



**Ambulance Board Meeting
MISSION CITY HALL
April 16, 2024 at 3:00 pm**

MINUTES

PRESENT:

**Mayor Norie Gonzalez Garza
Mike Perez, City Manager
David Flores, Asst. City Manager
Adrian Garcia, Fire Chief
Cesar Torres, Chief of Police
Christopher Navarrete, Deputy Fire Chief
Juanita Alvarez, EMS & CD Administrative Assistant**

ALSO PRESENT:

**Tim Brown - Presiding Chair
Dr. Ivan Melendez- Board Member
Victor Fonseca – Board Member
Rene Lopez - Board Member
Kane Dawson – Board Member
Irma Cano - Mission Police Department**

CITIZENS PRESENT:

**Michael Silva - Mission Fire Fighter's Association
Matt Wilson – Progress Times**

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Chair member Tim Brown called the meeting to order at 3:02 p.m. Dr. Melendez presented himself at 3:22pm. (for the record)

INVOCATION AND PLEDGE ALLEGIANCE

Assistant City Manager David Flores led the Invocation and Pledge of Allegiance.

INTRODUCTION OF City Management/ Council Members:

Mayor Norie Gonzalez,

Mike Perez, City Manager

David Flores, Asst. City Manager.

INTRODUCTION OF GUESTS

Irma Cano from Mission Police Department, Matt Wilson from Progress Times, and Mike Silva from Mission Firefighter's Association were present. Mr. Kane Dawson was introduced to the ambulance advisory board as the new member. Juanita Alvarez was introduced to the ambulance advisory board as the new administrative assistant with the Mission Fire Department.

Emergicon Kassy High was present via Zoom.

PRESENTATIONS

1. **Mission Fire Department Quarterly Report - Navarrete**
 - Numbers were presented for 10/01/2023- 12/31/2023
 - average response time was 7:41 seconds. Expected response time is 8 minutes.
 - Mutual aid calls are the only calls that have time changes. An investigation will be done for any time over the 8-minute threshold.
 - In a previous meeting the board members inquired about how many phone calls were being were transferred from the PSAP (MISSION PD) to Medicare EMS:
 - November 443
 - December 472
 - From these calls we (MFD) received approximately 90 calls.
 - Emergicon presented their numbers regarding billing for services.
 - Medicare had a hold on payments for the present quarter
 - October collected approximately 40K
 - November collected approximately (dip in collections)
 - December brought in almost 38K
 - Cash for transport (every time the ambulance rolls out) \$360.69

- Collection rate is lower with EMS because of the customer base.
- How do we compare against the surrounding cities?
- Invoice Detail line itemizes all payments but due to HIPAA the report cannot be displayed publicly. Chief Navarrete explains he can provide the information at a later time to remove HIPAA protected information. How much is billed, collected, and charges were requested by Mr. Perez.
- Chief Navarrete explains the transition phase with Medicare EMS.
 - 3:1
 - 2:2
 - 1:4
- April 11th, we took 100% of calls.
- Skyline, Palmview, Lonestar, Tran-star are our backup providers.
- Response Times
 - For zip code 78572 our average response time 6:58 seconds improved by 1 minute as an overall agency.
 - Estimated 7.5-8 minutes to include all agencies.
 - In the past, approximately 9+ minutes with Medicare EMS
 - Under 10 min is the national standard.
- Transports by destination name
 - MRMC- 180 txps
 - STHS McAllen 91
 - DHR Health 50
 - RGRH 32
 - Freestanding ER 16 & 17
 - 45% is MRMC of all of transports
- Transports
 - March 275
 - April 201

ProQA Presentation – Chief Navarrete

- Purchase of the program/ ProQA was presented elaborating on its advantages in providing a better service than previous dispatch modules.
- ProQA allows pre-arrival instructions, has a backup program in case of connection loss, and the ability to prioritize calls with caller information.
- Chief Navarrete suggests how a Community Paramedic (Mobile Integrated Health) Program might help alleviate calls from “frequent flyers” and lift assist calls.
- Dr. Melendez wants to be informed when patients refuse transport AMA.
- Dr. Melendez is going to look into what the state and other medical directors are doing about transporting patients to the nearest facility.
- Dr. Melendez wants to be reminded about the topic.

2. Old Business

- Approval of minutes from January 16, 2024 board meeting Action Item
- Dr. Melendez makes a motion to approve the minutes. Victor Fonseca makes a second motion.

3. New Business

Ambulance Permit Program Action Item

- The reason for the need for an ambulance permit program is to make the city aware of all ambulances coming into the city and also create revenue. They also need to meet our standards.
- Requirements for ordinance were presented and recommended to start in October.
- Application is \$500 and \$100 per ambulance.
- Fire Marshal's Office can regulate and enforce the ordinance.
- Agreement to table the ordinance.
- Medic – 4 Has arrived from Houston, TX and is in the final changes (Available for Showcase)

4. Comments

- Tim Brown expresses his support towards the transition of Mission Fire adding EMS.
- Victor Fonseca adds that he is impressed where Mission FD is at in such short time since becoming primary.
- Chief Lopez thanked Mission FD for what they do and how they have been handling the increase in calls since becoming primary.
- Dr. Melendez wanted to express the importance it is for the committee to represent what the community needs in making decisions and in providing the correct information across the board.
- Chief Torres states that Mission PD is trying to reduce crimes so the calls for Fire & EMS are reduced as well by providing more units in the road so community can feel safer and feel obligated to follow the rules.
- Chief Garcia expresses his gratitude to the city council and the command staff for their continued support. He also expresses his gratitude towards our first responders for everything they do and provide the community on a daily basis. Chief Garcia mentioned that they visited the Frazer Warehouse in Houston for Ambulance Research to prepare for the future of the department.

ADJOURNMENT

At 4:32 p.m., Chief Lopez moved for adjournment. Motion was seconded by Kane Dawson and approved unanimously.

A handwritten signature in blue ink, appearing to read "Adrian Garcia", is written over a horizontal line.

Adrian Garcia, Fire Chief

ATTEST:

A handwritten signature in blue ink, appearing to read "Juanita G. Alvarez", is written over a horizontal line.

Juanita G. Alvarez

SHARY GOLF ADVISORY BOARD

August 7th, 2024

MINUTES

- I. **Call To Order**
- Mr. Isaac Martinez called the meeting to order.
- II. **Roll Call**
- The following board members were present: Isaac Martinez, Ben Lau, Toby Garza, Joe Salinas, Martin Flores, Javier Barrera.
 - The following board members were absent: Carlo Garza
 - The following staff members were present: Michael Fernuik, Golf Director, Andy Garcia ACM, Norie Garza City of Mission Mayor.
 - Others: MEDC President: Richard Hernandez
- III. **Approval of Minutes**
- The minutes from June 5th, 2024 were approved as written. Motion made to accept Toby Garza, seconded Joe Salinas, approved unanimously.
- IV. **Old Business**
- None.
- V. **Golf Director's Report**
- Revenue report June 2024 comparing to 2023
Revenues were \$64,756.48 vs \$89,355.81 in 2023. Green fees, cart fees remain strong and ahead of prior year. F&B still struggling behind last year's numbers. Rounds of golf were 2284 vs 2269 in 2023. Revenue numbers that were supplied came from the POS monthly report.
 - Revenue report July 2024 comparing to 2023
Revenues were \$72,900.46 vs \$75,242.65 in 2023. Green fees, cart fees, range and merchandise sales were ahead of July prior year. Rounds of golf were 2762 vs 2791 in 2023.
 - A lengthy discussion ensued about tournament credit, gift cards, beer sales and how they affect revenues comparatively speaking.
 - Water Well Report
An estimate was supplied by J4 Water Works out of El Campo, Texas. Within the estimate it contained drilling procedure, permit responsibility, plus other protocols. It was estimated to cost \$128,497.00 however, that is all dependent on depth, amount of water, size of hole, etc. Board Member Martin Flores introduced another estimate from Maral Drilling out of Pharr, Texas that estimated a 8 inch opening down 400' and a 4" galvanized pipe with an estimated cost of \$77,000.00. Discussion continued and it was unanimously approved to go forward with the authorization to solicit bids.
 - FY 24-25 Revenue Assessment
Staff discussed a revenue increase for certain golf related items for the upcoming fiscal year. After a short discussion and based on a recommendation from the Mayor the revenue assessment was tabled.
- VI. **Discussion on Golf Course Maintenance Building**
- Building plans were shown to be a pre-fab metal building being 40 feet in width and 80 feet in length on a concrete foundation. The building currently will be open air with all inside build out being down in house. East and West end would have overhead doors tall enough to fit a tractor through it. Total height of the building would be 15 feet. Estimate construction time at 120 calendar days. It was stated that a chain link fence be created as a "yard" for storage and a cinder block storage area for materials like sand, gravel, etc. This could all be added at a later date. A motion was made and seconded to proceed with the authorization to solicit bids with the plans as designed. The motion passed unanimously.

VII.

Public Participation

- Incentive program was discussed to be implemented in September to create some more traffic. The mayor voiced her concern about where this was in the implementation process. Staff will have something implemented by the beginning of September. Also, discussed was where we were in the development of the golf course app. Staff relayed that the app itself was in the “review” stage by Apple Developers and once ACM Andy Garcia received notice to sign off on Director Fernuik “decisions for the golf course” from the Apple team it would only take a few days. At that point a new loyalty program would begin along with on-line tee times, etc.

VIII.

Chairman’s Comments

- Mr. Martinez mentioned the course is moving in the right direction and happy with what he sees. Shary Golf Course is 97 years old and will be celebrating it’s 100th birthday in 3 years. Mr. Martinez, mentioned how John Shary donated land for a 9 hole golf course. The creation of the Misson Texas Citrus Fiesta Golf Tournament back in the 1930s’ Statewide we are one of the oldest municipal golf courses in the state. It would be appropriate to begin thinking about what the community can do to celebrate 100 years. The possibility of lighting our 9-hole course like a handful of other courses do in the state of Texas.
- A Golf Course Superintendents report was suggested to be available for next month’s meeting.

IX.

Adjournment

- Meeting was adjourned at 7:30pm.

**MINUTES FOR THE
MISSION CIVIL SERVICE COMMISSION
August 8, 2024**

Commission-Present

**Polo Garza-Chairman
Jerry Saenz-Vice-Chair
Guillermo Delgadillo-Member-A**

Staff Present

**Jesse Lerma Jr-CS Director
Kevin Pagan-Atty
Chris Navarrete-DC
Cesar Torres-Chief of Police
Robert Hinojosa-Dir Org Dev
Noemi Munguia-HR Director**

Call to Order

Mr. Polo Garza called the meeting to order at 9:00 a.m.

Pledge of Allegiance

Mr. Garza led the Pledge of Allegiance

Approval of Minutes-May 22, 2024

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

Approval of Classified Positions for the Mission Fire Department for FY 2024-25

Mr. Lerma advised the Commission that they needed to approve the classified positions for 2024-25 as required by law. Mr. Lerma and Chief Garcia were recommending the following positions for approval: DC, Capt., LT., Eng., and FF. After a brief discussion, Mr. Saenz made a motion to approve the classified positions as submitted. Mr. Garza seconded the motion. Motion was approved unanimously.

Approval of Base Pay & Incentive Package for the Mission Fire Department for FY 2024-25

Mr. Lerma advised the Commission that we needed to approve the base pay and incentive package for the next fiscal year. At the present time, pay would remain the same as last year and would be presented at the September 9th City Council meeting for approval. He advised them that if any changes occurred at city council they would be presented at our next meeting. After a brief discussion, Mr. Saenz made a motion to approve the pay as presented. Mr. Garza seconded the motion. Motion was approved unanimously.

Approval of Classified Positions for the Mission Police Department for FY2024-25

Mr. Lerma advised the Commission that we needed to approve the classified positions for the next fiscal year as required by law. Chief Torres was recommending the following positions for FY 2024-25: LT, SGT, CPL, and Patrolman. After a brief discussion, Mr. Saenz made a motion to approve the positions as presented. Mr. Garza seconded the motion. Motion was approved unanimously.

Approval of Base Pay & Incentive Package for the Mission Police Department for FY 2024-25

Mr. Lerma advised the Commission that we needed to approve the base pay & incentive package for the next fiscal year. He advised them that pay would remain the same as last year and if any changes occurred at city council he would present them at the next meeting. After a brief discussion, Mr. Saenz made a motion to approve the pay as presented. Mr. Garza seconded the motion. Motion was approved unanimously.

Pending Business

Adjourn

Meeting was adjourned at 9:15 a.m.

**MINUTES FOR THE
MISSION CIVIL SERVICE COMMISSION
August 30, 2024**

Commission-Present

**Polo Garza-Chairman
Jerry Saenz-Vice-Chair
Guillermo Delgadillo-Member**

Staff Present

**Jesse Lerma Jr-CS Director
Noemi Mungula-HR Director
Melissa Gonzalez-HR Adm
Cesar Torres-Chief of Police
Adrian Garcia-Fire Chief
Patty Flores-Legal
Mike Perez-CM**

Call to Order

Mr. Polo Garza called the meeting to order at 8:30 a.m.

Pledge of Allegiance

Mr. Garza led the Pledge of Allegiance

Approval of Minutes-August 8, 2024

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

Approval to Add a Classified Positions for the Mission Police Department for FY2024-25

Mr. Lerma advised the Commission that we needed to add an additional classified position to the Mission PD to assist the department in recruiting additional staff for FY 24-25. Chief Torres was requesting the we add a Cadet position to help them fill the open positions. After a brief discussion, Mr. Delgadillo made a motion to add the position of Cadet as requested. Mr. Saenz seconded the motion. Motion was approved unanimously.

Pending Business

None

Adjourn

Meeting was adjourned at 8:45 a.m.

**BUILDING BOARD OF ADJUSTMENTS AND APPEALS
JANUARY 30, 2024
CITY COUNCIL CHAMBERS @ 4:00 P.M.**

BBOA PRESENT

Hector Gonzalez
Abel Beltran
Victor Meza
Michael Davis
Ken Jones

STAFF PRESENT

Susana De Luna
Irasema Dimas
Jessica Munoz
Victor Flores
Alex Hernandez
Arturo Lerma
Joseph Flores
Nancy Chavira
Angel Garcia

GUEST PRESENT

Rosa Maria Garcia

CALL TO ORDER

Vice Chairman Victor Meza called the meeting to order at 4:08 p.m.

CITIZENS PARTICIPATION

There was no citizens' participation upon inquiry.

APPROVAL OF MINUTES FOR DECEMBER 19, 2023

Vice Chairman Victor Meza asked the Board if there were any corrections to the minutes. There being none, Mr. Davis moved to approve the minutes as presented. Mr. Beltran seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

**Unsafe Structure:
Start: 4:09p.m.
End: 4:15p.m.**

**215 N. Canal Avenue
Lots 47-48, Block 44,
Southwest Addition
R-1
Socorro D. Gutierrez**

Mr. Lerma stated that this unsafe structure was discovered in 2015. He mentioned that Mrs. Gutierrez owes taxes totaling to \$13,018.66. He added that the water had been in active since July 30, 2013. He mentioned that Mrs. Gutierrez has 33 liens with the city of mission totaling \$12,653.08. Mr. Lerma mentioned that a letter was sent on November 23, 2015 for dilapidated building via certified mail; and the letter was returned unclaimed. On November 30, 2016 a search warrant was obtained and executed on December 1, 2016. He added that on January 26, 2016 staff followed up on the structure; and no changes were made and property was tagged. He added that a letter was sent on August 31, 2021 for unsecured structure via certified mail; and the letter was received.

Mr. Beltran asked that if anyone had contacted the property owner.

Ms. Dimas stated that Mrs. Gutierrez had not made contact with the City of Mission. She added that two of the certified letters that been sent have been signed for.

Mr. Gonzalez asked that if Mrs. Gutierrez was an elderly woman.

Ms. Dimas stated that the only information she had was the information the appraisal district had.

There being no further discussion, Vice Chairman Victor Meza entertained a motion Mr. Davis moved to make this structure an unsafe building. Mr. Gonzalez seconded the motion. Upon a vote, the motion was unanimously approved.

There being no discussion, Vice Chairman Victor Meza entertained a motion. Mr. Davis moved to demolish the structure. Mr. Beltran seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM #1.2

Unsafe Structure:

Start: 4:15 p.m.

End: 4:18 p.m.

