



MEETING DATE: October 1, 2025

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

AGENDA ITEM: Conduct a public hearing and consideration of a Conditional Use Permit Renewal to allow a Home Occupation – We Care Family Daycare in a (R-1) Single Family Residential District, being the West ½ of Lots 1 & 2, Block 103, Mission Original Townsite Subdivision, located at 311 W. Leo Najo Street, Apts. A, B, C, Applicant: Jose de la Garza – Cervantes

NATURE OF REQUEST:

Project Timeline:

- August 15, 2025 – Application for Conditional Use Permit submitted to the City for processing.
- September 19, 2025 – In accordance with State and local law, notice of required public hearings was mailed to all property owners within 200 feet of the subject tract, and notice of public hearings was published in the Progress Times.
- October 1, 2025 – Public hearing and consideration of a Conditional Use Permit by the Planning and Zoning Commission.
- October 28, 2025 – Public hearing and consideration of a Conditional Use Permit by the City Council.

Summary:

- The subject site is located at the Southeast corner of Cummings and Leo Najo Street.
- Per Code of Ordinance, a daycare center in a residential zone requires the approval of a Conditional Use Permit by the City Council.
- The applicant has been running the daycare at this location since October 2018.
- The applicant has a total of 25 children ranging from infants to 12 year old at different times.
- The last conditional use permit for this home occupation at this location was approved on October 10, 2022 for a period of 3 years. Staff notes that this would be the applicants 4th renewal.
- Since the applicant does not reside at this location, he needs to comply with Section 1.56(1)(g) of the Zoning Code which states: The Planning and Zoning Commission may, under extenuating or special circumstances unique to the home occupation, recommend waiver of this provision on a temporary or permanent basis to the City Council who shall have, the ultimate authority on the matter. Subsections 1.56-1(a), (d), and/or (f), states that a minimum of 90 percent of the property owners within 200' mailout radius shall provide written support for the proposed home occupation since the applicant has a daycare center.
- The proposed days and hours of operation are Monday–Friday from 7:00 am to 6:00 pm, and Saturday from 7:00 am to 2:00 pm
- Staff: 5 employees
- Parking: Being a triplex, 6 parking spaces can be used for the daycare operation. Parking has not been an issue since most of the children are dropped off or picked up by the applicant.
- The applicant is the owner of the apartments.
- Since the applicant has obtained 90% of the signatures and has complied with all the requirements, staff does not object to renewing the conditional use permit.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (18) legal notices to surrounding property owners.

- In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the following conditions:

1. 4 year re-evaluation to continue to assess this home occupation.
2. Continued compliance with all City Codes (Building, Fire, Health, Sign codes, etc.).
3. Must comply with DHS Certification.
4. CUP is not transferable to others.
5. Hours of operation to be as follows: Monday – Friday from 7:00 am to 6:00 pm, and Saturday from 7:00 am to 2:00 pm

RECORD OF VOTE:

APPROVED:

DISAPPROVED:

TABLED:

_____ AYES

_____ NAYS

_____ DISSENTING _____

VICINITY MAP



CITY OF MISSION
HIDALGO COUNTY, TEXAS

1201 E 8th Street
MISSION, TX 78572

PH: (956) 580-8672
FAX: (956) 580-8680

No.

