

SHARY GOLF COURSE ADVISORY BOARD MINUTES
JUNE 4TH, 2025

- **Call to Order**
 - Mr. Ben Lau called the meeting to order.
- **Roll Call**
 - The following board members were present: Isaac Martinez, Ben Lau, Toby Garza, Javi Barrera, Martin Flores, Joe Salinas.
 - The following board members were absent: Thomas Lee
 - The following staff members and others were present: Michael Fernuik Golf Director, Efrain Gutierrez Course Superintendent, Andy Garcia ACM, Carl Davis MEDC Board Member.
- **Approval of Minutes**
 - The minutes from the May 7th, 2025 were approved as written. Motion made to accept Javi Barrera, seconded Joe Salinas, approved unanimously.
- **Golf Director's Report**
 - Update on Holes 19 to 27 Renovation. A progress report from VM Golf Services was supplied to the board for their review. The progress report was broken down into four parts; Work Completed, Work in Progress, Work Planned, and finally Pending Items. The project is progressing as planned. The next site visit is scheduled for June 9th and 10th where there is hope to get several greens sub grades approved by the golf architect for drainage install. Topics that came up were when the greens were going to be sprigged (end of July) with a two month grow in period, and tree removal.
 - Water Well Test Results. The test results came back with above normal results. Excessive salts were found along with abnormally high sodium, chloride and boron what can cause root & foliage damage. Compared to our water from United The prudent course of action is to keep mixing both types of water to mitigate the high salt content. The water analysis report from the reservoir lake done back in June, 2024 showed favorably characteristics to all w current mixing. Above ground solid treatment to help with the salt level could include the use of gypsum, sulfur or "humic acid".
 - Pump Station and Fertigation Pump. The third 60HP motor is on order and should be installed within the month. Once the new pump is installed the pump station will be operating at it's capacity with three 60HP motors to irrigate the course. It was discovered that the pump station did have a fertigation pump system installed that would allow us to treat the salt element with a mixture through the irrigation. Staff is in the process of getting the fertigation pump operational and get water into the tank.
 - Other Discussion Points on Holes 19 to 27. The naming of our lit nine hole course was discussed. Names suggested Night Owl @ Shary, The Orchard, Star Ruby,

Shary Nights, Shary Lights, Night Out @ Shary, Star Light. There were other names suggested along with the talking point of how important it will be to name the course for marketing and branding purposes. It was pointed out that other municipal golf course in the area have their own logo outside the city logo. Los Lagos Golf Club (Edinburg) and Champion Lakes (McAllen). There would also have to be a logo developed to go along with the name. Discussion will continue at next month's meeting.

- **Update on Holes 1 to 18 Sod Project**

- Superintendent Gutierrez mentioned the sod had arrived, albeit late but sod was being placed down on the greens. The sod will settle for a week and then the front nine will open and back nine close. Prepping of the fairway #1 will also happen before the 3rd truckload of sod arrives. Gutierrez went on to explain what involves prepping the soil, rolling and verti-cutting the sod once it is established. Gutierrez also thought there would be enough tif eagle to sod the nursery. It was decided to push the next delivery back a week to allow the first shipment for the front nine to settle. The board thought it was in the best interest of the course to not rush the project and take the time needed to complete the project. Fernuik went on to mention the junior summer program was going on nicely even with the limitations of what the golf course could offer this summer.

- **Public Participation**

- None

- **Unfinished Business**

- Fernuik gave the Advisory Board their shirts for upcoming photo sessions. Items that were discussed but require further discussion included restroom facilities for the new 9 holes, perimeter fencing, and the new location of the pro shop and office space including walls inside the clubhouse.

- **Chairman's Comments**

- Vice Chairman Ben Lau mentioned how excited he is about the projects being done. Chairman Martinez mentioned the importance of us being complete in all aspects before we open the new nine. Other items mentioned were the relocation of the pro shop, starter shack, restroom facility on the new nine, and adding a perimeter fence along Mayberry and southside of the course.

- **Adjournment**

- Meeting was adjourned at 6:30 pm.

**PLANNING AND ZONING COMMISSION
MAY 7, 2025
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

Steven Alaniz
Raquenel Austin

STAFF PRESENT

Xavier Cervantes
Susana De Luna
Alex Hernandez
Jessica Munoz
Gabriel Ramirez

GUEST PRESENT

Arnoldo Padilla
Alejandro Castillo
Mike Blum
Rogelio Gonzalez
Ernie Villarreal
Jana Acevedo
Myra Anzaldua
Israel Davila
Anna L. Davila
San Juanita Salinas
Leticia Ramirez
Guillermo Ramirez
Ricardo Sanchez
Abelardo Bocanerga
Jorge Guerra
Jonathan Cohrs
Deann Cohrs
Dominic Bazan
Peython De La Garza
Erika Adame
Beto De La Garza

CALL TO ORDER

Chairwoman 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 APRIL 16, 2025

Chairwoman Izaguirre asked if there were any corrections to the minutes for April 16, 2025. Mrs. Garza moved to approve the minutes as presented. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:31 p.m.

Ended: 6:04 p.m.

Item #2

Future Land Use

Amendment:

**Being Lots 1 & 2, 2nd amended map of
Shary Village, from Low Density Residential
to General Commercial District, located at**

2313 Village Drive
Applicant: Jesus G. Gonzalez

Mr. Xavier Cervantes stated that the first item on the agenda was an amendment to the comprehensive plan. He mentioned that there was an attempt in 2021 by the applicant to rezone the property to Neighborhood Commercial District, but it was denied by the City Council due to heavy opposition from the neighborhood. He added that state law states that zoning must be in accordance with the city's comprehensive plan. He stated that if the comprehensive plan amendment would get approved, the rezoning could be approved. The process is the same, notices will be sent to the property owners and a public hearing would be held. He stated that the property is located at 2313 Village Drive and the applicant desires to transform the existing home in the property into an office complex and intends to build a parking lot in lot 2, to provide on-site parking for the employees and the customers. The surrounding zones consist of: Office Building ("C-1") to the North and Agricultural Open Interim ("AO-I") to the East, Large Lot Single Family District ("R-1A") South and West. The applicant argues that the property should be zoned commercial due to it being a hard corner of Shary Road and the commercial development to the north of the property lines up to the applicant's West side of Lot 2. A petition was submitted in opposition to the request from the majority of the Shary Village property owners. The petitioners state that the land use change is a violation of the subdivision deed's restrictions. Also, the petitioners state that the commercial designation will impede and affect the residential environment and safety of the one street neighborhood. The board can consider a less intense commercial land use which is Neighborhood Commercial.

Staff recommends denial of the Future Land Use Amendment.

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

Mrs. Payton De La Garza who resides at 2201 Village Drive, stated that the subdivision was a one street neighborhood. She mentioned that changing the first two lots to commercial would cause major traffic issues. She added that her neighborhood had no sidewalks, and by adding commercial property to the corner would be unreasonable and unsafe. She also mentioned that the commercial properties that are north of the property being discussed are not part of a subdivision. She stated that Lots 1 & 2 are part of Shary Village and have deed restrictions and HOA restrictions.

Mr. Mike Blum who resides at 116 W. Shasta Ave, Mcallen Tx, stated that the house was purchased by the current owner over 30 years ago. He mentioned that when Mr. Gonzalez purchased the home, shary road was a two-lane road, he added that the traffic on shary would stay on shary that there was no reason for anyone to drive into village drive if the house is on the corner. Mr. Mike Blum presented a picture to the board of the front of the house. He stated that the front door was located facing village drive. However, the door to the business would be facing shary road. He mentioned since the door was going to be facing shary and not village, no traffic would be entering the subdivision. He stated that the covenants and deed restrictions that prohibit the use of land for commercial, that could only be resolved by other means.

Mr. Dominic Bazan who resides at 2309 Village Drive, stated that he lives right next to the property being discussed. He mentioned that he does not like the idea of a commercial business right next to his home. He stated that he was totally against the idea.

Mrs. Erica Adame who resides at 2210 Village Drive, stated that she was against the request. She added that the exit of the subdivision was offset with bannworth park and there was no protection when taking a left turn. She mentioned that if the parking for the business was being proposed on side it would cause more congestion especially if there wasn't enough parking for the business.

Mr. Jesus Gonzalez who resides at 106 Rio Grande Drive, stated that he lived in the home for 17 years. He mentioned that his son lives at the home now and the home is too big for him. He added that it was very difficult to lease the home for residential purposes. He mentioned that the business that was being proposed was for his son that was a realtor.

Mrs. Kathleen Rowland who resides at 2214 Village Drive, stated that the subdivision had been there for a long time and was a family neighborhood. She mentioned that she was against the request and would like the board to deny it.

Mrs. Elvia Garza who resides at 2303 Village Drive, stated that her and her husband were against the request.

Mrs. Deann Cohrs who resides at 2304 Village Drive, stated that the second lot was not completely incased. She mentioned that at one point there were doors on Lot 2 where the parking was being purposed for the future parking lot" through Village Drive. She stated that when you're at the entrance of the subdivision two cars barley fit, that when a car was parked in front of the home and your driving into the subdivision and one car driving out, you have to stop on shary to be able to drive into the subdivision. She added that she was against the request.

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

Chairwoman Izaguirre asked if there was a minimum distance between entrances.

Mr. Xavier Cervantes replied that Tx dot had regulations to access their highways. He mentioned that he thinks Tx dot would allow the existing driveway to be the driveway for the parking lot. He stated that the applicant was not purposing to use Lot 2, to access the parking lot. He added that he didn't know what would happen in the future if someone else would purchase the property.

Chairwoman Izaguirre mentioned that Lot 65, which is on East 20th street was denied for the same reason. She stated that the property was residential and there was more than 80% in opposition.

Mr. Kevin Sanchez stated that if there was more than 80% it required a super majority.

Mr. Xavier Cervantes replied that the super majority was for rezoning only. He added if it was a rezoning case it would require the super majority from city council.

Mrs. Irene Thomson asked what were the parking requirements.

Mr. Xavier Cervantes replied that if the home was converted to an office complex, it would require 13 parking spaces.

Mr. Kevin Sanchez asked the applicant, what was his plan to get this approved if there were deed restrictions and HOA restrictions.

Mr. Jesus Gonzalez mentioned that was a different process.

Mr. Kevin Sanchez stated if Mr. Gonzalez had a plan.

Mr. Jesus Gonzalez replied that it was not the right place to discuss that. He added that he had a plan to discuss improvements with the neighbors and would need to hire an attorney. He stated that he had done this before in the City of McAllen.

Mrs. Irene Thomson asked if the property had deed restrictions.

