

PARKS AND RECREATION BOARD MEETING  
December 13, 2022

<u>BOARD MEMBERS PRESENT</u>	<u>STAFF</u>
Tony Guerrero	Brad Bentsen
Chris Voss	Pete Lopez
Jesus Mendiola	Jorge R. Chapa
Maggie Guajardo Pena	Rick Contreras
Melissa Reyna	Juanita Alvarez
Mark Minton	JC Calderon

**Call to Order**

Tony Guerrero called the meeting to order.

**Roll Call**

Roll call was taken and quorum was met.

**Prayer**

Chris Voss led us in prayer.

**Approval of Minutes**

The Board Members approved the minutes for the November 8, 2022 Board meeting. Motion to approve was made by Maggie Guajardo Pena and seconded by Chris Voss. The motion to approve minutes passed unanimously.

**CITIZEN PARTICIPATION**

N/A

**UPDATE OF PARKS**

Parks staff continues removing playground equipment at Lions Park. 13-15 large trees and Palm trees, part of the sprinkler system, canopies, tables, benches and white boundry posts along with cart trails along holes 25 and 26 from Shary Golf course were also removed at site. Public Works will remove everything from site and move the asphalt and caliche to the Bannworth site where the new playground is to be erected. Today December 13 was the deadline for bids to be accepted but were extended by a week to give contractors more time to study and propose a more detailed bid for the addition of air conditioners in the 3 restrooms. Proposal bids are now due December

20, 2022. Mr. Bentsen noted companies from Houston and Dallas have called inquiring about the project wanting to bid.

Parks crews are removing playground currently in place at Bannworth Park. Asphalt and caliche from the old playground set at Lions Parks is being incorporated with ground material currently in place to have the area ready for the installation of new playground which is to be installed in about a week.

The Irrigation Crew is installing a system in the area between the baseball fields and the playground at Nell Tolle Park. The north area of that section used to have it so now the whole section, from walking trail to walking trail, has irrigation. The lighting system was also fixed in this area.

Parks Department had gotten Leo Pena Plazita ready for our annual Christmas Lighting before it was pushed back a week because of the weather. Crews have started wrapping light poles along Conway alternation red and green lights which definitely makes this area more attractive. Oblate Park also has these poles so we are looking at putting up lights at that park. Arnulfo "Tatan" Rodriguez Park will also be decorated. We came back the following week to do the Christmas Lighting on Thursday and Friday and everything turned out well. Probably had the biggest crowds attending the event

Other different events the Parks Department has helped, been involved with. Are Veterans Luncheon and Parade, Holy Rosary with Bleachers, a groundbreaking ceremony for Esperanza Homes subdivision that will connect Glasscock Rd. and Shary Rd., Texas Citrus Fiesta Cookoff, Mission Historical Museum celebrating 20 years, and a ceremony at the Police Department unveiling a new unit in conjunction Mental Health with green trim. Lastly we helped Virgen de Guadalupe Catholic Church with a Jamaica by loaning trash receptacles and helping with clean up. All these events whatever is needed is provided by us including tables, chairs, tents, sound systems, bleachers, ice chests or anything they can think of.

### UPDATE OF RECREATION

Finished our Men's Softball season with the Sullivan City Knights going undefeated and winning the Championship. Team Punishers placed second with their only losses coming to Sullivan City Knights. All teams had a good time but some were having trouble getting all 10 players to show up.

We are playing our 6<sup>th</sup> week of the Men's Basketball league. We got lucky and found a sponsor for the balance of the official's fee. Hopefully we can finish the league and get the pay situation corrected.

Pickleball gave us a scare on Monday December 5, 2022. Jerry Hall suffered a heart attack making for a scary situation. Quick responses from Rick Contreras and Jerry Boman basically saved his life, I was told by the nurses at Mission Medical hospital. Mr. Hall was supposed to be dismissed from

the hospital but swelling of his knee concerned the doctors enough to worry them with his blood circulation. We now have an AED at the Recreation Center or be ordering one when the unit there is taken back to Mayberry Pool. We will be having our Christmas Pizza Party if any of the Board members would like to attend.

We hosted our Annual Christmas Lighting December 8&9, 2022 after originally scheduled due to rain. The Parks Department did a great job getting Leo Pena Plazita ready again after having to postpone. There was 36 bicycles and 68 toys given out to the community that were greatly appreciated by the children and parents on the winning end of the raffle. The entertainment was really outstanding with New Variety Band closing the first night playing for an hour. Mission Parks and Recreation Folklorico closed out the second and kept a packed house the entire time. Mission Consolidated Independent School District really helped out with providing 7 different acts for the event. A big thank you to all that helped during the Lighting.

We are speaking to Esteban, with the Wild Child organization about running select baseball and softball during the times the Mission Boys and Girls Club isn't offering it. We will supposedly run about 4 baseball and 3 softball leagues during these times. Everything is looking very promising and we can hopefully start these leagues pretty soon. Each team will pay us a league and they will pay the umpires at the plate making this a "win-win" situation on our part.

### **Aquatics Update**

Lap Swimming continues both mornings and afternoons. Attendance varies from 3 people up to 12 during different sessions.

USA Swimming continues strong with about 55 swimmers registered and enjoying the extra training provided by our staff.

Sharyland swim teams continue to use Bannworth Pool with the Mission District teams coming over as weather dictates. Mission school district borrowed our tarps and got great results with heating their pool.

Border Patrol continues to use Bannworth pool to train for situations needed to jump into the water with chases or rescues.

### **Other Business**

Mr. Bentsen is a little frustrated with Texas Parks and Wildlife with the lack of response for the Lions Parks project. A go ahead was given for the solicitation of bids for construction for this project but no further word has been given as to where this project stands. We have extended the bid process until December 20, 2022. Mr. Bentsen also applied for a grant, for the rejuvenation of the Hike and Bike Trails, with Texas Parks and Wildlife. This project will include the area along the Mission Canal getting a grass mix used by the highway be installed, erect a wall along the east

side on the same area that is eroding to a semi dangerous level. Public Works will do the overlay and most if not all the work will be done inhouse by the Parks Department. Texas Parks an Wildlife went to a new system for inputting all projects 2 years ago but somehow these 2 projects were not included.

The Advisory Board spot previously held by Xavier Longoria will be getting filled by Karina Garza, a Mission native who is pretty athletic and has a history of a pretty good golfer.

Texas Citrus Fiesta is around the corner and City Council is wanting the Parks Department to decorate a float for them. Brad and staff usually come up with good ideas on how to put them together.

Mr. Mendiola has a sponsor who is willing to donate \$3,000.00 towards the prevent Diabetes exercise stations at 3 different stations around the City. Sponsorship levels were discussed with \$500, \$750 and \$1,000 being the ones agreed upon. After much discussion doing 1 Park to its completion was agreed upon so total price was realized and all the little hiccups were eliminated.

Adela Ortega is retiring effective the end of 2022. Our Food Panrty will now become a RGV Food Bank operated by the area food banks.

Public Works continues to be a great asset with the ground work for the playground at Bannworth. With the transporting of asphalt and dirt from Lions Park and preparing that and leaving the final 6 inches at the floor pad for caliche.

A Golf Tournament fundraiser will be hosted with a March 10, 2023 date set for it. Plenty of work will go into it but for a good cause.

All Advisory Board members are invited for our annual Holiday luncheon to be hosted at the Recreation Center December 21, 2022.

### **Adjournment**

Mark Minton made a motion to adjourn the meeting and was seconded by Maggie Guajardo Pena. The Board voted unanimously to approve.

**ZONING BOARD OF ADJUSTMENTS  
OCTOBER 19, 2022  
CITY HALL'S COUNCIL CHAMBERS**

**ZBA PRESENT**

Jose "Pepe" Garcia  
Kevin Michael Sanchez  
Eliud Reyna  
Dolly Elizondo  
Alberto Salazar

**ZBA ABSENT**

Terry Meweess  
Andrew Riddle  
Guillermo Martinez

**STAFF PRESENT**

Susie De Luna  
Jessica Munoz  
Irasema Dimas  
Cynthia Gonzalez

**GUESTS PRESENT**

Reynaldo Rangel  
Tom Shepherd  
Sylvia Robles  
George De Leon  
Juan Garcia

**CALL TO ORDER**

Chairman Jose "Pepe" Garcia called the meeting to order at 4:30 p.m.

**CITIZENS PARTICIPATION**

Chairman Jose "Pepe" Garcia asked if there was anyone in the audience that had anything to present or express that was not on the agenda. The audience remained un-responsive.

**APPROVAL OF MINUTES FOR AUGUST 17, 2022**

Chairman Jose "Pepe" Garcia asked if there were any corrections to the minutes. Mr. Sanchez moved to approve the minutes. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #1.1**

**TO ALLOW A 9'1" REAR SETBACK INSTEAD OF THE REQUIRED 15' REAR SETBACK AT 1415 LAS BRISAS DR., BEING LOT 10, SUNTERRA ESTATES, AS REQUESTED BY REYNALDO RANGEL**

Ms. De Luna stated that the subject site is located approximately 700' west of Stewart Road along the north side of Las Brisas Drive. The lot measures 75' x 124' for a total 9,300 sq. ft.

The applicant would like the Board to consider the above-mentioned variance for a proposed 30' x 12' swimming pool. Staff notes that there is a 15' utility easement where the applicant is proposing to build the swimming pool. It is noted that there are other swimming pools within this subdivision meeting setbacks. However, ZBA approved an 11' rear setback variance for Lot 18 on November 17, 2020.

Staff mailed out 30 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

**RECOMMENDATION:** Staff recommends denial of the 9'1", but would be receptive to considering approving an 11' rear setback to be consistent with the previous variance awarded. Subject to signing a hold harmless document

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Mr. Reynaldo Rangel the applicant was present. The applicant stated he did not know about variances until he wanted to build a pool. Mr. Reynaldo added that some neighbors on the same street have obtained variances as well.

Mr. Sanchez asked Mr. Rangel if he was aware of the hold harmless agreement that he had to sign if the variance was approved.

Mr. Rangel stated he was not aware of it.

Chairman Jose "Pepe" Garcia stated there would be some requirements if the variance was granted.

Mr. Sanchez mentioned to Mr. Rangel that if any utility companies needed access he would have to remove at his expense.

Mr. Rangel understood the process.

Mr. Alberto Salazar asked staff if the variance given in November had an extraordinary situation.

Ms. De Luna stated that in that specific case there were also encroaching in to the utility easement, but most of the utilities were not affected. She added that is the reason why they gave the applicant an 11' rear variance.

Ms. Elizondo asked if they agreed to the hold harmless agreement.

Ms. De Luna confirmed "yes". She added that is the reason why staff is recommending a 11' variance so that he could be following what was recently granted.

Ms. De Luna mentioned that the applicant is asking for 9'1" but staff is receptive to 11'.

Mr. Rangel stated he would take the 11' even if he would have to make it longer. He added the pool was going to be built regardless.

Chairman Jose "Pepe" Garcia entertained a motion. Mr. Sanchez moved to approve staff recommendation of a 11' rear setback. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

#### **ITEM #1.2**

#### **TO ALLOW A 10' REAR SETBACK INSTEAD OF THE REQUIRED 15' REAR SETBACK AT 2300 FOX RUN, BEING LOT 8, FOX RUN SUBDIVISION, AS REQUESTED BY TOM SHEPHERD**

Ms. De Luna stated that the subject site is located at the south end of the cul-de-sac of Fox Run. The irregular lot measures a total 20,790 sq. ft.

The applicant would like the Board to consider the above-mentioned variance for a proposed addition of a patio, storage, and dress area with a restroom. Staff notes that

based on the site plan submitted, the applicant is meeting the 15' rear setback but wants to reduce it at 10'.

Staff mailed out 10 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

**RECOMMENDATION:** Staff recommends denial since the applicant has enough room to comply with the setbacks. Approving this variance will set precedence to others within the neighborhood.

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Mr. Tom Shepherd the applicant was present. He stated he was at the end of the cul-de-sac and from the rear of his property he could see the storage complex. He added he would see about a 10' block wall along the entire property.

Mr. Shepherd explained that he would want to build the pool closer to the rear so that he can see less of the block wall and have a little more space in his back yard. He added he understood there was a 10' utility easement and he was not planning to mess with it. He just wants to use 5' of the 15'.

Mr. Sanchez mentioned that the pool was meeting setbacks but the additional structure was not.

Mr. Shepherd stated the pool is proposed. He added the corner of the pool patio was going to encroach into the setback.

Chairman Jose "Pepe" Garcia asked if the structure currently fit perfectly outside of the 15'.

Mr. Shepherd said it would work. He added that if he could move it a little it would hide the complex a little more and give him more yard to look at.

Mr. Sanchez asked if the drawing was the proposed.

