

**PLANNING AND ZONING COMMISSION  
FEBRUARY 12, 2020  
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

**P&Z PRESENT**

Javier Barrera  
Raquenel Austin  
Diana Izaguirre  
Ruben Arcaute  
Debra Alvarez  
Hector Moreno  
Jasen Hardisen

**P&Z ABSENT**

**STAFF PRESENT**

Jaime Acevedo  
Jessica Munoz  
Joel Chapa  
Jesus Galicia  
David Flores

**GUESTS PRESENT**

Richard Sanchez  
Kyle Elliott  
Gloria De Leon  
Christopher Fuentes  
Belinda Fuentes  
Damian Soliz  
Janie Cantu  
Lupe Cantu  
J. Alaniz

**CALL TO ORDER**

Chairwoman Diana Izaguirre called the meeting to order at 5:34 p.m.

**CITIZENS PARTICIPATION**

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

There was none.

**APPROVAL OF MINUTES FOR JANUARY 22, 2019**

Chairwoman asked if there were any corrections to the minutes for January 22, 2019. Mr. Ruben Arcaute moved to approve the minutes as presented. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 5:40 p.m.**

**Item #1.1**

**Rezoning:**

**A tract of land being the North 26.0 acres,  
more or less, of the South 32.0 acres of the  
North 96.0 acres of a certain 203.8 acres tract  
of land known as the Fernandez Strip out of  
Porcion 52 Subdivision  
PUD to AO-I  
APC Towers, LLC**

Mr. Acevedo went over the write-up stating that this site is located near at the SW corner of Inspiration Road and Mile 1 South.

**SURROUNDING ZONES:** N: AO-I & C-3 Agricultural Open Interim and  
General Commercial  
E: PUD Planned Unit Development  
W: PUD Planned Unit Development  
S: PUD Planned Unit Development

**EXISTING LAND USES:** N: Commercial  
E: Residential  
W: Agriculture  
S: Agriculture

**FLUM:** The Future Land Use Map reflects a Low Density Residential

This request is within the Future Land Use designation of Low Density Residential. The applicant would like this property rezoned because it is not part of the Mike Rhodes or Meadow Creed PUD and he would also like to install a telecommunications tower on the agricultural property.

**RECOMMENDATION:** Approval.

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

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Raquene Austin moved to approve the Request as per staff's recommendation. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:40 p.m.**

**Ended: 5:50 p.m.**

**Item #1.2**

**Conditional Use Permit: The construction of a New 120' Monopole Cellular Phone Tower on property zoned AO-I (Agricultural Open Interim) 716 S. Inspiration Road A tract of land being the North 26.0 acres, more or less, of the South 32.0 acres of the North 96.0 acres of a certain 203.8 acres tract of land known as the Fernandez Strip out of Porcion 52 Subdivision PUD (AO-I proposed) APC Towers, LLC**

Mr. Acevedo went over the write-up stating that this site is located at the SW corner of Inspiration Road and Mile 1 South. The applicant is proposing to construct a 40' x 40' pad site at the SW corner of the 26-acre site. The site is currently vacant but does abut

Meadow Creek to the east and a commercial store to the north. However, it is noted that the site is nearly 600' from Inspiration Road and over 1000' from Mile One South. Access to the site is provided through a proposed 40' access easement off of Inspiration Road. T-Mobile Wireless is proposing to lease a 40' x 40' (1,600 sq. ft.) area to install a 120' monopole in order to provide better wireless service to its customers. The area will be fenced in and have an access easement to the site from Inspiration Road to the lease area. An equipment shelter with diesel generator is proposed within the lease area as well.

Since the tower is in a highly visible area this installation of an opaque fence should be imposed to buffer the site. This is something that has been requested from other similar requests.

**RECOMMENDATION:** Staff recommends approval of the CUP for life of use subject to: 1) Must install an 8' opaque fence around the lease area; 2) Must allow for co-location by others; and 3) The CUP shall not be transferable to others.

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

Mrs. Amanda Babineaux, addressed the board with concerns and questions, Mrs. Babineaux stated my concern is health and proximity issues, what is the possibility of it falling over.

Chairwoman Izaguirre stated we've approved several within our city and we've never had any problems.

Mrs. Amanda Babineaux asked are you doing anything to the road that currently takes us to our house.

Jaime Acevedo stated "no", what is being proposed is a caliche road for the cell phone providers to have access to the property.

Mrs. Amanda Babineaux asked will the tower benefit our property?

Jaime Acevedo stated that question is more for the appraisal district.

Representing the applicant, Kyle Elliott stated in reference to the first question asked, each tower is designed to withstand 120-mile winds, also designed to collapse on their own and not straight over.

