

**PLANNING AND ZONING COMMISSION
JANUARY 28, 2009
CITY COUNCIL CHAMBERS @ 5:00 P.M.**

P&Z PRESENT

Raul Sesin
Ned Sheats
Henry Rodriguez
Mario Garza
Jose G. Vela
Luann Caudle

P&Z ABSENT

Marisela Marin

STAFF PRESENT

Sergio Zavala
Bobby Salinas
Jaime Acevedo
Guillermo Seguin
Susana De Luna

GUESTS PRESENT

Hector Castaneda
Angel S. Lopez
Daniel Silva
Daniel Solis

CALL TO ORDER

Vice-Chair Caudle called the meeting to order at 5:00 p.m.

CITIZENS PARTICIPATION

There was no response upon inquiry.

APPROVAL OF MINUTES FOR JANUARY 14, 2009

Vice-Chair Caudle asked if there were any corrections to the minutes. There being no corrections. Mr. Sheats moved to approve the minutes as presented. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:01 p.m.

Ended: 5:03 p.m.

Item# 1.1

Election of Chairman and Vice-Chairman

Mr. Zavala stated that on Monday, January 12, 2009 the City Council had considered appointments & re-appointments to the Board. Therefore, the board needed to appoint a Chairman and Vice-Chair.

Mr. Vela moved to nominate Raul Sesin for Chairman. Mr. Sheats seconded the motion. Upon a vote the motion passed unanimously.

Vice-Chair Caudle moved to appoint Mr. Sheats as Vice-Chairman. Mr. Vela seconded the motion. Upon a vote the motion passed unanimously.

Chairman Sesin walked in at 5:03 p.m.

Started: 5:03 p.m.

Ended: 5:05 p.m.

Item# 1.2

Rezoning:

**A tract of land out of Lot 24-11,
West Addition to Sharyland Subdivision
AO-I to C-1
Hector Castaneda**

Mr. Zavala went over the write-up stating that the subject site was 150' from the southeast corner of Bryan Road and Griffin Parkway. The surrounding zonings included Office Building (C-1) to the west, Single Family (R-1) to the east, Townhouse Residential (R1-T) to the south; and Large Lot Single Family (R1-A) to the north, across Griffin Parkway. The City's Future Land Use Map reflected a General Commercial (GC) designation, which C-1 is directly consistent with. Primary features that may induce a non-residential use include: frontage to a major thoroughfare, adjoining existing C-1 corner, which may, at some future point, interface maneuverability to maximize traffic safety (access/exit), and appears consistent to a slowly evolving commercial (office) landscape. Staff recommended approval.

Chairman Sesin asked if there was any public opposition to the request.

There was no response.

Chairman Sesin asked if the applicant or representative were present.

The applicant, Mr. Henry Castaneda was present to address any questions that the Board might have.

There being no discussion, Chairman Sesin entertained a motion. Mr. Vela moved to approve the item as recommended by staff. Mr. Rodriguez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:06 p.m.

Ended: 5:14 p.m.

Item# 1.3

Conditional Use Permit:

**Drive-Thru Service Window for
A Convenience Store
2310 N. Conway
Lot 4, North Conway Subdivision #2
C-3
Life of Use
Martha H. Solis**

Mr. Zavala went over the write-up stating that the property was located approximately 600' north of Griffin Parkway (FM 495) along the east side of Conway Avenue. The applicant's proposal was to use the existing 60' x 47' commercial building for a drive-thru convenience store. The lot's dimensions are 47.50' x 160' or 7,600 square feet total. The proposed hours of operation would be Monday through Saturday from 8:00 a.m. to 12:00 a.m. and Sunday from 9:00 a.m. to 12:00 a.m. The applicant proposed to have between 2 and 4 full-time employees. Patrons would predominantly use the drive-thru; however, typical parking would also be available.

In reviewing the site plan, a total of 8 parking spaces were proposed where 8 were required for the 2,100 (net) sq. ft. structure. Typical traffic would enter off of Conway Avenue and go into the drive-thru lane – two cars could utilize the lane at one time. Traffic that goes thru the drive-thru would exit into Doherty. There are 4 additional parking spaces just east of the building. These spaces would be primarily used by staff but are available for customers if needed.