Ms. De Luna stated it was the proposed.

Mr. Sanchez mentioned if he just wanted to shift it into the setback.

Mr. Shepherd stated that the corner would go in 5' into the setback.

Mrs. Elizondo asked if it was an enclosed structure.

Mr. Shepherd explained that the half bath and the dressing area was enclosed.

Chairman Jose "Pepe" Garcia asked Mr. Shepherd if he would be interested in flipping the design.

Mr. Shepherd stated his design was that way so that he could hide the block wall.

Mr. Sanchez stated that the purpose of the board was to grant variances for a good cause, but his not sure if he sees a good cause.

Ms. Elizondo stated he was not doing something that would inhibit a problem to the neighbor. She added that on the rear of the property it looked like a track.

Mr. Shepherd stated it was John H. Shary.

Ms. Elizondo stated that there would probably never be something built on the property.

Mr. Shepherd stated that the property north of his has a variance for a pool.

Mr. Sanchez asked staff if they had researched to see if the property had a variance.

Ms. De Luna stated that the there was something seen for those lots by the council and not with the Zoning Board of Adjustments. She added it was to abandon an easement.

Mr. Reyna mentioned there was another structure encroaching into the setback.

Mr. Shepherd stated the concrete slab is encroaching.

Ms. Elizondo suggested to hold this item to see if staff can find out if the other property received a variance.

Chairman Jose "Pepe" Garcia entertained a motion. Ms. Elizondo moved to "Table" the variance request. Mr. Reyna seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #1.3  
TO ALLOW A 3' FRONT SETBACK INSTEAD OF THE REQUIRED 25' FRONT SETBACK & A 3'3" SIDE SETBACK INSTEAD OF THE 6' SIDE SETBACK AT 1309 SONORA STREET, BEING LOT 14, BLOCK 7, SOUTH BRYAN RIDGE NO. 2, AS REQUESTED BY SYLVIA ROBLES**

Ms. Dimas stated that the subject site is located approximately 231' east of Pecan Avenue along the north side of Sonora Street. The lot measures 145' x 94' for a total 13,630 sq. ft.

The applicant would like the Board to consider the above-mentioned variance to keep a 20' x 22' carport that was built without a permit. This violation was discovered by a Code Enforcement Officer while in the area.

Staff mailed out 26 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

During the workshop held in July with the City Council to consider the materials and setbacks allowed for carports it was decided that the material would be allowed, however they would like the property owners to meet the required setbacks for the subdivision. Therefore, based on the direction from the City Council we cannot support the request.

**RECOMMENDATION:** Staff's recommends denial. Approving this variance will set precedence, and allowing as is would not be fair for others that have modified their structures to meet code.

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Mrs. Sylvia Robles the applicant stated she purchased the home for her daughter to live. She added most of them are wood frame homes and do not have street lights or garages.

Mrs. Robles stated the carport was not built on concrete and is movable.

Mr. Salazar asked if it was an enclosed garage.

Mrs. Robles stated it was a bedroom. She added she thought about doing an overhang.

Mr. Reyna mentioned he thought that would be too much of an overhang.

Mrs. Robles stated that if she does an overhang respecting the 25' it would not cover a vehicle.

Chairman Jose "Pepe" Garcia entertained a motion. Mr. Sanchez moved to deny the variance request. Mr. Reyna seconded the motion. Upon a vote, the motion passed unanimously.

#### **ITEM #1.4**

#### **TO ALLOW A 4' SIDE SETBACK INSTEAD OF THE REQUIRED 5' SIDE SETBACK AT 3905 GRAND CANAL, BEING LOT 134, SHARYLAND PLANTATION VILLAGE LOS CABOS PH. III, AS REQUESTED BY GEORGE DE LEON**

Ms. Dimas stated that the subject site is located approximately 160' South of San Esteban along the East side of Grand Canal. The lot measures 60' x 120' for a total 7,200 sq. ft.

The applicant would like the Board to consider the above-mentioned variance for a proposed 14' x 18' swimming pool. Staff notes that there is a 5' side setback where the applicant is proposing to build part of the swimming pool. It is noted that there are other swimming pools within this fairly new subdivision meeting setbacks. According to the applicant, 811 has spotted all utility lines within the property and there are none affecting the proposed pool location.

Staff mailed out 18 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

**RECOMMENDATION:** Staff recommends denial since the swimming pool can be adjusted to comply with the setbacks. Approving this variance will set precedence, in this fair new subdivision.

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Mr. Reyna wanted to clarify that side said 5' but it was actually 6'.

Ms. Dimas stated that the actual setback that is recorded for the subdivision is 5'. She added that the site plan submitted says 6' but it is 5'.

Mr. George De Leon & Mrs. Aleida Galvan the applicants were present.

Mr. "Pepe" Garcia asked if they would modify the pool to meet setbacks.

Mrs. Galvan stated the pool would be a 1' into the setback.

Mr. Sanchez stated that by looking at the site plan it says 2' into the setback.

Ms. Elizondo stated that 1' could be adjusted to meet the setback.

Chairman Jose "Pepe" Garcia entertained a motion. Ms. Elizondo moved to deny the variance request. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Jose "Pepe" Garcia entertained a motion to remove the next item from the table. Mr. Sanchez moved to remove the item from the table. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

**TABLED ITEM #1.5**

**TO KEEP A 1'10" WEST SIDE; A 1'9" EAST SETBACK INSTEAD OF THE REQUIRED 6'; AND A 6'5" REAR SETBACK INSTEAD OF THE REQUIRED 10' REAR SETBACK; AT 1905 AUDREY DRIVE, BEING LOT 82, THE OAKS AT CIMARRON SUBDIVISION, AS REQUESTED BY JUAN GARCIA**

Ms. Dimas stated that the subject site is located approximately 230' near the northwest corner of Red River Road and Audrey Drive along the north side of Audrey Drive. The lot measures 82' x 120' for a total 9,600 sq. ft.

The applicant would like the Board to consider the above-mentioned variances for a 11'5" x 23'4" Pergola and a 4'9" x 11'3" roof that were built without permits. These violations were discovered by the Code Enforcement Department while doing a sweep on the subdivision.

Staff notes that the Board has denied a similar request along Frio St and Dennise Court.

Staff mailed out 31 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

**RECOMMENDATION:** Staff's recommends denial. Approving this variance will set precedence, and allowing as is would not be fair for others that have modified their structures to meet code.

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Mr. Juan Garcia the applicant was present.

Chairman Jose "Pepe" Garcia asked the applicant if he got a permit when he built the structures.

Mr. Garcia stated he hired "Alvarez Pools" to take care of the whole backyard.

Mr. Reyna asked staff if they had any documentation.

Ms. Dimas stated staff found a permit for the pool and not for the additional structures.

Mr. Reyna asked the applicant if the company did the structures as well.

Mr. Garcia stated "Alvarez Pools" took care of the whole backyard about 9 years ago.

Mr. Salazar asked if the structures were there at the time of the final inspection.

Mr. Garcia and staff did not have that information.

Mr. Salazar asked if everything was done at the same time.

Mr. Garcia stated he didn't remember because everything was done about 9 years ago.

Mr. Reyna asked if the company was still in business.

Ms. Dimas stated we would have to research that information.

Chairman Jose "Pepe" Garcia asked the applicant if he would be able to modify the structures.

Mr. Garcia stated he could try and fix it the way they should be.

Mr. Reyna asked staff if the City has discussed anything about contractors not following city rules.

Ms. Dimas stated that the City's former attorney was going to draft something to that effect but he is no longer with us.

Mr. Juan Garcia the new owner of the property asked if there was anything that could be done.

Chairman Jose "Pepe" Garcia asked if there was a concrete slab under the structure.

Mr. Garcia stated there was a concrete slab under the pergola.

Ms. Elizondo stated that the pergola had electrical wires to provide the electricity.

Ms. Elizondo asked the applicant if they have explored for a cost to modify the structures.

Mr. Garcia mentioned he has not done that yet. He also asked the board that what did he have to modify.

Chairman Jose "Pepe" Garcia stated it would be ideal to remove the structures but if he can modify that would be great too.

Ms. Elizondo stated that the information on the final inspection holds a weight on the decision.

Ms. Dimas stated that those records are no longer available. She added that those records are only kept for 5 years.

Mr. Salazar asked if the posts on the pergola were buried.

Mr. Garcia confirmed "yes".

Mr. Salazar stated that setting precedence to others is really important. He added that the setbacks have a purpose.

Mr. Garcia stated he understood. He mentioned that about 35-40 houses received letters for structures not meeting setbacks.

Ms. Dimas stated she personally did the sweep on that subdivision and Mr. Garcia was correct with that information.

Mr. Reyna asked if staff had considered grandfathering.

Ms. Dimas stated that "no" and that staff is handling each case at a time.

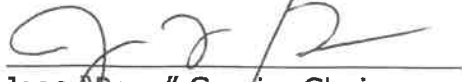
Chairman Jose "Pepe" Garcia entertained a motion. Mr. Reyna moved to deny the variance request. Mr. Salazar seconded the motion. Upon a vote, the motion passed unanimously.

## **2.0 OTHER BUSINESS**

There was none.

## **3.0 ADJOURNMENT**

There being no further business, Ms. Elizondo moved to adjourn. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously at 5:17 p.m.



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Jose "Pepe" Garcia, Chairman  
Zoning Board of Adjustments

**PLANNING AND ZONING COMMISSION  
OCTOBER 26, 2022  
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

**P&Z PRESENT**

Connie Garza  
Diana Izaguirre  
Raquenel Austin  
Hector Moreno  
Jasen Hardison

**P&Z ABSENT**

Debra Alvarez  
Javier Barrera  
Ruben Arcaute

**STAFF PRESENT**

Cynthia Gonzalez  
Irasema Dimas  
Gabriel Ramirez

**GUESTS PRESENT**

Ines Lopez  
Carlos Garcia  
Roel Moreno  
Lalo Ramirez  
Irma Cuellar  
Anita Gonzalez  
Cassandra Bazan  
Lydia Bazan  
Jose Perez  
Isaac Garza

**CALL TO ORDER**

Chairwoman Izaguirre called the meeting to order at 5:32 p.m.

**CITIZENS PARTICIPATION**

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

There was none.

**APPROVAL OF MINUTES FOR OCTOBER 12, 2022**

Chairwoman Izaguirre asked if there were any corrections to the minutes for October 12, 2022. Mr. Hardison moved to approve the minutes as presented. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:33 p.m.**

**Ended: 5:35 p.m.**

**Item #1.1**

**Rezoning:**

**A 4.09 acre tract of land being 4.12 acres out of Lot 66, New Caledonia Subdivision Unit 1, Save and except The State of Texas tract a 0.0287 of an acre tract out of Lot 66, New Caledonia Subdivision Unit 1  
AO-I to C-3  
Tejano Investments, LLC**

Ms. Irasema Dimas went over the write-up stating the subject site is located at the Northwest corner of W. Mile 3 Road and N. Schuerbach Road. – see vicinity map.

**SURROUNDING ZONES:**

N: County  
E: AO-I – Agricultural Open Interim  
W: AO-I – Agricultural Open Interim  
S: AO-I – Agricultural Open Interim

**EXISTING LAND USES:** N: Vacant  
E: Single Family  
W: Large Lot Single Family  
S: Vacant  
Site: Vacant

**FLUM:** General Commercial (GC)

**REVIEW COMMENTS:** Since the property is along a major thoroughfare and is consistent with the existing land uses staff is receptive to the request.

**RECOMMENDATION:** Staff is recommending Approval.

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

There was none.

Chairwoman Izaguirre asked if the applicant was present.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the rezoning request. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 5:42 p.m.**

**Item #1.2**

**Rezoning:**

**Being a 7.426 acre out of Lot 32-1,  
West Addition to Sharyland Subdivision  
AO-I to R-2  
Ricardo Salazar**

Ms. Irasema Dimas went over the subject site is located approximately 180' South of White Oak Drive and West Mile 3 Road.

**SURROUNDING ZONES:** N: C-3 – General Business  
E: AO-I – Agricultural Open Interim  
W: AO-I – Agricultural Open Interim  
S: AO-I – Agricultural Open Interim

**EXISTING LAND USES:** N: Commercial Plaza  
E: Large Lot Single Family  
W: Single-Family  
S: Padron Junk Yard  
Site: Vacant

**FLUM:** Lower Density Residential (LDA)

**REVIEW COMMENTS:** It is not uncommon to see an apartment complex development behind a commercial plaza. Examples of some will be the apartment complex behind Dennis on Shary

Road, the Reserve at Cimarron behind the Kohl's shopping plaza on Colorado, and the most recent approval is along east of 1<sup>st</sup> Street next to Rocha's Restaurant. Staff is receptive to the request.