312 N. Nicholson Ave.

Lot 3, Block 69,

Mission Original Townsite

R-1

Teresa T. Garcia

Mr. Lerma stated that Mrs. Garcia is the registered property owner of 312 N. Nicholson Avenue. He mentioned that Mrs. Garcia owed \$1,9580.89 in taxes to the Hidalgo County tax office. He added that the water had been inactive since August 31, 2000. He added that there were no liens on this property. He stated that on December 20, 2016 a letter was sent for dilapidated home via certified mail; and the letter was returned. On January 10, 2017 no changes had been made to the structure. He added that on July 7, 2017 an affidavit for a search warrant was processed for 312 N. Nicholson Ave. but was never executed. He mentioned that on December 29, 2023 staff resent the letter for dilapidated home via certified mail; and the letter was received.

There being no discussion, Vice Chairman Victor Meza entertained a motion Mr. Gonzalez moved to make this structure an unsafe building. Mr. Davis seconded the motion. Upon a vote, the motion was unanimously approved.

There being no discussion, Vice Chairman Victor Meza entertained a motion Mr. Davis moved to demolish the structure. Mr. Gonzalez seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM # 1.3

Unsafe Structure:

Start: 4:18p.m.

End: 4:30p.m.

1711 Judy Street

Lot 202, Ala Blanca-Norte UT No. 4

R-1

Bartolo Zuñiga

Mr. Lerma stated that Mr. Bartolo Zungula was the registered property owner of 1711 Judy Street. He mentioned that Mr. Zungula owed \$3186.54 in taxes to Hidalgo County Tax

Office. He stated that the water had been in active since December 2, 2012. He stated that there were 21 mowing liens found totaling \$7,483.12. He mentioned that on June 1, 2017 a letter was send for dilapidated house via certified mail; and the letter was returned unclaimed. He also mentioned that on August 14, 2017 a search warrant was obtained and on August 15, 2017 the search warrant was executed. On February 10, 2022 staff sent out a new letter via certified mail; and the letter was returned; On December 29, 2023 a new letter was sent via certified mail; and the letter was returned unclaimed. He mentioned that after visiting the site the property had bees and the property can't be mowed until the bees are cleared. He stated that after 6 years of attempting to contact the property owner to rectify the unsafe structure unsuccessfully. He added that it is declared that this residential property is in despair and needs to be demolished, based on evidence collected by inspectors.

Mr. Davis asked staff that if they knew how long this property had been abandoned.

Mr. Lerma stated that the property had been abandoned since 2017.

Mr. Gonzalez asked that if the taxes that are owed that if they were for a particular year.

Mr. Lerma stated that he believed that the taxes owed were for one year.

Ms. Dimas stated that she included the tax statements in the board members packets. She added that the taxes that were owed were from two years.

Mr. Gonzalez stated someone is paying the taxes.

Ms. Dimas stated yes, we don't know who.

Mr. Gonzalez asked that if the had worked with the property owner on the liens the property had. He added that if the city had some type of program to help the property owner.

Ms. Dimas stated that the city had amnesty programs that wave the interest fee.

Discussion amongst the board about the cost of liens.

There being no further discussion, Mr. Victor Meza entertained a motion Mr. Davis moved to make this structure an unsafe building. Mr. Gonzalez seconded the motion. Upon a vote, the motion was unanimously approved.

There being no further discussion, Vice Chalman Victor Meza entertained a motion Mr. Davis moved to demolish the structure. Mr. Beltran seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM # 1.4

Unsafe Structure:

Start: 4:30p.m.

End: 4:34p.m.

**815 Leal Street
Lot 17, Block 4, Erdahl
R-1
Tarpon Rey, LTD
Attention: Ray Ramon**

Ms. Lerma stated that Mr. Ray Ramon was the registered property owner for 815 Leal Street. He mentioned that no taxes were owed. He added that the water account had been inactive since October 28, 2015. He stated that there were 13 mowing liens found totaling \$4,390.04. He added that on January 11, 2017 a letter was sent for dilapidated structure via certified mail; On January 19, 2017 a letter was received by Lesley Gonzalez. He mentioned that staff received a call from a Mitsy Garza who represented Mr. Ray Ramon at the time stating that he needed more time to repair the structure. He added that staff told Mrs. Garza that they would grant an additional of 30 days. To apply for a demolition permit or a remodeling permit. He stated that two more letters had been mailed out and were returned. He added that staff just found out that Mr. Ramon had been deceased since 2017.

There being no further discussion, Vice Chairman Victor Meza entertained a motion Mr. Gonzalez moved to make this structure an unsafe building. Mr. Davis seconded the motion. Upon a vote, the motion was unanimously approved.

There being no further discussion, Vice Chairman Victor Meza entertained a motion Mr. Davis moved to demolish the structure. Mr. Beltran seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM # 1.5

Unsafe Structure:

Start: 4:34p.m.

End: 4:44p.m.

988 Adams Avenue

S.65' of West 140', of Lot 53,

Mission Acres

R-1

Macedonio M. & Rosa Maria Garcia

Mr. Lerma stated that Mr. Macedonio M. & Rosa Maria Garcia are the registered property owners of 988 Adams Avenue. He added that taxes were owed to Hidalgo County Tax Office in the amount of \$1,232.88. He mentioned that the water account had been in active since March 11, 1980. He stated that the electrical was active. He added that a letter was sent on September 9, 2016 via certified mail and was received; On September 15, 2016 Mrs. Garcia called out office wanting more time to clean her property and left her number to call her back. He added that two follow ups had been Mr. Lerma and no change had been made to the property. He stated that a search warrant had been obtained and executed. He added that on November 9, 2023 a letter was sent for an unsafe building and Health and Sanitation and the letter was signed and picked up by Rosa M. Garcia. He added that on November 20, 2023 Ms. Dimas spoke to Daniel Garcia son of Mrs. Garcia. He stated that Mrs. Garcia does not live there that she lived with him and that they were going to apply for help from CDBG. He added that an extension was given for 2 months and to make an appointment and get back with us with updates. He added that on January 23, 2024 Mr. Lerma called the CDBG office to follow up on Mrs. Garcia intentions to seek help and Mrs. Garcia did make contact with CDBG on December 21, 2023.

Daughter of Mrs. Rosa Maria Garcia was present. Mrs. Gloria Wyatte stated that they have tried to improve the property several times but not successfully. She stated that her brother did the application with the program and have some items that need to get finalized. She added that they need an extension for 30 to 40 days to clean the property. She mentioned that if they don't approve the application for the program the family would like to demolish the home themselves.

Mr. Davis asked that if someone lives on the property.

Ms. Gloria Wyatte stated no that it was unsafe.

Ms. Dimas stated that this item can be tabled for 60 days while going through the process of CDBG.

There being no further discussion Vice Chairman Victor Meza entertained a motion Mr. Gonzalez motioned to "Table" for 60 days. Mr. Davis seconded the motion. Upon a vote, the motion was unanimously approved.

Chairman Victor Meza entertained a motion to un-table Item 1.6. Mr. Gonzalez moved to un-table. Mr. Beltran second. Upon a vote, the motion was unanimously approved.

TABLED ITEM # 1.6

Unsafe Structure:

Start: 4:45p.m.

End: 4:47p.m.

801 e. Tom Landry

Lot 1, Block A, Wright Addition

R-2

Leonel A. Zamora

Mr. Lerma stated that the property owner was Leonel A. Zamora. She mentioned that this item was previously tabled by the board members because the property owner was not present at the previous meeting. She added that she contacted the property owner and unfortunately due to health reasons the property owner can't be present. She mentioned that she spoke to Mrs. Amanda Zamora and stated that the intentions for the home are to remodel it and rezone it to commercial or residential.

There being no further discussion Mr. Vice Chairman Victor Meza entertained a motion Mr. Davis moved to close the case. Mr. Gonzalez seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM #2.0

ADJOURNMENT

There being no other business, Mr. Davis moved to adjourn. Mr. Beltran seconded the motion. Upon a unanimous vote, the meeting was adjourned at 4:51 p.m.



**Victor Meza, Vice Chairman
Building Board of Adjustments & Appeals**

**BUILDING BOARD OF ADJUSTMENTS AND APPEALS
MARCH 26, 2024
CITY COUNCIL CHAMBERS @ 4:00 P.M.**

BBOA PRESENT

Hector Gonzalez
Abel Beltran
Victor Meza
Michael Davis
Ken Jones

STAFF PRESENT

Susana De Luna
Irasema Dimas
Jessica Munoz
Alex Hernandez

GUEST PRESENT

David A. Perez
Fabiola Lopez
Gabriel Guerrero
Karen Prewitt

CALL TO ORDER

Vice Chairman Mr. Victor Meza called the meeting to order at 4:00 p.m.

CITIZENS PARTICIPATION

There was no citizens' participation upon inquiry.

APPROVAL OF MINUTES FOR JANUARY 20, 2024

Vice Chairman Victor Meza asked the Board if there were any corrections to the minutes. There being none, Mr. Davis moved to approve the minutes as presented. Mr. Beltran seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

Discussion and Action to Amend Building Board of Adjustments Bylaws

Ms. Dimas stated that a directive was given to staff to review the bylaws for all Boards in an effort to make any necessary changes. In the Building Board of Adjustments and Appeal bylaws.

Ms. Dimas went over the proposed changes in the bylaws that stated A Building Board of Adjustment and Appeals member shall only abstain from voting if he/she has a vested interest in a particular proposal before the Building Board of Adjustment and shall sign an affidavit to the conflict. Should there not be sufficient cause for abstention, the Building Board of Adjustment and Appeals shall vote. She added Administrative and clerical support for the Building Board of Adjustment and Appeals shall be provided by the City's ~~Community Development and~~ Planning Department Inspection Division which shall keep any and all records pertaining to business undertaken by the Zoning Board of Adjustment.

There being no discussion, Vice Chairman Victor Meza entertained a motion. Mr. Davis moved to approve the amendment. Mr. Beltran seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM #1.2

**Unsafe Structure:
Start: 4:04p.m.**

**416 N. Nicholson Avenue
Lot 2, & N. /2 Lot 3, Block 72,**

End: 4:14p.m.

**Mission Original Townsite
R-1
Delfino Lopez Jr.**

Ms. Dimas stated that Mr. Delfino Lopez Jr. is the registered property owner of 416 N. Nicholson Avenue. She added that Mr. Lopez owed Hidalgo County Tax Office a total of \$57,495.56 in taxes. She mentioned that his water account had been inactive since September 2018. She stated that there were 4 liens found totaling \$2,214.02. Ms. Dimas added that the property burned down in August 20, 2018 and Mr. Lopez passed away on August 21, 2018. She mentioned that on June 6, 2019 a letter was sent for dilapidated building via certified mail. She added that on July 8, 2019 a follow up inspection was done and the structure remained the same.

Ms. Dimas stated that staff's recommendation for the residential structure to be declared unsafe.

The daughter of Mr. Delfino Lopez was present. Mrs. Fabiola Lopez stated that she hired someone to get an estimate on how much it will cost to fix the home. She stated that she hasn't been able to put money into the home because of the economy. She added that she wants to remodel the home. She mentioned that the property is under her dad's name and had a previous marriage so the house also belongs to his other children. She added that she's been trying to get their signatures for the transfer of ownership.

Mr. Ken Jones asked that if Mrs. Lopez asked them for the signatures to pay the taxes that were owed.

Mrs. Fabiola Lopez stated that she told them that she was taking over their debt basically. She mentioned that some of the family members are hesitant about signing.

Mr. Michael Davis asked that how long had it been since someone lived at the house.

Mrs. Fabiola Lopez stated five years ago.

There being no further discussion, Vice Chairman Victor Meza entertained a motion. Mr. Jones moved to table it for 60 days. Mr. Davis seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM #1.3

Unsafe Structure:

Start: 4:15 p.m.

End: 4:16 p.m.

**3201 N. Trospen Avenue
E.173' -S.214', Lot 29-4
West Addition to Sharyland
.85 Ac GR 0.69 Ac Net
R-1
Daniel & Yolanda Cortinas
Baudello & Guadalupe Cortinas**

Ms. Dimas stated that Mr. Cortinas submitted a building permit for demolition. She added that this item can be seen in 30 days for an update.

There being no discussion, Vice Chairman Victor Meza entertained a motion Mr. Davis moved to table this item for 30 days. Mr. Beltran seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM # 1.4

Unsafe Structure:

Start: 4:16p.m.

End: 4:34p.m.

Meadow Creek Country Clubhouse

19.75 Ac Ph. 1A & 33.90 Ac PH.1B

Golf Course & Lake Rsv; 0.107Ac Lt C2

Ph. 1A Blk 18; 0.048 Ac N. ½ Lot 63

And all Lt 69 & W.10' Lt 28 Ph. A1 Blk 19;

5.17 Ac Ph. 1A Blk C1,

Meadow Creek Country Club 59Ac Net

PUD

CAFA Real Estates LLC

Ms. Dimas stated that the property owner owed taxes to the Hidalgo County Tax Office in the amount of \$24,832.54. She added that the legal description included all the south side of the golf course. She mentioned that the water account had been inactive since July 27, 2021. She stated that the property has 3 mowing liens found totaling \$1,831.00. Ms. Dimas mentioned that the City of Mission had received numerous complaints in regards to weedy lots and maintenance of the clubhouse. She added that staff met with one of the property owners and he stated that the investors are trying to do everything possible to maintain the property safe and secured.

Mr. Gabriel Guerrero was present in behalf of CAFA Real Estate. He stated that they are working with the city in regards to the complaints. He added that a proposal was made to board up all the windows and doors to avoid more vandalism.

Vice Chairman asked that what was the plan on the building and how many days Mr. Guerrero needed to board up the club house.

Mr. Gabriel Guerrero stated that there was no plan at the moment. He added that the only plan they had was to keep the building safe. He mentioned that he needed 3 to 4 weeks to board it up.

Vice Chairman asked that how many times had the club house been boarded up.

Mr. Gabriel Guerrero stated that the club house had been boarded up once only. He added that the main door had never been boarded up.

Vice Chairman asked that if Mr. Guerrero had thought of using other type of materials to board it up.

Mr. Gabriel Guerrero that he was going to use concrete anchors.

Mr. Hector Gonzalez asked that what had been done to prevent vandalism.

Mr. Gabriel Guerrero stated that the police had been called several times. He added that a camera had been installed and pictures of the men that broke in had been provided to the police.

Mr. Hector Gonzalez asked that if any charges were made.

Mr. Gabriel Guerrero stated no.

Mr. Michael Davis asked that if the Fire Department does an inspection after the building is boarded up?

Ms. Dimas stated that not on unsafe buildings.

Mr. Lerma stated that if the building is secured no issues with fire should arise.

Mr. Hector Gonzalez asked that if anyone was present that lived in Meadow Creek.

Mrs. Karen Prewitt was present. She stated that a townhall meeting is setup with owners, staff and city council. She mentioned that she was late to the meeting because she was on the phone with someone that is concerned. She added that the club house is not safe.

Vice Chairman Victor Meza stated that if there was any way to add lights to avoid anyone going into the building.

Mr. Gabriel Guerrero stated that the building didn't have electricity.

Vice Chairman Victor Meza stated that maybe a meter just for the light to brighten the place up.

Mr. Michael Davis asked that what did secured mean?

Vice Chairman Victor Meza stated bright lights and boarded up with good materials.

There being no further discussion, Vice Chairman Victor Meza entertained a motion Mr. Davis moved to table this item for 60 days. Mr. Gonzalez seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM # 1.5

Unsafe Structure:

Start: 4:35p.m.

End: 4:38p.m.

208 Sunrise Lane

Lot 5, Block 3, Gulf Breeze

R-1

Jose Luis Pedroza Sr.

Ms. Dimas stated that Mr. Jose Luis Pedroza Sr. is the registered property owner of 208 Sunrise Lane. Ms. Dimas mentioned that Mr. Pedroza owed taxes to Hidalgo County Tax Office in the amount of \$10,336.82. She added that the water account had been inactive since July 21, 2023. She stated that the property had no liens. She mentioned that back in 2023 staff received a complaint that someone was living in an unsafe/unsecured building. She added that staff went out to the property and inspected the house and found problems

with the roof and mold. She added that the person living in the home was Mr. Robert Stewart. She mentioned that Mr. Jose Luis Pedroza Sr. passed away in August 6, 2023. She added that Mr. Robert Stewart was fighting for ownership of the property since the property owner had passed away. Ms. Dimas stated that she's been in contact with Mr. Jose Luis Pedroza Sr. sister that has power of attorney of the sons of Mr. Jose Luis Pedroza first marriage. She added that they were in litigation and needs more time to take ownership of the building. She mentioned that Mr. Jose Luis Pedroza sister is interested in fixing the building. She added that she spoke to Ms. Maria Pedroza and advised her to at least board up the building while working on taking ownership of the property.