Minimum landscaping codes require that 5% of the total lot size be landscaped with a combination of trees, plants shrubs, and grass. Staff does note that there were also some large trees along Conway Avenue that are on State Right of Way. Only one ground pole sign would be permitted (must meet all sign code requirements). If vehicle head lights, when exiting, becomes an issue, a solid buffer fence (or landscaping) may be an option to consider when the CUP permit is renewed. Also since a well established residential area lies to the east, a speed bump should be considered to maximize traffic/pedestrian safety. Staff recommended approval subject to compliance with the following conditions: 1) directional arrows/signage installed within the drive-thru lane, 2) installation of 8 shade trees in green areas, 3) acquisition of a Business License, 4) compliance with sign ordinance, 5) non-transferability to others, and 6) 5' sidewalks along Conway and 4' sidewalks along Doherty Avenue.

Notes: Similar requests for Drive-Thru Service Lanes have been approved by P&Z at:

1602 W. Griffin Parkway
509 N. Conway
210 N. Conway

April 27, 2005
January 11, 2006
June 27-2007

Chairman Sesin asked if there was any public opposition to the request.

There was no response.

Chairman Sesin asked if the applicant or representative were present.

The applicant, Mr. Daniel Solis was present to address any questions that the Board might have.

Chairman Segin asked if the buffer would only be good if it were constructed on the east side of Doherty.

Mr. Zavala stated that if the vehicles lights from the convenience store would become an issue for the property owners, a buffer would have to be imposed to the applicant.

Chairman Segin stated that he just wanted to make sure that the Board could require him to buffer the whole west end of the vacant property.

Mr. Zavala stated that he would not have to install the buffer on the whole west end but only where the lights would hit that was why he also suggested the landscaping shrubbery because if he would put some oleanders, they would serve the same effect.

Chairman Segin asked, so then he would not have to buffer the whole property?

Mr. Zavala replied, "No, only what was fair".

Mr. Garza asked if there had been any problems with Lucy's Flower shop as far as the drive-thru.

Mr. Zavala replied, "No, because if the opposite were in effect, they would have to share the driveway interface, besides they have being doing that for years". Mr. Zavala also added that a 1 year re-evaluation should be imposed.

There being no further discussion, Chairman Segin entertained a motion. Mr. Rodriguez moved to approve the item as recommended by staff including the 1 year re-evaluation. Mr. Sheats seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:15 p.m.

Ended: 5:17 p.m.

Item# 1.4

Discussion and Action to Amend the Future Land Use Map in the following boundaries: Bryan Road to the east, 2 Mile Road South to the north, FM 1016 to the South, and Mission's jurisdiction up to Los Ebanos Road to the west

Mr. Zavala went over the write up and stated that a brief synopsis of Staff's recommendation for this area as follows:

The Kamel/Domit development area, zoned **PUD**, should be so designated due to the varied but complimentary uses which include commercial uses, residential uses, Public uses, Multi-family uses, etc.

Dr. Nevarez's Lots 12-2 & 12-4, & a western part of Lot 12-5, West Addition to Sharyland, to be Low Density Residential (**LD**) since its ½ mile proximity from Conway matches the LD to the north, and matches the LD uses under construction to the south (Maria Bonita).

Along the east frontage (400' – 500' depth) of Conway (FM 1016) should be General Commercial (**GC**) due to the Conway being a major thoroughfare, and the Lots' frontage to the railroad; also, the SW Loop's intersection would induce non-residential uses.

The Madero Park to be Public (**P**).

Madero township to be Low Density (**LD**) including the Wheel City (rear) area.

The frontage to FM 1016 of Wheel City area should be commercially used; there are some existing commercial uses, too; thus, **GC** to be it's designation.

Between Wheel City and Bryan Road, at a depth of 500', should be commercial uses especially near the Bryan/FM 1016 intersection; thus, **GC** to be imposed.

Sharyland Utilities to be **P**.

Predominantly both sides along the widened major thoroughfare of FM 1016 due to the nature of such a thoroughfare; there were various existing non-residential uses there, too; also, the railroad also bi-sects this **GC** component. That concluded staff's recommendation.

(Note: the areas south of FM 1016 to be designated at future hearing)

Chairman Sesin asked if there were any comments from the audience or board.

There was no response.

There being no discussion, Chairman Segin entertained a motion. Mr. Sheats moved to approve the FLUM amendments as recommended by staff. Mrs. Caudle seconded the motion. Upon a vote, the motion passed unanimously.

3.0 OTHER BUSINESS

4.0 ADJOURNMENT

There being no further items for discussion, Mrs. Caudle moved to adjourn. Mr. Sheats seconded the motion. Upon a unanimous vote, the meeting adjourned at 5:18 p.m.

Raul Segin, P.E., Chairman
Planning and Zoning Commission