**RECOMMENDATION:** Staff is recommending Approval.

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

Mrs. Nidia Bazan owner of the property at 4108 Rene Avenue stated she had some concerns. She added she only had the rear of the property and her property is currently landlocked. She mentioned she has been paying taxes but she has to access to the property.

Mrs. Bazan wanted to know if there was going to be an alley or a street with the new development that would give her access.

Mrs. Garza asked Mrs. Bazan how she accessed the property.

Mrs. Bazan stated she currently does not access to the property.

Mrs. Garza asked Mrs. Bazan if she lived there.

Mrs. Bazan stated she does not live there but she does have a big shed on the rear of the property.

Chairwoman Izaguirre asked if the applicant was present.

Mr. Roel Moreno the developer was present. He stated he recently purchased the property and has a fence and cleaned it up.

Chairwoman Izaguirre asked the developer if he would be okay with giving access to the neighbors.

Mr. Moreno stated he had no problem and he would talk to Mrs. Bazan.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to approve the rezoning request. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:42 p.m.**

**Ended: 5:53 p.m.**

**Item #1.3**

**Rezoning:**

**A tract of land containing 5.000 acres, being a part  
or portion out of Lot 42, Bell-Woods Co's Subdivision  
R-1T to R-2  
R.T. Real Estates Investments, LLC**

Ms. Irasema Dimas went over the subject site is located approximately 120' North of Thompson on the East side of Trospen Road.

**SURROUNDING ZONES:** N: AO-I – Agricultural Open Interim

E: AO-I – Agricultural Open Interim  
W: AO-I – Agricultural Open Interim  
S: R-2 & C-2 – Duplex-Fourplex & Neighborhood Commercial

**EXISTING LAND USES:**  
N: Vacant  
E: Vacant  
W: Single-Family/Escobar Rios Elementary  
S: Apartments  
Site: Vacant

**FLUM:** Lower Density Residential (LDA)

**REVIEW COMMENTS:** Since the applicant's request is consistent with the existing R-2 (Duplex-fourplex) subdivision on the southside of the property staff is receptive to the request.

**RECOMMENDATION:** Staff is recommending Approval.

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

There was none.

Chairwoman Izaguirre asked if the applicant was present.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the rezoning as requested. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started:** 5:43 p.m.

**Ended:** 5:45 p.m.

**Item #1.4**

**Rezoning:** Being a 3.01acre tract of land out of and forming a Part or portion of Lots 184 and 194, John H. Shary Subdivision  
AO-I to C-3  
Dragonfly 6265, LLC

Ms. Irasema Dimas went over the subject site is located approximately 400' North of East 1<sup>st</sup> Street on the West side of North Shary Road.

**SURROUNDING ZONES:**  
N: C-3 – General Commercial  
E: C-3 – General Commercial  
W: AO-I – Agricultural Open Interim  
S: C-3 – General Commercial

**EXISTING LAND USES:**  
N: Commercial  
E: Commercial  
W: Twin Lakes RV Park  
S: Commercial  
Site: Recreational Vehicles (Twin Lakes)

**FLUM:** General Commercial (GC)

**REVIEW COMMENTS:** Since the property is along a major thoroughfare and is consistent with the existing land uses staff is receptive to the request.

**RECOMMENDATION:** Staff is recommending Approval.

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

There was none.

Chairwoman Izaguirre asked if the applicant was present.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the rezoning as requested. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started:** 5:45 p.m.

**Ended:** 5:47 p.m.

**Item #1.5**

**Conditional Use Permit:**

**Drive-Thru Service Window - IHOP  
3501 N. Conway Avenue  
Lot 32, Bell-Woods Co's Subdivision  
C-3  
Issac Garza**

Ms. Irasema Dimas went over the write-up stating the subject site is located approximately 1,355' north of Mile 2 Road along the west side of Conway Avenue. The applicant is proposing to construct a 4,625 sq. ft. building for an IHOP Restaurant with a curbside pickup drive-thru service window. The primary access to the building will be from Conway Avenue through a proposed 30' common access easement. The curbside pickup drive-thru service window will be on the south side of the building

- **Days/Hours of Operation:** Open 24hours – Everyday.
- **Staff:** 45 to 50 employees in different shifts
- **Parking & Landscaping:** In reviewing the floor plan, the 4,625 sq. ft. building will have a total of 256 seating spaces inside the restaurant and 16 seating spaces in the patio area. A total of 91 parking spaces will be required. It is noted that in total there will be 195 parking spaces that will be held in common with the future development. Landscaping & Lighting will be in compliance with City Codes.

**REVIEW COMMENTS:** Staff mailed out 18 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

**RECOMMENDATIONS:** Staff recommends approval for life of use subject to:

- 1.) Must comply with all City Codes (Building, Fire, Health, etc.)
- 2.) Must acquire a business license prior to occupancy.
- 3.) CUP not to be transferable to others.

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

There was none.

Chairwoman Izaguirre asked if the applicant was present.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to approve the conditional use permit. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:47 p.m.**

**Ended: 5:49 p.m.**

**Item #1.6**

**Conditional Use Permit:**

**Guest/Pool House on Property Zoned  
Large Lot Single Family Residential  
2211 Monaco Drive  
Lot 9, Monaco Subdivision  
R-1A  
Jesus Treviño**

Ms. Irasema Dimas went over the write-up stating the subject site is located approximately 780' west of Shary Road along the north side of Monaco Drive. The applicant is requesting a conditional use permit for the construction of a guest/pool house. The proposed guest/pool house and garage will have 966' square feet. It will consist of (1 bedroom), (2) bathrooms, laundry room, and a double garage. Guest houses are allowed in a Large Lot Single Family Zone as long as they apply for a conditional use permit and comply with the following conditions:

- Lot be a minimal of 12,000 sq. ft.
- Cannot be made available or used for lease, rent, hire, and the owner of such use may not receive remuneration for the use of one of the above
- Proposal must be clearly secondary to the primary residence
- Shall not have access to a public street (No shared/extended driveway)
- Shall not have separate kitchen area or utilities

**REVIEW COMMENTS:**

The lots total square footage is 20,438 and all building setbacks will be met. The proposed driveway is more than sufficient to accommodate any guest vehicle. The guest home must be connected to the same water and electrical meters, i.e. no separate utilities. Staff mailed out 24 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

**RECOMMENDATION:** Since no kitchen is included, staff recommends approval subject to: 1) no separate utility and electrical connections, 2) transferability to other future owners imposing the same conditions imposed to this applicant, and 3) not to be used for rental purposes.

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

There was none.

Chairwoman Izaguirre asked if the applicant was present.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:49 p.m.**

**Ended: 5:51 p.m.**

**Item #1.7**

**Conditional Use Permit:**

**Texas Citrus Fiesta Vaquero Cook-off  
& Fun Fair on November 18 & 19, 2022  
1200 E. Business Highway 83  
Being a tract of land containing 6.56 acres,  
more or less, being part or portion of a  
6.79-acre tract out of Lot 20-11, West Addition  
to Sharyland Subdivision  
C-3  
Texas Citrus Fiesta**

Ms. Irasema Dimas went over the write-up stating the subject site is located near the SE corner of Bryan Road and E. Business Hwy. 83. Texas Citrus Fiesta organizers have been given permission to have their annual Vaquero Cook-off and Fun Fair on the vacant lot. They are proposing to set up on November 18 at 12:00 p.m. for both events. Although, both events will take place on November 19, 2022 from 8:00 a.m. to 8:00 p.m. with approximately 48 vendors and a stage for entertainment. The VIP tent will be used for food donations.

- **Parking:** Parking for this event will be provided along the southeast area of the property.
- The Zoning code states that fun fair sites should be a minimum of 300' away from any residentially used property from lot line to lot line. There is a mobile home park immediately to the east of the property, therefore a waiver would be needed for this location.
- Chapter 10 – Amusements and Entertainment: Security will be evident as in the past events via Mission PD Officers (as hired by TCF). Restrooms will be available. All provisions of the Chapter 10 Mission Code of Ordinances – Amusements and Entertainment – will need to be complied with, in particular the insurance coverages requirement for such amusements.

**REVIEW COMMENTS:** With sufficient professional security, barricades, lighting, & TCF monitoring, this event will again be very successful and well attended. Staff mailed out 61 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

**RECOMMENDATION:** Staff recommends approval subject to:

1. Installation of a perimeter fence/debris stop
2. Installation of "No Parking" signs along E. Business Hwy. 83 and Bryan Road;
3. Meet Noise, Amusement & Entertainment, Insurance, and any other related codes, and
4. Waiver of the 300' separation requirement from residential neighborhoods.

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

There was none.

Chairwoman Izaguirre asked if the applicant was present.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 6:08 p.m.**

**Item #1.8**

**Conditional Use Permit:                    Manufacture of Sheet Metal in a C-3 Zone  
2500 W. Expressway 83  
Lots 5, 6, & 7, Ala Blanca Norte Unit 1  
C-3  
Ines Lopez**

Ms. Irasema Dimas went over the write-up stating the subject site is located 100' west of Dolores Del Rio Avenue along the north side of W. Expressway 83. The applicant is proposing to manufacture sheet metal (decoiling and cutting) within his 5,192' existing building and wishes to add an additional 3,250 sq.ft for phase 1 to the west of the property. His future plans will be to have a display show room within the building for a total of 18,244 sq.ft.

Zoning Code, Article VIII, Section 1.43.3.i states: Any of those permitted uses under the light industrial zoning district would be consider subject to applying for a conditional use permit.

The applicant utilizes only 1 machine to cut and decoil the sheet metal. The customer would be able to decide the shape and size of the sheet metal that they need. The applicant stated that the roll forming line machine does not exceed 40-50 decibel, thus complying with the noise ordinance.

- **Hours of Operation:** Monday through Friday from 9:00 a.m. to 5:00 p.m. and Saturday from 9:00 a.m. to 1:00 p.m.
- **Staff:** 3 employees operating the business.
- **Parking & Landscape:** In reviewing the floor plan, the 5,192 sq. ft. building will require 16 parking spaces and he is proposing 19. Once phase 1 is complete he will need to add an additional 5 parking spaces to comply with the minimum requirement. The applicant is also proposing to have 23,691 sq.ft. of landscaping thus meeting code.

**REVIEW COMMENTS:** P&Z has reviewed and approved other similar requests for manufacturing and processing products, Staff feels that this new business will be beneficial to the current business area. Staff mailed out 21 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

**RECOMMENDATION:** Staff recommends approval subject to:

- 1.) 1 year re-evaluation to assess this new operation,
- 2.) Must comply with all City Codes (Building, Fire, Parking, etc.),

- 3.) Installation of a solid buffer fence along the north side of the property, and
- 4.) Must acquire a business license.

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

There was none.

Chairwoman Izaguirre asked if the applicant was present.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to approve the conditional use permit. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:54 p.m.**

**Ended: 5:55 p.m.**

**Item #2.0**

**Preliminary & Final**

**Plat Approval:**

**Las Comadres #11 Subdivision**

**Being a 40.85 acre tract of land out of all of Lots 14,**

**15, 16, & 18, Nick Doffing Co. Subdivision**

**Suburban ETJ**

**Developer: Carlos Leal**

**Engineer: South Texas Infrastructure Group**

Mr. Gabriel Ramirez went over the write-up stating the proposed subdivision is located on Doffing Road and approximately 3,000 feet north of 3 Mile Line (Mission Suburban ETJ). The developer is proposing (68) sixty-eight Single Family Residential lots.

### **WATER**

The water CCN belongs to Agua Special Utility District. The developer is proposing to connect to an existing 8" water line located along the west side of Doffing Road to provide water service to each lot. There are 8 fire hydrants provided to be used as filling stations via direction of the Fire Marshal's office.

### **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 meets or exceeds the county's typical ½ acre standard where septic tanks are permitted. This is not within the City of Mission's Sewer CCN.

### **STREETS & STORM DRAINAGE**

The proposed internal street is a 32' back-to-back within a 50' Right of Way. Access will be from Doffing Road. The proposed drainage system shall consist of 12 Inlets within the streets to collect surface runoff from the lots and streets. Storm Pipes ranges from 18" to 36" and will discharge into an existing Hidalgo County Drainage Irrigation District No. 1 Regional Detention Facility (RDF). The City Engineer has reviewed and approved the drainage report.

### **RECOMMENDATION**

Staff recommends approval subject to meeting the Model Subdivision Rules complying with the street alignment policy and meeting any comments from the County Planning Department.