Vice Chairman Mr. Victor Meza asked that if she agreed to board it up.

Ms. Dimas stated that Ms. Pedroza was going to meet with her attorney. She added that no contact had been made with Ms. Pedroza and no letter from the attorney had been received. She mentioned that she would call Ms. Pedroza and ask her if she could at least board the building up.

There being no further discussion, Vice Chairman Victor Meza entertained a motion Mr. Davis moved to table this item for 30 days. Mr. Beltran seconded the motion. Upon a vote, the motion was unanimously approved.

Vice Chairman Victor Meza entertained a motion to un-table item 1.6. Mr. Beltran moved to un-table. Mr. Davis second. Upon a vote, the motion was unanimously approved.

ITEM # 1.6

Unsafe Structure:

Start: 4:38p.m.

End: 4:40p.m.

1005 Perkins Avenue

Lot 9, Block 176,

Mission Original Townsite

C-4

Lita Anne Guerra

Mr. Dimas stated that this item was previously seen in December. She mentioned that Mrs. Guerra was giving 30 days to submit a permit for demolition. She stated that no permit had been submitted yet. She added that she tried to contact Mrs. Guerra but she didn't answer.

Ms. Dimas stated that she recommends that this building be declared unsafe since no contact had been made with Mrs. Guerra.

There being no discussion, Vice Chairman Mr. Victor Meza entertained a motion Mr. Jones moved to make this structure an unsafe building. Mr. Beltran seconded the motion. Upon a vote, the motion was unanimously approved.

There being no further discussion, Vice Chairman Mr. Victor Meza entertained a motion Mr. Davis moved to start the demolition process. Mr. Jones seconded the motion. Upon a vote, the motion was unanimously approved.

Vice Chairman Victor Meza entertained a motion to un-table item 1.7. Mr. Gonzalez moved to un-table. Mr. Davis second. Upon a vote, the motion was unanimously approved.

TABLED ITEM # 1.7

Unsafe Structure:

Start: 4:42p.m.

End: 4:50p.m.

2312 N. Citrus Lane

Lot 8, Big Orange

R-1

Stephen & Emily Spoor

Ms. Dimas stated that the property owner was Stephen & Emily Spoor. She mentioned that this item was previously seen in December. She stated that Mr. Spoor had been giving 60 days to provide quotes for demolition and to clear the property. She stated that she met with Mr. Spoor before the meeting and he agreed for the city to demolish the building. She mentioned that Mr. Spoor needed 30 days to remove his belongings from inside the property.

Ms. Dimas stated that she declares this building as an unsafe structure.

Mr. Gonzalez asked that what exactly were the belongings Mr. Spoor wanted from his property. He added that if staff had pictures from the inside of the building.

Ms. Dimas stated that no pictures were taken because the roof was collapsing.

Mr. Gonzalez asked that if it was safe for Mr. Spoor to go into the building.

Ms. Dimas stated that it was not safe but she didn't know how Mr. Spoor was going to do it.

Mr. Gonzalez asked that what was the legal issue if the roof would collapse.

Ms. Dimas stated that is Mr. Spoor own property.

Mr. Stephen Spoor who resides at 2313 N Shary Road was present. He mentioned that he was ready to move forward with the demolition. He added that his wife thinks that there are things inside the building she needs to salvage. Mr. Spoor stated that he would need 30 days to go into the property and then they city could proceed with the demolition.

Mr. Davis asked that if Mr. Spoor understood the liability.

Mr. Stephen Spoor stated yes.

Mr. Gonzalez asked that if Mr. Spoor knew if there was something valuable inside the house.

Mr. Stephen Spoor stated no.

Mr. Gonzalez stated that he would hate for someone to get hurt.

There being no further discussion Vice Chairman Victor Meza entertained a motion Mr. Davis moved to make this structure an unsafe building. Mr. Gonzalez seconded the motion. Upon a vote, the motion was unanimously approved.

There being no further discussion Vice Chairman Victor Meza entertained a motion Mr. Davis moved to start demolishing process after April 26, 2024. Mr. Jones seconded the motion. Upon a vote, the motion was unanimously approved.

Chairman Victor Meza entertained a motion to un-table Item 1.8. Mr. Davis moved to un-table. Mr. Beltran second. Upon a vote, the motion was unanimously approved.

TABLED ITEM # 1.8

Unsafe Structure:

Start: 4:50p.m.

End: 5:01p.m.

1615 N. Los Ebanos Road (rear)

W. 1AC – N. 2AC EXC. 50'x150'

Lot 98, Mission Acres 0.83 AC NET

AO-I

Apolonio & Dora Alvarez

Attn: Leticia Alvarez

No Action Taken

ITEM #2.0

ADJOURNMENT

There being no other business, Mr. Davis moved to adjourn. Mr. Jones seconded the motion. Upon a unanimous vote, the meeting was adjourned at 5:02 p.m.



Victor Meza, Vice Chairman
Building Board of Adjustments & Appeals

PLANNING AND ZONING COMMISSION
JULY 03, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.

P&Z PRESENT

Diana Izaguirre
Kevin Sanchez
Raquene Austin
Omar Guevara

P&Z ABSENT

Steven Alaniz
J.D Villarreal
Jasen Hardison
Connie Garza

STAFF PRESENT

Susana De Luna
Patricio Martinez
Gabriel Ramirez
Alex Hernandez
Irasema Dimas
Elsa Zurita

GUEST PRESENT

Juan Martinez
Victor Guerrero
Roberto Gonzalez
Teresa Gonzalez
Jessie Jimenez
Julian Gonzalez

CALL TO ORDER

Chairwoman Ms. Diana Izaguirre called the meeting to order at 5:30 p.m.

DISCLOSURE OF CONFLICT OF INTEREST

Chairwoman Ms. Diana Izaguirre submitted a conflict of interest on Item 3.0.

CITIZENS PARTICIPATION

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

Ms. Susie De Luna asked if anybody was here for public comment or if they are here for something that isn't on the agenda.

Mr. Julian Gonzalez lives at 204 E. 2 Mile Road stated his only comments were on Bryan Landing Subdivision is for the developer to comply with the City of Mission rules and regulations as well as the Planning and Zoning regulations. He mentioned the developer needs to comply with the promises Mission City Council of not asking for any variances.

APPROVAL OF MINUTES FOR JUNE 19, 2024

Chairwoman Ms. Diana Izaguirre asked if there were any corrections to the minutes for June 19, 2024. Mr. Omar Guevara moved to approve the minutes. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:31 p.m.

Ended: 5:33 p.m.

Item #1.1

Rezoning:

**Being the North 0.42 of an acre,
more or less, being the North 140'
of the West 150' out of Lot 18-1,
West Addition to Sharyland Subdivision
AO-I to R-1
Jose A. Flores, Jr.**

Ms. Susie De Luna went over the write-up stating the subject site is located approximately 142' South of W. 2nd Street along the East side of N. Inspiration Road. – see vicinity map.

SURROUNDING ZONES:

N:	R-4	- Mobile & Modular Home
E:	R-1	- Single Family Residential
W:	R-1	- Single Family Residential
S:	R-1	- Single Family Residential

EXISTING LAND USES:

N:	Mobile Homes
E:	Residential Homes
W:	Residential Homes
S:	Residential Homes
Site:	Home

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone complies with the City's Future Land Use Map, and surrounding land uses. The R-1 would be a better neighbor for this area. Staff mailed 30 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

There was none.

Chairwoman Ms. Diana Izaguirre entertained a motion to close the public hearing. Ms. Raquene Austin moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Diana Izaguirre asked the board if they have any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Ms. Raquene Austin moved to approve the rezoning. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:33 p.m.

Ended: 5:40 p.m.

Item #1.2

Conditional Use Permit:

**To Place a Mobile Home "Temporarily"
For care of Health Stricken Parent
716 Campbell Street
Lots 20 & 21, Sunset Addition
R-2
Jessie Jimenez**

Ms. Susie De Luna went over the write-up stating the site is located on the southeast corner of Business Hwy. 83 and Campbell Avenue. Mr. Jessie Jimenez is requesting that a mobile home be allowed to be moved into the property as he provides care to his elderly mother. His mother, Mrs. Lourdes Jimenez has her main residence thereon. Mrs. Jimenez physical and mental health has deteriorated significantly, exacerbated by multiple surgical operations due to kidney failure and respiratory issues and requires general assistance and care. Her primary caretaker was her son David but he passed away in 2022. Recognizing the urgent need for proper care Mr. Jimenez decided to move his family from San Antonio to provide the necessary support and improve her quality of life. Upon arrival they were residing on Lot 20, which had a single wide mobile home that was no longer habitable for him or his family. Mr. Jimenez would like the Board to consider replacing the mobile home to provide a better healthy living environment for his family. The request would be for a period of 3 years.

REVIEW COMMENTS: Staff notes that the board has approved other similar requests. Staff mailed out 17 notices to property owners within 200' radius to get any comments in favor or against the request. Staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 3-year re-evaluation to assess the need,
- 2) Recording a document on removal of mobile home when need for second residence expires,
- 3) Mobile home cannot be used as a rental structure, and
- 4) The mobile home must meet the minimum building codes

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

Mr. Art Losoya lives at 713 Campbell street stated he had a few concerns with the property. He stated he was against the request. The property is zoned R-1 single family residential and should remain as a residential. His main concerns were property values and if the use was temporary how were the utility connections going to work. He also mentioned that it appeared to be 2 mailboxes on the property which will indicate a multi-family use. He stated that it appeared that there was a full size trailer in the rear of the property and a recreational vehicle which seemed to be permanent structure.

Chairwoman Ms. Diana Izaguirre entertained a motion to close the public hearing. Mr. Kevin Sanchez moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Diana Izaguirre asked the board if they have any questions for staff.

Ms. Raquene Austin asked staff if Mr. Art Losoya was correct about the full-size trailer already on the rear of the property.

Ms. Susie De Luna stated she had visited the site to check on the mobile home. The existing mobile home is no longer on the property. She mentioned there was an existing mobile home on the property which was there probably prior to being annexed or currently annexed. She included the property was rezoned back in the 90's in though the zoning map showed residential doing further research it shows the property was a duplex – fourplex. They own the two different lots and the applicant is wanting to replace the mobile home with a newer mobile.

Mr. Omar Guevara asked if the long structure on the property on the map was the mobile home they were talking about that had been removed?

Ms. Susie De Luna stated yes, there is nothing on the property. She mentioned that she had seen the recreational vehicle on the property but it seems that it isn't being used, it's being stored away on the property.

Mr. Omar Guevara asked if there are already connection since there was already one existing there prior?

Ms. Susie De Luna stated he wouldn't be able to have different connections it would have to be connected from the home.

Ms. Raquene Austin asked about the 2 mailboxes since there are two different lots?

Ms. Susie De Luna stated the applicant owns two different lots so he has two different addresses for the two lots.

There being no further discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Mr. Omar Guevara moved to approve the conditional use permit. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:40 p.m.

Ended: 5:42 p.m.

Item #1.3

Conditional Use Permit:

**To Designate an area as a Mobile Food Park for
Operations of Mobile Food Units
307 W. Tom Landry
Being the West ½ of Lots 7 & 8
Block 176, Original Townsite of Mission
C-4
Roberto Gonzalez**

Ms. Susie De Luna went over the write-up stating the site is located 75' West of N. Perkins Avenue along the North side of W. Tom Landry. The applicant is proposing to have a mobile food park to offer truck owners the opportunity to offer their products. The applicant proposes to have 4 mobile food trucks, built a unisex-restroom, an office, and a 26'x33' canopy for seating area. The seating area will have 4 picnic tables under the canopy in case anyone would like to dine in. Access to the site will be off W. Tom Landry. If approved, based on the current ordinance, each mobile food truck operator would still need to apply for their own CUP to operate within the mobile food park.

- **Hours of operation:** Sunday thru Saturday 10am to 12am
- **Staff:** 1 employee.
- **Parking:** Based on the site plan, there is a total of 24 seating spaces, which required 8 parking spaces and 3 for each mobile food unit for a total of 20 parking spaces. The applicant is proposing 13 parking spaces for the entire site and has secured a written agreement with the property owner from West Side Liquor Store to use his parking lot in

case of any overflow. Staff notes that this property is located within the Mission Central Business District; thus, exempt from parking requirements.

- **Landscaping:** The landscaping requirements would need to be complied with.

RECOMMENDATION: Approval subject to:

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

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

There was none.

Chairwoman Ms. Diana Izaguirre entertained a motion to close the public hearing. Ms. Raquene Austin moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Diana Izaguirre asked board if they have any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Ms. Raquene Austin moved to approve the conditional use permit. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:42 p.m.

Ended: 5:44 p.m.

Item #1.4

Conditional Use Permit:

**Restaurant in a C-2 Zone – Lola Seafood
800 E. 1st Street
Lots 88 & 89, Mayberry Plaza UT No. 3
C-2
Victor Guerrero Cardenas**

Ms. Susie De Luna went over the write-up stating the subject site is located at the SE corner of Mayberry Road and E. 1st Street. The property currently has a commercial building with a nail shop within. The applicant is proposing to open a Seafood Restaurant on the property. The property is currently zoned Neighborhood Commercial (C-2 zone). Section 1.42(3)(e) of the Zoning Code states that restaurants require a CUP if in a Neighborhood Commercial Zone (C-2). Since, CUP's are not transferable, the applicant would like to apply for the conditional use permit for his restaurant. The last CUP for the restaurant at this location was approved on April 3, 2024 for a period of 3 years.

- **Days/Hours of Operation:** Monday - Sunday from 11:00 a.m. to 9:00 p.m.
- **Number of Employees:** 4
- **Parking:** The restaurant will have a total of 36 seats which require 12 parking spaces (36 seats/3 = 12 spaces). Currently the property has a total of 17 parking spaces that are held in common with the other business. The parking lot will need to be re-stripped.

- **Landscaping:** The site has minimal green space. Staff would ask for them to install additional landscaping and that once installed it be maintained and irrigated.

REVIEW COMMENTS: P&Z has seen previous requests for restaurants in a C-2 zone without creating a negative impact to the surrounding areas. Staff mailed out 19 notices to property owners within 200' radius to get any comments in favor or against the request. Staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 yr. re-evaluation in order to assess this new operation,
- 2) Acquisition of a business license prior to occupancy,
- 3) Must comply with all City Codes (Building, Fire, etc.), and
- 4) CUP not to be transferable to others

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

There was none.

Chairwoman Ms. Diana Izaguirre entertained a motion to close the public hearing. Ms. Raquene Austin moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Diana Izaguirre asked board if they have any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Ms. Raquene Austin moved to approve the conditional use permit. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:42 p.m.

Ended: 5:44 p.m.

Item #1.5

Conditional Use Permit:

Drive-Thru Service Window

- Lauris Kitchen

3604 N. Conway Avenue

Being 0.626 acre tract out of Lot 30-7,

C-3

Juan Martinez

Ms. Susie De Luna went over the write-up stating the subject site is located in the SE area of Victory and Conway Blvd. The applicant is proposing to open a Mexican Restaurant with a drive-thru service window. The restaurant will be adjacent to an existing propane store. Access to the site will be provided off Conway Blvd., through an existing 40' driveway. There is an existing billboard sign located on the property that causes the drive-thru lane to swerve towards the south most limits of the property. The drive-thru window is located along the south side of the billboard. Customers would exit the drive-thru to Victory Street. Since, CUP's are not transferable to others and this is a new applicant, therefore the need to re-apply. The last CUP for the drive-thru service window at this location was approved for Banana Leaf Jarocho's Restaurant on February 24, 2018 for life of use.

- **Hours of Operation:** Open every day for 6:00 a.m. to 10:00 p.m.
- **Staff:** 5 employees
- **Parking:** There are a total of 32 seating spaces which require 11 parking spaces (32/3seats = 10.6 spaces). There is a total of 19 parking spaces being provided. The parking will need to be re-striped and directional arrows re-painted for the drive-thru service lane.
- **Landscaping:** There are a few existing trees within the property, however none along Conway Blvd. This site has an existing building with existing pavement throughout the front. Planters will be required along the front of the building.

