:00 p.m.

CITIZENS PARTICIPATION

Chairman Sheats asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR MAY 10, 2017

Chairman Sheats asked if there were any corrections to the minutes for May 10, 2017. Dr. John Guerra moved to approve the minutes as presented. Mr. Jaime Gutierrez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:00 p.m.

Ended: 5:08 p.m.

Item #1.1

Conditional Use Permit:

**To allow for a Multi-Lane Drive-Thru
Ordering Station – Chick-fil-A Restaurant
2501 E. Expressway 83
Lot 8, Block A, Shary-Taylor Expressway
Commercial Subdivision
C-4
Chick-fil-A**

Mr. Jaime Acevedo went over the write-up stating that the site of Chick-fil-A is located 1500' east of Shary Road on the north side of Expressway 83. The applicant currently utilizes 4,227 sq. ft. building area with a *drive-thru window* along the west side of the building and a menu board on the north side of the building. The proposed ordering station would expand the ordering process to 2 lanes. The applicants wish to eliminate the current parking spaces along the east side of the buildings to create an extra 12.5' lane which would merge with the existing lane further north. The 153 linear foot addition would allow stacking of approximately 5 extra vehicles in order to relieve congestion around the shopping center entrance on W. Frontage Road.

- **Days / Hours of Operation:** Monday – Saturday from 6:30a.m. to 11:00p.m., closed Sundays.
- **Staff:** 90 employees
- **Parking and landscaping:** The number of parking spaces required for a building of this size is 58. The proposal eliminates 8 spaces with the additional ordering station. The applicant will have 48 parking spaces plus the 15 additional spaces the drive-thru will provide in vehicle stacking which equates to a total of 63 parking spaces, exceeding code. There are also parking spaces provided in cross parking with the shopping center. The site is also in compliance with the landscaping code. Mr. Acevedo added that one of the managers has informed staff that the designed as worked well in other areas and it also improves the efficiency of the drive-thru service by 25% just by installing the second lane.

RECOMMENDATION: Approval for life use.

Chairman Sheats asked if there were any comments in favor or against the request.

There were no comments.

Mr. Cerda stated that he was very pleased with the request because he has seen it in other cities and it has worked well.

Dr. Guerra asked what was going to happen with the handicap parking spaces.

Mr. Acevedo stated that those parking spaces were going to be relocated based on the site plan provided by the engineering company so they will not be losing any handicap parking spaces.

Chairman Sheats asked if there was a specific location where they needed to be placed because normally they have them in front of the main entrance.

Mr. Acevedo stated that this was the way they were typically situated but there was really nothing that specified that they needed to be placed there.

Mr. Bryan Berger who is with Berger Engineering out of Dallas, Texas stated that they were requesting to add a multi-lane drive-thru for this location in addition to the exterior remodeling they will be doing interior remodeling as well. He added that they will be adding a dual line kitchen to help increase the speed of service. Mr. Berger stated that back 20 years ago Chick-fil-A was required to have those parking stalls along the main building this was before they were as successful as they are now. He added that now those parking spaces are useless because even if you get to park there you have a hard time getting out because the drive-thru line is backed up. Mr. Berger stated that they were proposing to relocate those parking spaces just across the drive aisle and creating a new accessible path over to that front door to increase the speed of service and provide their customers a better dining experience.

Chairman Sheats mentioned his concern for the proposed new location for the parking spaces and asked if they were ADA compliant.

Mr. Berger stated that this would be the most suitable location for those parking spaces and they were ADA compliant.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Carlos Lopez moved to approve the conditional use permit as per staff's recommendation. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:08 p.m.

Ended: 5:26 p.m.

Item #1.2

Conditional Use Permit:

Drive-Thru Service Window

- La Curva Taqueria

2575 E. Griffin Parkway, Ste. 12

Lot 1, Tres Picos Ph. I Subdivision

C-3

Eliecer Uresti/La Curva Taqueria, LLC

Mr. Jaime Acevedo went over the write-up stating that the subject site is located approximately 700' west of Taylor Road on the north side of E. Griffin Parkway (F.M. 495). The drive-thru windows are on the east side of the building, traffic must travel into one of the two 24' drives via Harmony Lane then proceed to the eastern side of the building where they would then turn north and proceed along the eastern side of the building to the drive-thru windows. The first window is used to place and pay for your order and the second window further north is used to pick up your order. The drive-thru window locations allow stacking for approximately 4 vehicles. Exiting is done by continuing northbound along the eastern most side of the building followed by a partial 'wrap around' effect exiting westbound along the northern side of the building to a third 24' drive at the NW corner of the property back onto Harmony Lane. On January 25, 2016, a CUP was approved for the use of the drive-thru window subject to compliance with Building, Fire, and Health Codes and the installation of 2 speed bumps on the path of exit. The owner was not instructed where to install the speed bumps until last May 17, 2017. A proposal for 1 speed bump was submitted by the developer/owner of this commercial plaza. All other requirements have been met.