Chairwoman Izaguirre asked the board if they had questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Moreno moved to approve the request as recommended by staff. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:55 p.m.**

**Ended: 5:56 p.m.**

**Item #2.0**

**Preliminary & Final  
Plat Approval:**

**Sendero Phase I Subdivision**

**Being a resubdivision of 51.376-acre tract  
of land out of the south end of Porcion 52  
PUD (R-1)**

**Developer: Rhodes Development, Inc.**

**Engineer: Melden & Hunt, Inc.**

Mr. Gabriel Ramirez went over the write-up stating the proposed subdivision is part of a master plan located approximately 397' west of S. Inspiration Road and along the south side of Mile One South Road. The developer is proposing (156) One Hundred Fifty-Six Single Family Residential lots.

### **WATER**

The developer is proposing to connect to an existing 12" water line located along the south R.O.W. of Mile One South Rd. and extend an 8" water line through the subdivision providing a 2" water service to each lot. There are 11 proposed fire hydrants via direction of the Fire Marshal's office.

### **SEWER**

The developer is proposing to connect to an existing manhole within the R.O.W. at the southern access of the development and extend a 12" line west along the north side of the Perezville Ditch. A proposed 8" Sanitary Sewer line will run through the subdivision and collect from each lot through a 4" front and center stub out service. The Capital Sewer Recovery Fee is required at \$200.00/Lot which equates to \$30,600.00 (\$200 x 156 Lots).

### **STREETS & STORM DRAINAGE**

The proposed internal street is a 32' Back-to-Back within a 50' Right of Way, access will be from Mile One South Rd. and/or Inspiration Rd. The proposed storm drainage system will consist of multiple curb inlets ranging in size from 24" to 42" RCP. Surface and street runoff will be caught by said inlets and conveyed via storm lines into the Perezville Drain (owned by H.C.D.D. No. 1) adjacent to south side of this property and ultimately have an outfall into the Mission Pilot Channel system of the H.C.D.D No.1 via 5'x5' box culvert under the United Main Canal. The development is included in Drainage Basins 26 & 32 of the Bentsen Palms Master Drainage Study. The required detention of 278,000 cubic feet (6.336 ac-ft) shall be provided within the Perezville Drain Ditch widening. The City Engineer has reviewed and approved the drainage report.

### **OTHER COMMENTS**

No Park Fees – Mike Rhodes dedication of park land still stratifies the park Dedication Ord.

## Installation of Street Lighting as per City Standards

### **RECOMMENDATION**

Staff recommends approval subject to:

1. Payment of Capital Sewer Recovery Fees
2. Provide Water District Exclusion
3. Comply with all other format findings

Chairwoman Izaguirre asked the board if they had questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the request as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

### **ITEM #4.0**

### **ADJOURNMENT**

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to adjourn the meeting. Mrs. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:57 p.m.



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Diana Izaguirre, Chairwoman  
Planning and Zoning Commission

**PLANNING AND ZONING COMMISSION  
OCTOBER 12, 2022  
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

**P&Z PRESENT**

Connie Garza  
Diana Izaguirre  
Javier Barrera  
Debra Alvarez  
Raquenel Austin  
Ruben Arcaute

**P&Z ABSENT**

Hector Moreno  
Jasen Hardison

**STAFF PRESENT**

Jessica Muñoz  
Irasema Dimas  
Gabriel Ramirez  
Patricio Martinez

**GUESTS PRESENT**

Alejandro Cuelle  
Irma Cuelle  
Anita Gonzalez  
Nacho Pecina  
Sonya Garza  
Juan Rosel  
Lorenzo Adame  
Gilberto Garza  
Julio Cerda  
Irene Garza  
Miguel Martinez  
Adriana Cardenas  
Edgar Gonzalez  
James & Genevieve Ridolfo  
Lorena Cantu

**CALL TO ORDER**

Chairwoman Izaguirre called the meeting to order at 5:32 p.m.

**CITIZENS PARTICIPATION**

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

There was none.

**APPROVAL OF MINUTES FOR SEPTEMBER 28, 2022**

Chairwoman Izaguirre asked if there were any corrections to the minutes for September 14, 2022. Mrs. Garza moved to approve the minutes as presented. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:34 p.m.**

**Ended: 6:00 p.m.**

**Item #1.1**

**Rezoning:**

**A 19.06 acre tract of land, more or less,  
being the South 19.06 acres of Lot 28-12,  
West Addition to Sharyland of Porciones 53-57  
AO-I to P  
Dr. Narcisco Garcia**

Ms. Irasema Dimas went over the write-up stating the subject site is located approximately 1,028' south of E. Mile 2 Road along the west side of Stewart Road. – see vicinity map.

**SURROUNDING ZONES:            N:    R-1A            – Large Lot Single Family**

E: R-1A – Large Lot Single Family  
W: AO-I – Agricultural Open Interim  
S: AO-I – Agricultural Open Interim

**EXISTING LAND USES:**  
N: Large Lot Single Family  
E: Large Lot Single Family  
W: Vacant  
S: Single-Family Home  
Site: Vacant

**FLUM:** Lower Density Residential (LDA)

**REVIEW COMMENTS:** Staff notes that schools have been allowed in Agricultural, and Single-Family Residential zones in the past. On August 13, 2012, City Council created a new Zone which requires all public facilities such as City, County, Federal buildings, Churches and Schools to fall within this zone. Vanguard wishes to comply with this new zoning requirement. The school use is exactly what the P zone is intended to regulate.

Staff received a petition showing 49% (see exhibit “A”) in opposition to this request. The concerns expressed refer to being in contravention to the City’s purpose in establishing zone districts, the current road that will be used for ingress and egress is not designated to sustain additional heavy traffic and subsequent congestion, and would further complicate the drainage issues. Staff also notes that there are residents who signed the petition outside the 200’ radius.

In regards to schools, Former Attorney General, Greg Abbott explained that a home rule city “may enforce its reasonable land development regulations and ordinances against an independent school district for the purpose of aesthetics and the maintenance of property values.”

**RECOMMENDATION:** Staff recommends approval.

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

Mr. Julio Cerda who resides at 2800 N. Stewart Road read from Exhibit B.

Mr. Juan Rosel who resides at 1608 Pebble Drive stated he was opposed to this request. His main concern was flooding issues. He added that this property is not a good area for a school and that there are better properties out there to build on.

Mr. James & Genevieve Ridolfo who reside at 2907 Stewart Road stated that they were opposed to this request for all of the reasons mentioned previously. Mr. Ridolfo added that a depression was done in front of the property and a shoulder was not proposed. He also added that building a school would cause tremendous traffic like other schools in Mission and would not like that in this area.

Mrs. Genevieve Ridolfo who resides at 2907 Stewart Road stated that she was opposed to this request. Mrs. Ridolfo added that her main concern was traffic and has witnessed countless accidents in front of her house. She also added that she has lived in this area since 1993 and has seen this area grow and expect for improvements to come with the new subdivisions and they don’t.

Mrs. Adriana Cardenas who resides at 1604 Pebble Drive stated that she was opposed to this request for all the reasons mentioned previously.

Mr. Leonardo Rios who resides at 1601 E 30<sup>th</sup> Street stated that he was opposed to this request.

Mr. Rios added that his main concern was infrastructure and flooding.

Chairwoman Izaguirre asked the board if they had questions.

Mrs. Debra Alvarez asked staff what was the rationality for recommending approval?

Ms. Irasema Dimas stated that the Texas law does not prohibit us to allow a school district to apply for a public zone.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Javier Barrera moved to deny the rezoning request. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:00 p.m.**

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

**Item #1.2**

**Rezoning:**

**A 0.499 of an acre tract of land,  
more or less, being the North ½ of the east  
1.00 acre of the west 1.73 acres of a 35.71 acre tract  
Out of the South one half of Lot 15-7 and 15-8,  
West Addition to Sharyland  
R-1 to C-3  
Lorenzo Adame**

Ms. Irasema Dimas went over the site is located approximately 152.00' east of S. Conway Ave. along the south side of Melba Carter.

**SURROUNDING ZONES:**

N:	C-3	– General Business
E:	C-3	– General Business
W:	C-3	– General Business
S:	R-1	– Single-Family Residential

**EXISTING LAND USES:**

N:	Commercial
E:	Commercial
W:	Commercial
S:	Vacant
Site:	Vacant

**FLUM:** Industrial (I)

**REVIEW COMMENTS:** The proposed zone does comply with the City's Future Land Use Map, and surrounding land uses. However, the City Council has recently denied rezoning request for C-3 (General Business) making it clear that the Council would like to keep this area as single family residential. The City has invested in various improvements over the past several years. These improvements include street lights, sidewalks, and several CDBG homes.

**RECOMMENDATION:** Staff is recommending denial.

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

Mrs. Irene Garza who resides at 308 Melba Carter stated that she was opposed to this request. Mrs. Garza added that the neighborhood wants to keep this property residential because of all the traffic that passes by. She also added that "Carmona mechanic shop" tests the cars and go down the street speeding. For safety reasons we shouldn't allow anymore businesses in this area.

Chairwoman Izaguirre asked if the applicant was present.

The applicant Mr. Lorenzo Adame stated that he just recently bought the property from the City of Mission. Mr. Adame added that he has a utility business and wishes to put an office on this property.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Ruben Arcaute moved to deny the rezoning as recommended by staff. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 6:08 p.m.**

**Item #2.0**

**Site Plan Approval:**

**Construction of a Restaurant  
(IHOP – Store # 3731)**

**Being a resubdivision of 4.666 acres out of Lot 32,  
Bell-Woods Company's Subdivision "C"**

**C-3**

**Haidar Properties, LLC**

Mr. Gabriel Ramirez went over the write-up stating the subject site is located approximately 1355' north of Mile 2 Rd along the West side of Conway Ave. (SH 107) The developer is proposing a two-lot subdivision with the main structure on Lot 1. The site is currently vacant.

Upon reviewing the site plan, the primary access will be from Conway Ave. through a proposed 24' common access easement running East to West with the building being on the north. The building size will measure 4625 sqft with an optional customer order pickup window.

The front building setback is approximately 113' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 54 parking spaces are allocated to serve the business. The existing fire hydrant and its assemblies is located at the NW corner of the property. Designated fire lanes will be noted at restricted locations.

Storm water detention area has been designated at the rear of the property to fulfill drainage requirements. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan will be reviewed so that nearby residential properties won't be affected.

**OTHER COMMENTS:**

1. 1 enclosed dumpster will be located within the Lot to be screened with a 6' block fence with opaque (solid) gates.
2. Sign permit will be required

**RECOMMENDATION:** Staff recommends approval.

Chairwoman Izaguirre asked the board if they had questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Connie Garza moved to approve the site plan approval as recommended by staff. Mrs. Raquanel Austin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:08 p.m.**

**Ended: 6:10 p.m.**

**Item #3.0**

**Preliminary & Final  
Plat Approval:**

**Brushline Meadows Subdivision**

**A 17.62 acre tract of land being all of Lot 91,  
and the south 7.62 acres out of Lot 92,  
The Nick Doffing Co. Subdivision No. 1**

**Rural ETJ**

**Developer: 1960 Investment Company, LLC**

**Engineer: Nain Engineering, LLC**

Mr. Gabriel Ramirez went over the write-up stating the subject site is located at the southeast corner of Mile 7 North and Brushline Road. The developer is proposing 13 Single Family Residential lots — see plat for actual dimensions, square footages, and land uses.

### **WATER**

The water CCN belongs to Agua Special Utility District. The developer is proposing to connect to an existing 8" water line west of Brushline Rd. by boring and extending a 1" service line to each lot. There will be 2 fire hydrants to be used as filling station.

### **SEWER**

Sewage from Brushline Meadows Subdivision will be treated by individual on-site sewage facilities consisting of a stand design dual compartments septic tank and a drain field on each lot. Each lot in the proposed subdivision is at least ½ acre in size. This is not within the City of Mission sewer CCN.

### **STREETS & STORM DRAINAGE**

Access for Lots 1-11 will be from Brushline Road and Lots 12 and 13 will be from Mile 7 Rd. The existing terrain has a grade of approximately .01%. Runoff from the site is by form of sheet flow towards the southeast side of this tract with an increase of 7.07 cfs. A total of 33,606 of cf storm runoff for a 50 year design frequency will be detained within the property by proposed detention areas. An 18" pipe with safety end treatment will be required at driveway. The City Engineer has reviewed and approved the drainage report.

### **RECOMMENDATION**

Staff recommends approval subject to meeting the Model Subdivision Rules and meeting any comments from the County Planning Department.

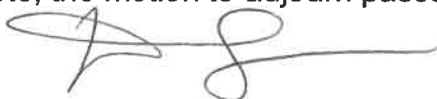
Chairwoman Izaguirre asked the board if they had questions.

There was none.

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

**ITEM #4.0**  
**ADJOURNMENT**

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Ruben Arcaute moved to adjourn the meeting. Mr. Javier Barrera seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:10 p.m.