Mr. Jesus Gonzalez replied no, but it was the same situation.

Chairwoman Izaguirre asked if the board had any question.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Kevin Sanchez moved to deny the request. Mrs. Irene Thompson seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:04 p.m.

Ended: 6:08 p.m.

Item #3

Rezoning:

**A tract of land containing 2.531 acres,
being out of Lot 10-7, West Addition to
Sharyland Subdivision, located at the
Northeast corner of Conway Boulevard
(F.M. 1016) and Military Parkway
AO-I to C-4
Charco Land Sales**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from Agricultural Open Interim, ("AO-I") to Heavy Commercial District ("C-4"). to allow the development of a commercial plaza or a convenience store. The property has a commercial structure and a home. The surrounding zones are Agricultural Open Interim District ("AO-I") to the South and North, Planned Unit Development District ("PUD") to the East and Light Industrial District ("LI") to the West. The Future Land Use Map shows the subject property as General Commercial District. The subject property is in transition and staff finds Heavy Commercial uses as an acceptable alternative due to the fact that it is a corner of two major commercial corridors. Staff recommends approval of the rezoning.

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

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any question.

There was none.

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

Started: 6:08 p.m.

Ended: 6:12 p.m.

Item #4

Rezoning:

**A tract of land containing 4.000 acres,
being out of Lot 10-7, West Addition to
Sharyland Subdivision, located along
the East side of Conway Boulevard
(F.M. 1016) approximately 283' North of
Military Parkway
AO-I to R-3
Charco Land Sales**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from Agricultural Open Interim, ("AO-I") to Mult-Family Residential District to ("R-3") Multifamily Residential District to allow the construction of a Mission Housing Authority multi-family development. The Mission Housing Authority has applied for housing tax credits with the Texas Department of Housing and Community Affairs for an apartment's development named Conway Village. The surrounding zones are Agricultural Open Interim District ("AO-I") to the South and North, Planned Unit Development District ("PUD") to the East and Light Industrial District ("LI") to the West. Staff recommends approval to the rezoning request.

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

The Executive Director with the Mission Housing Authority Mr. Arnoldo Padilla was present, he stated that it was a 72 mixed unit finance development, he added that it was a mixture of income and not a set income development. He mentioned that the application with the Texas Department of Housing and Community Affair was awarded.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none

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

Started: 6:12 p.m.

Ended: 6:14 p.m.

Item #5

Rezoning:

**All of Lot 50, Mayberry Plaza Unit No. 2
Subdivision, located at 112 North Mayberry
Road
C-2 to R-1
AMS Management & Properties, LLC**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from ("C-2") Neighborhood Commercial District to ("R-1") Single Family Residential District. The property is located along the East side of Mayberry Road approximately 170 feet North of E. 1st Street. • The surrounding zones are Neighborhood Commercial (C-2) to the south and Single-family Residential District (R-1) to the east, west and north. The Future Land Use Map shows the Low-Density Residential District for the neighborhood. The requested rezoning is in line with the designation in the Future Land Use Map. Staff recommends approval to the rezoning request.

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

Mrs. Ana Maria Salinas who resides in the City of Palmhurst, stated that she wishes to sell the property. She mentioned that it was very difficult to sell that lot as a commercial lot and would like to rezone the property to residential.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 6:14 p.m.

Ended: 6:18 p.m.

Item #6

Rezoning:

**A 1.067 acre tract of land, more or less, being
the remainder tract at the Northeast corner out
of that portion of Lot 304, John H. Shary Subdivision,
located at the Northwest corner of Shary Road
(F.M. 494) and Dorado Drive
R-1T to C-3
LAC Enterprises, (c/o Leonel Cantu)**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from ("R-1T") Townhouse Residential to ("C-3") General Business District. The applicant is interested in developing a two-story storage building with possible suites for lease. The surrounding zones consist of: Single

Family Residential District (R-1) to the east, Townhouse Residential District to the west and south, and City of Palmhurst to the north, which does not have a zone. The Existing Land Uses are Single-Family Residential to the east and north, townhomes to the west, and commercial to the south. The subject property is currently vacant with large oak trees. The Future Land Use Map shows the subject property as Lower Density Residential. • Staff notes that there is a commercial building to the south of the site, which existed prior to being annexed to the City in 1998. The building was constructed in 1978 according to HCAD records. Staff recommends denial of the C-3 zoning but approval to a less intense commercial zoning ("C-2") Neighborhood Commercial.

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

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 6:18 p.m.

Ended: 6:20 p.m.

Item #7

Rezoning:

**Being 5.155 acres tract of land out of Lot 28-6,
West Addition to Sharyland Subdivision,
Located at the Southwest corner of Conway
Boulevard (S.H. 107) and West Mile 2 Road
R-4 to C-3
Victor Trevino**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from ("R-4") Mobile Modular Home District to ("C-3"). The property is located at the intersection of two major commercial thoroughfares and, therefore, has much potential for commercial uses such as a commercial plaza or for separate lots for restaurants or other individual businesses. The applicant is requesting to rezone the subject property from Mobile & Modular Home District ("R-4") to General Business District ("C-3") to allow the redevelopment of the site for commercial uses. The subject property is the East one-half of the Rollin Home RV Park. The surrounding zones are Mobile & Modular Home District (R-4) to the west, General Commercial District (C-3) to the south and north and Single-family Residential District (R-1) to the east. The Future Land Use Map shows the subject property as General Commercial District. The requested rezoning is in line with the commercial designation of the property in the Future Land Use Map. Staff recommends approval to the rezoning request.

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

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 6:20 p.m.

Ended: 6:22 p.m.

Item #8

Rezoning:

**Being the North 195.66 feet out of the East one (1) acre of the West 6 acres of the North 16.65 acres of the South 21.65 acres, of Lot 195, John H. Shary Subdivision, located along the South side of East 4th Street approximately 512 feet East of Shary Road (F.M. 494) C-3 to R-3
Abiel Ramon**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from ("C-3") General Business to ("R-3") Multi-Family Residential. The site is located along the South side of East 4th Street approximately 512 feet East of Shary Road (F.M. 494). The surrounding zones consist of: Single Family Residential District (R-1) to the north, Agricultural Open Interim (AO-I) to the east, and Multi-Family Residential District (R-3) to the west and south. Staff notes that this property was zoned (R-3) before getting the "(C-3) zone in 2019. The request is consistent with the existing surrounding zones to the west and south. Staff recommends approval to the rezoning request.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 6:22 p.m.

Ended: 6:41 p.m.

Item #9

Rezoning:

**Being a 4.100 acre tract, being comprised
Of the following tracts of land; Tract 1:
a tract of land containing 1.0 acres, more or
less, out of Lot 18-4, West Addition to Sharyland
Subdivision; Tract II: A tract of land out of
Lot 18-4, West Addition to Sharyland Subdivision,
located along the North side of West 1st Street
approximately 256 feet West of Holland Avenue.
R-1 to R-1T
Mario Salinas**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from ("R-1") Single Family Residential District to ("R-1T") Townhouse Residential District. The site is located along the North side of West 1st Street approximately 256 feet West of Holland Avenue. The surrounding zones consist of: Single Family Residential District (R-1) to the east, north, and west, and Multi-Family Residential District (R-3) to the south. The Future Land Use Map shows the subject property as Moderate Density Residential. Moderate Density Residential uses generally include those specified in Townhouse Residential District (R-1T), Duplex-Fourplex Residential District (R-2), and the Mobile and Modular Home District (R-4) zoning. The requested zoning is in line with the Future Land Use Map. Staff recommends approval of the rezoning request.

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

Mrs. Olga Munguia who lives in the area, stated that there's been a lot of problems with the residents who reside in the apartments next door. She mentioned that if they build more apartments or housing the area was going to get worst.

Mrs. Ana Davila who resides at 806 W 1st Street, stated that she lives next to the property trying to get rezoned. She mentioned that that all she would see in the apartment complex across the street, was drug activity, prostitution, people smoking pot, traffic, and accidents. She added that she opposed to the rezoning request.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thomson moved to close the public hearing. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the street had to be fixed.

Mr. Xavier Cervantes replied that would be a requirement during the subdivision process.

Chairwoman Izaguirre stated that typically what has to be fixed was there boundary line. She added but wouldn't they need to fix from there boundary line to Holland?

Mr. Xavier Cervantes replied that staff can only require what is in their boundary within the subdivision.

Chairwoman Izaguirre asked that how would that entrance help with traffic?

Mr. Xavier Cervantes replied that it could be a partnership with the residence in the front.

Chairwoman Izaguirre asked where would the drainage be located?

Mr. Xavier Cervantes replied what is being considered was only a rezoning. The drainage would be discussed during the subdivision process.

Mr. Mario Salinas who resides at 3301 New House Dr., he stated that he worked with MAS engineering. He mentioned that drainage would be in issue in that area, but he knew that there was an existing drain line running north to south from the school district and 1000 feet to the east but that one was not feasible for the land. He that he new that first street had to be widen and the property owner in the front had to donate some land.

Chairwoman Izaguirre asked if there was infrastructure that would have the capacity for that development.

Mr. Mario Salinas replied that there was a 12 inch water line to the west and tie into Holland Avenue.

Mr. Israel Avila who resides at 806 West 1st Street, stated that if Holland would be widen he would be left with no front yard. He mentioned that his mailbox had been run over several times because of crazy drivers.

Mrs. Irene Thompson asked that what was the difference in density in the number of lots between R-1 (Single Family Residential) and R-1T (Townhouse Residential).

Mr. Xavier Cervantes replied that the minimum lot size for an R-1 was 50 feet and for R-1T is 25 feet, it would be twice the density.

Mrs. Connie Garza stated that she was familiar with the area, she mentioned that it was heavily congested with apartments and concerned that this new development would generate more traffic.

Mr. Xavier Cervantes stated that his concern was finding a developer that was willing to develop single family residential lots with 50 feet lot frontage.

Mr. Adrian Gomez who resides at 1101 Frio St, he stated that he was the developer and was under contract and plan to purchase is it. He added that he was waiting for the approval or denial of the rezoning to move forward.

Mrs. Irene Thompson asked if it was feasible to build single family residential lots.

Mr. Adrian Gomez replied not even if they would cut the cost in half. He added that with the new ordinances that were passed it was even harder.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 6:41 p.m.

Ended: 6:51 p.m.