ARIEL MAP



ATTACHMENTS



200' RADIUS MAILOUT



CITY OF MISSION

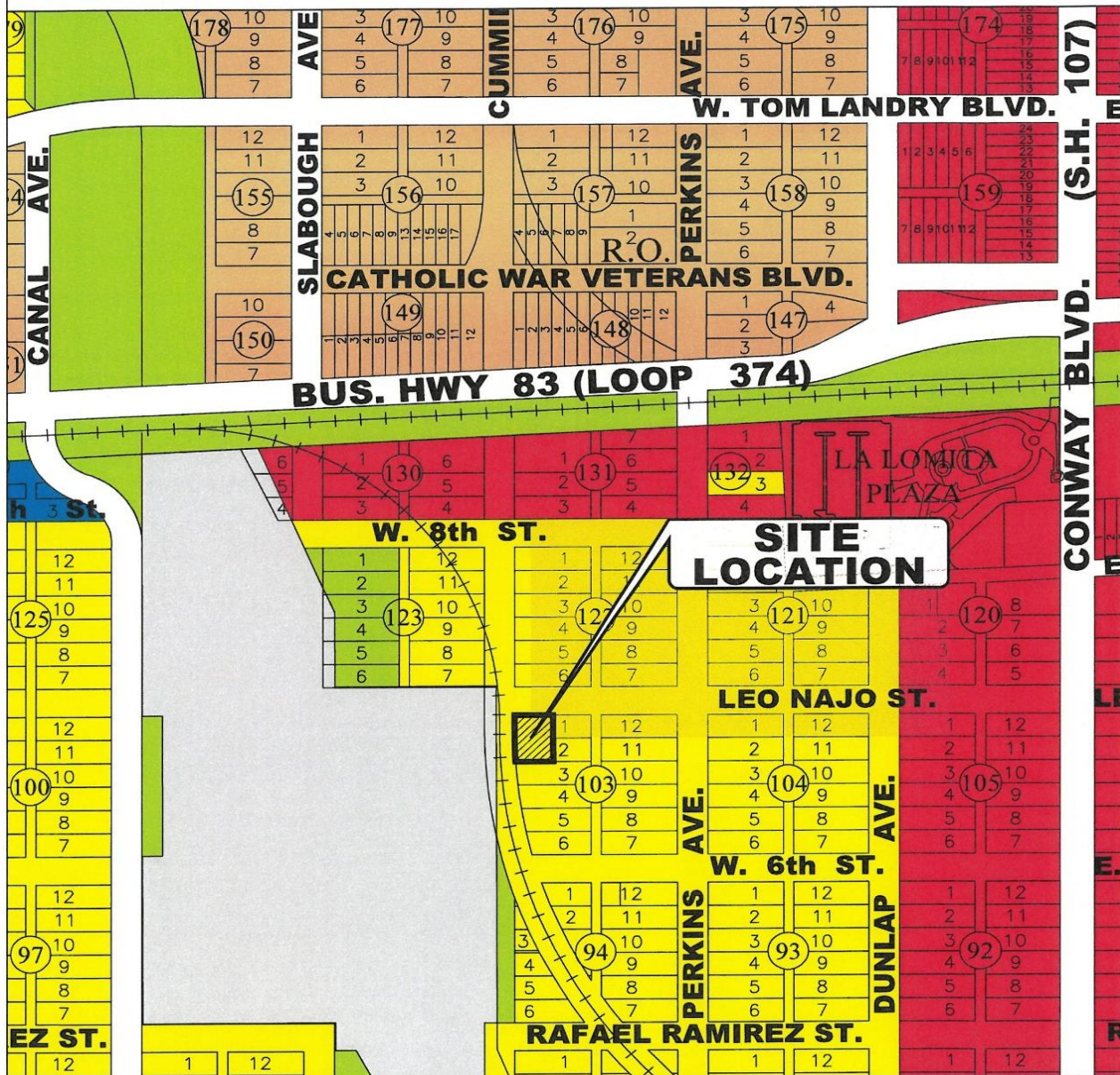
HIDALGO COUNTY, TEXAS

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No.

ZONING MAP



ZONING LEGEND

	A0-I AGRICULTURAL OPEN INTERIM		R-3 MULTI-FAMILY RESIDENTIAL		C-4 HEAVY COMMERCIAL
	AO-P AGRICULTURAL OPEN PERMANENT		R-4 MOBILE & MODULAR HOME		C-5 ADAPTIVE COMMERCIAL
	R-1A LARGE LOT SINGLE FAMILY		R-5 HIGH DENSITY MFCT'D HOUSING		I-1 LIGHT INDUSTRIAL
	R-1T TOWNHOUSE RESIDENTIAL		C-1 OFFICE BUILDING		I-2 HEAVY INDUSTRIAL
	R-1 SINGLE FAMILY RESIDENTIAL		C-2 NEIGHBORHOOD COMMERCIAL		PUD PLANNED UNIT DEVELOPMENT
	R-2 DUPLEX-FOURPLEX RESIDENTIAL		C-3 GENERAL BUSINESS		P PUBLIC