- **Hours of Operation:** Monday - Sunday from 7 a.m. to 12 p.m.
- **Staff:** 4-7 Employees
- **Parking:** The 1,400 sq. ft. building has a total of 44 seating spaces for the restaurant. A total of 19 parking spaces are required for this site (1,400 sq. ft./75sq.ft.=18.7 parking spaces). It is noted that a total of 150 parking spaces are held in common within the commercial development.
- Landscaping is existing at this commercial plaza and meets code.

RECOMMENDATION: Approved for 3 years to continue to access this operation.

Chairman Sheats asked if there were any comments in favor or against the request.

There were no comments.

A brief discussion continued amongst the Board Members and staff regarding if the City should be telling the applicant the specific location for the required speed bump. They concluded by agreeing that the only speed bump should be right after the drive-thru before the sidewalks at the end of the building.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Julio Cerda moved to approve the conditional use permit as per staff's recommendation. Mr. Jaime Gutierrez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:26 p.m.

Ended: 5:30 p.m.

Item #1.3

**Conditional Use Permit: To keep a Portable Building for Sales
Office Use – Toexsa, LLC
1517 E. Expressway 83
Lot 3, Henry Saenz Subdivision
C-4
Precru Group**

Mr. Jaime Acevedo went over the write-up stating that the site is located 1700' east of Bryan Road along the north side of Expressway 83. This site is currently being used as a semi-tractor sales lot. There are two existing portable buildings on the site where 1 is used for a sales office and the other is used as a break/lounge area for the workers. The applicant wishes to keep the 16' x 60' portable building being used as a sales office. The applicant has a setback of 138' from the property line that allows the front area to be utilized for commercial vehicle display and customer parking. Access to the site is off of Expressway 83. Previously, on July 28, 2014, a CUP was issued for the previous owners Global Business Professionals. PECRU is the new operator at this location.

- **Hours of Operation:** Monday – Friday from 9 a.m. to 6 p.m., Saturday from 9 a.m. to 2 p.m.
- **Staff:** 5 employees
- **Parking:** A business office of this size requires a minimum of 5 parking spaces. The applicant is providing 11 total spaces, thus compliant with code.
- **Landscaping:** There is a lot of existing pavement currently on the lot. Prior operators installed some green areas with trees and shrubs within the interior of the site.
- Must comply with all City Codes (Building and Fire) prior to obtaining a business license.

REVIEW COMMENTS: It is not uncommon to have a portable sales office for this type of business. The setback allows several semi-tractors along the front of the lot which screens the portable building. Staff knows that having a portable sales office along Expressway 83 may not be a long term desire of the City when considering aesthetics along a major corridor. Thus, perpetual (CUP) monitoring will be the norm where, one day the portable will need to be upgraded with an on-site built structure.

RECOMMENDATION: Staff recommends approval for 1 year subject to:

1. Must comply with all City Codes (inclusive of Building and Fire).

Chairman Sheats asked if there were any comments in favor or against the request.

There were no comments.

There being no discussion, Chairman Sheats entertained a motion. Mr. Julio Cerda moved to approve the conditional use permit as presented. Dr. John Guerra seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Cerda stepped out of the meeting since his engineering company was representing the next two items.

Started: 5:30 p.m.

Ended: 5:37 p.m.

Item #2.0

Pre-Final Plat Approval:

**Camino De Abram Subdivision
A 62.28 acre tract of land situated in
Nicholas Zamora Survey, A-76, Porcion 48
Rural ETJ
Developer: Everman Development, Inc.
Engineer: South Texas Infrastructure Group**

Mr. Jaime Acevedo went over the write-up stating that the proposed subdivision is located ½ mile north of 3 Mile Road between Abram Road and Brushline Road. The developer is proposing 81 Single Family Residential lots all exceeding area requirements.