Item #10

Conditional Use Permit:

**To place two (2) portable buildings for use as a classroom and to allow El Divino Redentor church to have 141 parking spaces as compared to the 188 parking spaces required by code, being all out of the El Divino Redentor Subdivision
1020 N. Los Ebanos Road
R-1
Dr. Marisol Rocha, Vanguard Superintendent**

Mr. Cervantes stated that Dr. Marisol Rocha, the applicant, is requesting a Conditional Use Permit for the placement of two (2) portable buildings at the East end of the El Divino Redentor property to be used as classrooms by the Vanguard Monet Academy. According to the applicant the enrollment for the Monet Elementary School at the church premises is projected to grow by 78 students for the 2025-2026 school year. The four classrooms (two per building) will house 5th and 6th grades. Even though 188 parking spaces are required by code, the church only has 170 total parking spaces. With the installation of the classrooms 29 parking spaces will be lost. The 188 required parking spaces are based on a church capacity of 750 people. For a church the code requires one parking space for every four-person capacity. Based on the site plan, the applicant will need to pave a driveway which will connect to the existing Jaycees Park parking lot and will be required to overlay the alley along the east side of Jaycee Park to Barnes Street as a condition to the license to encroach. A connection to the Jaycee city park parking lot was allowed in 2006. On occasion the church patrons use the park parking for services. Staff recommends approval of the request subject to: 1) The permit to be for a two-year period; and 2) The applicant must obtain all necessary permits and approvals prior to the use of the property.

Chairwoman Izaguirre asked if the board had any questions.

There were none.

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

The representative from Vanguard Mr. Rogelio Gonzalez stated, that vanguard will be starting there 3rd in mission. He mentioned that the portable buildings were temporary. He added that the plan to start building the vanguard campus on Stewart was in two years.

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

Mrs. Irene Thompson asked if vanguard was leasing?

Mr. Rogelio Gonzalez replied yes, we use several spaces within the church.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Irene Thompson moved to approve the conditional use permit request. Mrs. Connie Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:51 p.m.

Ended: 6:52 p.m.

Item #11

Conditional Use Permit:

**For an Event Center – Epix Venue Event Center
being Lot 9, Adams Crossing Subdivision
2711 E. Griffin Parkway
C-3
Ricardo Sanchez, Jr**

Mr. Cervantes stated that the site was located approximately 354' West of Taylor Road along the North side of E. Griffin Parkway. The applicant is leasing a 1,375-square-foot suite within a commercial plaza for an event center. The applicant proposes to hold small-scale events such as birthday parties, graduations, business meetings, etc. Access to the site will be provided via a 30-foot driveway off Griffin Parkway. The hours of operation will vary depending on the type of event, but between the hours of 10:00 am to 1:00 am every day. Staff recommends approval of the request subject to: 1) 2 year re-evaluation to assess this new operation; 2) Continued compliance with all City Codes (Building, Fire, Health, Noise, etc.); 3) CUP is not to be transferable to others; and 4) Hours of operation will vary depending on the type of event, but between the hours of 10:00 a.m. to 1:00 a.m. every day.

Chairwoman Izaguirre asked if there was anyone in favor or against the request

There were none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 6:52 p.m.

Ended: 6:55 p.m.

Item #12

Conditional Use Permit:

**Sale & On-Site Consumption
of Alcoholic Beverages – Doce Wine & Bar
being the West 50 feet of Lots 16, 17, and
18, Block 161, Original Townsite of Mission Subdivision
214 E. Tom Landry Street
C-3**

Myra Anzaluda

Mr. Cervantes stated the site is located 100 feet West of Miller Avenue along the South side of East Tom Landry Street. The applicant proposes opening a wine bar and restaurant at this location. The applicant proposes 60 percent of alcoholic beverages and 40 percent of food sales. The proposed hours of operation are as follows: Sunday - Wednesday from 2:00 p.m. to 8:00 p.m. and Thursday - Saturday from 2:00 p.m. to 10:00 p.m. Staff recommends approval subject to: 1) 2-year approval at which time the applicant will have to renew their C.U.P. and TABC License, with the understanding that the permit can be revoked; 2) Must comply with all City Codes (Building, Fire, Health, etc.); 3) Must acquire a business license prior to occupancy; 4) The hours of operation are Sunday through Wednesday from 2:00 p.m. to 8:00 p.m. and Thursday through Saturday from 2:00 p.m. to 10:00 p.m.; and 5) C.U.P. is not transferable to others

Chairwoman Izaguirre asked if there was anyone in favor or against the request

Miss. Myra Anzaluda was present.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Irene Thompson moved to approve the conditional use permit request. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:55 p.m.

Ended: 6:56 p.m.

Item #13

Conditional Use Permit

Renewal:

Home Occupation – Beauty Salon

Lot 5, Block 7, Erdahl Subdivision

317 S. Holland Avenue

R-1

Gloria Hernandez

Mr. Cervantes stated the site is located approximately 200 feet south of Leal Street along the east side of S. Holland Avenue. The applicant has been running a 1-chair beauty salon from her residence since January 2020. All of her customers are by appointment only to eliminate the accumulation of vehicles on her property. The proposed hours of operation are as follows: Monday – Saturday from 9:00 am to 6:00 pm. Staff recommends Approval for Life of Use, as this will be her 3rd. Renew; 2) Must comply with all City Codes (Building, Fire, Health, etc.) and 3) C.U.P. is not transferable to others

Chairwoman Izaguirre asked if there was anyone in favor or against this request.

There were none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Irene Thompson moved to approve the conditional use permit request. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:56 p.m.

Ended: 6:57 p.m.

Item #14

**Conditional Use Permit
Renewal:**

**Sale & On-Site Consumption of
Alcoholic Beverages – J.A.L.L.'s Sports Bar & Grill
1810 W. Griffin Parkway, Suites B, C, & D,
being Lots 7 & 8, Inspiration Point Subdivision
Ph I
C-3
J.A.L.L.'s Sports Bar & Grill**

Mr. Cervantes stated the site is located the North side of W. Griffin Parkway approximately 300 feet West of Inspiration Road. As per the applicant, the sales of alcohol are greater than the sales of food. Therefore, this business is considered a bar. This business has been in operation at this location since May 2014. Access to the site is from Griffin Parkway. The last conditional use permit approved for this location was on March 27, 2023, for 2 years. Staff notes that this would be their 4th re-evaluation. The proposed hours of operation are as follows: Monday–Friday from 4:00 pm to 12:00 am, Saturday from 4:00 pm to 1:00 am, and Sunday from 5:00 pm to 12:00 am. Staff recommends approval of the request subject to compliance with the following conditions: 1) 2-year re-evaluation to continue to assess this business. 2) Continued compliance with all City Codes (Building, Fire, Health, Noise, etc); 3) Waiver of the 300' separation requirement from the residential neighborhoods; 4) Uniform Security must be provided only during special events; 5) CUP is not to be transferable to others; and 6) Hours of operation: Monday–Friday from 4:00 pm to 12:00 am, Saturday from 4:00 pm to 1:00 am, and Sunday from 5:00 pm to 12:00 am

Chairwoman Izaguirre asked if there was anyone in favor or against this request.

There were none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Irene Thompson moved to close the public hearing. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 6:57 p.m.

Ended: 6:58 p.m.

Item #15**Site Plan Approval:**

**Construction of 6 apartments
Lot 62, Las Esperanzas Subdivision
2101 Cassandra Street
Abel Hernandez**

Mr. Ramirez stated that the property is located at 2101 Cassandra Street, the lot measures 14,358 square feet with a frontage of 80 feet intersecting Cassandra Street and Sunflower Street. The subdivision was designed for R-3 type construction and is prepped with 60 feet right-of-way complete with curb and gutters, drainage, utilities, and all lots meeting size restrictions and zoning setback requirements. The minimum number of paved, striped off-street parking spaces required are 2 for each apartment for a grand total of 12 spaces. There will be three structures proposed on the Lot: Each building (duplex) will house two apartments measuring 1,830 square feet for building 1 & 2; 2,100 square feet for building 3. A landscaping plan is required to be submitted for review and compliance per subdivision ordinance Ch. 98 Subdivision – Landscaping regulations. Staff recommends approval of the site plan as submitted.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Irene Thompson moved to approve the site plan. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:58 p.m.

Ended: 6:59 p.m.

Item #16**Site Plan Approval:**

**Construction of a commercial plaza
Lots 6, 7, & 8, Blk 6, Leal Subdivision No. 2
300 S. Conway Avenue
Dura Construction**

Mr. Ramirez stated that the property is located at 300 S. Conway Avenue. The site is a 3-lot development having double frontage to S. Conway Avenue and Guadalupe Street. There are residential properties to the West which will be buffered to comply with separation requirements. Currently, zoning for the property is C-3 General Business suitable for this type construction and is complete with curb and gutters, drainage, utilities, and all lots meeting size restrictions and zoning setback requirements. Proposed are 37 parking spaces (2 being handicapped) meeting the minimum number of paved, striped off-street parking spaces for this project. The structure will include 5 suites with a grand total of 7,364 square feet and with a parapet height of 24'. Landscaping is to comply with the City's regulations and code ordinances and a lighting plan has been reviewed so that nearby residential properties will not be affected. A landscaping plan is required to be submitted for review and compliance per subdivision ordinance Ch. 98 Subdivision – Landscaping regulations. There will be one enclosed dumpster located within the site to be screened with a solid buffer and opaque gates. Staff recommends approval of the Site Plan as submitted.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Irene Thompson moved to approve the site plan. Mr. Omar Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:59 p.m.

Ended: 6:59 p.m.

Item #17

Amended Plat Approval:

**Amended Plat: Los Olivos Subdivision
a recorded subdivision within the City of
Mission city limits
Engineer: Rene Barrera**

Mr. Ramirez stated that the applicant proposes to amend the recorded plat of Los Olivos Subdivision by removing plat note # 19 which states that a maximum of 5 residential lots are permitted for this subdivision. The purpose of this amendment is ultimately replat Lot 2 of Los Olivos Subdivision and making a 7-lot re-subdivision. The property has streets and infrastructure in place and is ready for building permits. The proposed replat will require a zoning change to comply with the new lot design and allow the issuance of building permits for the new lots created. This amended plat will not require conditions or preapprovals from other City departments since its only removing a single plat note. Chairwoman Izaguirre asked if the board has any questions.

There was none.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Connie Garza moved to approve the amendment. Mr. Kevin Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

UNFINISHED BUSINESS

Chairwoman Izaguirre entertained a motion to un table item #18. Mr. Kevin Sanchez moved to un table item #18. Mrs. Connie Garza second the motion. Upon a vote, the motion passed.

Started: 6:59 p.m.

Ended: 7:08 p.m.