Mrs. Amanda Babineaux asked what if it's more than 120-mile winds?

Mr. Kyle Elliott stated it can still withstand winds above 120-mile winds, but if it did fail, its designed to collapse straight down in sections and not straight over at the base.

Mr. Kyle Elliott mentioned the other question about the road, a small portion is within the property line so what we will do is widen it to make sure we have 12' on our site of the property line for our new gravel road. Mr. Elliott mentioned there's a culvert on the road that we will extend about 6' to 8' for the new black top entrance.

Mrs. Amanda Babineaux mentioned you won't be asking for any easements from us.

Mr. Kyle Elliott replied "no", everything will be contained within our property.

Mr. Johnny Babineaux asked is that agricultural land going to be developed?

Mr. Jaime Acevedo mentioned when it gets developed in the future, it's going to require a public hearing, you will get notified once the property does get developed. Mr. Acevedo mentioned is there any way we can move this tower 40' or 50' north?

Mr. Kyle Elliott replied this was the landlords preferred location, it's already offset from the property about 40' to 50' and the tower is an additional 20' inside the compound.

Mr. Amanda Babineaux asked is it going to affect any antennas or any signals that we get?

Mr. Kyle Elliott replied SCC has documentation about any health concerns of cell phone towers, Mr. Kyle Elliott mentioned your microwave puts out more harmful signals than the actual antenna itself.

Mrs. Amanda Babineaux stated my question was more about tv channels, if we are getting more tv channels via antenna?

Mr. Kyle Elliott replied that's a different signal.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Ruben Arcaute moved to approve the Conditional Use Permit as per staff's recommendation. Mrs. Raquene Austin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:50 p.m.**

**Ended: 6:05 p.m.**

**Item #1.3**

**Conditional Use Permit:                      Drive-Thru Service Window  
1712 W. Griffin Parkway  
Lot 22, Block 4, Oakwood Estates #2  
C-3  
Mario E. Cepeda**

Mr. Acevedo went over the write-up stating that this site is located approximately 64' west of Kristi Lane along the north side of Griffin Parkway. The applicant is in the

process of purchasing the Snow-Cone Stand from the current owner. Staff has received written consent from the current owner for the CUP process while the transfer and sale are ongoing. Mr. Cepeda is requesting a CUP for a stand with two drive-thru service windows which has been in operation at this location since 2013. Access to the site is provided off of Griffin Parkway with a 24' driveway.

- **Hours of Operation:** Every day from 11:00 am to midnight
- **Staff:** 2-3 employees during any given shift
- **Parking:** The building measures approx. 830 sq.ft. The number of parking spaces required for this size building is 5. The applicant is providing 4 spaces along the front and 2 parallel spaces located on the west side of the lot. There is also stacking for approximately 4 cars when placing orders.
- **Landscaping and Buffering:** The applicant has two shade trees along the front of the lot. There is also 3' continuous landscape hedges and a tall cedar fence to provide a buffer from the commercial and residential uses.

The applicant is aware of the recent issues that this location has had. Prior complaints received by Staff at this location was that customers using the drive thru windows will idle waiting for their orders with loud exhaust mufflers and loud music playing from their vehicles. To address this issue, the new applicant is proposing a security officer in place during the evening hours. Staff does not object with allowing the use of the drive-thru window with the additional safeguards. One call was received not in favor or against but a nearby resident just wanted to know the plans of the new operator. She liked the idea of having the security on site but felt that there is nothing that can really be done for loud engines or mufflers.

**RECOMMENDATION:** Denial of hours until midnight. Perhaps an approval for 11:00 pm and if after 90 days there are no issues, consider extending until midnight.

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

Mr. Mario Cepeda was available to answer any questions the board might have.

Mrs. Janie Cantu addressed the board and in opposition, Mrs. Janie Cantu mentioned if Mr. Cepeda purchased this place already, well he's doing a bad job. Just this Sunday there was loud music, partying, screaming, and loud vehicles.

Chairwoman Izaguirre asked do you live to the east or west of the empty property?

Mrs. Janie Cantu replied I live to the west of the empty property, Mrs. Janie Cantu mentioned if he brings a security, he might be able to control the loud music, but the loud engines or mufflers, no one can control that.

Mr. Mario Cepeda addressed the board he stated he was in the process of buying this property.

Chairwoman Izaguirre asked so you're not operating it?

Mr. Mario Cepeda replied “no” its still the same owner. Mr. Mario Cepeda added I’m trying to get a security guard, so when there’s someone with loud mufflers or loud music my security can address it.