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Diana Izaguirre, Chairwoman  
Planning and Zoning Commission

RECEIVED  
SEP 28 2022

STATE OF TEXAS §  
COUNTY OF HIDALGO §

①

PETITION AGAINST ZONING CHANGE

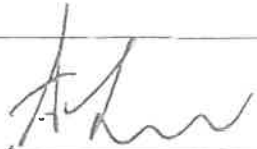

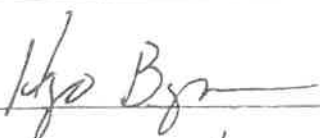


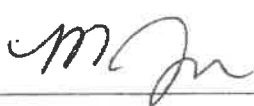


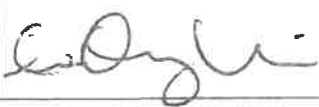
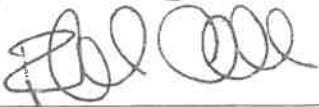

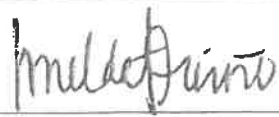
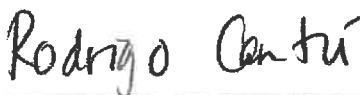
Attn: City of Mission  
Planning and Zoning Commission and  
City Council

RE: Lot 28-12 w/ West Addition of Standard

We, the undersigned owners of property affected by the requested zoning change, and in accordance with City of Mission Article V. Section 1.23, hereby submit this written protest against any change in zoning of the referenced property.

The requested change in zoning would be in contravention to the City's purpose in establishing zone districts. This property is in a residential district and the current road that will be used for ingress and egress is not currently designed to sustain the additional heavy traffic and subsequent congestion. Furthermore, additional development of the property, for uses other than residential, would further complicate the drainage issues in the area.

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	Julio Cerde	2800 N. Stewart Rd. Mission, TX
	Homer Gonzalez	712 E 28th St. Mission TX 78572
	Stephanie Ramirez	1710 E 28th St Mission TX 78574
	Joe Valdez	1708 E. 28th St Mission TX 78574
	Artemio Lopez	1706 E. 28th St.
	Rachel E. Merriman	1707 E. 28th St, Mission, TX
<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>

	Alex Ledesma	1770 E 28 <sup>th</sup> St MISSION TX 78574
	Ricardo Ochoa Jr.	1614 E. 28 <sup>th</sup> St. Mission TX 78574
	Hugo BAZAN	1608 E 28 <sup>th</sup> ST MISSION, TX 78574
	Myra Morin	1664 E. 28 <sup>th</sup> St. MISSION, TX 78574
	Azucena Reyes	1615 E 28 <sup>th</sup> ST MISSION TX 78574
	Maria Davalos	1701 E 28 <sup>th</sup> St. Mission, TX 78573
	Diana Gaura	1713 E 28 <sup>th</sup> St. MISSION, TX 78574
	Juan Anzaldúa 1704 E 28 <sup>th</sup> St.	1704 E 28 <sup>th</sup> St. MISSION TEXAS 78574
	NORMA VALENCIA	1703 E. 28 <sup>th</sup> St MISSION, TX 78574
	Rolando Castillo	1606 E 28 <sup>th</sup> ST Mission TX 78574
	Monica McIver	1705 E. 28 <sup>th</sup> St. MISSION, TX 78574
	Imelda Trenño	1702 E 28 <sup>th</sup> St MISSION TX 78574
	Rodrigo Cantu	2312 Norma Dr Mission TX 78574
<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>

STATE OF TEXAS §

COUNTY OF HIDALGO §

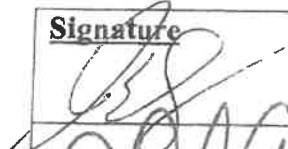
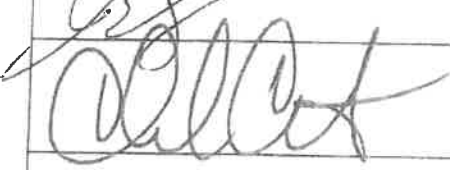
**PETITION AGAINST ZONING CHANGE**


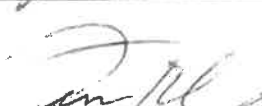

Attn: City of Mission  
Planning and Zoning Commission and  
City Council

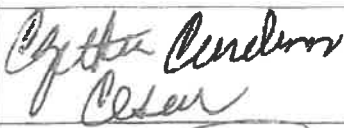

RE: Lot 28-12 west Addition of Maryland.

We, the undersigned owners of property affected by the requested zoning change, and in accordance with City of Mission Article V. Section 1.23, hereby submit this written protest against any change in zoning of the referenced property.

The requested change in zoning would be in contravention to the City's purpose in establishing zone districts. This property is in a residential district and the current road that will be used for ingress and egress is not currently designed to sustain the additional heavy traffic and subsequent congestion. Furthermore, additional development of the property, for uses other than residential, would further complicate the drainage issues in the area.

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	JOYCE SUAREZ	1612 Pebble Dr.
	CHARLES CARTER	1701 PEBBLE
<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>

	PRESTON KING	2905 MELISSA REA
Lizbeth Flores	Lizbeth Flores	3108 Dora Jeanne Dr
Missy Penafior	Missy Penafior	1509 S Stonegate Dr Mission TX 78574
Joel Estevan Bazar	Joel Estevan Bazar	2910 N Stewart Rd MISSION, TX 78574
Gregoria Vega Rios	Gregoria Vega Rios	1600 Norma Dr. Mission TX 78574
	Juan Rosel	1608 Pebble Dr Mission TX 78574
	Jaime Valadez	1504 Stonegate Dr Mission, TX 78574
<b><u>Signature</u></b>	<b><u>Printed Name</u></b>	<b><u>Address</u></b>

	Cynthia Garcia Cecilia Cardenas	3114 Garden View Garden View
	Arturo Cardenas	3112 Tulip Ave
<del>Brittany Madden</del> Brittany	Brittany Madden	1601 Stonegate Drive
Bridget Ambouh	BRIDGET FOMBON	1600 Stonegate Dr. Mission
Adriana Cardenas	Adriana Cardenas	1604 Pebble Dr. Mission, TX
Sonya Garza	Sonya Garza	1601 Pebble Drive Mission, TX
Genevieve Ridolfo	Genevieve Ridolfo	2911 N. Stewart Rd Mission, TX 78574
James Jr	JAMES RIDOLFO JR	2907 N STEWART RD MISSION, TX 78574
James Ridolfo Jr	JAMES RIDOLFO JR	2913 N. STEWART RD MISSION, TX 78574
Georgina Mendora	Georgina Mendora	1412 Mile 2 Rd Mission.
Rene Barrer	RENE BARRER	1402 EAST 2 MILE RD MISSION TX
Luis E. Leon	LUIS E. LEON	1410 - E - 2 - MILE RD
Elva Barrera	Elva Barrera	1400 E 2 Mile Rd
<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>

	Aracely Vasquez	1600 Pebble Dr Mission TX 78574
	Sandra Rios	1601 E. 30th Mission TX 78574
	Lizette Guerra	1603 E 30th St. Mission, TX 78574
	Jaden Arredondo	1606 E 30th St Mission, TX 78574
	VERONICA DORRA	1506 Stonegate Mission, TX 78574
	Jahaira Gonzalez Tigo	1508 Stonegate Mission, TX 78574
	Robert Villarreal	3100 Dura Juana Dr Mission TX 78574
	Monica Rody	1512 Stonegate Dr Mission TX 78574
	Marcela Muniz	1500 Stonegate Dr. Mission TX 78574
	Jose Torres Jr.	1605 Pebble Drive Mission TX 78574
	Susan Klem	1610 Norma Dr Mission, TX
	Margrabe Galindo	1604 Est 30th St
	Wendy Cochran	3103 Melinda Dr Mission TX 78574
<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>



**Proposed Rezoning:** 19.06 Acre Tract being the  
S. 19.06 Acres of Lot 28-12, W.A.S.  
(PZ Mtng: 9/28/22) AO-I to P (Public Zone)  
Dr. Narcisco Garcia

We object to the proposed PUBLIC zone application for the following reasons:

**POINT 1:** The proposed Public zone is NOT consistent with the City's Comprehensive Plan's designation for the subject tract; the City's own **Future Land Use Map (FLUM)** shows this area as **LDA** – meaning that it was always intended to be a 'LOWER DENSITY' RESIDENTIAL use. The FLUM was discussed and approved as such by the P&Z and the City Council. As such, major financial decisions were made by my neighbors and me to invest heavily in this general area. Logically and reasonably, ALL OF US expected that this vacant acreage would someday be rezoned R-1A for residential homes.

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**POINT 2:** Just looking at the **ZONING MAP** tells anyone with a reasonable mindset that the highest and best zone will be R-1A, and NOT the PUBLIC zone. One sees the blue color depicting R-1A being the almost exclusive zoning district for this area. The zoning map is displayed in Mission's website to tell people of what is existing and, based on logical assumptions, what may reasonably be expected in this general area. Placing a PUBLIC zone in the middle of a well-developing R-1A region is not what any resident in this area expected at all!

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**POINT 3:** Aside from vacant acreage, the only **LAND USE** in this area is **LARGE LOT SINGLE FAMILY RESIDENTIAL**. It is a quiet area - - and developing almost 20 acres for a school with all its traffic nightmares will definitely be detrimental to our *peace & enjoyment* of our *quiet* residential setting.

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**POINT 4: STEWART ROAD'S PAVED STREET SECTION** is a problem for any school at the applicants' acreage. We all realize that it is during development that streets get widened; this widening occurred with other residential subdivisions along Stewart Road. However, there is a major difference between residential traffic and school-induced traffic & the speed that comes along with it especially during rush hour. When one introduces a school and the traffic that comes along with it on the current pavement section of Stewart, we residents are the ones that will have to *suffer every school calendar day*. Stewart is wider south of the Edinburg canal, but north of it, there is NO uniform pavement section matching MPO's full pavement criteria. In other words, the pavement section does **NOT** meet MPO pavement codes & is a definite problem that will cause real traffic safety issues.

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**POINT 5: The PURPOSE OF THE PUBLIC ZONE** is outlined in Section 1.47A (1) of Mission's zoning code. When the Public Zone was created in 2012, these are 2 of the core values specifically cited of its intent:

**1.47A (1)(b)** "To establish a district that **WILL NOT** create excessive amounts of continuous traffic patterns spilling over onto residential area, and where such uses may be located on street(s) that are suitable to accommodate heavy traffic that may be incidental to its use." Even Mission's own ordinance gives very specific instruction to allow the Public zone where the street must be suitable to handle the heavy traffic that schools normally induce. Stewart Road's current condition is not a street that can accommodate this.

**1.47A (1)(c)** "To create a district that **WILL NOT** have a detrimental effect on adjoining or nearby residential areas." This instruction given to staff, the P&Z Commission, and the City Council needs to be regarded as pivotal in assessing whether or not a rezoning property to a Public zone should be awarded.

**Conclusion:** We object to the rezoning because;

- 1) it is **NOT** consistent to your **COMPREHENSIVE PLAN (FLUM)**;
- 2) it is **NOT** consistent to **AREA ZONINGS**, being the projected R-1A zone that predominates the area;
- 3) the Public land use is definitely **NOT** consistent with area **LAND USES**, which are existing & projected **LARGE LOT SINGLE-FAMILY RESIDENTIAL LOTS**;
- 4) the **PAVEMENT SECTION** of Stewart Road is a major concern that does **NOT** meet Section 1.47A (1)(b); in fact, this section will appear to be violated in this case since a Public zone's school would NOT be on a street that can accommodate the traffic generated by a school; and
- 5) a Public zone, in this case, will have a **DETRIMENTAL EFFECT ON AREA RESIDENTIAL AREAS** since our peaceful setting will be perpetually changed – *there is no going back*. Also, the Public zone may likely have a negative impact to the *market value* of our homes should any resident want to sell & go somewhere else.

If you are a board who is bound to logically follow the specific ordained instructions of the Public Zoning Code, then it follows that the rezoning application for a **PUBLIC ZONE** cannot be approved for the reasons just noted.

Thank you for time and consideration.

**PLANNING AND ZONING COMMISSION  
NOVEMBER 16, 2022  
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

**P&Z PRESENT**

Connie Garza  
Diana Izaguirre  
Hector Moreno  
Jasen Hardison  
Debra Alvarez  
Javier Barrera

**P&Z ABSENT**

Ruben Arcaute  
Raquenel Austin

**STAFF PRESENT**

Susie De Luna  
Alex Hernandez  
Jessica Munoz  
Cynthia Gonzalez  
Irasema Dimas  
Gabriel Ramirez

**GUESTS PRESENT**

Ranjir Singh Lidhar  
Enrique Castellanos  
Miguel Trevino  
Reynaldo Hernandez  
Asencion Martinez  
Sam Benson  
Irma Martinez  
Dolores Ueckert  
Esteban Phillips  
Erick Ramirez  
Gerardo Rodriguez  
William Ueckert  
Joel Cura  
Mario  
Cyndi Stojanvoic  
Margie Briseno  
Zeneth Perez

**CALL TO ORDER**

Chairwoman Izaguirre called the meeting to order at 5:31 p.m.