Item #18

Conditional Use Permit:

**For an Event Center – Elevated Events
R.G.V.
being Lot 12, Block 92, Mission Original
Townsite
523 N. Conway Avenue, Suite 3
Savannah Pankratz**

Mr. Cervantes stated that this item was previously seen a couple of months ago. He mentioned that it was tabled because the board had concerns on parking. He mentioned that the applicant was given permission to use the parking from the church for the event center. He added that the applicant did not submit an agreement from the church, but had a verbal agreement. Staff recommends approval

subject to: 1) 2 year permit to evaluate the parking situation; 2) Must comply with all city codes (Building, Fire, Health, Signage, etc.); 3) Must acquire a business license prior to occupancy; 4) Hours of operation are Every day from 8:00 am to 12:00am; 5) Must comply with the noise ordinance; and 6) Must obtain a registration number from the Texas Department of Licensing and Regulation from compliance with the Americans with Disabilities Act before a business license can be issued. The Applicant will need to speak to the officials from the state for compliance to ADA.

Chairwoman Izaguirre asked if the board as any questions.

Mrs. Irene Thompson asked that staff was going to require a written agreement between the church and the applicant.

The applicant's husband stated that he met with father Roy in March and father Roy, didn't have any problems with the applicant using the parking. He added that the parking was public parking that there was an agreement with the city and the church a long time ago. He mentioned that once the buildings were removed the parking lot would be public.

Mrs. Irene Thompson asked that who gave him that Information.

He replied that he met with planning staff.

Chairwoman Izaguirre stated that the parking was owned by Our Lady of Guadalupe.

The applicant's husband stated that he was advised by planning that the only thing that was needed was a letter from the church allowing them to use the parking. But when father Roy calls the City he is informed that the parking lot needs insurance.

Shela Pankratz who resides at 1301 N Keralum Avenue stated, that her and her partner build that building. She merioned that it used to be a dry-cleaning place, she stated that she purchased the property in 2000 and remodeled it because it was a disaster. She added that they have been trying to lease the place for the last two years but haven't been successful. She stated that Cocina de Caribe was the first restaurant at that location and now the Drunken Chicken, and since then they have always used the parking lot at the church.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Irene Thompson moved to approve the conditional use permit for a one-year re-evaluation subject to all other conditions. Mrs. Irene Thompson seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#19 ADJOURNMENT

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Kevin Sanchez moved to adjourn the meeting. Mrs. Connie Garza seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 7:08 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

**PLANNING AND ZONING COMMISSION
MAY 21, 2025
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
Kevin Sanchez
Connie Garza
Irene Thompson
Raquenel Austin
Steven Alaniz

P&Z ABSENT

Omar Guevara

STAFF PRESENT

Xavier Cervantes
Alex Hernandez
Jessica Munoz
Elisa Zurita
Gabriel Ramirez
Susie De Luna

GUEST PRESENT

Vanessa Ochoa
Steve Masengale
Neva Masengale
Mary Morales
Keith Mora
Melinda Youngblood
Rudy Youngblood
Mario A. Guerra
Adan Hernandez
Mario Flores
Marcos Montero
Cruz Martinez
Gracie Saenz Reyna

CALL TO ORDER

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

DISCLOSURE OF CONFLICT OF INTEREST

There was none.

CITIZENS PARTICIPATION

There was none.

Mr. Alaniz arrived at the meeting at 5:31 p.m.

APPROVAL OF MINUTES FOR MAY 7, 2025

Chairwoman Izaguirre asked if there were any corrections to the minutes for May 7, 2025. Ms. Thompson moved to approve the minutes as presented. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:32 p.m.

Ended: 5:54 p.m.

Item #2

Conditional Use Permit:

**A Home Occupation – Daycare
Lot 37, Woodcrest Estates Subdivision
2807 Norma Drive
R-1
Neva P. Masengale**

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

Ms. Melinda Youngblood resides at 2806 Nicole Drive. She stated she had several concerns regarding the daycare since she resides next to the daycare and she has a swimming pool in her backyard. She asked if a child had trespass onto her property would she be liable for any injury or

death. She asked if in the proposed daycare the bylaws could state if a child under the care of the daycare enters onto her property the daycare is liable for any incidents. Will the proposed daycare owner build the shared fence into a privacy fence since her daughter and her friends would swim periodically. They lay out daily watching TV and enjoying being outdoors so they don't really want to be bothered by children, staring at them through the fence in their bikini. She mentioned her other concern is that there is a registered sex offender .4 miles away, which is about 2000 feet away down Nicole Drive. She stated that as an educator the safety of children is her top priority which the propose daycare will be located on the corner of Taylor and Norma Drive and once it is widen, the cars will be traveling even faster than they do as of right now and the property is a corner lot which is typically very dangerous for children because of the concerns and possible safety hazards.

Ms. Gracie Saenz Reyna resides at 2806 Nicole Drive. She mentioned her same concerns are in the neighborhood where there are registered sex offenders down the street. She stated also the traffic is her other concern. She mentioned an example is to imagine the number amount of children that are allowed to be at a residential daycare is limited but even that amount of increased traffic in this area is a very high traffic area especially at the hours when the daycare in the morning drop off and pick up. She mentioned around the majority of the neighbors even surrounding the area had not received notice we found out by other neighbors. Several neighbors have expressed they have a concern with her about the traffic liability with proximity of the swimming pool that can easily access to a child away from the premises.

Ms. Neva Masengale, the applicant, resides at 2807 Norma Drive. She mentioned that she isn't surprised at all that her neighbor stated it's an inconvenience to her since every time she wanted to make some innovation in her property she had trespassed her property, and that is why she has a restraining order from the police against her. She stated the neighbor had said that the pool is a problem but the children will only be with her from Monday to Friday. She mentioned the neighbor usually does her parties on the weekends only in hot weather and also at night on the weekends. She believes it won't be a problem. She stated the height of the fences are high enough for the children to not cross over to different properties because they are designed for adults. Also, the children will be under the supervision of a responsible adult that will be prepared precisely to be able to take care of the child. She believes her project is a project that could help the city since there are many mothers who need places where their children are protected and educated plus a benefit to our area because the area lacks a child care system, despite the fact that there are many schools in the surroundings on Shary road.

Mr. Steve Masengale stated he has a 2 x 4 fence There's nothing on the fence. It's just plain but they have a smooth surface on their side of the fence so there's no issue.

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

Chairwoman Izaguirre asked if the board had any questions.

Ms. Garza asked regarding the regulations for daycare, is there anything in the guidelines regarding sex offenders within the proximity of they plan to operate

Mr. Cervantes stated the daycares are regulated by the State of Texas.

Ms. Garza asked if Mr. Cervantes knew regarding the regulations if there is anything that would prohibit them operating a daycare so close to the residence of a sex offender.

Mr. Cervantes stated no, not to his knowledge.

Chairwoman Izaguirre asked if there were any other questions.

Mr. Sanchez asked if the building would have to be regulated by the State of Texas.

Mr. Cervantes stated Yes, the State of Texas has to do their inspections for the daycare.

Ms. Garza asked the applicant how many children does she plan to have in the daycare.

Ms. Masengale stated the city allows her to have 12 children maximum

Ms. Thompson asked how much staff would she require.

Ms. Masengale stated it would be herself and an assistant to start, and if it is more, if necessary, I am willing to have one more assistant but it is what the City of Mission allows me to have 12 children 2 people 6 children each.

Ms. Thompson stated to the applicant that she would need to receive the approval of the neighbors within 200 feet around the property she has to get 90% of those neighbors that approve of you having another assistant.

Ms. Masengale stated yes, she understands but to start it's going to be herself and one assistant.

Ms. Austin asked how many daycare are in the City of Mission.

Ms. De Luna stated there are 10 daycare home occupations.

Mr. Sanchez asked about the allegation of neighbors didn't receive notice.

Mr. Cervantes stated according to our ordinance and the state law we notify 200 feet from the property. He stated the City of Mission also advertised in newspaper.

Mr. Sanchez asked what is the other structure in the rear of the property.

Mr. Cervantes stated it's the applicant's office outside which is like a refuge for her.

The Board discussed the parking situation for employees and drop off and pickup since there is a lot of traffic in the area.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Ms. Thompson moved to denied the conditional use permit request due to the traffic concerns. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:54 p.m.

Ended: 5:55 p.m.

Item #3

Conditional Use Permit: A Drive – Thru Service Window –

**Hiro, LLC aka Pura Vida Snacks & Drinks
Being Lot C1-A, Replat of Lots C1 thru C11,
Taurus Estates No. 3 Subdivision
3009 N. Inspiration Road, Suite A
C-3
Hiram Cisneros**

Mr. Cervantes stated the site is located at the NW corner of Inspiration Road and Giselle Street. Per Code of Ordinance, a Drive-Thru Service Window requires the approval of a Conditional Use Permit by the City Council. The applicant has operated a snack shop at this location since 2018 under Xquinkles Snackland Inspiration. The last conditional use permit approved for the drive-thru service window for this location was on June 10, 2024 for life of use. The applicant would now like to change the name of the business to Pura Vida Snacks & Drinks, and that requires a new conditional use permit. The proposed hours of operation are as follows: Monday – Sunday from 11:00 am to 9:00 pm. Staff: 1 employee; Parking: There are 19 seating spaces, which require 6 parking spaces (19 total seating spaces/3 = 6.33 parking spaces). There are 138 existing parking spaces in the commercial plaza that are shared with the other businesses. Staff notes that there is landscaping in front of the business and along Giselle Street which must be maintained by the property owner or the applicant. Sale of Alcohol Section 6-4: of the Zoning Code requires such uses to be 300 feet from the nearest residence, church, school, or publicly owned property. There is a residential subdivision directly behind the alley that fall within the 300 feet, however, P&Z and City Council have waived the separation requirement in the previous approval. The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (32) legal notices to surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties. Staff recommends approval of the request subject to compliance with the following conditions: 1) Life of use with the understanding that the permit can be revoked due to non-compliance; 2) Acquire a new business license; 3) Continued compliance with all City Codes (Building, Fire, Health, etc.); 4) Compliance with TABC requirements; 5) Waiver of the 300' separation requirement from the residential neighborhoods; 6) CUP is not to be transferable to others; and 7) Hours of operation: Monday – Sunday from 11:00 am to 9:00 pm.

Mr. Sanchez asked if it the same owners different name of business.

Mr. Cervantes stated yes its only a name changes to the business.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:55 p.m.

Ended: 5:56 p.m.