Chairwoman Izaguirre asked would you consider putting a block wall?

Mr. Mario Cepeda replied “yes” I was considering that.

Chairwoman Izaguirre mentioned a masonry wall would really help.

Chairwoman Izaguirre asked will you be closing at 10:00 pm?

Mr. Mario Cepeda replied I requested till 12:00 pm, and try to control everyone with my security.

Chairwoman Izaguirre asked will you be willing to close at 10:00 pm during the week?

Mrs. Debra Alvarez mentioned and maybe 11:00 pm, Fridays and Saturday.

Mr. Jasen Hardisen stated how about we do 10:30 pm for 90 days, and if there’s no complaints from the neighbors we will make an adjustment.

Chairwoman Izaguirre asked is that ok with your Mr. Cepeda, with 10:30 pm during the week?

Mr. Mario Cepeda replied I need to talk to my family about this, it usually gets packed after 10:30 pm.

Mrs. Debra Alvarez stated even during the week.

Jaime Acevedo replied you will be surprised, especially in the summer with the kids being out of school.

Mr. Mario Cepeda mentioned I go to the gym at 10:45 pm, and come back at 12:00 am and its packed. But I understand Mrs. Cantu about the loud noise, I will try to control it with my security.

Javier Barrera mentioned I don’t think we should punish him for someone else’s wrong doing.

Mrs. Janie Cantu stated who can I address it to, that there still open late every day?

Chairwoman Izaguirre mentioned what you can do is call the police department.

Mr. Jaime Acevedo stated P.D. has been issuing citations, he has pending violations with the city.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Debra Alvarez moved to approve the Conditional Use Permit for 11:00 pm, and if after 90 days there are no issues, consider extending hours. Mr. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:05 p.m.**

**Ended: 6:07 p.m.**

**Item #1.4**

**Conditional Use Permit  
Renewal:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Wingstop Restaurant  
1801 N. Conway Avenue, Suite F  
Lot 1, Enrique Mery Subdivision  
C-3  
Gabriela’s Heavenly Wings II, LLC**

Mr. Acevedo went over the write-up stating that this site is located within a commercial plaza in the NW area of 18<sup>th</sup> St. and Conway - see vicinity map & site plan. This CUP was most recently approved by P&Z on 12-13-17 for a period of 2 year. The existing restaurant offers chicken wings as well as other side foods. The family-oriented restaurant is requesting to keep their CUP to offer beer on its menu.

- **Hours of Operation:** Everyday from 11:00a.m. to 12:00a.m.
- **Staff:** 13-17 employees
- **Parking:** There are 50 total seating spaces, which require 17 parking spaces (50 seats/1 space for every 3 seats = 16.6 parking spaces). It is noted that the parking area is held in common (66 existing parking spaces) with other smaller suites and staff has not received any complaints regarding the parking at this plaza.
- **Landscaping:** There is some existing landscaping along Conway Blvd. and the applicant had recently made significant improvements to the building and the overall site.
- **Sale of Alcohol:** Chapter 6 of the Mission Code of Ordinances states that alcohol cannot be sold within 300’ of a church, school, or hospital. There are no such uses within 300’ of the Wing Stop. Staff has asked Mission PD for a report of incidents in regards to the sale of alcohol.

Wing Stop is a family-oriented restaurant that successfully acclimates well to this commercial location and Staff has not received any complaints in regards to this business.

**RECOMMENDATION:** Staff recommends approval of this CUP for a period of 4 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.

Their being none

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

**Started: 6:07 p.m.**

**Ended: 6:09 p.m.**

**Item #1.5**

**Conditional Use Permit  
Renewal:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Sr. Mostacho  
1522 E. Expressway 83, Suites 108 & 109  
Lots 3 & 4, Stewart Plaza Ph. I Subdivision  
C-3  
Sr. Mostacho, LLC**

Mr. Acevedo went over the write-up stating that this site is located on the SW corner of Stewart Rd. and Expressway 83. There is a commercial plaza located on the site which has an existing 1,400 sq.ft. restaurant with the sale and on-site consumption of alcohol. Access to the site is provided from a 38' driveway off of Expressway 83. This CUP was initially approved by the City Council on January 8, 2019. The restaurant offers a variety of Tex/Mex foods on its menu and it also has a bar component. A "bar" component within a restaurant requires compliance of Sec. 1.56 (3a.) of the Zoning Code which 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 10:00p.m.) must be at least 300 feet from the nearest residence, church, school or publicly owned property...". There are some residences within 300 feet.