REVIEW COMMENTS: Staff mailed out 11 notices to property owners within 200' radius to get any comments in favor or against the request. Staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

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

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

Mr. Juan Martinez stated it used to be a restaurant and he was trying to reopen under new ownership and reopen the drive thru.

Chairwoman Ms. Diana Izaguirre entertained a motion to close the public hearing. Mr. Omar Guevara moved to close the public hearing. Ms. Raquene Austin seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Diana Izaguirre asked board if they have any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Ms. Raquene Austin moved to approve the conditional use permit. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:46 p.m.

Ended: 5:50 p.m.

Item #3.0

Preliminary & Final

Plat Approval:

Bryan's Landing Subdivision (Private)

A 27.969 acre tract of land out of Lot 29-10,

West Addition to Sharyland

R-1A

Development: Omar Garcia

Engineer: Izaguirre Engineering Group, LLC

Ms. Susie De Luna went over the write-up stating the subject site is located on the east side of Bryan Road and is approximately 920' north of E. Mile 2 Road. — see vicinity map. The developer is proposing a private 103 single family residential lot subdivision. — see plat for actual dimensions, square footages, and land uses.

VARIANCE

The developer is requesting variances on area requirements for 2 lots (Lot 78 & 103). The minimum lot area for a corner lot is 9,000 sq. ft. per Zoning Code - Article VIII - Sec.1.37 - No. 5 - Area requirements. Currently, the lots are 8,029.13 sq. ft. and 8,661.01 sq. ft., respectively.

WATER

The developer is proposing to connect to an existing 4" water line with a proposed 12" line located along the west R.O.W. of Bryan Rd. and extend an 8" water line thru the subdivision providing 1" water services to each lot and looped to an existing 8" main line along the south R.O.W. of Mile 2 Road. There is a total of 12 proposed fire hydrants via direction of the Fire Marshal's office. — see utility plan.

SEWER

The developer is proposing to connect to an existing 8" line along and within the R.O.W of Bryan Road. 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 \$20,600.00 (\$200 x 103 Lots).

STREETS & STORM DRAINAGE

The subdivision will have 2 accesses both from Bryan Road, with all internal streets being 32' Back-to-Back within 50' Right of Ways. Utilizing the 50-year frequency storm event, after development of this subdivision storm water runoff will be detained in a detention pond positioned at the southeast corner of the site and maintained by the HOA. The development surface is to be graded to direct storm water surface runoff towards proposed paved curb and gutter streets. Said storm water will be intercepted by type "A" inlets which will outfall into the detention pond. An outfall pipe will be jack and bored under the existing irrigation canal and bleed out into the City of Mission system at the existing 10-year storm event runoff. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

- Water District Exclusion, Assignment of Water Rights or payment of \$3000 per ac. ft.
- Escrow Park fees (103 Lots x \$500 = \$51,500.00)
- Must Comply with all other format findings

RECOMMENDATION

Staff recommends to approval of the plat and its variance subject to:

- 1) Capital Recovery Sewer Fees
- 2) Payment of Park Fees
- 3) Water District Exclusion
- 4) Assignment of Water Rights

Chairwoman Ms. Diana Izaguirre abstained for Item 3.0.

Vice Chairman Mr. Kevin Sanchez asked board if they have any questions for staff.

Vice Chairman Mr. Kevin Sanchez asked what had changed from the last time it was presented to the board?

Ms. Susie De Luna stated staff was requesting reports they had not received and since then staff received the reports, and corrections to be made to the drainage report and address the comments from the city engineer which had already been addressed by the engineer and developer. There was a numerous number of variances that were being solicited and the amount they had reduced to 2.

There being no further discussion, Vice Chairman Mr. Kevin Sanchez entertained a motion. Mr. Omar Guevara moved to approve the preliminary & final plat approval. Ms. Raquene Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:52 p.m.

Ended: 5:54 p.m.

Item #1.6

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Hampton Inn & Suites
2505 Victoria Drive
Lot 1, Hampton Inn & Suites Subdivision
C-3
c/o Partiba Kasan**

Mr. Alex Hernandez went over the write-up stating the subject site is located 1,320' East of S. Shary Road along the North side of Victoria Drive. The applicant has a 4-story hotel, with 108 rooms, 2 meeting rooms, & 111 parking stalls that has been in business since October, 2008. Victoria Heights, LLC would like to incorporate the sale & on-site consumption of alcoholic beverages to the business. Access to the site will be off of two 26' driveways of Victoria Drive.

- **Hours of Operation:** Hotel hours of operation are 24 hours a day seven days a week, and Alcohol will be sold during state allowable hours.
- **Staff:** 22 employees
- **Parking & Landscaping:** In reviewing the site plan, the 4-story building has 108 rooms, which requires 108 parking spaces (1 parking space x per room). The hotel has a total of 111 parking spaces, thus exceeding code. Landscaping is meeting code.
- **Sale of Alcohol (Section 6-4):** of the Zoning code requires such uses to be 300' from the nearest residence, church, school or publicly owned property. There are residential homes directly behind the alley that fall within the 300'; however, P&Z and City Council have waived this separation requirement in other similar CUP's approval.

REVIEW COMMENTS: Staff mailed 26 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2-year re-evaluation at which time the applicant will have to renew his CUP and TABC license,
- 2) Waiver of the 300' separation requirement from residential homes,
- 3) Compliance with all City Codes (Building, Fire, Health, and Sign Codes),

- 4) CUP not be transferable to others, and
- 5) Wet zone

Chairwoman Ms. Diana Izaguirre asked if there was any input in favor or against the request. There was none.

Chairwoman Ms. Diana Izaguirre entertained a motion to close the public hearing. Ms. Raquene Austin moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Diana Izaguirre asked the board if they had any questions.

Chairwoman Ms. Diana Izaguirre asked staff if the applicant had already applied for the conditional use permit before?

Mr. Alex Hernandez answered No, they hadn't applied before this was their first time applying.

There being no further discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Ms. Raquene Austin moved to approve the conditional use permit. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:54 p.m.

Ended: 5:56 p.m.

Item #2.0

Site Plan Approval:

**Construction of a 100 Unit Multi-Family
Living Community
709 Highland Park Avenue
Lot 1, Anacua Village Subdivision
R-3
Housing Authority of the City of Mission**

Mr. Gabriel Ramirez went over the write-up stating the subject site Anacua Village is a redevelopment of the existing City of Mission Housing Authority site located on the southwest corner of E. 8th Street and Highland Park Avenue. -- see vicinity map. Site Plan approval is required prior to permit issuance for multi-unit complexes of five or more.

The proposed new development is a 3-story, 100 unit multi-family living community located at 709 Highland Park Avenue, Mission, Texas. The housing building will comprise 23 1-bedroom units, 53 2-bedroom units and 24 3-bedroom units. Each building will have ADA units on the first level. All other floors will be of standard access. There will also be 2 children's playscape areas, a covered picnic area and a community clubhouse.

There will also be a clubhouse to include office, recreation, mail room, and a common kitchen. All buildings must comply with 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 comply as per zoning ordinance, easements or greater as per site plan.

As seen in the aerial, the primary access will be from Highland Park Ave. and a secondary driveway from E. 8th St. with regards to parking, the parking is held in common which requires 200 parking spaces. A total of 206 parking spaces are provided. The landscaping design was submitted for review along with the general lighting plan. These layouts are compliant with the City's regulations as stated in Sec. 98-15 Code of Ordinance.

OTHER COMMENTS:

- 1) Enclosed dumpsters will be located within the complex to be screened with a 6' block fence with opaque (solid) gates.
- 2) Permit waivers will be granted per Ordinance No. 4736. The project is funded by the Texas Department of Housing and Community Affairs (TDHCA) 9% Housing Tax Credit Program.

RECOMMENDATION: Staff recommends approval.

Chairwoman Ms. Diana Izaguirre asked the board if there were any questions for staff.

Chairwoman Ms. Diana Izaguirre asked staff if they have started construction yet?

Mr. Gabriel Ramirez answered they hadn't submitted building permits yet.

There being no further discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Mr. Kevin Sanchez moved to approve the site plan approval. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:56 p.m.

Ended: 5:58 p.m.

Item #2.1

Site Plan Approval:

**Construction of a Cold Storage Warehouse
1507 Commerce Drive
Lot 11 B, Expressway Business Park Ph. VIII
I-1
Topsites Construction, LLC**

Mr. Gabriel Ramirez went over the write-up stating the subject site is located on Lot 11 B formally Lot 11 A out of a replat of Lots 5A & 11A Expwy Bus. Park Ph VIII. – see vicinity map. The developer is proposing 1 main structure on the property being a vacant 2.492-acres.

Upon reviewing the site plan, main access will be from Commerce Drive. The size of the building will measure 37,167 sq. ft. The structure will consist of 2 docks, 13 pallet zones, admin. office and restrooms, and a truck court for staging and cargo.

A total of 44 employee/public parking spaces will be allocated to serve the building, 3 being handicapped stalls. There will be 2 fire hydrants available: 1 along the R.O.W. and the other at the rear (SE) corner of the property. Fire lanes will be noted at restricted locations and throughout the parking zone.

The front building setback is approximately 100' - 8" from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

The proposed drainage shall consist of surface runoff into on-site inlets and discharging into a curb inlet within the development. 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) 2 enclosed dumpsters will be located within the lot to be screened with a 6' block fence and opaque (solid) gates.
- 2) Sign permits will be required.
- 3) Installation of 5' sidewalks along Frontage Rd.

RECOMMENDATION: Staff recommends approval.

Chairwoman Ms. Diana Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Mr. Omar Guevara moved to approve the site plan approval. Ms. Raquene Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:58 p.m.

Ended: 5:59 p.m.

Item #2.2

Site Plan Approval:

**Construction of an All-Suites Hotel
(AVID-CANDLEWOOD SUITES)
105 N. Grapefruit Blvd.
Lot 5, M.E.D.C. Subdivision
C-3
Points2Miles, LLC**

Mr. Gabriel Ramirez went over the write-up stating the subject site is located on Lot 5 of the M.E.D.C Subdivision situated along the north side of Victoria Dr. approximately 275' east of Shary Rd. (F.M. 494) and also adjacent and south of the Mission Event Center. – see vicinity map. Site Plan approval is required prior to permit issuance for multi-unit complexes of five or more.

The hotel is being proposed as a dual branded hotel which includes two similar hotels from the same brand family in a single building. Based on the applicant's conceptual plans, the hotel would have a contemporary design. The first floor would accommodate approximately 18 guest rooms, with 29 rooms on the second floor, and 30 rooms on the third and fourth floors. The proposed hotel would be constructed as an interior corridor structure with rooms accessible only from the interior of the building.

The site has two (2) points of ingress and egress along Grapefruit Blvd., which also serves as access to and from the subdivision. The Project site would be subject to the development standards for a C-3 Zone District, and would be required to comply with setback noted within. Those setbacks appear to meet and/or exceed the applicable development standards to include height requirements.

Pursuant to Sec. 110-463, hotel and motel uses are required to provide a minimum 1 vehicle parking space for each guest room, plus one space for each 200 square feet of commercial floor. Based on this data, the project would need to provide a minimum of 107 vehicle spaces. The conceptual site plan exceeds the minimum vehicle spaces; therefore, parking for the site would be adequate.

The subject parcel is surrounded by existing development and has the infrastructure in place to support a hotel use. The project will be required to comply with all conditions from Public Works and Engineering, which will further ensure the site is suitable for the proposal

The project site would be required to provide a minimum setback from the front, rear, and street side property lines, which will be landscaped. As indicated on the site plan, the applicant proposes landscaped areas throughout the site. Lighting for exterior illuminated signs or within the parking areas shall be noted not to create a hazardous glare for pedestrians or vehicles, either in a public street or on any private premises.

OTHER COMMENTS:

- 1) Payment of Capital Sewer Recovery Fees in the amount of \$1500
 - \$750 per acre (1.915)
- 2) Enclosed dumpsters will be located within the complex to be screened with a 6' block fence with opaque (solid) gates.
- 3) Installation of a buffer to abut all drainage canals and residential properties.

RECOMMENDATION: Staff recommends approval.

Chairwoman Ms. Diana Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Mr. Kevin Sanchez moved to approve the site plan approval. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:59 p.m.

Ended: 6:01 p.m.

Item #2.3

Site Plan Approval:

**Construction of an Extended Stay Hotel
(RESIDENCE INN BY MARRIOTT)
101 N. Grapefruit Blvd.
Lot 3, M.E.D.C. Subdivision
C-3
Points2Miles, LLC**

Mr. Gabriel Ramirez went over the write-up stating the subject site is located on Lot 3 of the M.E.D.C Subdivision situated along the north side of Victoria Dr. approximately 275' east of Shary Rd. (F.M. 494) and also adjacent and south of the Mission Event Center. – see vicinity map. Site Plan approval is required prior to permit issuance for multi-unit complexes of five or more.

The hotel is being proposed as 4-leveled structure with 104 guestrooms to include food & beverage, recreation, retail, and meeting spaces for a total gross area of 74,738 sq. ft. Based on

the applicant's conceptual plans, the hotel would have a contemporary design. The proposed hotel would be constructed as an interior corridor structure with rooms accessible only from the interior of the building.

The site has a main access from Grapefruit Blvd. and a secondary point of ingress and egress being a shared reciprocal access to Lot 5 from the east side of this development. The project site would be subject to the project standards for a C-3 Zone District, and would be required to comply with setback noted within. Those setbacks appear to meet and/or exceed the applicable development standards to include height requirements.

Pursuant to Sec. 110-463, hotel and motel uses are required to provide a minimum 1 vehicle parking space for each guest room, plus one space for each 200 square feet of commercial floor. Based on this data, the project would need to provide a minimum of 104 vehicle spaces. The conceptual site plan will refer to the recorded Declaration of Restrictions and Easements and Right of First Refusal document number 2758385 to integrate required parking for compliance.

The subject parcel is surrounded by existing development and has the infrastructure in place to support a hotel use. The project will be required to comply with all conditions from Public Works and Engineering, which will further ensure the site is suitable for the proposal.

The project site would be required to provide a minimum setback from the front, rear, and street side property lines, which will be landscaped. As indicated on the site plan, the applicant proposes landscaped areas throughout the site. Lighting for exterior illuminated signs or within the parking areas shall be noted not to create a hazardous glare for pedestrians or vehicles, either in a public street or on any private premises.

OTHER COMMENTS:

- 1) Payment of Capital Sewer Recovery Fees in the amount of \$1500
 - \$750 per acre (2.116)
- 2) Enclosed dumpsters will be located within the complex to be screened with a 6' block fence with opaque (solid) gates.
- 3) Installation of a buffer to abut all drainage canals and residential properties.

RECOMMENDATION: Staff recommends approval subject to conditions.

Chairwoman Ms. Diana Izaguirre asked the board if they had any questions for staff.

Chairwoman Ms. Diana Izaguirre asked if staff had commented over the type of colors they pick from the building?

Mr. Gabriel Ramirez answered that staff doesn't have any right on the color of the building; it would be the weingarten group and the restrictions they have.

There being no further discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Ms. Raquene Austin moved to approve the site plan approval. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:01 p.m.

Ended: 6:02 p.m.

Item #2.4

Site Plan Approval:

**Construction of a Restaurant (Khan's Grill)
2401 Victoria Avenue
Lot 6A, M.E.D.C. Subdivision
Being a Resubdivision of all Lots 6 and 7
of M.E.D.C. Subdivision
C-3
Mission Economic Development Corp.**

Mr. Gabriel Ramirez went over the write-up stating the subject site is located on the west lot of a replatted site recorded as Lot 6A and 7A M.E.D.C. Subdivision on the corner of Victoria Dr. and Grapefruit Blvd. – see vicinity map. The developer is proposing one main structure on the property being a vacant 1.485-acres.

Upon reviewing the site plan, there will be 2 accesses both from a designated 40' R.O.W. along the west side of the property. The building size will measure 5,800 sq. ft. with all the façade features of the original restaurant.

The front building setback is approximately 207' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 83 parking spaces are allocated to serve the business. There are 2 fire hydrants: 1 located at the southwest corner and the other along the east R.O.W. of the 40' wide street. Fire lanes will be noted at restricted locations throughout the site.

Storm water will be captured within the street inlets which will outfall to a drainage canal located at the eastern side of this development. 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.

RECOMMENDATION: Staff recommends approval.

Chairwoman Ms. Diana Izaguirre asked the board if they had any questions.