Item #4

Conditional Use Permit:

**An Event Center – Florence Events
Lot 5, Northtown Unit No. 1 Subdivision
2722 N. Conway Avenue
C-3
Erica Veronica Perez**

Mr. Cervantes stated the site is located approximately 75 feet South of E. 28th Street along the East side of N. Conway Avenue, S.H. 107 Pursuant to Section 1.43 (3)(F) of the City of Mission Code of Ordinances, an Event Center requires the approval of a conditional use permit by the City Council. The applicant is leasing a 2,250.00 square foot suite for an Event Center that will be named "Florence Events". Proposed activities: The venue features several types of events and private gatherings. The proposed hours of operation are as follows: Monday thru Sunday from 9:00 am to 12:00 am. Staff will be 1 employee Parking: Due to the total of 80 proposed chairs, a total of 27 parking spaces are needed. There is a total of 41 parking spaces held in common for the plaza. The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (23) legal notices to the surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties. Chairwoman Izaguirre asked if there was any input in favor or against the request. Staff recommends Approval for 2 years subject to: 1) Must comply with all City Codes (Building, Fire, Health, etc.); 2) Hours of operation are Monday thru Sunday from 9:00 am to 12:00 am; 3) Must comply with the noise ordinance; 4) Acquisition of a business license prior to occupancy; and 5) CUP is not transferable to others.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:56 p.m.

Ended: 6:07 p.m.

Item #5**Conditional Use Permit:**

**To allow a Mobile Food Unit – Elotes & More
Being the East 300 feet of the South
300 feet of the North 300 feet of the
East 479.4 feet of the West 1249.4 feet Of Lot
24-6, West Addition to Sharyland Subdivision
2215 N. Conway Avenue
C-2
Ricardo Martinez**

Mr. Cervantes stated the site is located at the Southwest corner of N. Conway and Griffin Parkway within the property of the Conway Avenue Baptist Church. Pursuant to Section 1.56 of the City of Mission Code of Ordinances, a Mobile Food Unit requires the approval of a conditional use permit by the City Council. The applicant proposes to place a 9 foot by 18 foot mobile food unit using three church parking spaces to allow the unit owners to sell their corn products. The church pastor has allowed the use of the building restrooms to be accessible to the employees and customers while the church is in service only. The proposed hours of operation are as follows: Wednesday from 7:00 p.m. to 8:30 p.m. & Sunday from 10:00 a.m. to 12:00 p.m. Staff: 4 to 6 employees. Parking: The church has a total of 60 parking spaces available. Based on the capacity of the church 50 parking spaces required, exceeding code by 10. (1 parking space for every 4 seats in the auditorium 200 seats/4 = 50 parking spaces). The application for this conditional use permit was submitted after the April 28, 2025 ordinance amendment placing limitations for new mobile food units to be located with a one-mile minimum distance separation from existing mobile food units. The proposed location is 1,040 feet of the existing mobile food unit located at 1625 N. Conway. The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (10) legal notices to the surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties. Staff recommends denial to the Conditional Use Permit since it does not comply with the new minimum distance requirement from other existing mobile food units. However, if the board or Council is inclined to approve the request, then staff recommends the following conditions: 1) 1-year re-evaluation in order to assess this new operation; 2) Must comply with all City Codes (Building, Fire, Health, Sign, etc.); 3) Add landscaping with a drip irrigation system along Griffin Parkway; 4) Restrooms must be accessible to the employees and patrons at all times; 5) Acquisition of a business license prior to occupancy; 6) CUP is not transferable to others; and 7) Hours of operation are Wednesday from 7:00 p.m. to 8:30 p.m. & Sunday from 10:00 a.m. to 12:00 p.m.

Chairwoman Izaguirre asked if the applicant is the church.

Mr. Cervantes stated the applicant is Ricardo Martinez and he has an agreement through the church and the hours of operation are limited with the church services.

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

Mr. Cruz Martinez resides at 6521 N. 25th Street in McAllen, Texas. He stated initially stated the idea with his brothers a couple months back and got information on Mobile Food Trucks with the City of Mission at that time there wasn't a mile foot radius ordinance changed. He stated he wasn't aware about the ordinance changed until last minute.

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

Ms. Thompson asked if the mobile food park is referred to a unit itself.

Mr. Cervantes stated yes.

Ms. Austin asked if the operation is to sell only to the Church members.

Mr. Cervantes stated no it's to sell to the public.

Chairwoman Izaguirre is it only during church hours.

Mr. Cervantes stated yes only during church hours since that is the only time the restrooms would be available, but the location would be in violation of the brand new ordinance. He mentioned the intent of the ordinance to limit how many mobile food units, so the City of Mission doesn't have them everywhere like in the City of McAllen.

Chairwoman Izaguirre asked how much the application fee is. Since the applicant can look for another location without paying the applicant fee all over again since he wasn't aware of the denial of the location.

Mr. Cervantes stated the application fee is \$250 and he would have to pay the fee again since the fee is for sending out notices and advertising in the newspaper. He added that before he applied for a mobile food unit he was told the mobile food unit would be denied by the city of mission due to the not being in compliance to the new adopted ordinance.

Chairwoman Izaguirre asked the board if they had any other questions.

There was none.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to deny the conditional use permit request. There was no second motion, motion withdrawal.

Ms. Thompson asked if the mobile food unit will be used only when the church is in operation.

Mr. Cervantes stated Yes.

Ms. Thompson asked if there will be efficient parking when the church is in service.

Mr. Cervantes stated for parking the church has a total of 60 parking spaces available. Based on the capacity of the church 50 parking spaces required, exceeding code by 10. (1 parking spaces for every 4 seats in the auditorium $200 \text{ seats} / 4 = 50 \text{ parking spaces}$).

Ms. Thompson asked if there is an entrance and exit through Griffin and Conway

Mr. Cervantes stated yes.

Ms. Thompson stated that her main concern was the traffic and children safety since the applicant is proposing the mobile food unit at the entrance and exit of the parking lot.

Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the conditional use permit request. There was no second motion, motion withdrawal.

Chairwoman Izaguirre entertained a motion. Ms. Thompson moved to deny the conditional use permit request based on traffic concerns during the church services. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:07 p.m.

Ended: 6:14 p.m.

Item #6

Conditional Use Permit:

**To designate an area as a Mobile Food Park
for the operation of five (5) Mobile Food Units
being a 77 feet x 210 feet tract of land, Block 144,
Mission Original Townsite Subdivision,
410 E. 9th Street
C-3
Mario A. Guerra**

Mr. Cervantes stated the site is located at the southeast corner of E. 9th Street and N. Oblate Avenue. Pursuant to Section 1.56 (11)(H) of the City of Mission Code of Ordinances, a Mobile Food Park requires the approval of a conditional use permit by the City Council. The applicant proposes to have a mobile food park to allow mobile food unit owners to sell their products. The applicant proposes to construct separate restrooms for men and women, and a 15-foot x 44-foot canopy for the common seating area. Based on the current ordinance, each mobile food truck operator must still apply for their own C.U.P. to operate within the mobile food park. The proposed hours of operation are as follows: Monday through Sunday from 7:00 am to 12:00 am. Parking: The proposed 48 chairs results in 16 parking spaces required by code. The applicant is proposing 14 new parking spaces, and there are 5 existing parking spaces, for a total of 19 parking spaces. Staff notes that this property is located within Mission Central Business District, thus exempt from parking requirements. Landscaping: The applicant is proposing landscaping areas within the property. The application for this conditional use permit was submitted before the ordinance was amended, placing distance limitations. The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (10) legal notices to the surrounding property owners.

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

There was none.

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

Chairwoman Izaguirre asked will all the cement be removed and would the parking be restriped and landscaping.

Mr. Cervantes stated yes.

Chairwoman Izaguirre asked about the green areas and what would the City of Mission require.

Mr. Cervantes stated the City of Mission required 10% of the property to be landscaped.

Chairwoman Izaguirre asked if the site plan presented met the required landscaping.

Mr. Cervantes stated yes, but the applicant could add more landscaping if he had too.

Chairwoman Izaguirre asked the applicant of the proposed site plan, and if the landscaping is correct.

Mr. Guerra stated he plans to do the landscaping exactly like the site plan as much as he can.

The board members discussed the different areas of the site plans since there are two different site plans. They discussed the different concerns of the entrance and traffic and parking.

Mr. Cervantes stated staff can meet with the applicant to discuss the site plan for the mobile food park and asked for the item to be tabled.

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

Started: 5:51 p.m.

Ended: 5:52 p.m.

Item #7

Conditional Use Permit

Renewal:

To allow a portable building for office use

Lot 4, Henry Saenz Subdivision,

1519 E. Expressway 83

C-4

AM PM Roadside & Recovery LLC

Mr. Cervantes stated the site is located along the North side of US Expressway 83 approximately 600 feet West of Stewart Road. On April 11, 2022, the applicant was issued a renewal of a Conditional Use Permit for three (3) years to allow the portable building for office use. The applicant is requesting a one-year extension of the Conditional Use Permit to keep the 14' by 72' portable building to be used as office space. The applicant states that if the property owner does not grant him permission to build a permanent structure he has plans to relocate the business. The portable building is setback 103 feet from the front property line and the rest of the property is being used for the storage and repair of vehicles. The business has three (3) employees, and the hours of operation for the office will be Monday thru Friday from 8:00 a.m. to 5:00 p.m. Staff has not received any objections to the request from the surrounding property owners. Staff mailed out 35 The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out 35 legal notices to the surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties. Staff recommends Approval for a 1-year only; 1) Must comply with all City

Codes (Building, Fire, Landscaping and Signs); 2) Hours of operation for the office are Monday thru Friday from 8:00 am to 5:00 pm; and 3) CUP is not transferable to others.

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

Mr. Kieth Mora is the owner of AM PM Roadside Recovery has been there for many years and has tried to convince the property owner to allow him to build a permanent structure for office use. Unfortunately, he cannot build a structure that's not his property. He had to get approval by his landlord to do the additional landscaping. He 100% agrees with the City of Mission getting rid of the portable building.

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

Chairwoman Izaguirre asked if the board had any questions.

Mr. Alaniz asked how the board can help the citizens if the current renter at the property decides to move and a new business comes and applies for a conditional use permit.

Mr. Cervantes asked the applicant if the portable building belonged to him.

Mr. Mora stated that it belongs to the property owner.

Mr. Cervantes stated if somebody decides to open a new business at that location they can apply for a conditional use permit and go through the same process.

Ms. De luna stated staff has tried many times to inform the property owner to build a permanent structure and that it is an ongoing case with code enforcement.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the conditional use permit request for one year. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:20 p.m.

Ended: 6:21 p.m.