WATER: The water CCN belongs to Agua Special Utility District (AGUA SUD). The developer is proposing to extend an 8" water line from 3 Mile Road north along the east side of Abram Road then looping that 8" line at the NE corner of the proposed subdivision where AGUA SUD has an existing 8" line. This new 8" water line will service the subdivision. Fire hydrants will be installed per the Fire Marshal's direction or money escrowed.

SEWER: Sanitary sewer service for this subdivision will be addressed by individual on-site sewage facilities (OSSF) of a standard design septic tank and drain field on each lot. Each lot exceeds the County's typical ½ acre standard where septic tanks are

permitted. This area is not within the City of Mission's Sewer CCN. (NOTE: Mission sewer is 2 miles away).

STREETS & STORM DRAINAGE: The subdivision has frontage to Abram Road a paved county road with a proposed 120' of ROW. The developer is dedicating 42' of additional ROW along Abram Road to meet his 60' from centerline requirement. The internal lots will be fronting a 50' ROW 32' B/B paved street built to the County's construction specifications. Drainage for the subdivision is proposed through the use of 24" and 36" drainage lines located within the proposed streets that will flow into an outfall located in Lots 30, 31, 32, 33, and 34, of Block 1, Texan Garden Subdivision. Additionally, a total of 6.43 acres are being donated by the owners of the Rancho el Potrero Subdivision and Camino de Abram Subdivision to the Drainage District No. 1 for drainage detention purposes.

RECOMMENDATION: Staff recommends approval subject to meeting the Model Subdivision Rules and complying with all format findings.

Chairman Sheats asked what was the lateral for running through some lots.

Mr. Victor Treviño who is with South Texas Infrastructure stated that it was an irrigation district easement that would be sold to the developer and the developer would be in charge of relocating those lines if there was a need for it.

There being no further discussion, Chairman Sheats entertained a motion. Mrs. Marisela Marin moved to approve the subdivision plat as per staff's recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:37 p.m.

Ended: 5:45 p.m.

Item #3.0

Pre-Final Plat Approval:

Rancho El Potrero Subdivision

A 50.00 acre tract of land, being all out of

Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6, out of

Block 1, Texas Gardens Subdivision

Rural ETJ

Developer: Pena Chapa Development, LLC

Engineer: South Texas Infrastructure Group

Mr. Jaime Acevedo went over the write-up stating that the proposed subdivision is located near the NE corner of Western Road and 3 Mile Road. The developer is proposing 74 Single Family Residential lots all exceeding area requirements.

WATER: The water CCN belongs to Agua Special Utility District (AGUA SUD). The developer is proposing to connect to an existing 8" water line that runs along the east side of Western Road. The developer will tap into this existing 8" water line at two locations and provide an internal 8" water line system will service the subdivision. Fire hydrants will be installed per the Fire Marshal's direction or money escrowed.

SEWER: Sanitary sewer service for this subdivision will be addressed by individual on-site sewage facilities (OSSF) of a standard design septic tank and drain field on each lot. Each lot exceeds the County's typical ½ acre standard where septic tanks are permitted. This area is not within the City of Mission's Sewer CCN. (NOTE: Mission sewer is 2 miles away).

STREETS & STORM DRAINAGE: The subdivision has frontage to Western Road a paved county road with a proposed 100' of ROW. The developer is dedicating 20' of additional ROW along Western Road to meet his 50' from centerline requirement. The internal lots will be fronting a 50' ROW 32' B/B paved street built to the County's construction specifications. Drainage for the subdivision is proposed through the use of 24" drainage lines located within the proposed streets that will flow into an outfall located in Lots 30, 31, 32, 33, and 34, of Block 1, Texan Garden Subdivision. Additionally, a total of 6.43 acres are being donated by the owners of the Rancho el Potrero Subdivision and Camino de Abram Subdivision to the Drainage District No. 1 for drainage detention purposes.

RECOMMENDATION: Staff recommends approval subject to meeting the Model Subdivision Rules and complying with all format findings.

Chairman Sheats asked if there were any comments from the Board.

There were no comments.

There being no discussion, Chairman Sheats entertained a motion. Mr. Carlos Lopez moved to approve the subdivision plat as per staff's recommendation. Dr. John Guerra seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #4.0
OTHER BUSINESS**

**ITEM #5.0
ADJOURNMENT**

There being no further items for discussion, Dr. John Guerra moved to adjourn the meeting. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:46 p.m.

Ned Sheats, Chairman
Planning and Zoning Commission