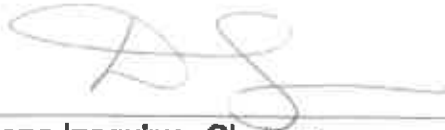
There was none.

There being no discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Mr. Omar Guevara moved to approve the site plan approval. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#4.0

ADJOURNMENT

There being no discussion, Chairwoman Ms. Diana Izaguirre entertained a motion. Mr. Omar Guevara moved to adjourn the meeting. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:02 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

PLANNING AND ZONING COMMISSION
JULY 17, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.

P&Z PRESENT

Diana Izaguirre
Kevin Sanchez
Raquenel Austin
Omar Guevara
Steven Alaniz
Jasen Hardison
Connie Garza

P&Z ABSENT

J.D Villarreal

STAFF PRESENT

Alex Hernandez
Jessica Munoz
Patricio Martinez
Gabriel Ramirez
Elisa Zurita

GUEST PRESENT

Ramiro Villegas
Dina Salinas
Aaron Balli
Raymundo Platas
Arnoldo Morgan
Rosie Morgan
Adolfo Hernandez
Sofia Fernandez
Ruben de Jesus
Chris Burns
Maria Ester Salinas
Anel Mendoza
Stanley Jacobson
Laura Diana

CALL TO ORDER

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

DISCLOSURE OF CONFLICT OF INTEREST

There was none.

CITIZENS PARTICIPATION

There was none.

APPROVAL OF MINUTES FOR JULY 3, 2024

Chairwoman Ms. Izaguirre asked if there were any corrections to the minutes for July 3, 2024. Mr. Guevara moved to approve the minutes. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 5:50 p.m.

Item #1.1

Rezoning:

**Being a 2.50 gross acre tract of land,
More or less, out of Lot 43,
Bell- Woods CO.'s Subdivision "C"
AO-1 to R-2
Raymundo Platas**

Mr. Hernandez went over the write-up stating the subject site is located approximately 640' North of W. Mile 2 Road on the East side of N. Troser Road. – see vicinity map.

SURROUNDING ZONES:

N: AO-1

- Agricultural Open Interim

E: AO-I - Agricultural Open Interim
W: C-1 - Office Building Commercial
S: AO-I - Agricultural Open Interim

EXISTING LAND USES:

N: House
E: Vacant
W: Vacant
S: Vacant
Site: Vacant

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map. However, it complies with the fairly new existing land uses. Staff notes that the Future Land Use Map can be amended to reflect the proposed zone. The City Council has approved other rezoning's for Duplex-Fourplex just approximately 500' north of this site and off of Compton Road. Staff mailed 15 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

Ms. Laura Diana lives at Ojeda Lot 2 is concerned of there being more traffic and the streets being congested since there is no shoulder lanes also no sidewalks. She currently lives in Mayberry Gardens that is south of Pueblo de Paz apartments there was a lot of tagging in the area also the fences were destroyed. She mentioned that she feels like it would also happen at the duplex-fourplex she added that there is already illegal dumping happening behind her property leaving tractor tires from construction. She added that she had spoken to someone from the city stating the dirt road behind her property is not going to be a future street.

Mr. Stanley Jacobson lives at 3312 Compton Drive he was wanting to comment that the map that was present in the meeting is an older map there has been more development and more subdivisions.

Ms. Maria Ester Salinas lives at 3813 Compton drive next to Stanley Jacobson she owns 3 acres and agreed with Ms. Laura 100 percent. She added that there is no water in this location. If they are eventually going to build duplex. She stated that the market value the duplexes are so high and too expensive for people to buy. She reminded the board that on her property she has almost extinct horned toads so the duplexes are going to bring in a lot of population and a lot of city resources and dumping. She stated she is against the rezoning. the property is historical agriculture area belonging to congressman also her father and Kernel Thompson which would be destroying historical agriculture. She added they have no water; and the citrus growth was being affected they have lived there since the 60's which is about 25 years old. She stated once they have to pay taxes which is going to go up and which is going to be destroyed by people that want to build duplex-fourplexes. she had agreed on an R-1 not an R-2 since there is no sidewalks, no ponds, no water, and no electricity.

Mr. Aaron Balli stated that the city is growing as the years go by and the community has to grow with it also he stated that the city is a tax entity. The community is wanting the streets to get fix

but they don't want the City of Mission to grow. He added that this was the only way to improve the city and make it better, fix the sewer, water and the streets. He mentioned Ms. Salinas mentioned about the ranch which it isn't a ranch anymore since the city is growing Mile 2 Road used to be a quite place which he stated it isn't anymore because everywhere its growing and for the city to continue to grow.

Ms. Dina Salinas lives at 3608, 3320, and 3308 Compton Drive has lived there for 20 years she just got approved on some of her property to open through Trosper Road. She asked if staff knew where the entrance was going to be located.

Mr. Hernandez stated that right now they are just rezoning the property they haven't come up with a design yet.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they have any questions for staff.

Ms. Garza asked Mr. Raymundo Platas where is he thinking of putting the entrance.

Mr. Raymundo Platas stated he would like the entrance to be off of Trosper Road only if the city approves it and he would to widen the street unless city recommends otherwise.

Ms. Garza asked about the infrastructure and drainage.

Chairwoman Ms. Izaguirre mentioned to Ms. Garza that they aren't in the design process they are barely starting with the rezoning.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Guevara moved to approve the rezoning. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously, with Ms. Garza abstaining.

Started: 5:50 p.m.

Ended: 5:59 p.m.

Item #1.2

Rezoning:

**Being a 5.39 gross acre tract of land,
more or less, consisting of all of the
South 342.50' out of Lot 38,
Bell-Woods CO.'s Subdivision "C"
AO-I to R-2
Raymundo Platas**

Mr. Hernandez went over the write-up stating the site is located approximately 640' North of W. Mile 2 Road on the West side of N. Compton Road. – see vicinity map.

SURROUNDING ZONES:

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

EXISTING LAND USES: N: Vacant
E: Vacant
W: Vacant
S: Vacant
Site: Vacant

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map. However, it complies with the fairly new existing land uses. Staff notes that the Future Land Use Map can be amended to reflect the proposed zone. The City Council has approved other rezoning's for Duplex-Fourplex in this area and off of Trosper Road. Staff mailed 10 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

Ms. Laura Diana lives at Ojeda Lot 2 is concerned of there being more traffic and the streets being congested since there is no shoulder lanes also no sidewalks. She currently lives in Mayberry gardens that is south of Pueblo de Paz apartments there was been a lot of tagging in the area also the fences are destroyed. She mentioned that she feels it would also happen with the duplex-fourplex. She added that there is illegal dumping happen behind her property leaving tractor tires with construction. She mentioned that she had spoken to someone from the city stating the dirt road behind her property is not going to be a future street.

Ms. Maria Ester Pena Salinas she owns a lot of property in the City of Mission. She mentioned she was listening to Mr. Balli about the growth of the city but she disagrees since she goes to the school board and they are down 1000 people. She stated they are currently working on her yard. She mentioned she pays her taxes every month she has invested a lot of money in the community. She added she is a tax based but the community is going to destroy it because of the duplex-fourplex. She mentioned that since there is so much growth he should have bought land somewhere else. She stated Mr. Balli told her he was going to be building R-1 big beautiful homes but instead he is doing R-2 duplexes-fourplex which brings a lot of population, dumping, and city resources. She mentioned the board wouldn't understand why she is upset because she was the one to work at the bodegas and pick watermelons out with her father. She added she is strongly against the rezoning.

Mr. Stanley Jacobson lives at 3312 Compton Drive asked where the entrance is going to be located and how many lots are there?

Chairwoman Ms. Izaguirre stated as the man said before in the previous item that he planned to have the entrance off of Trosper Road.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they have any questions for staff.

Chairwoman Ms. Izaguirre requested staff to have the main entrance on Trospers Road when it's in the design process.

Ms. Austin asked if there was a possibility to build a road between the two properties?

Mr. Hernandez replied yes there is but like the applicant stated he is going to do the entrance and exit through Trospers Road.

The board member discussed the other options on the entrance and exit is located on but conclude and agreed that Trospers Road was a better option.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Hardison moved to approve the rezoning. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously, with Ms. Garza dissenting.

Started: 5:59 p.m.

Ended: 6:07 p.m.

Item #1.3

Rezoning:

**All of Lot 6, Block 75,
Original Townsite of Mission
C-2 to R-2
Ramiro Villegas,
ROI ONE, LLC**

Mr. Hernandez went over the write-up stating the site is located near the northeast corner of N. Cummings and West 4th Street.

SURROUNDING ZONES:

N:	R-1	- Single Family Residential
E:	R-1	- Single Family Residential
W:	P	- Public
S:	AO-P	- Agricultural Open Permanent

EXISTING LAND USES:

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

FLUM:

Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map nor land uses. However, the proposed zone would be a down zone from the current neighborhood commercial zone. Staff notes that the Future Land Use Map can be amended to reflect the proposed zone. Staff mailed 13 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

Mr. Adolfo Hernandez lives at 300 W. 4th Street stated it's a flooding zone in the area. He mentioned he had to put plywood at the doors and windows at his mom's house so the water doesn't travel in the house. He stated they should fix the flooding and then build something

Mr. Ramiro Villegas mentioned that he was the owner of 312 W 4th Street. He added that the property has been vacant for 7 – 10 years, it was bought 4 years ago He tried to bring in mini offices but then covid-19 hit and it changed everything. So now he is trying to change the zone to make it into a 3 unit condo complex everything is existing there are already 3 units which is unit A, unit B and unit C which would be the inside to be remodel it was a previously a grocery market, and also a laundromat. He is wanting to just remodel the inside of the units to have a luxury affordable living with secure parking. He addressed the flooding issue which he stated it's not a flood zone area the drainage just needs improvement. He mentioned that he had water go in the building which was 4 to 5 inches which was primarily because the cars were driving through it pushing the water inside the building which is an issue that needs to be address at some point regardless if its residential or commercial.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked board if they have any questions for staff.

Ms. Garza asked where was the parking for the apartment complex?

Mr. Hernandez stated there was existing parking on the west side of the building.

Mr. Alaniz asked if he just going to be remodeling?

Mr. Villegas stated yes, the inside.

The board agreed it would be less traffic than a grocery store.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Sanchez moved to approve the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:07 p.m.

Ended: 6:09 p.m.

Item #1.4

Rezoning:

**A 14.65 acre tract of land, more or less,
Being a portion of the south 15.37 acres
of Lot 6-10, West Addition to Sharyland
R-1 to I-1
Victor Trevino**

Mr. Hernandez went over the write-up stating the subject site is located at the Northwest corner of E. Military Road (FM1016) and S. Bryan Road.

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

EXISTING LAND USES: N: Vacant
E: Vacant
W: Vacant
S: Vacant
Site: Vacant

FLUM: General Commercial (GC)

REVIEW COMMENTS: The proposed zone does not comply with City's Future Land Use Map, and surrounding land uses. The Future Land Use Map can be amended to reflect the propose zone. Staff mailed 10 notices to property owners within a 200' radius of the site to solicit comments in favor or against the request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff is recommending approval.

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

There was none.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked if they had already approved the rezoning when they approved the rezoning adjacent to the location.

Mr. Hernandez answered No, the property was changed to an R-1 now they are changing it from an R-1 to I-1. the one on the south east corner was changed to an I-1.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Hardison moved to approve the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre stepped out at 6:09 P.M.

Started: 6:09 p.m.

Ended: 6:11 p.m.

Item #1.5

Rezoning:

**A tract of land containing 35.447 acres
being out of Lot 61, Amended Map of
John H. Shary Subdivision
AO-I to I-1**

**Charco Land Sales
c/o Radcliffe Killam II**

Mr. Hernandez went over the write-up stating the subject site is located on the Northeast corner of Anzalduas Hwy. and E. Military Road (FM 1016).

SURROUNDING ZONES:

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

EXISTING LAND USES:

N:	Vacant
E:	BL Gray Junior/Middle High School
W:	Vacant
S:	Vacant
Site:	Vacant

FLUM: General Commercial (GC)

REVIEW COMMENTS: The proposed zone does not comply with City's Future Land Use Map, and surrounding land uses. The Future Land Use Map can be amended to reflect the propose zone. Staff mailed 8 notices to property owners within a 200' radius of the site to solicit comments in favor or against the request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff is recommending approval.

Vice-Chairman Mr. Sanchez asked if there was any input in favor or against the request.

Mr. Ruben De Jesus with Melden & Hunt the project engineer, stated they are submitting the change of the zoning because it part of the Killam Development so they are just trying to get the highest commercial zoning as of now which is light industrial.

Vice-Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Vice-Chairman Mr. Sanchez asked board if they have any questions for staff.

There was none.

There being no discussion, Vice-Chairman Mr. Sanchez entertained a motion. Mr. Hardison moved to approve the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre stepped back into the meeting at 6:11 p.m.

Started: 6:11 p.m.

Ended: 6:21 p.m.

Item #1.6

Conditional Use Permit:

**Home Occupation – Our Mission Primary Home Care LLC
802 Pamela Drive
Lot 1 & W. 52' of Lot 2, Block 4,
Parkview No. 1
R-1
Arnoldo Morgan**

Mr. Hernandez went over the write-up stating the subject site is located at the Southeast corner of Pamela Drive and Mayberry Road. The applicant has his single-family residence thereon with a half circular driveway off of Mayberry Road and exiting onto the rear alley. The applicant has applied for a conditional use permit for a home occupation to have a Home Care Office service out of his home. He proposes to utilize 2 rooms of the home as office setting for the business. They are a Personal Home Care Business for the elderly. They hire personal care attendants to aid with daily living activities for individuals within the community and surrounding cities. Their services are provided at their clients' home not at their business, however the state requires them to have an office with a computer and a place to store their important documentation.

- **Days/Hours of Operation:** Monday – Friday from 8:00 am to 5:00 pm.
- **Number of Employees:** 2 employees both living in the home.
- **Parking:** It is noted that the driveway can easily accommodate up to four vehicles
- **Must comply with Sec. 1.56-1, Zoning Code (home occupations regulation.),** inclusive of sign requirements.

REVIEW COMMENTS: Staff mailed out 16 notices to property owners within 200' radius to get any comments in favor or against the request. Staff has received 1 call against the request stating that they would like to keep this area as residential.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 year re-evaluation to access the new operation,
- 2) Compliance with all City Codes (Building, Fire, and Sign Codes),
- 3) Acquisition of a business license, and
- 4) CUP not transferable to others.

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

Mr. Arnoldo Morgan the applicant is only going to be him and his wife that works in the house. He believes there shouldn't be an issue with the public.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked board if they have any questions for staff.

Ms. Austin stated she is a little concerned with home occupation where they want for a home care. She mentioned before there was a home care for a home occupation that had x number of cars

and they had more than what they had voted on in the Planning and Zoning meeting. She stated she doesn't know if they were going to have an employee.

Mr. Morgan stated he understand that was a concern and that there will be no employees in the house.

Chairwoman Ms. Izaguirre asked Mr. Morgan who are the 2 employees.

Mr. Morgan stated it is going to be him and his wife since most of the clients and the employees go to the client's house also most of the employees are doing direct deposit.

Ms. Rosie Morgan stated her husband has been working from home since he is disabled and they will not be having any employees. She stated that he has a commercial building in San Juan that she could possibly take the clients and employees but she didn't want to mix her business and her husband's together plus the job is done remotely. She stated that her and her husband are just needing a permanent place to store the records. Since it's a program within the state, The state representatives are going to come and inspect and see that her records are in a secure and safe place since it has the clients personal information. She stated she could move the business to San Juan but she doesn't want to combine her and her husband's business together also since her husband is disabled he isn't always able to commute.

Mr. Morgan stated everything is done at the clients house he stated this not a home health.

Ms. Garza asked if it's like a provider service?

Mr. Morgan stated yes, it's a non-skilled home care.

Ms. Garza asked how do you hire employees do they meet them at the client's house?

Mr. Morgan replied the client fills out the application since the client requests the people.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Ms. Austin moved to approve the Conditional Use Permit. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:21 p.m.

Ended: 6:23 p.m.

Item #1.7

Conditional Use Permit:

**Home Occupation – Lucio Income Tax
& Health Insurance Agency
112 E. 5th Street
Lot 12, Block 78,
Mission Original Townsite
R-1
Jose Manuel Lucio III**

Mr. Hernandez went over the write-up stating the subject site is located at the Southwest corner of E. Rafael Ramirez Street (E. 5th Street) and Doherty Avenue. The applicant has applied for a conditional use permit for a home occupation to have a Income Tax and Health Insurance Agency service out of his home. He proposes to utilize the living room and the one-car garage as office

setting for the business. He plans to remodel the garage to serve as a reception and waiting area, equipped with a public restroom and hand washing station to better serve his clients. 90% of our clients are serviced virtually and the rest are in-person by appointment only.