Item #8

Conditional Use Permit

Renewal:

Le Petite Pastries Restaurant

1821 N. Shary Road, Suite 7

Lot 1, Bannworth Business Center

C-2

Cesia Alfaro

Mr. Cervantes stated the site is located along the West side of Shary Road between Village Drive and Mulberry Street. Per Code of Ordinance, in a C-2 (Neighborhood Commercial) zone a Restaurant requires the approval of a Conditional Use Permit by the City Council. The applicant would like to renew the conditional use permit for the restaurant in order to continue to offer coffee, cookies, brownies, cheesecakes, and other items on the menu. The business has been in operation since April 25, 2024. Access to the site is via a 30' access driveway off Shary Road. The last

conditional use permit approved for this location was on April 8, 2024 for 1 year. The proposed hours of operation are as follows: Monday–Saturday from 9:00 am to 7:00 pm, closed Sundays. Staff: 3 employees. Parking: In reviewing the floor plan, there are 13 total seating spaces, which require 4 parking spaces (13 total seating spaces/3 = 4.33 parking spaces). There are 58 existing parking spaces in the commercial plaza that are shared with the other businesses. Landscaping: Staff notes that additional landscaping will need to be added along Shary Road and must be maintained by the property owner or the applicant. The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (20) legal notices to surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties. Staff recommends approval of the request subject to compliance with the following conditions: 1) Life of the use contingent on the additional landscaping with a drip irrigation system along Shary Road; 2) Continued compliance with all City Codes (Building, Fire, Health, Noise, etc.); 3) Restrooms must be accessible to employees and patrons at all times; 4) CUP is not to be transferable to others; and 5) Hours of operation: Monday–Saturday from 9:00 am to 7:00 pm, Closed Sundays.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 6:21 p.m.

Ended: 6:22 p.m.

Item #9

Conditional Use Permit

Renewal:

**Tommasino Pizza Pasta & Vino
2100 E. Griffin Parkway
Lots 1 & 2, Block 2, Springfield
Phase I Commercial Subdivision
C-3
Javier Covarrubias**

Mr. Cervantes stated the site is located at the Southeast corner of E. Griffin Parkway and Creek Run Street in a suite within a multi-tenant commercial plaza for the Italian restaurant. Pursuant to the City of Mission Code of Ordinances, a restaurant with alcohol sales requires the approval of a conditional use permit by the City Council. On January 10, 2024, the applicant obtained a Conditional Use Permit for two years. The applicant would like to extend the hours for the sale and consumption of alcoholic beverages to obtain a late hours license from TABC. In 2024, the Council approved for alcoholic

beverages to be sold at the restaurant even though the restaurant is within 300 feet of a residential subdivision. The proposed hours of operation are as follows: Every day from 8:00 a.m. to 2:00 a.m. Parking: In reviewing the floor plan, there is a total of 116 seating spaces resulting in 39 parking spaces required. There are 72 parking spaces available in the commercial plaza and the parking is shared with the other businesses. Landscaping is meeting code. The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out 50 notices to the surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties. Staff recommends approval for a 2-year period in order to assess this operation: 1) Must comply with all City Codes (Building, Fire, Health, Sign, etc.); 2) Wet zone property; and 3) CUP is not transferable to others.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 6:22 p.m.

Ended: 6:23 p.m.

Item #10

Site Plan Approval:

**Construction of a commercial plaza –
Lot 2, Riverside View Subdivision #2
300 E. Mile 2 Road
1 Valley Construction**

Mr. Ramirez stated the site is a 2-lot development having double frontage to N. Francisco Avenue and E. 2 Mile Road. Currently, zoning for the property is (C-2) Neighborhood Commercial which is suitable for this type construction. The Proposed are 28 parking spaces (2 being handicapped) meeting the minimum number of paved, striped off-street parking spaces for this project. The structure will include 4 suites with a grand total of 5,420 square feet and with a parapet height of 24'. Landscaping is to comply with the City's regulations and code ordinances and a lighting plan has been reviewed so that nearby residential properties will not be affected. A landscaping plan is required to be submitted for review and compliance per subdivision ordinance Ch. 98 Subdivision – Landscaping regulations. There will be one enclosed dumpster located within the site to be screened with a solid buffer and opaque gates. The applicant must comply with any and all other format findings. No more than two permanent signs shall be allowed on one lot, except those lots with double frontage, in which case a maximum of three permanent signs will be permitted with at least one sign on each frontage. Staff recommended approval of the Site Plan as submitted

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 6:23 p.m.

Ended: 6:24 p.m.

Item #11

Site Plan Approval:

**Construction of a chain restaurant named Eddie's Taqueria
Lot A, Girasol Estates Subdivision
1730 W. Griffin Parkway
C-3
Edgar Gutierrez**

Mr. Ramirez stated that Edgar Gutierrez is requesting a Site Plan Approval to ensure compliance with the zoning ordinance and to assist in the orderly development of the community. The site is located at the Northeast corner of N. Inspiration Road. and W. Griffin Parkway. This is a developed site with all the infrastructure in place. A fire hydrant can be found at the Northeast corner of Lot B and fire lanes will be noted at restricted locations throughout the site. The building will be 86 feet from the W. Griffin Pkwy. frontage exceeding the minimum building setback requirements of 60' set by the original plat design. The applicant is proposing one structure with a main entrance from W. Griffin Pkwy and a secondary entrance from N. Inspiration Road and will include aa service alley along the North side of the property which will be used for access the dumper enclosure and additional parking. A total of 30 parking spaces (3 being designated for handicapped) are allocated for public use which exceeds the minimum number of stalls required for this business. An extra serving lane may serve as addition stacking and queuing, if necessary. Landscaping is to comply with the City's regulations and code ordinances and a lighting plan has been reviewed so that nearby residential properties will not be affected. There will be one enclosed dumpster located within the site to be screened with a solid buffer and opaque gates. The applicant must comply with any and all other format findings. No more than two permanent signs shall be allowed on one lot, except those lots with double frontage, in which case a maximum of three permanent signs will be permitted with at least one sign on each frontage. A conditional use permit for the drive thru window is being processed separately. Staff recommends approval of the Site Plan.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:55 p.m.

Ended: 5:56 p.m.

Item #12

Site Plan Approval:

**Construction of 10 apartments
Lot 14, Taurus Estates No. 10 Subdivision
3201 Magdalena Street
ANH Construction**

Mr. Ramirez stated The property is a corner lot measuring 14,950 square feet with a frontage of 115 feet intersecting Magdalena Street and W. Mile 2 Road. The subdivision was designed for R-3 type construction and is prepped with 50 feet right-of-way complete with curb and gutters, drainage, and utilities. The proposed structure meets all the zoning setback requirements. Proposed are 20 parking spaces meeting the minimum number of paved, off-street parking spaces for this project. There will be one main structure proposed on the Lot: The building will house ten apartments each measuring 1,540 square feet. A landscaping plan shall be submitted for review and compliance per subdivision ordinance Ch.98 Subdivision – Landscaping regulations. Sidewalks will be required per plat notes. Staff recommends approval of the Site Plan as submitted.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

ITEM#13

ADJOURNMENT

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Thompson moved to adjourn the meeting. Mr. Sanchez seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:25 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

PLANNING AND ZONING COMMISSION
JUNE 4, 2025
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.

P&Z PRESENT

Diana Izaguirre
Kevin Sanchez
Irene Thompson
Raquenel Austin
Omar Guevara

P&Z ABSENT

Connie Garza
Steven Alaniz

STAFF PRESENT

Xavier Cervantes
Alex Hernandez
Jessica Munoz
Elisa Zurita
Gabriel Ramirez
Susie De Luna

GUEST PRESENT

Charlie Lugo
Hector Moreno
Oscar Saenz
Karen Prewitt
Constantino Gonzalez
Natalie Garza
Mario Guerra
Leonel Cantu
Stephanie Mendiola
Gerardo Benavides

CALL TO ORDER

Chairwoman 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 MAY 21, 2025

Chairwoman Izaguirre asked if there were any corrections to the minutes for May 21, 2025. Ms. Thompson moved to approve the minutes as presented. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:31 p.m.

Ended: 5:32 p.m.

Item #2

Rezoning:

**A 11.337 acre tract of land, being all
of Lot 12, New Caledonia Unit No. 1 Subdivision,
the site is located along the East side of Moorefield
Road approximately 305 feet North of Oleander Drive
AO-I to R-1
Carlos Lugo, Jr. – CSL Construction, LLC**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from Agricultural Open Interim District ("AO-I") to Single Family Residential District ("R-1") to allow a 51-lot single-family subdivision with a public street. The proposed lots will measure 55 feet in lot frontage and 125 feet lot depth. The minimum lot requirements are 50 feet by 100 feet. The property is currently vacant. The subject property measures 330' along Moorefield Road and it measures 1,497.3' of lot depth for a total of 11.337 acres in area. The proposed subdivision will have a street connection to the subdivision to the north by connecting to Hill Crest Drive. The surrounding zones are Single Family Residential District ("R-1") to the North, East and South and outside the city limits to the West. East of the ditch are single family subdivisions. The existing land uses are: Tiffany Terrace single family

subdivision to the North, the Oleander Estates single-family subdivision and the Einstein's Learning Academy to the South and the Taurus Estates No. 2 single family subdivision to the East. The Future Land Use Map shows the subject property as Low Density Residential. The requested rezoning is in line with the designation of the property in the Future Land Use Map. Notices were mailed to 66 surrounding property owners. Complaints have been received by staff from the surrounding property regarding dust coming from the subject property. Staff recommends approval to the rezoning request.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:32 p.m.

Ended: 5:34 p.m.

Item #3

Rezoning:

**Being Lot 2, Los Olivos Subdivision
This site is located along the North side of
Olivos Court approximately 462 feet North of
Trinity Street
R-1A to R-1
Francisco & Mariana Garcia**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from Large Lot Single Family District ("R-1A") to Single Family Residential District ("R-1") to allow a replat of the subject property into seven (7) lots for the applicant and their children. The children lots will have lot depths ranging from 100.29 feet to 110.13 feet. Due to not being able to comply with the 120 feet minimum lot depth for Large Lot Single Family District Zoning the applicant requests the rezoning to a higher density single family zoning category. The property is currently vacant. A plat amendment was approved by the City Council during the May 12, 2025 meeting to remove a plat note placing restrictions in the number of lots in the subdivision. The subject property measures 514.29' by 342.55' for a total lot area of 4.04 acres. The lot has access to Olivos Court, a private street. Olivos Court has a connection to Trinity Street. Los Olivos is a private gated subdivision. The surrounding zones are Large Lot Single Family District ("R-1A") to the North and South, Single Family Residential District ("R-1") to the East and Agricultural Open Interim ("AO-I") to the West. East of the ditch are single family subdivisions. The existing land uses are: The Mission Catholic Cemetery (San Jose Cemetery) to the West, A vacant tract to the South, The Oak Alley @ Cimarron single family subdivision to the North and the Wilson Drain ditch to the East. The Future Land Use Map shows

the subject property as Lower Density Residential. Staff feels that the subject property is in transition and finds Single Family Residential district as an acceptable alternative. Notices were mailed to 33 surrounding property owners. To this date there have been no objections to the rezoning request. Staff recommends approval to the rezoning request.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:34 p.m.