ATTACHMENTS



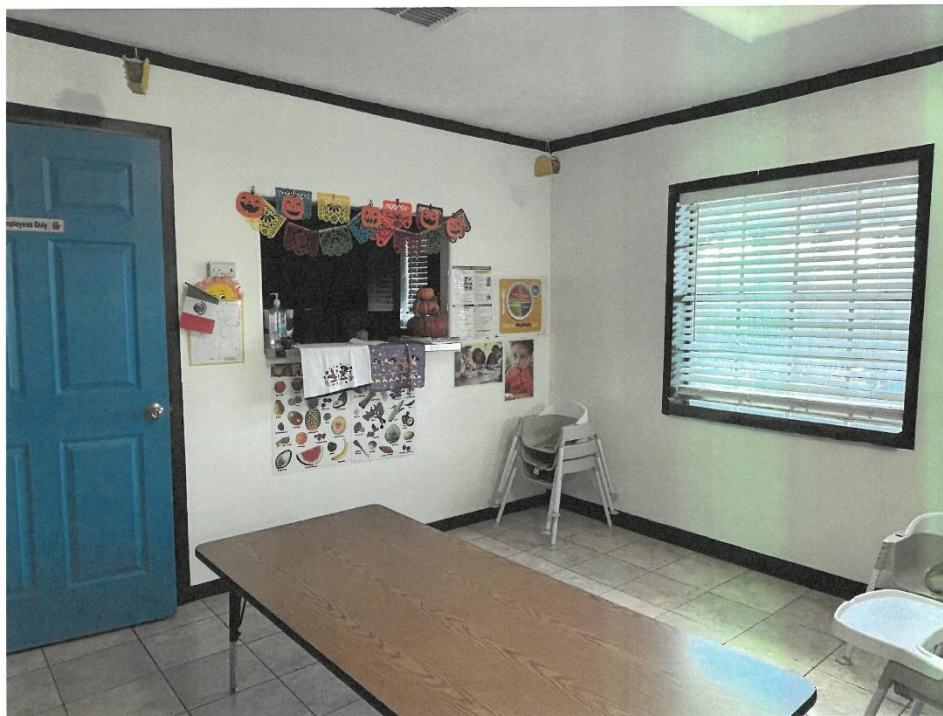
ATTACHMENTS



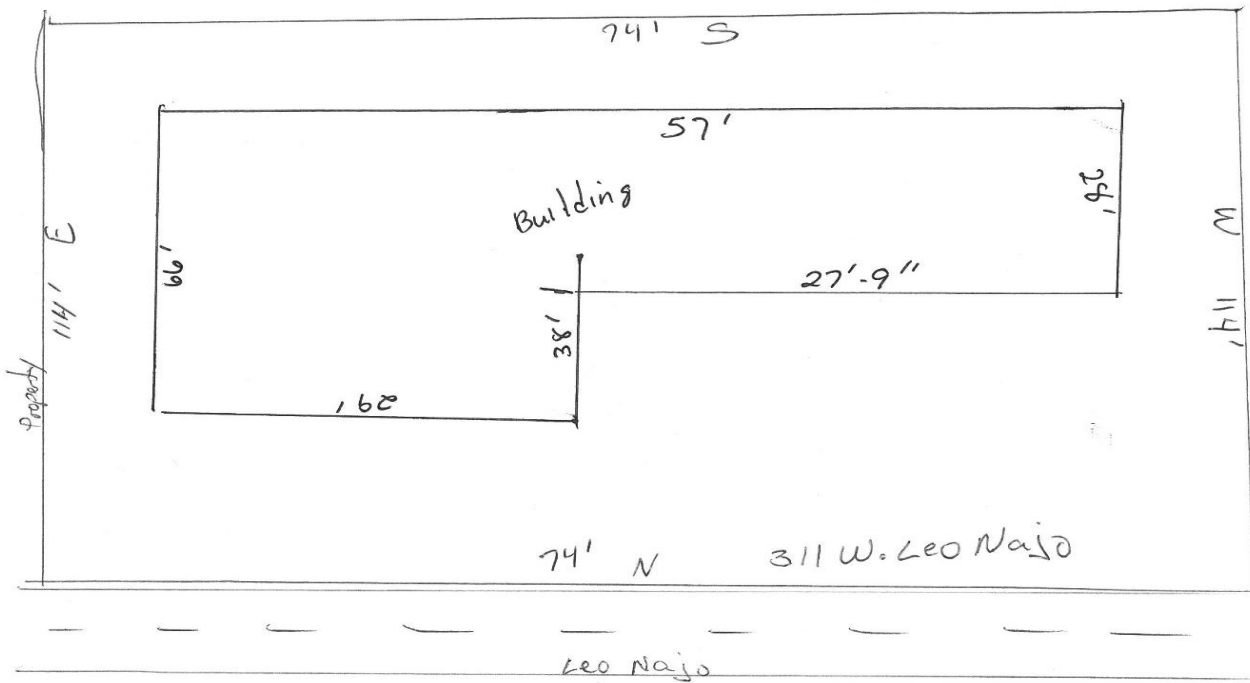
ATTACHMENTS



ATTACHMENTS



ATTACHMENTS



ATTACHMENTS

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
239579	M5200-00-123-0007-00	MISSOURI PACIFIC RAILROAD COMPANY	PO BOX 99	O FALLON	IL	62269-0099
239378	M5200-00-103-0005-00	BUSTOS CARMEN	320 W 6TH ST	MISSION	TX	78572-5126
239382	M5200-00-103-0010-00	CABRERA DEMETRIA	609 PERKINS AVE	MISSION	TX	78572-5157
239383	M5200-00-103-0011-00	PACHECO CYNTHIA ZAMORA & OCTAVIO	617 PERKINS AVE	MISSION	TX	78572-5157
239384	M5200-00-103-0012-00	MENDENHALL CRYSTAL & JASON	307 W LEO NAJO ST	MISSION	TX	78572-5131
239381	M5200-00-103-0009-00	RAMOS MIGUEL A	1519 MARIGOLD AVE	MCALLEN	TX	78501-3858
239572	M5200-00-122-0009-00	ALANIZ MARIA DEL ROSARIO	707 PERKINS AVE	MISSION	TX	78572-5159
239569	M5200-00-122-0005-00	ALANIZ DALIA M	704 N CUMMINGS AVE	MISSION	TX	78572-5166
