



MEETING DATE: May 7, 2025

PRESENTED BY: Xavier Cervantes, AICP, CPM, Director of Planning

AGENDA ITEM: Conduct a public hearing and consideration of a Future Land Use Map Amendment: Being Lots 1 & 2, 2nd amended map of Shary Village, from Low Density Residential District to General Commercial District, located at 2313 Village Drive, Applicant: Jesus F. Gonzalez - Cervantes

NATURE OF REQUEST:

Project Timeline:

- April 2, 2025 – Application for a comprehensive plan amendment submitted for processing
- April 4, 2025 – In accordance with State and local law, notice of the required public hearings was mailed to all the property owners within 200 feet of the subject tract and notice of hearings was published in the Progress Times.
- April 16, 2025 – Applicant asked to postpone the public hearing for the May 7 meeting
- April 16, 2025 – Petition in opposition submitted by the surrounding property owners.
- April 23, 2024 – In accordance with State and local law, notice of the required public hearings was mailed to all the property owners within 200 feet of the subject tract and notice of hearings was published in the Progress Times.
- May 7, 2025 – Public hearing and consideration of the requested Future Land Use Map Amendment by the Planning and Zoning Commission
- May 12, 2025 – Public hearing and consideration of the Future Land Use Map Amendment by the City Council.

Summary:

- State law states that zoning must be in accordance with the city's comprehensive plan and must be designed to lessen congestion on the streets, secure safety from fire, panic and other dangers, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population or facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements.
- A comprehensive plan generally is defined as a long-range plan intended to direct the growth and physical development of a community for an extended period of time which is normally 20 years.
- Comprehensive planning is a process by which a community assesses what it has, what it wants, how to achieve what it wants and finally, how to implement what it wants.
- The applicant desires to transform the existing home in the property into an office complex and intends to build a parking lot in lot 2 to provide on-site parking for the employees and the customers.
- The second amended map of the Shary Village subdivision was recorded on September 13, 1982.
- Even though there are no restrictions in the subdivision's plat notes, it appears that the developer's intent is for the lots to be developed for single-family homes. The property at the

southwest corner of Shary and Village Drive, not a part of the Shary Village subdivision, is being used as a single-family home.

- The applicant argues that the property should be zoned commercial due to it being a hard corner of Shary Road and the commercial development to the north of the property lines up to the applicant's West side of Lot 2.
- Lot 1 measures 100 feet by 100 feet for a total of 10,000 square feet. Lot 2 is an irregular shaped lot with 107.08 feet of depth along the west side and 100 feet along the East side with a width of 100 feet.
- There was an attempt in the year 2021 by the applicant to rezone the property to Neighborhood Commercial District, but it was disapproved by the City Council due to heavy opposition from the neighborhood.
- A petition was submitted in opposition to the request from the majority of the Shary Village property owners. The petitioners state that the land use change is a violation of the subdivision's deed restrictions. In addition, the petitioners state that the commercial designation will impede and affect the residential environment and safety of the one neighborhood street. The petitioners state that the reclassification will increase traffic and will endanger the safety of the residents and children of Shary Village.
- The board can consider a less intense commercial land use which is Neighborhood Commercial.

STAFF RECOMMENDATION:

Staff recommends disapproval.