Ended: 5:36 p.m.

Item #4

Conditional Use Permit:

**A Drive-Thru Service Window –
Eddie's Taqueria Restaurant
Lot A, Girasol Estates Subdivision
1730 W. Griffin Parkway
C-3
Edgar Gutierrez**

Mr. Cervantes stated the site is located at the Northeast corner of N. Inspiration Road and W. Griffin Parkway. The site will include a drive-through service window on the north side of the building. Access to the drive-thru service window would be off N. Inspiration Road via a 30-foot-wide driveway. The customers will place the order along the east side of the building and pick up the orders along the north side. The customer's drive-thru window location allows double-stacking for approximately 14 vehicles. Pursuant to Section 1.43 (3)(C) of the City of Mission Code of Ordinances, a Drive-Thru Service Window requires the approval of a conditional use permit by the City Council. The proposed hours of operation are as follows: Monday – Saturday from 5:00 am to 3:00 pm and Sundays from 6:00 am to 2:00 pm. The working staff will be 18 employees in different shifts. Parking: In reviewing the floor plan, there are a total of 16 tables with a total of 72 seating spaces proposed, which would require 24 parking spaces. (1 parking space for every 3 seats = 24 parking spaces). The site plan shows a total of 30 parking spaces provided and 14 vehicles on the drive-thru lane. The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (15) legal notices to surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties. Staff recommends Approval for Life of Use with the understanding that the permit can be revoked; 1) Must comply with all City Codes (Building, Fire, Health, etc.); 2) Installation

of a speed bump at the end of the ordering window; 3) Acquisition of a business license prior to occupancy; and 4) CUP is not transferable to others.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:36 p.m.

Ended: 5:37 p.m.

Item #5

Conditional Use Permit:

**A Drive- Thru Service Window at the
Mija Mercado Coffee Shop
Being the West 50 feet of Lots 16, 17, and 18,
Block 161, Original Townsite of Mission Subdivision
214 E. Tom Landry, Suite B
C-3
Natalie Garza**

Mr. Cervantes stated the site is located 100 feet West of Miller Avenue along the South side of E. Tom Landry Street. The applicant would like to utilize the existing drive-thru service window for the coffee shop. Access to the drive-thru service window would be from the one-way (Tom Landry Street) and exiting onto a paved/dedicated alley. Per Code of Ordinance, a drive-thru service window requires the approval of a Conditional Use Permit by the City Council. The proposed hours of operation are as follows: Monday – Sunday from 6:00 am to 10:00 pm. Staff: 3 employees. Parking: In reviewing the floor plan, there are 12 seating spaces, which require 4 parking spaces (12 seating spaces/3 = 4 parking spaces). There is a total of 6 parking spaces on the side and rear of the building. Tom Landry shoulder will also be available for customer parking. Staff notes that this property is located within Mission's Central Business District and is exempt from the parking requirements for existing structures. The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (20) legal notices to surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties. Staff recommends approval of the request subject to compliance with the following conditions: 1) Life of the use approval with the understanding that the permit can be revoked due to noncompliance; 2) Continued compliance with all City Codes (Building, Fire, Health, Landscaping, etc.) 3) CUP is not to be transferable to others and; 4) Hours of operation: Monday–Sunday from 6:00 am to 10:00 pm.

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

The applicant was present.

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

Chairwoman Izaguirre asked the board if they had any other questions.

There was none.

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

Started: 5:37 p.m.

Ended: 5:38 p.m.

Item #6

Site Plan Approval:

Construction of a temperature controlled self-storage facility named SecureCare Move It Self-Storage on the unrecorded Lot 1, Storage Depot No. 3 Subdivision this site is located at 304 W. Griffin Parkway C-3 SecureCare Moveit McAllen, LLC c/o AVAD Capital, LLC

Mr. Ramirez stated the site is located approximately 1,070 feet East of N. Holland Rd. along the North side of W. Griffin Parkway. This is an undeveloped site to be subdivided and include the extension and installation of utility services. The applicant is proposing three structures with a main entrance from a shared access driveway East of this development. All setbacks are being met as per the subdivision ordinances. There are no allocated parking stalls to this development. The storage units will be accessible by drive access lanes. Landscaping is to comply with the City's regulations and code ordinances and a lighting plan has been reviewed so that nearby residential properties will not be affected. There will be one enclosed dumpster located within the site to be screened with a solid buffer and opaque gates. The applicant must comply with any and all other format findings. No more than two permanent signs shall be allowed on one lot, except those lots with double frontage, in which case a maximum of three permanent signs will be permitted with at least one sign on each frontage. Staff recommends approval of the Site Plan.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

Started: 5:38 p.m.

Ended: 5:58 p.m.

Item #7

**Plat Approval Subject to conditions
Consideration of variance:**

**Lot depth, width and area in a R-1 zone
for the and proposed Meadow Way at
Meadow Creek Subdivision
A 0.551 acre, 0.615 acre tracts of land,
forming part of Meadow Creek Country Club
Subdivision Phase 1-B
R-1
Developer: LAC Enterprises
Engineer: Benavides Engineering**

Mr. Ramirez stated that the proposed Meadow Way at Meadow Creek Subdivision consists of a twenty-one single family residential lots and it is located within the Meadow Creek Country Club Subdivision Phase 1-B. This subdivision will have access to existing streets (Crystal Drive for tracts 2 & 3; Meadow Way Drive for tract 1), sewer and water main lines, and access to drainage detention ponds within the neighborhood. The Engineering Department has reviewed and approved the drainage report. These tracts of land were rezoned from AO-I to R-1 on February 14, 2024 by P&Z and approved by City Council on February 26, 2024. The required Capital Sewer Recovery Fees (\$200xlot), Park Fees (\$650xlot), Conveyance or Payment of Water Rights (\$3000xac.), and all other format findings will be complied with prior to the City Council approval. All items on the subdivision checklist will be addressed prior to the recording of the plat. Due to lot size restrictions, the developer is proposing to match to the existing surrounding lots which measure 40 feet by 80 feet. Proposed lots will average 40 feet to 45.46 feet in width and 79.92 feet and 90 feet in depth resulting in total areas of 3,736.67 square feet to 4,084.36 square feet, respectively, therefore requiring a variance from the zoning ordinance whereas the minimum lot width is 50 feet, minimum lot depth is 100 feet, and the minimum area is to be 5,000 square feet. Staff recommends approval of the Plat subject to conditions: Payment of Capital Sewer Recovery Fees, Payment of Park Fees, Conveyance or Payment of Water Rights, and approval of the infrastructure from the different City departments as per the approved construction plans. He mentioned to the board the subdivision isn't a public hearing but since staff got directive from Mayor to send out notices to the surrounding properties and to allow the citizens public comment.

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

Ms. Karen Prewitt resides at 2105 Mauve drive. She stated the item was approved on April 8, 2024 at that time the city council requested that the residents receive notices because the request was to add to the plat note to not have any two story home and a 1 car garage in the subdivision. She stated Lots 1 through 7 if you notice parking in front all the time so that would disrupt people that are already using that area for parking if homes are going to be built there. She mentioned from Lots 9 through 14 there are five palm trees the lots were originally made to be 60 feet apart. She stated the original approved size was 60' x 100' so there should not be a variance on the lot size. She stated if the board were to approve the minimum 50' they would have to cut down four of the palm trees. She added she disapproved of the area being approved for 50'. She stated the senate bill 15 is allowing for smaller homes and smaller lots which was already rezoned to R-1 the lot size was 60' x 100' minimum and it was recently changed. She mentioned it's a huge difference in the size compared to what is required by allowing the 5000 will be to knock down the palm trees in order to build the house.

Mr. Gerardo Benavides from Benavides Engineering in Alamo, Texas stated that he is the civil engineer representing the property owner & developer. He stated these 3 tracts of land are restricted by a warranty deed, that restricts and prohibits providing the 100 foot lot depth on the properties which they only have 90 feet of depth. Additionally, the proposal range is from 42 to 45 lot widths which is a bit wider than what is already existing in front the homes on the lots and they are providing 10 feet of additional depth composed to the already existing in the lots. He stated the current zone was R-1 and the code is a 50' minimum width of the frontage of the lots and 100 feet of depth. He stated since they have a hardship of the property of the width that is not being met with the dimensions. He mentioned they had looked at different zoning but none of the rezoning applied to the development they were proposing.

Mr. Leonel cantu resides at 2502 Country Club Drive. He stated they are proposing 1 story 2 car garage homes and the same size and square footage to keep the value average.

Mr. Oscar Saenz resides at 2103 Crystal Drive. He stated he is concerned about the proposed development of these properties since the lot width is between 40 to 45 and the depth is 90 feet dimensions and area was zoned R-1 with the City Of Mission is promoting affordable housing in particular area and below the updated code of the minimum 5000 square feet. He stated the R-1 zoning they are proposing 3000 square feet which the 50 feet requirement adopted to ensure responsible sustainable development. He stated his main concerns are from potential impacts, this type of development could have the quality of life for residence, smaller size issues with parking congestion reduced space and that increased runoff affect safety. He mentioned density, and infrastructure capacity places an additional burden on existing services, drainage, utilities, and access. He stated the city should hold firm to the current requirements and deny any exception or variances for the proposed development unless it can be shown to all standards in place. He added the adoption to the R1 was approved in April. He stated residents were told by members of the city that this is not a golf course anymore so the developer shouldn't be comparing these sizes to the existing infrastructure.

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

Chairwoman Izaguirre asked if the board had any questions.

Ms. Thompson asked what is the current minimum standard for a R-1 zone.

Mr. Ramirez stated the minimum requirement is 50 feet x 100 feet.

The board discussed the depth and the applicant is proposed for the lot to be narrow.

Ms. Thompson asked why is staff recommending approval of the variances and plat.

Mr. Ramirez stated there is already a restriction in place already in the warranty deed and the proposed lots are matching to the surrounding areas.

Ms. Thompson stated her concern was that the lot size requirement doesn't match the zoning.

Chairwoman Izaguirre asked what would be the side setback.