**CITIZENS PARTICIPATION**

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

There was none.

**APPROVAL OF MINUTES FOR OCTOBER 26, 2022**

Chairwoman Izaguirre asked if there were any corrections to the minutes for October 26, 2022. Mrs. Garza moved to approve the minutes as presented. Mrs. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:32 p.m.**

**Ended: 5:54 p.m.**

**Item #1.1**

**Rezoning:**

<b>Tract 1:</b>	<b>A 1.000 acre tract of land, more or less, out of Lot 236, John H. Shary</b>
	<b>&amp;</b>
<b>Tract 2:</b>	<b>A 9.000 acre tract of land, more or less, Out of Lot 236, John H. Shary Subdivision AO-I to R-3 Elite Development 786, LLC</b>

Ms. De Luna went over the write-up stating the subject site is located ¼ mile South of E. Griffin Parkway (F.M. 495) along the West side of Taylor Road.

**SURROUNDING ZONES:**

N:	R-3	– Multi-Family Residential
E:		– City of McAllen
W:	R-1	– Single Family Residential
S:	R-1	– Single Family Residential

**EXISTING LAND USES:**

N:	Taylor Senior Village
E:	City of McAllen
W:	Residential
S:	Residential
Site:	Vacant

**FLUM:** Low Denisty Residential (LD)

**REVIEW COMMENTS:** The proposed property is mostly surrounded by single family residences with the exception of the Taylor Senior Village. Staff notes that P&Z had considered a rezoning for this property on March 23, 2022, however the applicant withdrew the request and it didn't go before the City Council. During the P&Z meeting there was a substantial amount of opposition from the surrounding property owners. The concerns voiced were in regards to infrastructure, traffic increase, noise, schools being crowed, safety, decreased property values, privacy, etc. On November 11, 2022, staff received a petition in opposition from residents within the 200' radius reflecting 61%. Based on the substantial amount of opposition from surrounding property owners during the P&Z meeting staff cannot support the request.

**RECOMMENDATION:** Staff is recommending Denial.

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

Mrs. Dolores Ueckert who resides at 2601 E. 20th Street stated she was in opposition. Mrs. Ueckert read from Exhibit "A".

Mr. Eric Ramirez who resides at 2707 E. 20<sup>th</sup> Street stated he purchased his home 17 years ago. He stated he did not want apartments in the back. He added all neighbors knew each other and protected each other. His main concerns were infrastructure, traffic, and the extension of Taylor Road not being completed.

Mr. Rey Hernandez who resides at 2705 E. 20<sup>th</sup> Street spoke on behalf of the director of Taylor Village. He stated they were opposed to the request. He added that there was a big difference between a multi-family development and a 55 and older community.

Mr. Sam Benson who resides at 2408 E. 20<sup>th</sup> Street stated he was opposed to the request. He added the current owner purchased the property as a business investment and was purchased cash. He mentioned any owner should do a survey and a assessment in the area before purchasing a property. Mr. Benson stated he spoke to the Parks Director for the City and they discussed the probability of the owner donating the land to the City and making a Park.

Joel Cura who resides at 2504 E. 20<sup>th</sup> Street was opposed to the request. He stated he has been living there since 2003. He added that he believed this was a wrong location for this project but a neighborhood would be welcomed but not a multifamily complex.

Mr. Milo Salinas representing the new owner/developer of the property stated he had been at Planning & Zoning meeting before but with a different owner. He stated the new owner was actually proposing 4-plex lots and not an apartment complex. Mr. Salinas showed a rendering of the development. He added they were proposing approximately 30 4-plex lots that would meet the multifamily requirements, drainage requirements, traffic requirements, the infrastructure, and all the engineering would meet the City of Mission requirements. Mr. Salinas mentioned that the developer wouldn't want to build 22<sup>nd</sup> Street. He added this would be an additional cost to whoever develops the land. Mr. Salinas added that if the rezoning was not approved then the developer still had the plan to develop the property. Mr. Salinas stated that the owner already has a permit to demolish the homes on the property and plans to clear the property and install a fence. He added the owner would be able to do an 8 foot masonry wall along the residential homes for privacy concerns.

Chairwoman Izaguirre asked Mr. Salinas how many residential lots would he be proposing.

Mr. Salinas stated approximately 40-45 lots. He added that the property owner was thinking to develop townhomes if the 4-plex were not allowed. Mr. Salinas mentioned that the property was expensive and then they had to add the cost of the extension of 22<sup>nd</sup> street.

Chairwoman Izaguirre asked how can Planning and Zoning request a meeting with the City so that the extension of 22<sup>nd</sup> Street is not required by the developer.

Ms. De Luna stated that in any development if there is a potential street that could be extended it is usually recommended by the City to extend the street. She added that a portion had been already donated by the Taylor Senior Village.

Chairwoman Izaguirre stated that if any developer would not have to expand the streets then maybe they would want to develop residential.

Mr. Barrera stated there was no other way to connect Shary Road to Taylor Road from 495 to old 83. He added that there needs to be some type of connections. He mentioned there has to be a way to alleviate traffic.

Ms. De Luna stated that this would be something staff would have to discuss with the City Engineer.

Chairwoman Izaguirre asked if the owner was requesting R-2 zone.

Ms. De Luna stated that the original request was R-3.

Chairwoman Izaguirre stated that now they are asking for R-2.

Ms. De Luna stated the board could would down zone if they wish to consider.

Chairwoman Izaguirre asked the board if they had questions.

Mrs. Garza asked if that could be done even if the original request was for a R-3 or would they have to submit another request.

Ms. De Luna explained that staff could downgrade but not go higher.

Mr. Salinas stated the R-3 request on the application was a mistake.

Mr. Ueckert asked that what was staff considering at that time.

Chairwoman Izaguirre stated they were considering an R-2 zone.

Ms. De Luna stated the original request was an R-3, but the developer is willing to go down to an R-2 zone. She added that the Planning and Zoning board could consider a lesser dense but not a higher dense.

Mr. Hardison stated that the applicant needs to have an opportunity to speak to the neighbors. He added that the property should be R-1 since it is surrounded by Single-Family Residence.

Mrs. Garza stated she agreed with Mr. Hardison and she added that the extension of 22<sup>nd</sup> Street should not be negotiable.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to deny the rezoning request. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:54 p.m.**

**Ended: 5:56 p.m.**

**Item #1.2**

**Rezoning:**

**A 1.999 acre tract of land being a  
Part or portion of Lot "D", B.L. Millers  
Re-Subdivision of Lots 16, 17, 18, 19 & 20,  
Block 4, Mission Grove Estates  
AO-I to C-3  
Gilberto Maldonado**

Ms. De Luna went over write-up stating the subject site is located 1,066' West of Inspiration Road along the north side of W. Griffin Parkway.

<b>SURROUNDING ZONES:</b>	N:	AO-I	– Agricultural Open Interim
	E:	C-3	– General Business
	W:	AO-I	– Agricultural Open Interim
	S:		– City of Palmview ETJ

<b>EXISTING LAND USES:</b>	N:	Vacant
	E:	Apartments
	W:	Vacant
	S:	Commercial
	Site:	Vacant

**FLUM:** General Commercial (GC)

**REVIEW COMMENTS:** Since the property is along a major thoroughfare and is consistent with the existing land uses staff is receptive to the request.

**RECOMMENDATION:** Staff is recommending Approval.

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the rezoning request as recommended by staff. Mrs. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:56 p.m.**

**Ended: 5:58 p.m.**

**Item #1.3**

**Conditional Use Permit:**

**Drive-Thru Service Window – Kayala Coffee Company  
2138 E. Griffin Parkway  
Lot 20, Block 2, Springfield Ph. I Subdivision  
C-3  
Juan Angel Rivera III**

Ms. De Luna went over the write-up stating the subject site is located on the southwest corner of Helen Avenue and E. Griffin Parkway along the south side of Griffin Parkway. The applicant is taking over the 1,554 sq. ft. coffee shop and would like to continue using the existing drive-thru service window. The applicant will be offering coffee, teas, breakfast and lunch croissants in their menu. The site has an access point off of Helen Avenue. Drive-thru customers would use the Helen Avenue access in order to utilize the drive-thru service window and exit either to the parking lot or Helen Avenue. The location of the window allows enough stacking for at least 3 vehicles.

- **Days/hours of operation:** Monday – Friday from 7 a.m. – 6 p.m., Saturday from 9:00 a.m. to 3 p.m. and closed on Sunday
- **Staff:** 4 employees
- **Parking:** It is noted that the parking area is held in common (76 existing parking spaces) and will be shared with other businesses. Based on the square footage of the building this business requires 7 parking spaces, thus meeting code.
- **Landscaping:** Landscaping requirements are being met.

**RECOMMENDATION:** Staff recommends approval subject to:

- 1.) 1 year re-evaluation to assess this new operation
- 2.) Must comply with all City Codes (Building, Fire, Health, etc.)
- 3.) Must acquire a business license prior to business occupancy
- 4.) CUP not to be transferable to others

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

There was none.

Chairwoman Izaguirre asked if the board could recommend for more years since it's a coffee shop in a low density area.

Ms. De Luna stated that if the Council is inclined then it can be approved for 3 years unless it changed ownership.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit for a period of 3 years. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:58 p.m.**

**Ended: 6:00 p.m.**

**Item #1.4**

**Conditional Use Permit:**

**The Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event  
- Mission Historical Museum 20<sup>th</sup> Anniversary  
December 8<sup>th</sup>, 2022  
900 Doherty Avenue  
Lots 1-7, Block 161, Mission Original Townsite  
C-3  
Mission Historical Museum  
c/o Cynthia Stojanovic**

Ms. De Luna went over the write-up stating the subject site is located on the NW corner of Doherty Avenue and Business Highway 83. The Mission Historical Museum is a 501(C)3 non-profit organization, which first opened its doors in 2002, and serves the community of Mission and visitors to the area. In celebration of The Mission Historical Museum's 20<sup>th</sup> anniversary, the Mission Historical Museum will be hosting a private event on December 8<sup>th</sup>, 2022. Museum galleries will be open for guests to view and would like to offer alcohol to their guests. The alcohol and the food consumption will only be allowed in the courtyard area. The alcohol will not be sold to guests and will consist of wine and brews.

- See aerial of site reflecting the common parking spaces that serve the facility.
- Ord. #3436 permits civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks will be offered (not sold) during a social/cultural event.
- A similar CUP was last approved on 3-9-2020 for a period of 4 years for the Upper Valley Art League.
- This event is scheduled from 5:00p.m. to 7:30p.m.

**REVIEW COMMENTS:** It appears that this type of social events occurred with no incidents. The Mission Historical Museum firmly attests that they will be very watchful of how much the patrons are responsibly served, and intend to have continued vigilance at their social event.

**RECOMMENDATION:** Staff recommends approval.

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the conditional use permit as recommended by staff. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:00 p.m.**

**Ended: 6:02 p.m.**

**Item #1.5**

**Conditional Use Permit:                    Regulated Consumer Finance Lender Office on  
property zoned (C-2) Neighborhood Commercial  
1821 N. Shary Road, Suite 2,  
Lot 1, Bannworth Business Center  
C-2  
Lendmark Financial Services, LLC**

Ms. De Luna went over the write-up stating the subject site is located along the west side of Shary Road between Village Drive and Mulberry Street. The applicant leased a 1,198 sq.ft. suite for a Regulated Consumer Finance Lender Office. Access to the site is via a 30' access driveway off of Shary Road. The property is currently zoned Neighborhood Commercial (C-2). Sec. 1.42(3)(d) of the Zoning Code states that business establishments which perform services on the premises such as banks, loan companies, and real estate offices require a conditional use permit.

- **Hours of Operation:** Monday – Friday from 8:30 a.m. to 5:30 p.m.
- **Staff:** 4
- **Parking:** Based on the square footage of the suite, there are 6 parking spaces required for this business. It is noted that the parking area is held in common there are 46 existing parking spaces shared with other businesses, thus meeting code.
- **Landscaping:** Staff is recommending to add more plants along Shary Road.

**REVIEW COMMENTS:** Staff has seen several businesses in a C-2 zone without creating a negative impact to the surrounding areas since the hours of operation are reasonable.

**RECOMMENDATION:** Staff recommends approval subject to:

- 1.) 1 year re-evaluation to assess this new operation
- 2.) Must comply with all City Codes (Building, Fire, Health, etc.)
- 3.) Acquire a business license prior to business occupancy.