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

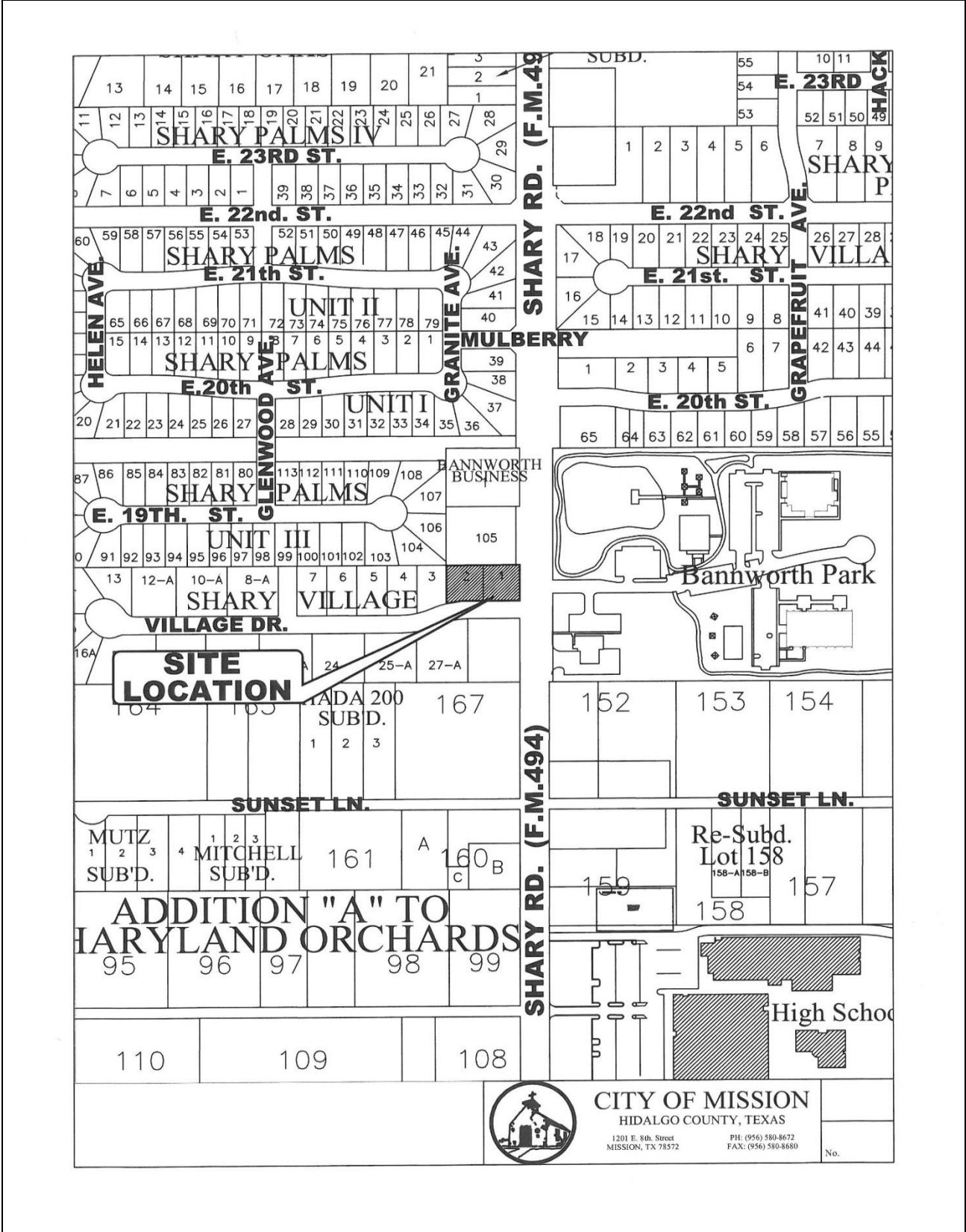
TABLED: _____

_____ AYES

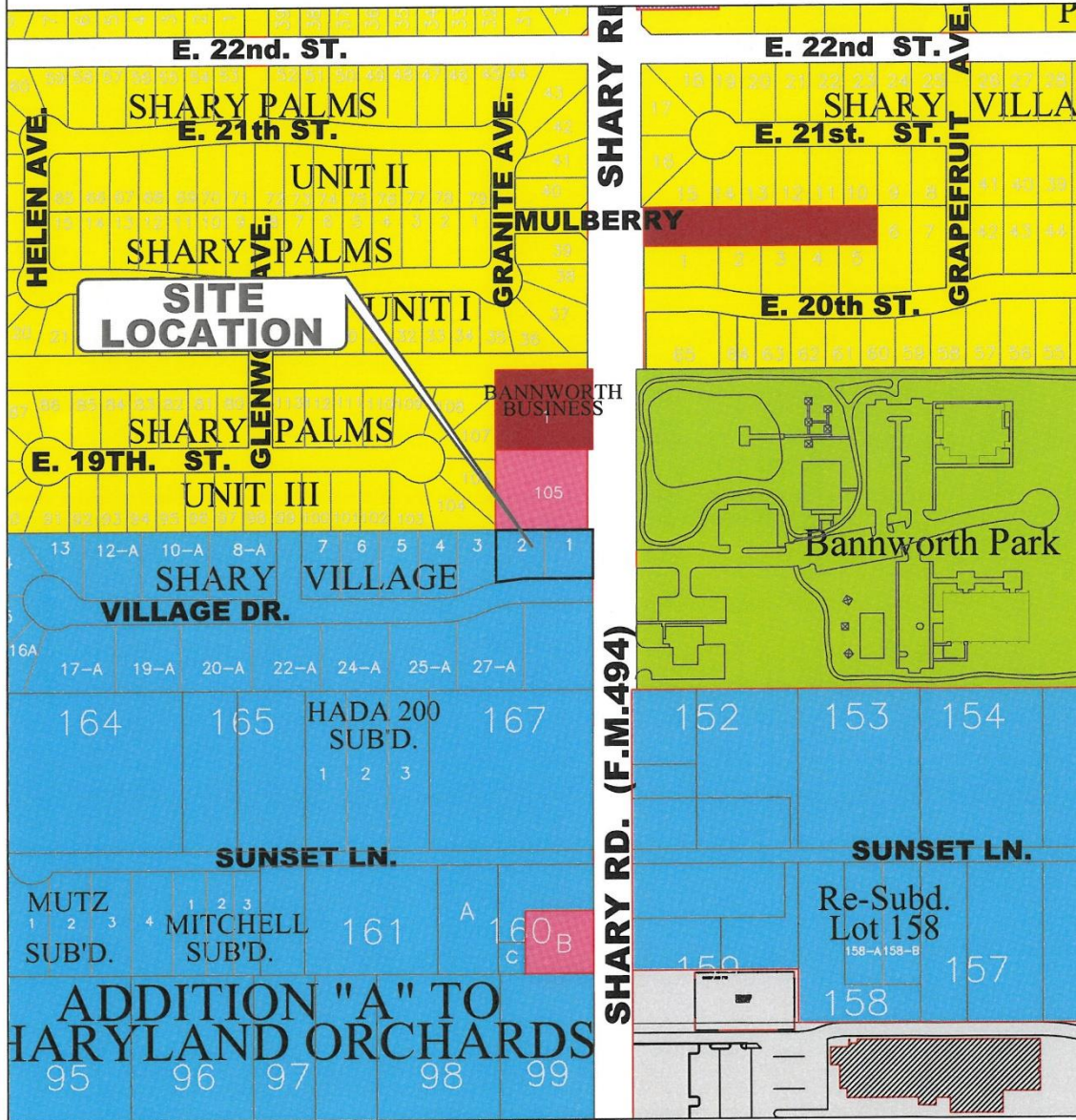
_____ NAYS

_____ DISSENTING _____

VICINITY MAP



ZONING MAP



ZONING LEGEND

- A0-I AGRICULTURAL OPEN INTERIM
- A0-P AGRICULTURAL OPEN PERMANENT
- R-1A LARGE LOT SINGLE FAMILY
- R-1T TOWNHOUSE RESIDENTIAL
- R-1 SINGLE FAMILY RESIDENTIAL
- R-2 DUPLEX-FOURPLEX RESIDENTIAL

- R-3 MULTI-FAMILY RESIDENTIAL
- R-4 MOBILE & MODULAR HOME
- R-5 HIGH DENSITY MFCT'D HOUSING
- C-1 OFFICE BUILDING
- C-2 NEIGHBORHOOD COMMERCIAL
- C-3 GENERAL BUSINESS

- C-4 HEAVY COMMERCIAL
- C-5 ADAPTIVE COMMERCIAL
- I-1 LIGHT INDUSTRIAL
- I-2 HEAVY INDUSTRIAL
- PUD PLANNED UNIT DEVELOPMENT
- P PUBLIC