- **Days/Hours of Operation:** Monday – Friday from 9:00 am to 5:00 pm.
- **Number of Employees:** 2 employees one living in the home.
- **Parking:** It is noted that the driveway can easily accommodate up to one vehicle and the carport can accommodate 2 more vehicles
- **Must comply with Sec. 1.56-1, Zoning Code (home occupations regulation.),** inclusive of sign requirements.

REVIEW COMMENTS: Staff mailed out 25 notices to property owners within 200' radius to get any comments in favor or against the request. Staff has received not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 year re-evaluation to access the new operation,
- 2) Compliance with all City Codes (Building, Fire, and Sign Codes),
- 3) Acquisition of a business license, and
- 4) CUP not transferable to others.

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

There was none.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked board if they have any questions for staff.

There was none.

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

Started: 6:23 p.m.

Ended: 6:29 p.m.

Item #1.8

Conditional Use Permit:

**To Keep (3) 24' x 70' Portable Buildings
Luz Paz Las Naciones Church
915 W. Expressway 83
Lot 1, Nido De Agulla Subdivision
P
Excellence in Leadership**

Mr. Hernandez went over the write-up stating the subject site is located at the Southwest corner of S. Olmo Street and south side of U.S. Expressway 83 Frontage Road. The applicant is

requesting to keep (3) 24' x 70' Portable Buildings for Leadership Academy Excellence School. The school currently has 300 students and uses the buildings as classrooms. The portable buildings accommodate 2 classrooms each for a total of 6, which will allow for 20 students per classroom. Access to the facility is available from Expressway 83 and South Olmo Street. The student drop-off will be along the east side of the building.

Hours of operation: Monday – Friday from 8:00 a.m. to 5:00 p.m. on regular days and during the Summer 7:30 a.m. to 4 p.m.

Staff: 4 teachers

Parking: In regards to parking, the educational component of the church will operate during non-church hours and utilize the existing 238 parking spaces on-site.

Landscaping: Landscaping requirements for the church are in compliance.

REVIEW COMMENTS: Staff notes that this request have been considered 3 times by the board since 2016 each time for a lapse of 3 years. The last time it was considered staff was told that they were working on constructing a permanent building. Staff knows that having a portable building along Expressway 83 may not be a long-term desire of the City when considering aesthetics along a major corridor.

RECOMMENDATION: Staff recommends approval subject to a 1-year at which time the applicant would need to apply for a permit to construct a permanent structure at this location.

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

Ms. Sofia Fernandez works at 915 W. Expressway 83 stated they are a small charter school district. She mentioned she is currently CFO the head of operations for Excellence in Leadership Academy. She stated the school is aiming for 300 students for enrollment so far, they only have 165 students enrolled this year due to other district charter schools and other factors. She stated she does work with the board of trustees and the board members. She added that they are looking to buy more land for expanding the currently facility or even move to a new land. Also, the portables were purchase with federal funds since the school has opened about 12 years ago and recently turned into a charter school. She mentioned they do maintain the year inspections make sure everything is up to date making sure there aren't any pest control or any type of incident regarding safety. There has been no complaints from the community or the property manager.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked board if they have any questions for staff.

There was none.

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

Started: 6:29 p.m.
Ended: 6:30 p.m.
Item #2.0
Site Plan Approval:

Construction of a Commercial Plaza
1724 W. Griffin Pkwy
Lot D & E, Girasol Estates
C-3
Madkris, LTD

Mr. Ramirez went over the write-up stating the subject site is located on the north side of W. Griffin Pkwy approximately 425' east of N. Inspiration Rd. – see vicinity map. The developer is proposing one main structure on the property which was the site of the Rocha's Restaurant #2. The main access will be from W. Griffin Pkwy. by an existing access driveway and a service alley along the north property line.

The building will have a contemporary façade with flat roofs, stucco finish, and standard metal and glass storefronts. The structure will measure a grand total of 4,599 sq. ft. which will consist of 5 units. The units will be finished out by the tenant.

The front building setback is approximately 109' 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. There will be 1 fire hydrant and its assemblies located in front of the development that will serve this project with fire lanes noted at restricted locations throughout the site.

Storm water detention area has been designated on the south side along the property line that will connect to an existing inlet along W. Griffin Pkwy. 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 solid buffer and opaque (solid) gates.
2. Sign permits will be required per tenant

RECOMMENDATION: Staff recommends approval.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Hardison moved to approve the site plan approval. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:30 p.m.
Ended: 6:31 p.m.
Item #3.0
Preliminary & Final

Sharyland Plantation Village Granada Ph. II Subd.

Plat Approval:

**Containing 10.04 acres of land, more or less, and
Partially located within Lot 92 & Lot 102
John. H. Shary Subdivision
PUD
Developer: Charco Land Sales, LLC
Engineer: SAMES Engineering**

Mr. Ramirez went over the write-up stating this subdivision is located north of the intersection of Los Indios Parkway and Grande Canal. — see vicinity map. The developer is proposing 35 residential lots and 1 common area. — see plat for actual dimensions, square footages, and land uses.

WATER

The developer is proposing to connect from an existing 8" water line along the west side of Grand Canal Drive just north of Granada Phase 2 subdivision and a 12" water line along the southside of Los Indios Parkway with an 8" water line stubout crossing north by Grand Canal Drive There are 2 FHs of Santa Monica which will be removed to extend a water line and provide a loop within the subdivision. They are proposing 3 fire hydrants as via direction of the Fire Marshal's office. — see utility plan

SEWER

The developer is proposing to remove and replace existing cleanouts with a 48" fiberglass manholes. The subdivider shall install a 8" diameter sanitary sewer lines and service connections that will service all the lots for Granada Subdivision Phase 2. The Capital Sewer Recovery Fee will be required at \$200.00/Lot which equates to \$7,000.00 (\$200.00 x 35 Lots).

STREETS & STORM DRAINAGE

The proposed internal street is are 32' Back-to-Back within a 50' Right of Way. Access will be by existing ROW extensions from Phase I. A master drainage plan report has been prepared for a region encompassing approx. 7000 acres. The region is bounded by the Mission Inlet to the north, the Banker Floodway to the south, Bentsen Rd. to the east, and Conway Ave. to the west and is protected from the 100 year event based on starting water surface elevation provided in the Mission Inlet Master Plan by Turner, Collie & Braden dated September 2002. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

Installation of Street Lighting as per City Standards
Must Comply with all other format findings

RECOMMENDATION

Staff recommends approval subject to payment of capital sewer recovery fee and any other format findings.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Alaniz moved to approve the preliminary & final plat approval. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#4.0
ADJOURNMENT

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Hardison moved to adjourn the meeting. Ms. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:31 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

**PLANNING AND ZONING COMMISSION
AUGUST 7, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
Kevin Sanchez
Jasen Hardison
J.D Villarreal
Connie Garza

P&Z ABSENT

Raquenel Austin
Omar Guevara
Steven Alaniz

STAFF PRESENT

Susie De Luna
Alex Hernandez
Jessica Munoz
Gabriel Ramirez
Elisa Zurita

GUEST PRESENT

Sharon Ellison
Elio Garza
Anel Mendoza
Lourdes Lerma
Ramon Sotelo
Gilbert Saenz
Herman Sledge
Garth Heitshusen
Aida Santoy
Corina Avendano
Hilda Garcia
Ester Pena

CALL TO ORDER

Vice-Chairman Mr. Sanchez called the meeting to order at 5:36 p.m.

DISCLOSURE OF CONFLICT OF INTEREST

There was none.

CITIZENS PARTICIPATION

Ms. Ester Salinas lives at 715 Miller Avenue. She stated the city was doing a lot of work installing underground cable they were making a mess destroying the streets where the workers were digging Also, the workers were blocking the entrance to her home and to other peoples in the neighborhood so they would have to park across the street from their homes when the neighbors are bringing groceries to there and they have young children. She mentioned the workers had told her they had permission from the city. She asked why had nobody notified her that there was going to be work in the area.

APPROVAL OF MINUTES FOR JULY 17, 2024

Vice-Chairman Mr. Sanchez asked if there were any corrections to the minutes for July 17, 2024. Mr. Villarreal moved to approve the minutes. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:40 p.m.

Ended: 5:41 p.m.

Item #1.1

Rezoning:

**Lots 8-11, Amber Grove Subdivision
R-2 to R-3
Amber Development, LLC**

Ms. De Luna went over the write-up stating the subject site is located approximately 240' East of Trosper Road along the south side of Palmer Road.

SURROUNDING ZONES: N: R-2 – Duplex-Fourplex Residential

E: R-2 – Duplex-Fourplex Residential
W: R-2 – Duplex-Fourplex Residential
S: R-2 – Duplex-Fourplex Residential

EXISTING LAND USES:
N: Apartments
E: Vacant
W: Vacant
S: Apartments
Site: Vacant

FLUM: Lower Density Residential (LDA)

REVIEW COMMENTS: Staff notes that the proposed zone does not comply with the City's Future Land Use Map. The request is to consider an R-3 Zone (Multi-family residential), in an already established R-2 zone (Duplex-Fourplex) subdivision which will not be consistent to the lots within this subdivision or surrounding land uses. Staff mailed out 21 notices to property owners within 200' radius to get their input in regards to this request. As of this date, staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff is recommending Denial.

Vice-Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice-Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Villarreal moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Vice-Chairman Mr. Sanchez asked the board if they had any questions for staff.

There was none.

There being no discussion, Vice-Chairman Mr. Sanchez entertained a motion. Ms. Garza moved to deny the rezoning. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:41 p.m.

Ended: 5:44 p.m.

Item #1.2

Conditional Use Permit:

**Anel's Event Center
700 W. Griffin Parkway, Ste. D
Lot 2, Azlz No. 2 Subdivision
C-3
Anel Mendoza**

Ms. De Luna went over the write-up stating the site is located 185' east of Holland Road along the north side of W. Griffin Parkway. The applicant is leasing an 825 sq.ft. suite within a commercial plaza for a proposed Event Center. She proposes to have small scale events such

as birthday parties, gender reveals, reunions, seminars etc. Access to the site will be provided via two 45' driveways off of Griffin Parkway.

- **Hours of Operation:** Monday – Thursday from 9 am – 10 pm and Friday – Sunday from 10am – 11pm
- **Staff:** 2 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 45 seating spaces proposed, which would require 15 parking spaces. (45 seats/1 parking space for every 3 seats = 15). There is a total of 61 parking spaces that are held in common for this commercial plaza. Staff notes that additional landscaping will be required.

REVIEW COMMENTS: Staff mailed out 20 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Compliance with all City Codes (Building, Fire, Health, etc.),
- 2) Acquisition of a business license prior to occupancy, and
- 3) CUP not be transferrable to others

Vice-Chairman Mr. Sanchez asked if there was any input in favor or against the request.

Ms. Anel Mendoza the address of her business is 700 W. Griffin Parkway Ste. D. she stated wanting to open her event center with the conditional use permit.

Vice-Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Villarreal moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Vice-Chairman Mr. Sanchez asked the board if they had any questions for staff.

There was none.

There being no discussion, Vice-Chairman Mr. Sanchez entertained a motion. Mr. Hardison moved to approve the conditional use permit. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:44 p.m.

Ended: 5:46 p.m.

Item #1.3

Conditional Use Permit:

**Once Upon a Spa Party Event Place
2711 E. Griffin Parkway
Lot 9, Adams Crossing Subdivision
C-3
Aida Santoy**

Ms. De Luna went over the write-up stating the site is located approximately 354' west of Taylor Road along the north side of E. Griffin Parkway. The applicant is leasing a 1,375 sq.ft. suite within a commercial plaza for a proposed party place intended for small scale events. The initial idea is

mainly for little girls and teenagers who want to have small parties with their group of friends. The idea is for them to experience a pretend play spa, which will include make up, hair, manicure, pedicure, fashion show, and a dance party. This type of events will have two options for parents to choose from either a Drop off party or to Stay in the party. They will also rent the place for ladies' brunch, birthday parties, baby showers, dinners or engagement parties. Access to the site will be provided via a 30' driveway off of Griffin Parkway.

- **Hours of Operation:** The hours of operation vary depending of the type of activity; for kid's party Monday - Friday from 4pm – 9pm, Saturday & Sunday from 10am – 9pm
- **Staff:** 5 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 50 seating spaces, which would require 17 parking spaces. (50 seats/1 parking space for every 3 seats = 16.6). There is a total of 62 parking spaces that are held in common for this commercial plaza.

REVIEW COMMENTS: Staff mailed out 28 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Compliance with all City Codes (Building, Fire, Health, etc.),
- 2) Acquisition of a business license prior to occupancy, and
- 3) CUP not be transferable to others

Vice-Chairman Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice-Chairman Mr. Sanchez entertained a motion to close the public hearing. Ms. Garza moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Vice-Chairman Mr. Sanchez asked the board if they had any questions for staff.

There being no discussion, Vice-Chairman Mr. Sanchez entertained a motion. Ms. Garza moved to approve the conditional use permit. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:46 p.m.

Ended: 5:48 p.m.

Item #1.4

Conditional Use Permit:

**El Jardin Events
105 E. 30th Street
Lot 1, Block 1, Briana Estates Subdivision
C-3
Hilda Garcia**

Ms. De Luna went over the write-up stating the subject site is located approximately 235' east of Conway Avenue along the north side of E. 30th Street. The applicant is leasing a suite within a commercial plaza for a proposed Event Center. She proposes to have small scale events such

component. Staff notes that there is an existing drive-thru service window which would require separate CUP. Access to the site is off a 35' driveway off of Conway Avenue.

- **Hours of Operation:** Monday – Sunday from 8am to 10pm
- **Staff:** 11 employees in different shifts.
- **Parking:** In viewing the floor plan, there is a total of 82 seating spaces, which require 27 parking spaces (82 seats/ 1 space for every 3 seats = 27.3 parking spaces). It is noted that the parking area is held in common (69 existing parking spaces) and are shared with other businesses.
- **Sale of Alcohol:** Section 6-4 states: "...the sale of all alcoholic beverages within 300 feet of any church, public school, private school or public hospital, is hereby prohibited. There are no such uses within 300' of this site.

REVIEW COMMENTS: Since this business will not be open after 10 p.m., and the sale of alcohol is not the primary item of purchase, staff does not object to this proposal. Staff mailed out 18 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2-year re-evaluation after obtaining the business license in order to assess this new business,
- 2) Must comply with TABC requirements
- 3) Must comply with all City Codes (Building, Fire, Health, etc.),
- 4) Acquisition of a business license prior to occupancy,
- 5) CUP not be transferable to others, and
- 6) Wet Zone Property

Vice-Chairman Mr. Sanchez yield the chair to Chairwoman Ms. Izaguirre.

Chairwoman Ms. Izaguirre arrived the meeting at 5:50 P.M.

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

There was none.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Villarreal moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

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

Started: 5:51 p.m.

Ended: 6:20 p.m.

Item #1.6

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Moon Restaurant Mixology
1603 E. Griffin Parkway
Lot 11, Block 3, Shary Gardens Subdivision
C-3
American Restaurants, LLC
c/o Lourdes Lerma**

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Garden View Drive and Griffin Parkway (F.M. 495). The applicant is proposing to open a restaurant with a bar component. Access to the site would be via a 40' driveway off of E. Griffin Parkway or a 25' driveway off of Garden View Drive.

- **Hours of Operation:** Sunday – Thursday from 10am - 11pm, Friday & Saturday from 10am to 2am
- **Staff:** 18 employees in different shifts
- **Parking:** The subject site has a total of 170 total seating spaces, which require 57 parking spaces (170 seats/1 space for every 3 seats = 56.6 parking spaces). It is noted that this location has 116 parking spaces plus 3 stacking spaces at a drive-thru service window for a total of 119 parking spaces, which exceeds code by 1.
- **Sec. 6-4:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of a church, public or private school, or public hospital. There are none of these land uses within the above radius (measured *door to door* for church or hospital; measured *lot line to lot line* for schools.)
- **Sale of Alcohol:** Such uses need to be 300' from residential uses. There are some residences within this radius); thus a waiver of the separation requirement needs consideration.