239568	M5200-00-122-0004-00	ALANIZ DALIA M	704 N CUMMINGS AVE	MISSION	TX	78572-5166
239377	M5200-00-103-0004-00	FLORES RAUL & MA DEL CARMEN	608 N CUMMINGS AVE	MISSION	TX	78572-5144
239379	M5200-00-103-0007-00	ELIZONDO EDUARDO JR & SANDRA Y	601 PERKINS AVE	MISSION	TX	78572-5157
239376	M5200-00-103-0003-00	SALINAS TERESA R	610 N CUMMINGS AVE	MISSION	TX	78572-5144
239380	M5200-00-103-0008-00	GARCIA MARIA CELLA	512 ALDRICH AVE	LIVINGSTON	CA	95334
239374	M5200-00-103-0001-00	LONGORIA MA AURORA SALINAS	309 W LEO NAJO ST	MISSION	TX	78572-5131
239375	M5200-00-103-0001-10	DE LA GARZA JOSE M & NORMA L	921 S INSPIRATION BLVD	MISSION	TX	78573-7007
239571	M5200-00-122-0007-00	ALANIZ ELIDA	304 W LEO NAJO ST	MISSION	TX	78572-5132
548601	S3573-00-000-0001-00	GUERRA OMAR M & ANA L	705 PERKINS AVE APT B	MISSION	TX	78572-5136
239570	M5200-00-122-0005-01	ALANIZ ALBERTO	14702 MEDUSA	SELMA	TX	78154-3404