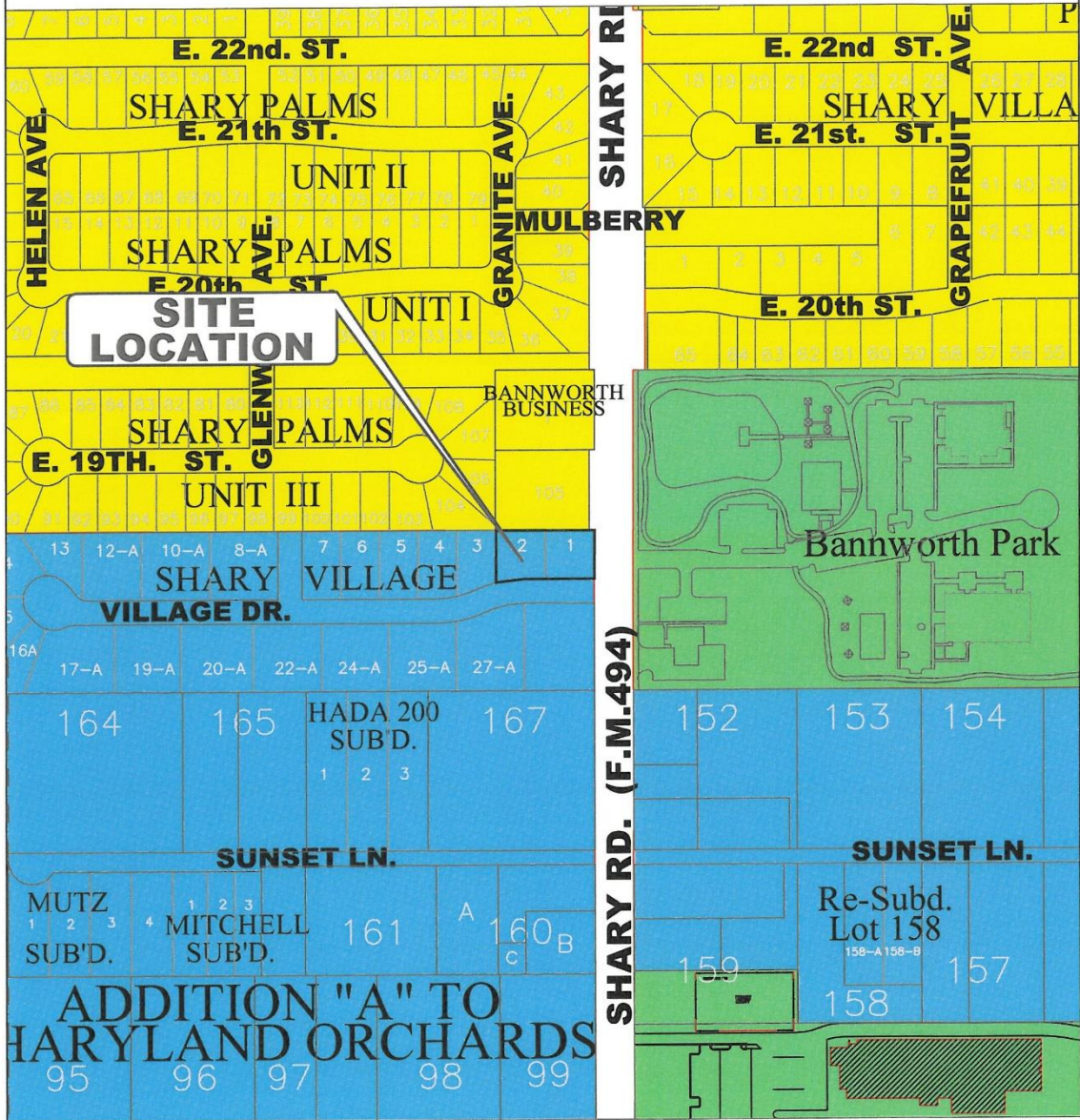


SCALE: 1"=300'

AERIAL



FUTURE LAND USE MAP



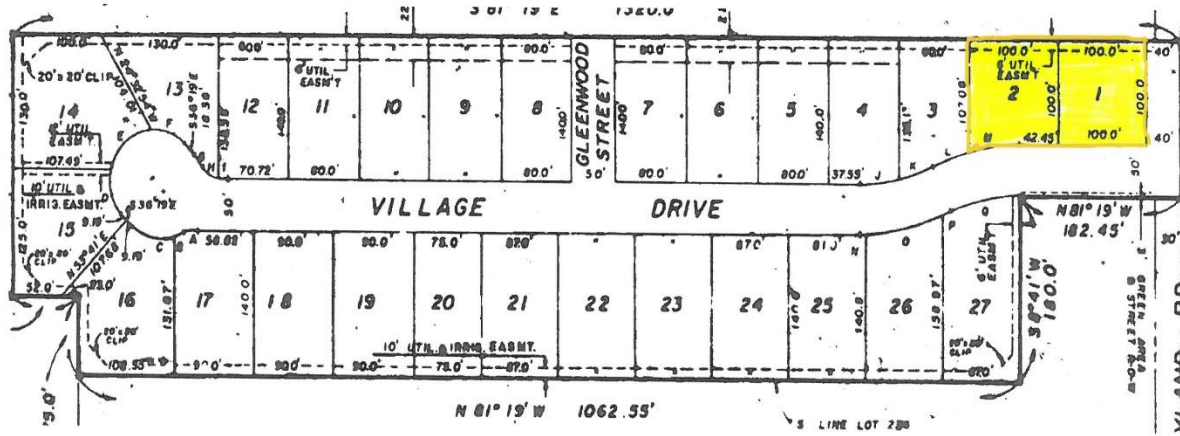
FUTURE LAND USE MAP

- LD - Low Density Res.
- LDA - Lower Density Res.
- MD - Moderate Density Res.
- HD - High Density Res.
- ● - Neighborhood Commercial