REVIEW COMMENTS: Since a restaurant is allowed in a C-3 zone and the sale of alcohol is not the primary item of purchase, staff does not object to this proposal. Staff mailed out 24 notices to the property owners within a 200' radius of the site and staff did receive 1 call in opposition to this request. The concerns voiced were in regards to the type of business, hours of operations being past 11 pm, the noise the business would create if they had DJ or live bands, and trash not being contained.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2-year re-evaluation after obtaining the business license in order to assess this new business,
- 2) Must comply with TABC requirements,
- 3) Must comply with all City Codes (Building, Fire, Health, etc.),
- 4) No objection to a waiver of 300' separation requirement from residential neighborhoods;
- 5) Acquisition of a business license prior to occupancy, and
- 6) CUP not be transferable to others

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

Ms. Sharon Ellison stated her house was within 25' of the plaza where the business is planning to open she is located at lot 17. She mentioned there was a church within lot 2 that is within 300'

so the city isn't complying. She stated she doesn't want anybody open past midnight and mentioned the business isn't a legitimate business. She mentioned she called several times to the police department for about 6 years to protest the noise. She stated the owners don't full, clean up the trash and pick up the pipe that has fallen due to a past hurricane. Also, the large trash has been moved by the city, which is a blind spot to cars that past through the alley. She mentioned there has been suspicious behavior going on in the business since she has been hearing noises for the past 6 months. There are people going in and out and had called the Mission PD on August 5, 2024. She had received a notice for the Planning & Zoning meeting and decided to protest for the conditional use permit. She stated she lived at her house for over 25 years and she has a right to protest from the business being opened and licensed.

Ms. Ester Pena stated she owns a 3 acres land at 3318 Compton Road that is around the area of the property. She mentioned she used to have a similar situation around her oblate home she owns. There was a lot of noise, drinking and traffic. She mentioned that she found out there was drugs and fights happening. She stated she attended planning & zoning to voice out her protest of the Ice House. It was Friday, Saturday and Sunday they were playing till 1 o'clock in the morning. Also, she had mentioned she ended up shutting down the Ice House a few times because the music was out of control. She agreed with Ms. Sharron because she has been there for 25 years and has every right to protest against the business. Unless the new business owner can assure her there is not going to be any loud music, she believes if it so close to a residential area or a church there should be some kind of restriction.

Mr. Ramon Sotelo is the co-owner for 1603 E. Griffin Parkway. He stated Ms. Sharron has gone to business and harassed him and the workers occasionally. The applicant is planning on installing security cameras. He stated she had taken matters into her own hands and called the police on the business and complaining to the police which was about the worker being there at all hours. He stated they have been complying with the laws. He mentioned they are just wanting to open the restaurant for the community so families can go and have family quality time together. Help workers with jobs as for an example the owner's son will be going to the restaurant eating there every day and he wouldn't want his son to have bad service. He stated he just wanted to get the conditional use permit for the sale of alcohol at his restaurant. He mentioned as far as he has been there his workers have been responsible and clean up after themselves.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

Chairwoman Ms. Izaguirre asked Mr. Ramon Sotelo if he can translate what he said in Spanish to the board and Ms. Sharron.

Mr. Ramon stated he can but his English isn't that good and he doesn't want to translate for her but can translate to the board.

Mr. Villarreal stated the importance its dependence on the board members if they understood the testimony he provided to the board. Since the members of the audience isn't going to challenge what the applicant had said. Mr. Villarreal asked the board members who didn't understand the testimony he said in Spanish.

Mr. Hardison replied he didn't understand what he said in Spanish.

Mr. Villarreal asked Mr. Hardison how does he feel about the applicant translating in English to what he said in Spanish.

Mr. Hardison asked who is going to be translating?

Mr. Villarreal answered the applicant is going to try to the best of his ability to speak English. Mr. Villarreal suggested to Mr. Hardison to table the item and wait till they have someone that can translate and the board can be able to fully motion on the item.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Ms. Hardison moved to table the conditional use permit. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:21 p.m.

Ended: 6:25 p.m.

Item #1.7

Conditional Use Permit:

**Drive-Thru Service Windows & Sale
& On- Site Consumption of Alcoholic
Beverages – La Palma Azul
3501 N. Conway Avenue, Ste. 1
Lot 2, IHOP On Conway Subdivision
C-3
Eilo C. Garza**

Ms. De Luna 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 leasing a 1,701 sq.ft. building for a snack place which will include two drive-thru windows on the north side of the building. Access to the drive-thru service windows would be off of Conway Avenue via a 24' driveway. They would place the order on the first window on the north side of the building and pick up the order on the second window. The drive-thru window's location allows stacking for approximately 3 vehicles. The applicant would like to offer alcoholic beverages with their snacks.

- **Days/Hours of Operation:** Monday – Saturday from 11 am to 10 pm and Sunday from 12 pm to 8:30 pm. Alcoholic beverages are only served during allowable State selling hours.
- **Staff:** 10 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 3 tables with 4 chairs each for a total of 12 seating spaces proposed, which would require 4 parking spaces. (1 parking space for every 3 seats = 4). It is noted that the parking spaces are held in common for this commercial. There is a total of 130 parking spaces that will be shared with the other businesses. The applicant will have to comply with the landscaping requirements.
- **Sale of Alcohol:** This request is compliant to Sec. 6-4 states: "...the sale of all alcoholic beverages within 300 feet of any church, public school, private school or public hospital, is hereby prohibited. There are no such uses within 300' of this site.

Review Comments: Staff recommends that proper signage be placed for the Drive-Thru Service Windows in order to avoid any confusion and that they install a speed bump to be located just

before existing vehicles reach the access lane. Staff mailed out 15 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2-year re-evaluation after obtaining the business license in order to assess this new business,
- 2) Must comply with TABC requirements,
- 3) Must comply with all City Codes (Building, Fire, Health, etc.),
- 4) Installation of a speed bump at the end of the ordering window;
- 5) Acquisition of a business license prior to occupancy,
- 6) CUP not be transferable to others, and
- 7) Wet zone

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

Ms. Ester Pena owns 3 acres behind the plaza which she is in favor. She stated she loves businesses and loves when they have the drive thru windows because there is a lot of people that are elderly or have special needs such as like her grandson which is easier on her when taking her grandson places to pickup food. She believes it isn't going to be anything negative so she is in favor with the drive thru service window.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

Mr. Sanchez asked if it was the IHOP on Conway subdivision or the IHOP?

Ms. De Luna stated it's the IHOP on Conway Subdivision.

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

Started: 6:25 p.m.

Ended: 6:28 p.m.

Item #1.8

Conditional Use Permit

Renewal:

**Sale & On-Site Consumption of Alcoholic
Beverages – Muelle 37**

801 N. Shary Road, Suites 150, 160 & 170

Lot 1A, Mirabelle Subdivision

C-4

Mariscos El Muelle, LLC

Ms. De Luna went over the write-up stating the subject site is located approximately 600' south of E. Business Highway 83 along the west side of N. Shary Road. The applicant has been operating this Seafood Restaurant since July 2022. The applicant would like to continue offering alcohol with the meals therefore the need to renew the conditional use permit. The last CUP approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was on May 9, 2022 for

a period of 2 years after obtaining the business license. Access to the site is off a 25' driveway off of N. Shary Road and two 32' driveways off of Mirabelle Street.

- **Hours of Operation:** Monday – Thursday from 11:00 a.m. to 9:00 p.m., Friday, Saturday & Sunday from 11:00 a.m. to 10 p.m.
- **Staff:** 18 to 25 employees in different shifts.
- **Parking:** In viewing the floor plan, there is a total of 177 seating spaces, which require 59 parking spaces (177 seats/ 3 seats = 59 parking spaces). It is noted that the parking area is held in common (135 existing parking spaces) and are shared with other businesses.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within the 300' radius, however P&Z and City Council have waived this requirement for other similar businesses.

REVIEW COMMENTS: Staff mailed out 22 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. Staff has asked PD for any reports regarding alcohol for this establishment as of this date there has been none. Since the sale of alcohol is not the primary item of purchase, staff does not object to an extended approval term.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 4-year re-evaluation at which at which time the applicant will need to renew his CUP and TABC license,
- 2) Continue to comply with all City Codes (Building, Fire, Health, etc.),
- 3) Waiver of the 300' separation requirement from residential neighborhoods, and
- 4) CUP not to be transferable to others

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

There was none.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

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

Started: 6:28 p.m.

Ended: 6:32 p.m.

Item #1.9

**Conditional Use Permit
Renewal:**

**Sale & On-Site Consumption of
Alcoholic Beverages – Still Tap**

**600 N. Shary Road, Ste. C
Lot 1, Esdras Vega Subdivision
C-3
Richard Gomez**

Ms. De Luna went over the write-up stating the subject site is located at the NE corner of E. 6th Street and Shary Road. The applicant has been in operation since August 2023 at this commercial plaza. The last CUP approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was on August 15, 2023 for a period of one 1 year. Access to the site is off of E. 6th Street, through an existing 24' driveway.

- **Days / Hours of operation:** Monday – Wednesday from 5pm to 10pm and Thursday - Saturday from 5pm to 12:00a.m.
- **Staff:** 2 employees will man this operation
- **Parking:** In reviewing the floor plan, there are a total of 40 seating spaces, which require 13 parking spaces (40 seats/1 space for every 3 seats = 13.3 parking spaces). It is noted that the parking area is held in common for the entire plaza and there is a total of 58 parking spaces.
- **Landscaping:** The landscaping, paving, and drainage for the entire plaza meets code.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within the 300' radius, however P&Z and City Council have waived this requirement for other similar businesses.

REVIEW COMMENTS: Staff mailed out 19 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. Staff has asked PD for any reports regarding alcohol for this establishment as of this date there has been none.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 4-year re-evaluation at which time the applicant will need to renew his CUP and TABC license,
- 2) Continue to comply with all City Codes (Building, Fire, Health, etc.),
- 3) Waiver of the 300' separation requirement from residential neighborhoods, and
- 4) CUP not to be transferable to others

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

Herman Sledge works at 600 N. Shary Road. He stated they haven't had any issues with the residential area behind the plaza and never had any issues with law enforcement. He mentioned at the end of the day they aren't there to be a drive by bar or speed bar. The major revenue comes from events on occasion they do live music but its strictly only jazz music.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Villarreal moved to approve the conditional use permit renewal. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:32 p.m.

Ended: 6:33 p.m.

Item #2.0

**Preliminary & Final
Re-Plat Approval:**

**Replat of Lot 1, Business Park Plaza
Ph. 2 Subdivision**

**Being all of Lot 1, Business Park Plaza
Ph. 2 Subdivision**

I-1

**Developer: Fire Fund 2 900 Business Park Drive, LLC
Park Drive, LLC**

Engineer: South Texas Infrastructure Group

Mr. Ramirez went over the write-up stating this replat of Lot 1 is within the Business Park Plaza Phase 2 subdivision located at the east side of Business Park Dr. and at the south side of Plaza Drive. — see vicinity map. The developer is proposing a two (2) lot commercial subdivision — see plat for actual dimensions, square footages, and land uses.

Utilities

When Business Park Plaza Ph. 2 Subdivision was subdivided, water and sewer services were made accessible and will be available to each lot. This replat will not affect any utility lines or the availability to connect to them upon issuance of permits.

STREETS & STORM DRAINAGE

This is a simple re-plat; all roads and drainage infrastructure for Business Park Plaza Ph. 2 Subdivision is complete to include drainage and paving improvements. The development of Lot 2 shall comply with the pro-rated conditions and requirements of the original drainage report that include detention and discharge. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

Street Lighting already exists

Must Comply with all other format findings

RECOMMENDATION

Staff recommends approval subject to:

- Payment of Capital Sewer Recovery fee
- Comply with other format findings.

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

There was none.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chalrwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chalrwoman Ms. Izaguirre entertained a motion. Mr. Sanchez moved to approve the subdivision plat. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:33 p.m.

Ended: 6:36 p.m.

Item #3.0

**Preliminary & Final
Plat Approval:**

**Crystal Estates Ph. IV Subdivision
Being a 14.71- acre parcel of land, out of Lot 27-1,
West Addition to Sharyland
R-2
Developer: DG & GG Investments, LLC
Engineer: Ever Engineering, LLC**

Mr. Ramirez went over the write-up stating this subdivision is located east of Inspiration Rd. approximately 1,400' south of W. 2 Mile Road. – see vicinity map. The developer is proposing forty-seven (47) Duplex - Fourplex lots. - see plat for actual dimensions, square footages, and land uses.

VARIANCE

The developer is requesting to change the following street names:

Estevan St. to Glenda St. / Gabriel St. to Britany St. / Teresa St. t Bailey St. / and David St. to Briley St.

Note:

Code of Ordinances / Chapter 98 - SUBDIVISIONS, Sec. 98-134. - Streets. (n) Street names. Names of new streets shall not duplicate or cause confusion with the names of existing streets, unless the new streets are a continuation of or in alignment with existing streets, in which case names of existing streets shall be used, and shall conform to the existing street naming system.

WATER

The developer shall connect to an existing 12" water line located along the west side of Inspiration Rd. and extend into the subdivision. The water line will be a main 8" looped line providing water service for each lot. There are 2 proposed fire hydrants via direction of the Fire Marshal's office. – see utility plan

SEWER

Sanitary sewer service for this subdivision will tie into a proposed manhole located within the Inspiration Rd. ROW. The sewer line will extend into the subdivision collect from each lot through a 6" stub out into the proposed 8" sewer main line. The Capital Sewer Recovery Fee is required at \$670.00/Lot which equates to \$31,490.00 (\$670.00 x 47 Lots).

STREETS & STORM DRAINAGE

The proposed internal street is a 32' back-to-back within a 50' Right of Way. Access will be from Inspiration Rd. Proposed runoff after development is 25.56 cfs during the 50-yr storm frequency. Drainage shall consist of surface runoff from the lots into the proposed streets and collected by

type "A" inlets. Pipe size diameter will be 24". The proposed storm system shall discharge into a proposed detention pond on the south side of the site which will then discharge into an existing City of Mission storm system network, located on the southwest corner of the site and on the west ROW of Trosper Rd. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

Installation of street lighting as per City Standards

Payment of Park Fees in the amount of \$94,000 (\$500.00 x 188 HUE).

Water District Exclusion

Must comply with all other format findings.

RECOMMENDATION

Staff recommends approval subject to:

1. Payment of Capital Sewer Recovery Fees
2. Payment of Park Fees
3. Water District Exclusion
4. Denial of the requested variance to use suggested street names requested by the owner and apply the City's continued and aligned existing street names as noted on the Code of Ordinances / Chapter 98 - SUBDIVISIONS, Sec. 98-134. - Streets. (n) Street names.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

Chairwoman Ms. Izaguirre asked staff if the board is approving on the whole subdivision plat or just the variance being requested?

Ms. De Luna stated they already voted on the subdivision this is just for the Variance itself.

Chairwoman Ms. Izaguirre asked if the subdivision is gated?

Mr. Ramirez stated no its not gated it public streets not private.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Sanchez moved to deny the variance request for street names changes. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#4.0

ADJOURNMENT

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Hardison moved to adjourn the meeting. Mr. Sanchez seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:36 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

**PLANNING AND ZONING COMMISSION
AUGUST 21, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
Kevin Sanchez
Omar Guevara
Steven Alaniz
Connie Garza

P&Z ABSENT

Raquel Austin
Jasen Hardison
J.D Villarreal

STAFF PRESENT

Susie De Luna
Alex Hernandez
Jessica Munoz
Gabriel Ramirez
Elisa Zurita
Irasema Dimas

GUEST PRESENT

Sharon Ellison
Lourdes Lerma
Ramon Sotelo
Ben Olivarez
Sam Olivarez
Valeria Garcia
Victor Meza
Alberto Trevino

CALL TO ORDER

Chairwoman Ms. Izaguirre called the meeting to order at 5:30 p.m.

DISCLOSURE OF CONFLICT OF INTEREST

There was none.

CITIZENS PARTICIPATION

There was none.

APPROVAL OF MINUTES FOR AUGUST 7, 2024

Chairwoman Ms. Izaguirre asked if there were any corrections to the minutes for August 7, 2024. Mr. Sanchez moved to approve the minutes. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Ms. Garza arrived the meeting at 5:31 P.M.

Started: 5:31 p.m.

Ended: 5:34 p.m.