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

Mr. David Ramos was representing Lendmark Financial Services, LLC and was present to answer any questions.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the conditional use permit as recommended by staff. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:02 p.m.**

**Ended: 6:04 p.m.**

**Item #1.6**

**Conditional Use Permit: Restaurant (The Sandwichon House) on property  
Zoned (C-2) Neighborhood Commercial  
1821 N. Shary Road, Suite 7,  
Lot 1, Bannworth Business Center  
C-2  
Tomas Aguirre**

Ms. De Luna went over the write-up stating the subject site is located along the west side of Shary Road between Village Drive and Mulberry Street. The applicant leased a 1,152 sq.ft. suite for his Restaurant The Sandwichon House. The applicant will be offering salads, sandwich cakes, specialty cakes, cookies in their menu. Access to the site is via a 30' access driveway off of Shary Road. The property is currently zoned Neighborhood Commercial (C-2). Sec. 1.42(3)(e) of the Zoning Code states that restaurants require a conditional use permit.

- **Hours of Operation:** Monday – Friday from 10:00 a.m. to 6:00 p.m., Saturday from 12:00 p.m. to 6:00 p.m. and Sunday only for special deliveries
- **Staff:** 3
- **Parking:** Based on the square footage of the suite, this restaurant requires 7 parking spaces. It is noted that the parking area is held in common there are 46 existing parking spaces shared with other businesses, thus meeting code.
- **Landscaping:** The site has minimal green space to begin with. Staff is recommending to add more plans along Shary Road once the irrigation system is completed.

**REVIEW COMMENTS:** Staff has considered other Restaurants in a C-2 zone without creating a negative impact to the surrounding areas.

**RECOMMENDATION:** Staff recommends approval subject to:

1. 1 year re-evaluation to assess this new operation
2. Must comply with all City Codes (Building, Fire, Health, etc.)
3. Acquire a business license prior to business occupancy.

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit as recommended by staff. Mrs. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:04 p.m.**

**Ended: 6:06 p.m.**

**Item #1.7**

**Conditional Use Permit: Drive-Thru Service Window and Sale & On-Site  
Consumption of Alcoholic Beverages  
- La Curva Taqueria**

**2575 E. Griffin Parkway, Suite 12,  
Lot 1, Tres Picos Ph. I Subdivision  
C-3  
Eliecer Uresti/La Curva Taqueria, LLC**

Ms. De Luna went over the write-up stating 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—see site plan. 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 October 28, 2019, a CUP was approved for the use of the drive-thru window and sale & consumption of alcoholic beverages subject to a waiver of the 300' separation requirement from the residential neighborhood, the CUP was approved for 2 years at which time the applicant will have to renew their TABC license and CUP. All other requirements have been met.

- **Hours of Operation:** Monday - Sunday from 11 a.m. to 11 p.m.
- **Staff:** 12 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.

**REVIEW COMMENTS:** Staff has asked Mission PD to provide a report in relation to the sale of alcohol which we should have by the meeting date.

**RECOMMENDATION:** Staff recommends approval subject to:

- 1) Life of use for the Drive-Thru Service
- 2) 2 year re-evaluation for the Sale & On-Site Consumption of Alcoholic Beverages at which time the applicant will have to renew his CUP & TABC License, and
- 3) Must continue compliance with all City Codes (Building, Fire, Health, etc.)

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the conditional use permit as recommended by staff. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:06 p.m.**

**Ended: 6:08 p.m.**

**Item #1.8**

**Conditional Use Permit**

**Sale & On-Site Consumption of Alcoholic**

**Renewal:**

**Beverages – La Fogata Restaurant  
300 N. Shary Road  
Lot 1, El Lugar Subdivision  
C-3  
El Lugar Cabrito & Steak House**

Ms. De Luna went over the write-up stating the site is located 1/3 mile north of Expressway 83 along the east side of Shary Rd. La Fogata is a family oriented Mexican restaurant and bar that has been in operation since 2008. This CUP was most recently approved by P&Z on November 23, 2020 for a period of 2 years.

- **Hours of operation:** Sunday - Thursday from 8 a.m. to 10 p.m. and Friday – Saturday from 8:00 a.m. to 12:00 a.m.
- **Staff:** 58
- **Parking:** The existing 21,533 sq. ft. building has a grand total of 357 seating spaces which require 119 parking spaces (357/3 seats). There is a total of 168 parking spaces exceeding code by 49 spaces.
- **Landscaping:** The applicant is complying with the landscaping requirements by currently providing various trees, plants and shrubs within landscaped islands throughout the site.
- Section 1.56-3 of the Zoning Code cites that 'Bars' must be 300' from the nearest residence, church, school or publicly owned property. There is one single family home and several mobile homes within 300' (see aerial); however, P&Z and the Council waived this separation requirement in the CUP's previous approval.

**REVIEW COMMENTS:** Staff has asked Mission PD to provide a report in relation to the sale of alcohol which we should have by the meeting date.

**RECOMMENDATION:** Staff recommends approval subject to:

1. 4 year re-evaluation at which time the applicant will need to renew their CUP & TABC License,
2. Waiver of the 300' separation requirement from the residential homes.
3. Must continue to comply with all Building, Fire, and Health Codes.

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the conditional use permit as recommended by staff. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:08 p.m.**

**Ended: 6:10 p.m.**

**Item #1.9**

**Conditional Use Permit**

**Renewal:**

**Sale & On-Site Consumption of Alcoholic  
Beverages – Tinseltown Mission  
2516 E. Expressway 83  
Lot 1, Tinseltown Subdivision  
C-3**

## CNMK Texas Properties, LLC

Ms. De Luna went over the write-up stating the subject site is located at the SW corner of Expressway 83 and Taylor Road. The applicant desires to renew the conditional use permit for the sale & on-site consumption of alcohol for Tinseltown. No new use is proposed or change has been made at this location. The most recent approval for this site was on October 12, 2020 for a period of 2 years. The sale of alcohol only takes place only from the main concession area.

- **Hours of Operation:** Everyday from 10 a.m. to 1 a.m.
- **Staff:** 59 employees
- **Parking:** Tinseltown Mission has a total of 938 parking spaces. For a theater with 3,034 seats parking code requires 759 parking spaces (1 parking space for every 4 seats) thus exceeding code by 179.
- **Sale of Alcohol:** Section 6-4 of the Alcohol Beverage code states that such uses need to be 300' from residential uses. There are some residences within this radius (Santa Lucia Development); thus, a waiver of the separation requirement needs to be considered

**REVIEW COMMENTS:** Notices were sent to property owners within 200' of this business where Staff has not received any comments in favor or against this CUP. Staff asked Mission PD for a report of any incidents in relation to the sale of alcohol. No incidents have been reported as of this date.

**RECOMMENDATION:** Staff recommends approval subject to:

- 1) 2 year re-evaluation at which time the applicant will have to renew his CUP & TABC license, and 2) Waiver of the 300' separation requirement from the residential homes

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the conditional use permit as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:10 p.m.**

**Ended: 6:12 p.m.**

**Item #2.0**

**Conditional Use Permit**

**Renewal:**

**Sale & On-Site Consumption of Alcoholic**

**Beverages – 5x5 Brewing Company**

**801 N. Bryan Road**

**Lot 1, Tamkin Subdivision**

**I-1**

**5x5 Brewing Co., LLC**

Ms. De Luna went over the write-up stating the subject site is located on the SW corner of Bryan Road and Business Highway 83. The applicant desires to renew the conditional use permit for the sale & on-site consumption of alcohol for 5x5 Brewing Company. The 5x5 Brewing Company is a Veteran owned and operated craft brewery. The most recent approval for this site was on October 26, 2020 for a period of 2 years.

- **Days/Hours of Operation:** Wednesday & Thursday 4:00 pm to 11:00 pm, Friday 4:00 pm to 12:00 am, Saturday 12:00 pm to 12:00 am, and Sunday from 12:00 pm to 10:00 p.m. Closed on Monday and Tuesday
- **Staff:** 18 employees, but only 5 work on the bar
- **Parking:** There are currently several existing parking areas shared with the various businesses within the CEED building. It is noted that parking is held in common and there is a total of 221 total parking spaces.
- **Sale of Alcohol:** Such uses need to be 300' from residential uses. There are no such uses within this radius.

**REVIEW COMMENTS:** Notices were sent to property owners within a 200' radius of this business where Staff has not received any comments in favor or against this request.

**RECOMMENDATION:** Staff recommends approval subject to:

1. CUP to be valid from a period of 2 years at which time the applicant will need to renew their CUP & TABC license, and
2. Must continue to comply with all City Codes (Building, Fire, Health Codes, etc.)

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to approve the conditional use permit as recommended by staff. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:12 p.m.**

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

**Item #2.1**

**Conditional Use Permit**

**Renewal:**

**Two Drive-thru Service Windows – Tropical Breeze**

**1610 W. Griffin Parkway**

**Lot 19, Block 1, Oakwood Estates Subdivision**

**C-3**

**Margie Jennifer Briseño**

Ms. De Luna went over the write-up stating the site is located at the NW corner of W. Griffin Parkway and River Oak Avenue along the north side of Griffin Parkway. The applicant is requesting a renewal of a CUP for a sno-cone stand with two drive-thru service windows. The most recent approval for this site was on September 28, 2020 for a period of 2 years.

- **Hours of Operation:** Every day from 12:00 p.m. to 10:00 p.m.
- **Staff:** 3 employees
- **Parking:** The building measures approximately 396 sq. ft. The number of parking spaces required for this size building is 4. The applicant is providing 4 spaces along the front of the building plus there is stacking for approximately 4 cars when placing orders.
- **Landscaping and Buffering:** The applicant has landscaping areas around the perimeter of the lot. There is also a 6' cedar fence providing a buffer from the abutting residential uses.

**REVIEW COMMENTS:** A total of 23 notices were sent out to property owners within 200 feet and Staff has not received any calls or letters in opposition. Since we have not had any concerns from this location, Staff does not object to this CUP for two drive-thru service windows.

**RECOMMENDATION:** Staff recommends approval of this CUP for 3 year to continue assessing this operation.

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit as recommended by staff. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 6:15 p.m.**

**Item #3.0**

**Site Plan Approval:**

**Construction of 294 Apartments**

**4100 San Gabriel**

**Lot 1, Sharyland Plantation Grove No. 6**

**PUD (R-3)**

**Cascade Real State Operating, LP**

Mr. Ramirez went over the write-up stating the subject site is located on the southeast corner of Santa Engracia and San Gabriel – see vicinity map. Site Plan approval is required prior to permit issuance for multi-unit complexes of five or more.

Upon reviewing the site plan there are a total of 15 – 3 story multifamily buildings and 1 amenity center. There are 3 types of buildings: Type 1 contains 18 units each and there will be 11 buildings for a total of 198 units. Type 2 contains 24 units each and there will be 2 buildings for a total of 48 units. Type 3 contains 24 units each and there will be 2 buildings for a total of 48 units.

The apartments will consist of 1 bedroom – 1 bath (735 sqft), 2 bedroom – 2 baths (1012 sqft), and 3 bdrm-2 baths (1219 sqft). There will also be an amenity building to include office, gym, and mail room within the compound. The buildings must comply with all fire code requirements for a multi-family complex.

The minimum required setbacks for the site will be: 30' front setback, 10' rear setback, 6' side setback, and 15' corner side setback. It is noted that all setbacks are in compliance as per zoning ordinance, easements or greater as per site plan.

As seen in the aerial, the primary access will be from San Gabriel. With regards to parking and landscaping, the parking is held in common within the lot and a Landscaping design was submitted for review to comply with the City's regulations as stated in Sec. 98-15 Code of Ordinance.

## **OTHER COMMENTS:**

1. Payment of Capital Sewer Recovery Fees in the amount of \$30,060
  - \$70 per 1-bdrm apt (114) = \$7,980
  - \$120 per 2-bdrm apt (156) = \$18,720
  - \$140 per 3-bdrm apt (24) = \$3,360
2. Enclosed dumpsters will be located within the complex to be screened with a 6' block fence with opaque (solid) gates.
3. This development requires a 5' sidewalk along San Gabriel

**RECOMMENDATION:** Staff recommends approval subject to meeting all format findings.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the request as recommended by staff. Mrs. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:15 p.m.**

**Ended: 6:16 p.m.**

**Item #4.0**

**Preliminary & Final**

**Plat Approval:**

**Maluz II Subdivision**

**Being all of Lot 17, Block 3,**

**Texas Gardens Subdivision**

**Suburban E.T.J.**

**Developer: Julio Cerda**

**Engineer: South Texas Infrastructure Group**

Mr. Gabriel Ramirez went over the write-up stating the proposed subdivision is located at the intersection of 4 Mile Rd. and Iowa Rd. (Mission Suburban ETJ). The developer is proposing (21) Twenty-One Single Family Residential lots.