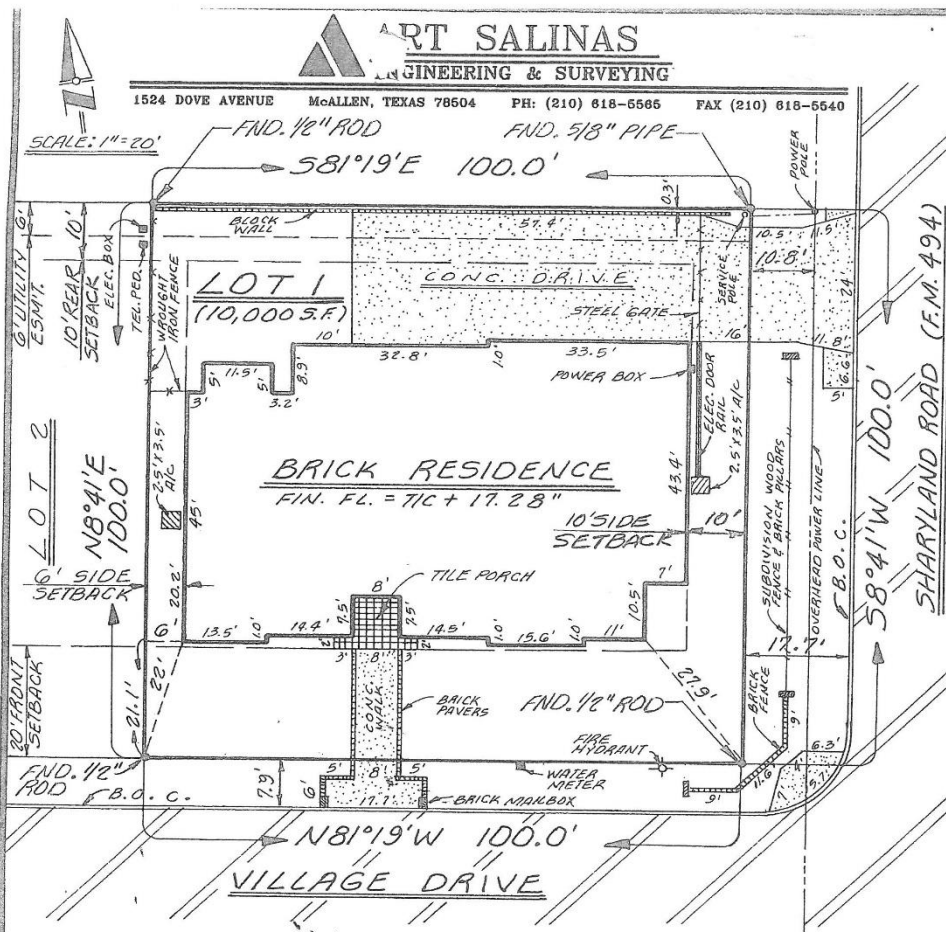
- GC - General Commercial
- HC - Heavy Commercial
- I - Industrial
- P - Public
- PUD - Planned Unit Development



RECORDED SUBDIVISION



PROPERTY SURVEY



FLOOD CERTIFICATION: The property shown hereon lies in Zone "X". Zone "X" areas are areas determined to be outside 500-year flood plain as per F.E.M.A. Flood Insurance Rate Map Panel No. 480345-0005-C dated 11-20-91.