- **Hours of Operation:** Monday – Sunday – 11:00 a.m. to 2:00a.m.
- **Staff:** 20 employees
- **Parking:** It is noted that the parking area is held in common (219 existing parking spaces) and is shared with other businesses.
- **Sec. 6-4:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of a church, public or private school, or public hospital. There are none of these land uses within the above radius (measured *door to door* for church or hospital; measured *lot line to lot line* for schools.)

This restaurant has been in operation since early 2018 without any major issues at this location. Notices were sent out to residents within 200' and Staff has not received any calls or letters in opposition.

**RECOMMENDATION:** Staff recommends approval subject to: a 4-year re-evaluation, waiver of the 300' separation requirement, and continued compliance with all Building, Fire, & Health Codes.



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

Their being none

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

**Started: 6:09 p.m.**

**Ended: 6:11 p.m.**

**Item #1.6**

**Conditional Use Permit  
Renewal:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Marco's Burgers & More  
2507 & 2509 E. Griffin Parkway  
Lots 3 & 4, Block 2 Tierra Grande  
Commercial Plaza Subdivision  
C-3  
CGS Enterprises, LLC**

Mr. Acevedo went over the write-up stating that this site is located near the NE corner of E. Griffin Parkway (F.M. 495) and Tierra Drive—see vicinity map. The applicant desires a CUP renewal to continue the Sale and On-Site Consumption of Alcohol at his restaurant. The existing restaurant offers a variety of made to order burgers as well as other TexMex dishes. The restaurant currently has beer and wine on its menu.

- **Hours of Operation:** The days and hours of operation are from Monday through Thursday from 11:00 am to 9:00 pm, Friday and Saturday from 11:00 am to 10:00 pm, and Sunday from 11:00 am to 3:00 pm.
- **Staff:** 6 employees
- **Parking & Landscaping:** There are 120 seating spaces in the dining area and 7 seating spaces proposed in the bar area for a total of 127 seating spaces for the restaurant. One parking space for every three seats; or one space for every 75 square feet of floor area, whichever is greater, is required by code. It is noted that a total of 81 parking spaces are held in common at this section of Tierra Grande Commercial Plaza meeting code. Landscaping is also meeting City code.

Marcos Burgers has been operating at this location since 2012 without any issues. A total of 31 notices were mailed to property owners within a 200' radius of the site and as of this write-up, no comments in favor or against this request have been forwarded to the Planning Department.

**RECOMMENDATION:** Staff recommends approval for a period of 4 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.

Their being none

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

**Started: 6:11 p.m.**

**Ended: 6:13 p.m.**

**Item #1.7**

**Conditional Use Permit**

**Renewal:**

**Drive-Thru Service Window -**

**Brick Fire Pizza & More**

**704 E. Griffin Parkway, Suite 130**

**Being a 1.24-acre portion, more or less**

**out of Lot 24-8, West Addition to Sharyland**

**C-3**

**Brick Fire Pizza & More, LLC**

Mr. Acevedo went over the write-up stating that this site is located within a commercial plaza between Mayberry Avenue and Augusta along the south side of E. Griffin Parkway. The applicant is requesting renewal of a CUP for a drive-thru service window at the existing pizzeria. This establishment has been in existence for 2 years now and would like to continue to offer customers the option to pick up orders via a drive-thru. Drive-thru access would be from wrapping around the south side of the building and driving along the east side back of restaurant and then back out to the front driveway.

- **Hours of Operation:** Sunday through Thursday from 11:00 AM to 10:00 PM, and Friday through Saturday from 11:00 AM to 12:00 AM.
- **Staff:** 5 Employees during a shift
- **Parking:** The applicant is proposing 68 total seating spaces, which requires 23 parking spaces (68 seats/1 space for every 3 seats = 23 parking spaces). It is noted that the parking area is held in common (70 existing parking spaces) with **existing adult day** care.
- Landscaping is existing at this commercial plaza.
- Must continue to comply with Fire and Health Codes.

Staff mailed 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 calls or written complaints on the proposed conditional use permit.

**RECOMMENDATION:** Approval for life of use subject to CUP not being transferable to others.

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

Their being none

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

**Started: 6:13 p.m.**

**Ended: 6:20 p.m.**

**Item #1.8**

**Conditional Use Permit  
Renewal:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Palms II Lounge  
600 E. 9<sup>th</sup> Street  
Lots 11-15, Block 142, Mission Original  
Townsite Subdivision  
C-3  
Palms II Lounge, LLC**

Mr. Acevedo went over the write-up stating that this site is located on the SE corner of E. 9<sup>th</sup> and St. Marie. This particular building has been in existence for several years and has always been utilized as a bar. The original CUP for the Palms II Lounge was approved by City Council on 10-11-93 for the life of use. Then in 2013 Mr. Ricardo Rodriguez took ownership and operated the bar until December 2017 when Mr. Damien Fidel Soliz took over operations. A CUP was issued to Mr. Soliz on January 22, 2018 by the City Council. Primary access to the bar is off of E. 9<sup>th</sup> St. They currently do offer various food items available upon request.