Item #1.1

Rezoning:

**A 4.50 acre tract of land, more or less,
carved out of the South ½ of the East
10 acres of the North 20 acres of Lot 29-4,
West Addition to Sharyland
C-1 to R-2
Redline Development, LLC**

Mr. Hernandez went over the write-up stating the subject site is located 640' North of W. Mille 2 Road on the West side of N. Trospen Road. – see vicinity map.

SURROUNDING ZONES:

N:	AO-I	- Agricultural Open Interim
E:	AO-I/R-2	- Agricultural Open Interim & Duplex/Fourplex Residential
W:	AO-I	- Agricultural Open Interim

S: R-1 - Single Family Residential

EXISTING LAND USES:

**N: Single Family Home
E: Single Family Home/Acreage
W: Single Family Home
S: Residential Subdivision
Site: Vacant**

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map. However, it complies with the fairly new surrounding land uses. Staff notes that the Future Land Use Map can be amended to reflect the proposed zone. The City Council has approved other rezoning's for Duplex-Fourplex adjacent of this site and off of N. Trospers Road. An R-2 zone is actually a stair step down from its current commercial zone. Staff mailed 30 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

Mr. Milo Salinas with M2Engineering located at 1810 E. Griffin Parkway is with the developer Mr. Victor Meza with Redline Development. They are proposing a duplex-fourplex since across the street the property is zoned as a duplex- fourplex and there is already one built. As of now they are proposing a 12 lots subdivision.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Alaniz moved to approve the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 5:41 p.m.

Item #1.2

Rezoning:

**All of Lot 7, Block 91,
Mission Original Townsite
R-1 to C-3
BDSO,LLC**

Mr. Hernandez went over the write-up stating the site is located approximately at the Northwest corner of Doherty Avenue and E. Rafael Ramirez St.. – see vicinity map.

SURROUNDING ZONES:

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

EXISTING LAND USES:

N:	Single Family Home
E:	Single Family Home
W:	Commercial Building
S:	Single Family Home
Site:	Commercial Building

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: In the latter part of 2006 the city initiated a series of mass rezoning's for different areas within Mission Original Townsite. They were rezoned Light Industrial, General Commercial, Neighborhood Commercial, Duplex-Fourplex Residential and were changed to Single Family Residential. The purpose of these requests was to address intensifying concerns from Mission citizens regarding their surrounding land uses (multiple apartments being built within the downtown area). Staff notes that there is an existing building on this property that has been used as a warehouse for Barrera's Supply Company since the 1950's, according to the appraisal district records. A C-3 use should not be detrimental to the adjoining residential area since they have become accustomed to a non-residential use. Finally, the ultimate and best use for this structure is commercial and not residential.

P&Z has approved three similar requests in Mission Original Townsite for Lot 6, Block 79, on December 12, 2007, Lots 5 & 6, Block 112, on March 14, 2007, and Lot 6, Block 75 on July 26, 2021 for basically the same reason, i.e., previous business use. Staff mailed 27 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

Mr. Ben Olivarez and his brother Mr. Sam Olivarez owns Barrera's Supply Co. located at 500 N. Conway Avenue. He stated they had started the business back in 1918. He mentioned across the alley is lot 7 which he also owns they have been using it since the early 50's. He stated it has been used as commercial throughout the years they were trying to start the process of selling the building but found out the building isn't zoned commercial its actual zoned is a Single Family Residential. He is proposing for the property to be rezoned into General Business.

Ms. Enedelia Zerrato resides at 612 Oblate avenue, she asked if this pertains to her property? are they trying to change her property into General Business.

Ms. De Luna, Planning Director, explained to Ms. Zerrato the only property asking to be rezoned into commercial is lot 7. The property owner is trying to change the zone from residential to commercial which the only lot would be affected would be Lot 7.

Ms. Zerrato asked would the her property be effected?

Ms. De Luna stated no it would only affect lot 7 which Mr. Ben Olivarez owns. She explains she received a notice in the mail since staff is required to send out notices to property owners that are within the 200' radius. When they are rezoning a property but her property will not be rezoned.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Guevara moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Sanchez moved to approve the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:41 p.m.

Ended: 5:42 p.m.

Item #1.3

Rezoning:

1.17 acres of land out of the South 6.89 acres out of the South 13.78 acres of that part of Lot 23-3, lying South and West of the Mission Main Canal, West Addition to Sharyland

AO-I to R-1

Claudia Veronica Cardenas Mora

Mr. Hernandez went over the write-up stating the site is located approximately 336' North of Fincher Street on the East side of N. Los Ebanos Road. – see vicinity map.

SURROUNDING ZONES:	N:	R-1	- Single Family Residential
	E:	R-1	- Single Family Residential
	W:	R-1	- Single Family Residential
	S:	AO-I	- Agricultural Open Interim

EXISTING LAND USES:	N:	Single Family Home
	E:	Single Family Home
	W:	Single Family Home
	S:	Single Family Home
	Site:	Single Family Home

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone complies with the City's Future Land Use Map and surrounding land uses. Staff mailed 27 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

There was none.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Guevara moved to close the public hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Alaniz moved to approve the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:42 p.m.

Ended: 5:44 p.m.

Item #1.4

Conditional Use Permit:

**Mobile Food Truck- El Muñeco
2509 Colorado Street, Ste. 205
Lot 1, Block 2, Santa Lucia Development
C-3
Juan Chapa**

Mr. Hernandez went over the write-up stating the subject site is located near the NW corner of Colorado and Taylor Road along the north side of Colorado Street – **see vicinity map**. The applicant is leasing a space on the Mobile Food Park and would like to place his mobile food truck to offer tacos and tostadas. Access to the site will be provided off of Colorado or Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Tuesday – Sunday from 5:00 pm to 11:00 pm
- **Employees:** 3 employees
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.
- **Other Requirements:** Must comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 16 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

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

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

There was none.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Ms. Garza moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

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

Chairwoman Ms. Izaguirre entertained a motion to un table Item #1.5. Mr. Sanchez move to un table the item. Ms. Garza seconded the motion. Upon a vote, the motion passed.

Started: 5:44 p.m.

Ended: 5:56 p.m.

Item #1.5

Tabled

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Moon Restaurant Mixology
1603 E. Griffin Parkway
Lot 11, Block 3, Shary Gardens Subdivision
C-3
American Restaurants, LLC
c/o Lourdes Lerma**

Mr. Hernandez went over the write-up stating the subject site is located near the NW corner of Garden View Drive and Griffin Parkway (F.M. 495). The applicant is proposing to open a restaurant with a bar component. Access to the site would be via a 40' driveway off of E. Griffin Parkway or a 25' driveway off of Garden View Drive.

- **Hours of Operation:** Sunday – Thursday from 10am - 11pm, Friday & Saturday from 10am to 1am
- **Staff:** 18 employees in different shifts
- **Parking:** The subject site has a total of 170 total seating spaces, which require 57 parking spaces (170 seats/1 space for every 3 seats = 56.6 parking spaces). It is noted that this location has 116 parking spaces plus 3 stacking spaces at a drive-thru service window for a total of 119 parking spaces, which exceeds code by 1.
- **Sec. 6-4:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of a church, public or private school, or public hospital. There are none of these land uses within the above radius (measured *door to door* for church or hospital; measured *lot line to lot line* for schools.)
- **Sale of Alcohol:** Such uses need to be 300' from residential uses. There are some residences within this radius; thus a waiver of the separation requirement needs consideration.

REVIEW COMMENTS: Since a restaurant is allowed in a C-3 zone and the sale of alcohol is not the primary item of purchase, staff does not object to this proposal. Staff mailed out 24 notices to the property owners within a 200' radius of the site and staff did receive 1 call in opposition to this request. The concerns voiced were in regards to the type of business, hours of operations being

past 11 pm, the noise the business would create if they had DJ or live bands, and trash not being contained.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1-year re-evaluation after obtaining the business license in order to assess this new business,
- 2) Must comply with TABC requirements,
- 3) Must comply with all City Codes (Building, Fire, Health, etc.),
- 4) No objection to a waiver of 300' separation requirement from residential,
- 5) Acquisition of a business license prior to occupancy, and
- 6) CUP not be transferable to others
- 7) No live music

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

Ms. Sharron Ellison resides at 1603 E 23¹/₂ Street, she mentioned there has been no accommodations made for the business. She stated she has a problem with the hours of operations for weekdays and weekends. She mentioned if they are open until 1am it is considered as a bar not a restaurant. She mentioned she wanted no live music since the building has very poor acoustics and can be heard from her property. She stated the trash in the rear hasn't been cleared and the garbage can haven't been relocated so there is a blind spot causing traffic and accidents. She believes this item should be tabled and not receive business license to conduct the business.

Mr. Roman is the co-owner of the business located at 1603 E. Griffin Parkway; he believes Ms. Ellison wants to shut down his business before it has been opened and operate. Making it seem like their business is going to be a bar instead of a restaurant for families to spend time with each other. He stated the trash in the rear is the other businesses in the plaza which he keeps his area clean from trash. He mentioned Ms. Ellison stated she doesn't understand the concept of the restaurant which he has invited her to come and see the business being remodeled to see what they are trying a new experience of restaurant in the City of Mission. He invited her when they open for business to come eat at the restaurant.

Chairwoman Ms. Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

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

Started: 5:56 p.m.

Ended: 5:57 p.m.

Item #2.0

Homestead Exemption

Variance:

**.28 acres more or less, out of
Lot 192; John H. Shary Subdivision
310 Union Street**

**R-1
Valeria Garcia**

Mr. Ramirez went over the write-up stating the site is located approximately 360' North of E. 2 ½ Street along the east side of Union Street. The property measures 75' x 165' for a total of 12,375 sq.ft. On 11-10-14, the City Council passed the H.E.V. Ordinance which allows for homesteads to be granted various waivers to the City's subdivision requirements if and only if, the lot is being proposed for the applicant's personal single-family home.

WATER: There is an existing 2" water line along Union Street. Water service is readily available. There is also an existing fire hydrant at this same intersection therefore this requirement is fulfilled.

SEWER: The property has access to an existing 8" sanitary sewer line located along Union Street. Since this property had sewer service prior, the capital fee will not be needed.

STREETS: The property has frontage to Union Street. A streetlight can be found in front of this site. There is no need for additional street lights at this location.

OTHER COMMENTS

- Park Fee is required at \$500 (per lot).
- Provide proof of exclusion from the Water District
- Comply with the 50yr storm detention requirements
- Must comply with Model Subdivision Rules
- Must dedicate water rights

RECOMMENDATION: Staff recommends approval subject to

- 1) Provide proof of water district exclusion
- 2) Dedication of water rights
- 3) Payment of Park fee, and
- 4) Comply with the 50year storm detention code

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Sanchez moved to approve the Homestead Exemption Variance. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:57 p.m.

Ended: 5:59 p.m.

Item #2.1

Consider a variance request to allow an installation of a septic tank at 3101 S. Conway Avenue, out of Lot 10-7, West Addition to Sharyland Subdivision, as requested by Windfield Communities

Mr. Ramirez went over the write-up stating a variance request from the Code of Ordinances / Chapter 98 - SUBDIVISIONS / ARTICLE I. - IN GENERAL / Sec. 98-6. – General provisions. (a) No permit shall be issued within the city for the installation of septic tanks upon any lot in a

subdivision. All residents in any subdivision shall be connected to public utility services provided by the city.

On August 9, 2024 staff received a letter from Pablo Martinez, Vice President of Winfield Communities requesting the installation of a septic system at 3101 S. Conway Avenue. The site was previously serviced by an existing OSSF system that is outdated and out of service. Currently, the Milagro Subdivision is under construction and will be available to extend utilities to this location. The structure will serve as a sales and construction office for personnel use as the project develops up until the said lot will need to be cleared for new vertical construction. The building is classified as a temporary sales office for the sale of lots which is considered as a permitted use per Article VIII – Use Districts and Conditional Uses.

The request may have merit since the adjacent subdivision is underway and not connected to the city's infrastructure. The closest connection point to a city sewer line would be 1,300 in. ft. from the property. It has been determined that due to this unusual circumstance and the lack of options available, denying this request would deprive the applicant of the formal use of the existing home. In addition, there is no evidence that the general public's health, safety, convenience and/or welfare would be negatively affected in any way. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area either. This request is restricted and will be monitored thru permitting and payment of fees as noted within the adopted schedule of fees for non-residential per building lined item labeled septic tanks. The applicant has submitted a certified design of the proposed system, an approval to construct OSSF, and a receipt issue by the County. This job will be subject to City's requirements and inspections.

RECOMMENDATION: Staff recommends approval.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

Chairwoman Ms. Izaguirre asked there is a manhole right across the street where did staff get the 1,300 in. ft.?

Mr. Ramirez replied the property belongs to the Killiams Development and stated the manhole might not be in service at the moment where the variance request comes into play to connect the service for the septic tank.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Sanchez moved to approve the variance. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:59 p.m.

Ended: 6:00 p.m.

Item #3.0

**Preliminary & Final
Plat Approval:**

**Retama Phase VI Subdivision (Private)
9.173 acres being out of Lot 14,
Del Monte Irrigation Co. Subdivision
PUD (R-1)
Developer: Rhodes Development, Inc.
Engineer: Melden & Hunt, Inc.**

Mr. Ramirez went over the write-up stating this site is part of a master plan located on the SE corner of Bentsen Palm Dr. and Military Parkway East. — see vicinity map. This tract was vacant with a proposed land use for 20 residential lots, 22 cottage lots, and 3 common areas— see plat for actual dimensions, square footages, and land uses.

VARIANCE 1

Request variance from Sec. 98-134 'Streets' of the Code of Ordinances Ch. 98 - Subdivisions to allow the design and proposed construction of a 30' ROW whereas the code requires streets within a subdivision to be at least 50'.

VARIANCE 2

Request variance from Sec. 98-134 'Streets' of the Code of Ordinances Ch. 98 - Subdivisions to allow a pavement width of 30' whereas the minimum pavement width of minor residential streets shall have 32' back-to-back

WATER

The developer is proposing to connect to an existing 8" water line located along the south R.O.W. of Hummingbird Lane and extend an 8" water line through the site providing water service to each lot. It will be looped to the south onto the existing 8" line which was stubbed by the Phase V development and to the existing 12" main line along the south ROW of Military Pkwy East. This system will be stubbed at Hummingbird Ln. and Mallard Dr. ends for future extensions. There are 3 proposed fire hydrants via direction of the Fire Marshal's office. — see utility plan

SEWER

The developer is proposing to connect to an existing sewer cleanout on the north side ROW of Hummingbird Ln., which was left for this purpose, and extend an 8" PVC line to collect from all lots abutting to this street which will end with a standard MH. Lots 346-372 will be serviced by an 8" sewer line located on the west side of the street to be connected to an existing 12" sewer main along the north side of Ballard Dr. which will collect from the remaining lots. All lots will be stubbed front-and-center with a 4" PVC line. The Capital Sewer Recovery Fee is required at \$200.00/Lot which equates to \$7,400.00 (\$200 x 37 Lots).

STREETS & STORM DRAINAGE

The subdivision will have 2 existing streets extended from phase V (Hummingbird Ln. and Ballard Dr.) to have dead-ends for future expansions with a main access to Military Pkwy East from Hummingbird Ln. between Lots 340 & 341. This access will have an 80' ROW with median islands. The design will also include an internal street with a proposed paved 30' ROW.

This property is located in a Zone "B" on FEMA's Flood Insurance Rate Map. This development is included in Drainage Basin 45 of the Bentsen Palms Master Drainage Study therefore in accordance with the approved Master Drainage Plan. The plan will route storm water into a detention pond from Mission Main Canal which will outfall into the Mission Pilot Channel of the H.C.D.D. No. 1 System. The City-Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

1. No Park Fees — Mike Rhodes dedication of park land satisfies the park Dedication Ord.
2. Installation of Street Lighting as per City Standards
3. Compliance with the Private Street policies
4. Comply with all other format findings

RECOMMENDATION

This project was previously approved by P&Z on December 2023 and then by City Council on January 2024 which included both variance requests. The developer is now proposing to add 5 residential lots to the original submitted plat. Staff has no objection therefore recommends approval subject to payment of Capital Sewer Recovery fee and comply with items 1-4 shown above.

Chairwoman Ms. Izaguirre asked the board if they had any questions for staff.

There was none.

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Alainz moved to approve the subdivision. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#4.0 ADJOURNMENT

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Sanchez moved to adjourn the meeting. Mr. Guevara seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:00 p.m.



**Diana Izaguirre, Chairwoman
Planning and Zoning Commission**