## **WATER**

The water CCN belongs to Agua Special Utility District. The developer is proposing to connect to an existing 8" water line located along the south side of W. Mile 4 Road with a proposed 8" water line to provide water service to each lot. There are 3 fire hydrants provided to be used as filling stations via direction of the Fire Marshal's office.

## **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 meets or exceeds the county's typical ½ acre standard where septic tanks are permitted. This is not within the City of Mission's Sewer CCN.

## **STREETS & STORM DRAINAGE**

Access will be available from Iowa Rd for Lots 1-4 and from W. Mile 4 Rd for Lots 5-21. The peak rate will be 31.04 cfs which will give us a net increase of 11.84 cfs. for proposed Maluz II Subdivision only 31,962 cubic-feet, or 0.734 acre-feet of storm water runoff will need to be detained in the green areas of the proposed lots and by re-grading and excavating existing roadside ditch along the frontage of the property where the natural flow will eventually drain into an existing inlet located at the Southwest corner of Las Comadres No. 6 Subdivision. The

mentioned inlet ultimately drains into a caliche pit. The City Engineer has reviewed and approved the drainage report.

### **RECOMMENDATION**

Staff recommends approval subject to meeting the Model Subdivision Rules and meeting any comments from the County Planning Department.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to approve the request as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:16 p.m.**

**Ended: 6:17 p.m.**

**Item #4.1**

**Preliminary & Final**

**Plat Approval:**

**Carrizales Subdivision No. 3**

**A 24.34 acre tract of land being all of Lots 13 and 14,  
Block 5, Texas Gardens Subdivision**

**Suburban ETJ**

**Developer: Carrizales, LLC**

**Engineer: Quintanilla, Headley, and Associates, Inc.**

Mr. Ramirez went over the write-up stating the proposed subdivision is located on the west side of Iowa Road 1,080' south of Mile 5 North Road. The developer is proposing 36 Single Family Residential lots.

### **WATER**

The water CCN belongs to Agua Special Utility Supply District. The developer is proposing to connect to existing 12" PVC water line running along the north side of Mile 5 North Road by extending a proposed 8" water line along the east side of Iowa Road. This will allow water service to the proposed subdivision and provide water service to each lot. There will be 3 fire hydrants to be used as filling station.

### **SEWER**

Sewage from Carrizales Subdivision No. 3 will be treated by individual on-site sewage facilities consisting of a stand design dual compartments septic tank and a drain field on each lot. Each lot in the proposed subdivision is at least ½ acre in size. This is not within the City of Mission sewer CCN.

### **STREETS & STORM DRAINAGE**

All internal streets are 32' Back-to-Back within a 50' Right of Way. Access will be from Iowa Road. After development the runoff will be Q=58.19 cubic feet per second for an increase of Q=40.47 cubic feet per second. Detention will be 80,283.26 cubic feet (1.84 acre-feet) and will be provided by the HCDD No. 1 Iowa RDF located at the northwest corner of Mile 3 North Road and Iowa Road. The drainage system consists of Type "A" inlets and pipes of 18", 24" and 30" that will outfall into the existing HCDD No. 1 PD Lateral located along the west side of the subdivision which flows south and discharges into the HCDD No. 1 Iowa RD. The City Engineer has reviewed and approved the drainage report.

### **RECOMMENDATION**

Staff recommends approval subject to meeting the Model Subdivision Rules, complying with the street alignment policy, and meeting any comments from the County Planning Department.

Chairwoman Izaguirre asked the board if they had questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the request as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #5.0**  
**ADJOURMENT**

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to adjourn the meeting. Mr. Moreno seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:17 p.m.



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Diana Izaguirre, Chairwoman  
Planning and Zoning Commission

November 16, 2022  
Planning and Zoning Meeting

My name is \_\_\_\_\_ and I live at 2601 E. 20<sup>th</sup> St.

I am here to speak in opposition to the changing of the zoning of tracts 1 and 2 out of lot 236 from its current designation AO-1 Agricultural to R-3 Multi-Family Residential.

We were faced with this same issue a few months ago, and we will continue to come before you to voice our opposition. Our family and neighbors live adjacent to this property and will be directly impacted if this change is made. This will cause a disruption in our daily lives.

The current land use in this area is for single family residence in accordance with the Future Land Use Map that was approved by the Mission city council in 2010. Any change would deviate from this approved plan.

I will also remind you that on your own website it states that your job is to, "regulate how the lot is used to promote health, safety and general welfare of Mission's neighborhoods and overall community. Essentially the public welfare is affected by what occurs on neighboring lots, and thus the city can impose restrictions to maximize each individual's enjoyment of their private property."

So at this point in time I am asking you to do your job to maximize your constituents' safety and enjoyment in our own homes. These are our homes and not merely a business venture.

Thank you.

**PLANNING AND ZONING COMMISSION  
NOVEMBER 21, 2022  
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

**P&Z PRESENT**

Connie Garza  
Diana Izaguirre  
Hector Moreno  
Jasen Hardison  
Ruben Arcaute  
Debra Alvarez

**P&Z ABSENT**

Raquenel Austin  
Javier Barrera

**STAFF PRESENT**

Susie De Luna  
Alex Hernandez  
Jessica Munoz

**GUESTS PRESENT**

**CALL TO ORDER**

Chairwoman Izaguirre called the meeting to order at 5:32 p.m.

**CITIZENS PARTICIPATION**

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

There was none.

**APPROVAL OF MINUTES FOR NOVEMBER 16, 2022**

Chairwoman Izaguirre asked if there were any corrections to the minutes for November 16, 2022. Mr. Garza moved to approve the minutes as presented. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:33 p.m.**

**Ended: 5:54 p.m.**

**Item #1.1**

**Rezoning:**

**A 44.89 acre tract of land out of Lot 43,  
John H. Shary Subdivision  
AO-I to I-1  
Cascade Real Estate Operating, LP**

Ms. De Luna went over the write-up stating the subject site is located at the Southwest corner of Glasscock Road and Old Military Hwy along the south side of Old Military Hwy.

**SURROUNDING ZONES:**

N:	AO-I	– Agricultural Open Interim
E:		– City of McAllen
W:	AO-I	– Agricultural Open Interim
S:		– City of McAllen

**EXISTING LAND USES:**

N:	Sharyland Farm
E:	Vacant
W:	Vacant
S:	Vacant
Site:	Vacant

**FLUM:** General Commercial (GC)

**REVIEW COMMENTS:** Since the property is consistent with the existing land uses staff is receptive to the request.

**RECOMMENDATION:** Approval.

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

There was none.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcuate moved to approve the rezoning request. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:34 p.m.**

**Ended: 5:35 p.m.**

**Item #2.0**

**Site Plan Approval:**

**Construction of a Restaurant  
(Taco Bell – 2300 E. Business Highway 83)  
Lot 1D, Mirabelle Subdivision  
C-3  
ETX Bell Properties**

Ms. De Luna went over write-up stating the subject site is located on the SE corner of E. Business Highway 83 (Loop 374) and Glenwood Ave. The developer is proposing one main structure on the property being a vacant 1.07-acre tract of land.

Upon reviewing the site plan, access will be from Glenwood Ave. and through a shared common access easement connecting the adjacent business on the east side. The building size will measure 2,475 sqft. to include a drive thru window.

The front building setback is approximately 73' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 36 parking spaces are allocated to serve the business. The fire hydrant and its assemblies are located at the west side of the property. Fire lanes will be noted at restricted locations throughout the site.

Storm water detention area has been designated on the north and west side of the property to fulfill drainage requirements. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan has been reviewed so that nearby residential properties won't be affected.

**OTHER COMMENTS:**

1. 1 enclosed dumpster will be located within the Lot to be screened with a 6' block fence and opaque (solid) gates.

2. Sign permit will be required

**RECOMMENDATION:** Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to approve the site plan as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

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

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

**Item #2.1**

**Site Plan Approval:**

**Contruction of a Commercial Plaza  
to include a Restaurant  
(Schlotzsky's – 805 N. Shary Road)  
Lot 1B, Mirabelle Subdivision  
C-3  
R&L Properties and Development, LLC**

Ms. De Luna went over the write-up stating the subject site is located on the west side of Shary Rd. (F.M. 494) approximately 235' south of E. Bus. Hwy 83 (Loop 494). The developer is proposing one main structure on the property being a vacant 0.93-acre tract of land.

Upon reviewing the site plan, access will be from Shary Rd. and through a shared common access easement connecting the adjacent business on the north side. The building size will measure 5,658 sqft. with a 543 patio to include a drive thru window and 2 additional rental office spaces.

The front building setback is approximately 104' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 43 parking spaces are allocated to serve the Plaza and the two drive-through lanes would have a capacity for 19 vehicles. The fire hydrant and its assemblies are located at the southeast corner of the property. Fire lanes will be noted at restricted locations throughout the site.

Storm water detention area has been designated on the east side of the property along Shary Rd. to fulfill drainage requirements. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan has been reviewed so that nearby residential properties won't be affected.

**OTHER COMMENTS:**

1. 1 enclosed dumpster will be located within the Lot to be screened with a 6' block fence and opaque (solid) gates.
2. Sign permit will be required

**RECOMMENDATION:** Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the site plan request as recommended by staff. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

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

**Ended: 5:38 p.m.**

**Item #2.2**

**Site Plan Approval:**

**Construction of a Commercial Plaza  
(Raciel Mission Plaza – 2308 E. 1<sup>st</sup> St.)  
Lot 1, Namar Subdivision  
C-3  
Raciel Hernandez**

Ms. De Luna went over the write-up stating the subject site is located on the south side of E. 1<sup>st</sup> St. approximately 272' west of Shary Rd. (F.M. 494). The developer is proposing one main structure on the property being a vacant 0.77-acre tract of land.

Upon reviewing the site plan, access will be from E. 1<sup>st</sup> St. and through the connection of the driveway to the adjacent business on the east side. The building size will measure 9,936 sqft. which will consist of 1 suite and an open area that can be divided in a total of 5 rental commercial spaces.

The front building setback is approximately 78' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 37 parking spaces and 2 handicap stalls are allocated to serve the Plaza. An existing fire hydrant and its assemblies are located to the east of this site. Fire lanes will be noted at restricted locations throughout the site.

Storm water detention area has been designated on the north side of the property along 1<sup>st</sup> St. to fulfill drainage requirements. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan has been reviewed so that nearby residential properties won't be affected.

**OTHER COMMENTS:**

1. 1 enclosed dumpster will be located within the Lot to be screened with a 6' block fence and opaque (solid) gates.
2. Sign permits will be required per tenant
3. Construction of a 5' sidewalk at perimeter of building

**RECOMMENDATION:** Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the site plan as recommended by staff. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #3.0**  
**ADJOURNMENT**

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to adjourn the meeting. Mr. Hardison seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:39 p.m.



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Diana Izaguirre, Chairwoman  
Planning and Zoning Commission

**MINUTES FOR THE  
MISSION CIVIL SERVICE COMMISSION  
November 3, 2022**

**Commission-Present**

**Cindy Pacheco-Chair  
Jerry Saenz-Vice-Chair  
Ruben Femat-Member**

**Staff Present**

**Jesse Lerma Jr-CS Director  
Kevin Pagan-Attorney  
Gilbert Sanchez-Fire Chief  
Cesar Torres-Chief of Police  
Martin Ramirez-Appellant**

**Call to Order**

Mrs. Cindy Pacheco called the meeting to order at 9:00 a.m.

**Approval of Minutes-October 10, 2022**

Mr. Lerma submitted the minutes for review. After a brief discussion, Mr. Femat made a motion to approve the minutes as submitted. Mr. Saenz seconded the motion. Motion was approved unanimously.

**Consideration and Possible Action on Appeal-143.022 Physical Requirements and Examinations**

Mr. Lerma briefed the Commission that they had conducted an entry level examination for the fire department on June 2, 2022. As part of the hiring process, Chief Sanchez gave candidate Martin Ramirez a conditional job offer that required that he pass a physical and psychological examination. Mr. Ramirez failed the psychological examination and requested to appeal as allowed by Chapter 143.022. The Commission went into executive session at 9:05 a.m. and returned to open session at 9:20 a.m. Once in open session, Mr. Saenz made a motion to authorize the Director to present a list of psychologists from our area to Mr. Ramirez and let him select three of them as required for us to proceed with the consideration of the appeal. The motion also included that he must pass at least two out of three to be considered for employment and that it would have to be completed within 30 days. Mr. Femat seconded the motion. Motion was approved unanimously.

**Pending Business**

No pending business

**Adjourn**

Meeting was adjourned at 9:30 am