- **Hours of Operation:** **Monday – Friday** from 10a.m. to 12a.m., **Saturday** from 10a.m. to 1a.m. **and Sunday** from 12p.m. to 12a.m.
- **Staff:** 3 to 5 employees
- **Parking:** The parking lot for this site is located along the south and east side of the building. It is noted that this site is located within the Central Business District which is exempt from the parking code.
- Planning asked PD for a report of incidents. Staff should have this information by the date of the meeting.

**RECOMMENDATION:** Staff recommends approval of this CUP for a period of 4 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.

Mrs. Esther Salinas approached the board not in opposition but with concerns, Mrs. Esther Salinas concerns are excessive noise. We have lots of children in this area that attend school and working people.

Chairwoman Izaguirre asked do you live on the south side of this property?

Mrs. Esther Salinas stated “yes” 709 Oblate Street.

Chairwoman Izaguirre asked can we see your property on this picture?

Mr. Jaime Acevedo replied “no” its further south.

Mrs. Esther Salinas replied “yes” further south but we can still hear the music. Mrs. Esther Salinas added I’m also here because of severe noise from the Ice House.

Mr. Jaime Acevedo mentioned although it hasn’t been followed by the Ice House, the Ice house did agree not to have music on Sundays. Maybe Mr. Soliz will agree not to have music on Sundays, Mr. Jaime Acevedo added and maybe that can address the noise concern for the area.

Chairwoman Izaguirre asked what was your recommendation for the Ice House?

Mr. Jaime Acevedo replied no music on Sundays, because the Ice House is surrounded by more residential homes.

Mr. Damian Soliz approached the board, Mr. Damian Soliz stated we usually don’t have music on Sundays. We want to have music on Sundays, now that we have an outside area, but we don’t we only have a jupbox.

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

**Started: 5:35 p.m.**

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

**Item #2.0**

**Tabled Variance**

**Request:**

**Network Cell Nodes in a residential area**

**1810 N. Inspiration Road**

**R-1**

**Jacobs Engineering**

Chairwoman Izaguirre entertained a motion to remove the item from table. Mr. Javier Barrera moved to remove the item from the table. Mr. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Acevedo stated that the applicant had requested that “no action” be taken on this item since they are trying to come to an agreement.

No action taken on this item.

**Started: 5:35 p.m.**

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

**Item #2.1**

**Tabled Variance**

**Request:**

**Network Cell Nodes in a residential area**

**199 Bouganvilla Street**

**R-1**

**Jacobs Engineering**

Chairwoman Izaguirre entertained a motion to remove the item from table. Mr. Javier Barrera moved to remove the item from the table. Mr. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Acevedo stated that the applicant had requested that “no action” be taken on this item since they are trying to come to an agreement.

No action taken on this item.

**Started: 5:35 p.m.**

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

**Item #2.2**

**Tabled Variance**

**Request:**

**Network Cell Nodes in a residential area**

**115 E. Leo Najo Street**

**R-1**

**Jacobs Engineering**

Chairwoman Izaguirre entertained a motion to remove the item from table. Mr. Javier Barrera moved to remove the item from the table. Mr. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Acevedo stated that the applicant had requested that “no action” be taken on this item since they are trying to come to an agreement.

No action taken on this item.

**Started: 6:20 p.m.**

**Ended: 6:33 p.m.**

**Item #2.3**

**Tabled: Discussion and Action to Amend the Noise Ordinance**

Chairwoman Izaguirre entertained a motion to remove the item from table. Mr. Hector Moreno moved to remove the item from the table. Mr. Ruben Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Acevedo stated the current ordinance is subjective and it allows any citizen to make a call if they consider someone is being too loud, but for the same reason there was more research done with other cities and we are adopting a decibel.

Discussion amongst the Board members continued regarding the adoption of a new decibel. After considering and hearing several decibels the consensus was that in Nonresidential areas, the maximum decibel would be 75dB Daytime and 65dB Nighttime, and in Residential areas 60dB Daytime and 50dB Nighttime.

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

**ITEM #3.0  
OTHER BUSINESS**

**ITEM #4.0  
ADJOURNMENT**

There being no further items for discussion, Mrs. Raquenel Austin moved to adjourn the meeting. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:43 p.m.

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Diana Izaguirre, Chairwoman  
Planning and Zoning Commission