PLAT NOTES:

1. There are no discrepancies, conflicts or shortages in area or boundary lines, encroachments, or any overlapping of improvements except as shown or noted hereon.
2. Easement agreement between CENTRAL POWER & LIGHT COMPANY and BJIT, INC., dated July 15, 1982, recorded in Volume 1793, Page 55, Deed Records, Hidalgo County, Texas to furnish, maintain and operate underground electric cables and other facilities as may appear upon the map attached thereto. (Blanket)
3. Easements, Rules, Regulations and Rights in favor of United Irrigation District. (Blanket)
4. Bearing Basis: "SHARY VILLAGE"

BORROWERS: JESUS F. GONZALEZ and MARIA DEL ROSARIO GONZALEZ

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE STANDARD LAND SURVEY ON THE GROUND OF PROPERTY WHICH IS LOCATED AT 2113 VILLAGE DRIVE IN MISSION TEXAS, DESCRIBED AS FOLLOWS: LOT ONE (1), SHARY VILLAGE, AN ADDITION TO THE CITY OF MISSION, HIDALGO COUNTY, TEXAS, AS PER 2ND AMENDED MAP OR PLAT THEREOF RECORDED IN

VOLUME 22, PAGE 104, MAP RECORDS, HIDALGO COUNTY, TEXAS.

96-6451
JOB NO.

08-06-96
DATE

08-08-96
REVISED

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4802



PETITION IN OPPOSITION

RECEIVED
4/16/25

PETITION AGAINST THE RE-ZONING OF:

Lots 1 & 2, 2nd Amended Map of Shary Village Subdivision aka 2313 Village Drive

We, the residents and owners of properties within the Shary Village neighborhood, located on Village Drive, Sharyland, Mission, Texas, hereby sign below in agreement that:

We oppose the rezoning of lots 1 & 2, 2nd Amended map of Shary Village Subdivision, located at 2313 Village Drive to be re-classified as "General Commercial District."

This is set for hearing in front of the Planning and Zoning Commission of the City of Mission on April 16, 2025.

We oppose the re-classification of 2313 Village Drive to "General Commercial District," as such re-classification first as is in direct violation of deed and HOA restrictions of such property.

Second, re-classification will impede and effect the residential environment and safety of the one-street neighborhood "Shary Village."

Third, re-classification will increase traffic (which will be forced to use our cul-de-sac to turn around), thereby endangering the residents and children of our neighborhood. It is important to note, that due to Bannworth Park (which is directly in front of the entrance to Shary Village), we already experience heightened traffic concerns in the area. Adding a commercial property to the corner of the same intersection would be unreasonable and unsafe.

Lastly, re-classification will change the nature of the neighborhood and essentially commercialize one of the long-standing, signature neighborhoods of the area.

We the undersigned agree and adopt the above:

NAME	ADDRESS	DATE
Robert Ledesma	2309 Village Drive Mission, TX	4/8/25
Diana Cohen	2304 Village Dr. Mission, TX 78572	4/8/25
Elvia Garza	2303 Village Dr. Mission, TX 78572	4/08/25
Marco Gutierrez	2303 Village Dr. Mission	4/8/25
Claudia Davis	2304 Village Dr. Mission TX	4/8/2025
Jana Clemente	2308 Village Dr. Mission, TX 78572	4-8-2025

PETITION IN OPPOSITION

[illegible]

MAILOUT LIST

PROP_ID	Property Owners (REZ25-16)	addrDeliveryLine	addrCity	addrState	addrZip
283658	SALAZAR FEDERICO JR	2305 VILLAGE DR	MISSION	TX	78572-3283
539977	ZOROLA JESUS R & LUZ M	2313 E 19TH ST	MISSION	TX	78572-3250
283656	BAZAN CHRISTOPHER D	2309 VILLAGE DR	MISSION	TX	78572-3283
539973	GALVAN AGUSTIN & RAQUEL	2308 E 19TH ST	MISSION	TX	78572-3249
539974	VIELMA MAURO A & ELIZABETH E	2310 E 19TH ST	MISSION	TX	78572-3249
539976	AGUIRRE MARTHA T	2312 E 19TH ST	MCALLEN	TX	78572-3249
346283	LEDESMA ROBERTO E & SOFIA S	2308 VILLAGE DR	MISSION	TX	78572-3282
346282	COHRS JONATHAN W & DEANN	PO BOX 698	DONNA	TX	78537-0698
283654	GONZALEZ JESUS F & MARIA D ROSARIO	617 BEAUMONT AVE	MCALLEN	TX	78501
539975	TREVINO JOSE ANGEL	2404 E 20TH ST	MISSION	TX	78572-3389
281192	LANGE WALTER KELLY	1807 N SHARY RD	MISSION	TX	78572-3230
281193	BOWDEN MARGOT	1805 N SHARY RD	MISSION	TX	78572
281198	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
281199	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
1238476	T-JAM DEVELOPMENT LTD	2404 E 20TH ST	MISSION	TX	78502