Mr. Ramirez stated it would be 6 feet.

The board discussed the different options the subdivision could have done in order to have the lot size.

Mr. Leonel Cantu stated they are trying to build an 1,800 to 2,000 square foot home which it would affect the property unfortunately they are limited on the depth of the property.

Mr. Sanchez stated he has concerns with the lot size and a variance.

Ms. Thompson asked if R-1T was an option at the time would they done R-1T.

Mr. Ramirez stated it wasn't an option.

Ms. Thompson asked how many more parcels would be affected by the lot size.

Mr. Ramirez stated this is the last of the lots that are empty for this subdivision.

The board discussed the different options for the lot size requirement.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Ms. Austin moved to deny the subdivision for the double variance request. Motion failed.

Chairwoman Izaguirre entertained a new motion. Ms. Thompson moved to approve the variance and subdivision. Mr. Guevara seconded the motion. Upon a vote, Ms. Austin voted nay. The motion passed with a 4 to 1 vote.

Started: 5:58 p.m.

Ended: 6:02 p.m.

Item #8

Plat Approval

Subject to conditions:

**Sendero Phase III Subdivision,
being a resubdivision of 19.248 acres
of land out of the South end or Porcion 52
PUD
Developer: Rhodes Development, Inc.
Engineer: Meldan & Hunt, Inc.**

Mr. Ramirez stated that the property is part of a Master Plan. This site is currently open with a proposed use of 101 residential lots and 1 common area this subdivision will have access from Sendero Subdivision Phase I-B by an existing street (Moorefield Rd.) being a paved 32' B-B street within a 50' ROW. All other streets will comply with subdivision regulations and City standards. The sanitary sewer and main water lines will be extended and looped accordingly from the adjacent developments to and thru the subdivision to collect and provide service to all lots. Surface runoff from the lots and the proposed streets will be caught by inlets and conveyed into a proposed system of detentions ponds and discharge in the Perezville Drain. The Engineering Department has reviewed and approved the drainage report. The required Capital Sewer Recovery Fees (\$200xlot), Conveyance or Payment of Water Rights (\$3000xac.), and all other format findings will be paid prior to subdivision recording. No Park Fees – Mike Rhodes dedication of land satisfies the park

dedication ordinance. All items on the subdivision checklist will be addressed prior to the recording of the plat. Staff recommends approval of the Plat subject to conditions: Payment of Capital Sewer Recovery Fees, Conveyance or Payment of Water Rights, and approval of the infrastructure from the different City departments as per the approved construction plans.

Chairwoman Izaguirre asked if the board had any questions.

Ms. Thompson asked if all the lots comply with all of the zoning requirements.

Mr. Ramirez stated yes, this is Phase III. He mentioned Phase I and Phase II already have been approved.

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

Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to untable the Conditional Use Permit. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:02 p.m.

Ended: 6:04 p.m.

Item #9

**Tabled Conditional Use
Permit:**

**To designate an area as a Mobile Food Park
for the operation of four (4) Mobile Food Units
being a 77 feet x 210 feet tract of land, Block 144,
Mission Original Townsite Subdivision,
410 E. 9th Street
C-3
Mario A. Guerra**

Mr. Cervantes stated the site is located at the southeast corner of E. 9th Street and N. Oblate Avenue. Pursuant to Section 1.56 (11)(H) of the City of Mission Code of Ordinances, a Mobile Food Park requires the approval of a conditional use permit by the City Council. The applicant proposes to have a mobile food park to allow mobile food unit owners to sell their products. The applicant proposes to construct separate restrooms for men and women, and a 20-foot x 34-foot canopy for the common seating area. Based on the current ordinance, each mobile food truck operator must still apply for their own C.U.P. to operate within the mobile food park. The proposed hours of operation are as follows: Monday through Sunday from 7:00 am to 12:00 am. Parking: The proposed 48 chairs results in 16 parking spaces required by code. The applicant is the proposed 40 chairs result in 13 parking spaces required by code. The applicant is proposing 8 new parking spaces, and there are 5 existing parking spaces, for a total of 12 parking spaces. Staff notes that this property is located within the Mission Central Business District, thus exempt from parking requirements. Landscaping: The applicant is proposing landscaping areas within the property. The application for this conditional use permit was submitted before the ordinance was amended, placing distance limitations. The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (10) legal notices to the surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties. Staff recommends Approval for a 1-year re-

evaluation in order to assess this new operation; 1) Must comply with all City Codes (Building, Fire, Health, etc.); 2) Hours of operation are Monday through Sunday from 7:00 am to 12:00 am; 3) Must comply with the noise ordinance; 4) Acquisition of a business license prior to occupancy for each mobile food unit; 5) CUP is not transferable to others; and Restrooms must be registered with the Texas Department of Licensing and Regulation for Americans with Disabilities Act compliance.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

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

ITEM#10

ADJOURNMENT

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Austin moved to adjourn the meeting. Ms. Thompson seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:04 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

**ZONING BOARD OF ADJUSTMENTS
JANUARY 22, 2025
CITY HALL'S COUNCIL CHAMBERS**

ZBA PRESENT

Dolly Elizondo
Alberto Salazar
Heraclio Flores, Jr.
William Ueckert Jr.
Humberto Garza

ZBA ABSENT

STAFF PRESENT

Susie De Luna
Jessica Munoz
Alejandro Hernandez

GUESTS PRESENT

Conne Aaron Gomez
Patricia Gomez
Raul Acevedo
Guadalupe Enriquez Jr.
Juan Resendez

CALL TO ORDER

Chairman Mr. Alberto Salazar called the meeting to order at 4:35 p.m.

CITIZENS PARTICIPATION

Chairman Mr. Alberto Salazar asked if there was anyone in the audience that had anything to present or express that was not on the agenda.

There was none.

DISCLOSURE OF CONFLICT OF INTEREST

APPROVAL OF MINUTES FOR DECEMBER 11, 2024

Chairman Mr. Alberto Salazar asked if there were any corrections to the minutes. Ms. Elizondo moved to approve the minutes. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

Election of Chairman & Vice-Chairman

Ms. Susana De Luna stated that it is common procedure to Elect a Chairman and a Vice-Chairman every year. The current Chairman is Alberto Salazar and the Vice Chairman is Heraclio Flores Jr.

Mr. Alberto Salazar voted to appoint Mr. Heraclio Flores as Chairman, Ms. Elizondo second the motion. Upon a vote, the motion passed unanimously.

Ms. Dolly Elizondo voted to appoint Mr. Humberto Garza as Vice Chairman, Mr. Salazar second the motion. Upon a vote, the motion passed unanimously.

ITEM #1.2

Discussion and Action to amend the Zoning Board of Adjustments Bylaws

Ms. Susana De Luna stated that during the December 16th City Council Meeting the City Council made some changes to the City Boards. These changes consist of the following: reducing the number of board members, removing all alternate positions, and making each term for 3 years. The purpose of this change is to have consistency among all the boards.

Mr. William Ueckert asked that if 4 members had to be present to make quorum.

Ms. Susana De Luna replied yes, four members need to be present to make quorum.

There being no discussion, Chairman Mr. Heraclio Flores entertained a motion. Ms. Dolly Elizondo moved to approve the zoning board of adjustments bylaws. Mr. Alberto Salazar seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#1.3

TO KEEP A 5' SIDE SETBACK INSTEAD OF THE REQUIRED 6' AND A 5' REAR SETBACK INSTEAD OF THE REQUIRED 10' AT 1713 AUDREY DRIVE, BEING LOT 92, THE LEGENDS AT CIMARRON AS REQUESTED BY CONNE A. GOMEZ

Ms. Susana De Luna stated that the subject site was located at the northwest corner of Princeton Drive and Audrey Drive along the north side of Audrey Drive. The irregular lot measures a total 10,451.21 sq.ft.

The applicant would like the Board to consider the above-mentioned variance to keep the following: a 10'x55' canopy patio cover and a 21'x21' patio w/outdoor kitchen. Staff notes that a building permit for the patio w/outdoor kitchen was obtained on 1/29/10 and it was meeting setbacks. The applicant recently modified the patio w/outdoor kitchen and added the canopy patio cover without obtaining a permit. This violation was discovered by Code Enforcement while doing an inspection in the area. The applicant did mention that the canopy patio cover was added for privacy from the adjoining properties for the new swimming pool.

Staff notes that ZBA has considered the following variances within this subdivision:

<u>Legal Description</u>	<u>Variance Request</u>	<u>Date of Meeting</u>	<u>Recommendation</u>
Lot 1 & 45	10' corner setback instead of 20'	12/17/03	Approved
Lot 79	9" rear setback instead of 10'	9/4/07	Denied

Staff mailed out 28 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Denial. The structures must be modified to comply with the required setbacks.

However, if ZBA is inclined to approve this request then the applicant would need to comply with the following: 1) Signing a hold harmless agreement stating that the structures will remain perpetually "open and to its footprint" and if ever removed, the prevailing setbacks shall be complied thereafter, and 2) obtaining a building permit and access a double permit fee.

Chairman Heraclio Flores asked if the board had any questions for staff.

Mr. Alberto Salazar asked if the subdivision had an HOA?

Ms. Susana De Luna replied that there was no HOA at The Legends at Cimarron.

Ms. Dolly Elizondo asked if the patio/outdoor kitchen had any utilities?

Ms. Susana De Luna replied that it had electricity.

Ms. Dolly Elizondo asked if it had plumbing?

Ms. Susana De Luna replied that it had no plumbing.

Representing the applicant was Mr. JJ., mentioned that he was the general contractor for Mr. Gomez for many years. He stated that Mr. Gomez called him to let him know that he needed improvements in his home, but had an issue with the contractor that he hired to built the pool. He added that the contractor for the pool was suppose to obtain the permits for the canopy and pool, but only obtained the one for the pool. He mentioned that Mr. Gomez had to hire someone else to build the canopy, and that contractor did not obtain the permit.

Ms. Dolly Elizondo asked who hired the contractor?

Mr. JJ replied the owner. He added that Mr. Gomez always complys with any requirements that are needed, and was willing to fix what needed to be fixed. He stated that he was present to support Mr. Gomez request.

Mr. Conne Gomez who resides at 1713 Audrey Drive was present. He mentioned that he has lived at his residence for approximately 2 years, and when he moved in the home had a wooden fence but was removed to build something that would give his family more privacy. He stated that he had an agreement with the contractor that built his pool to obtain permits for the canopy cover patio but he didn't. He added that if he removes that cover his neighbor would be able to look over his property.

Mr. Conne Gomez stated that he obtained some signatures from his neighbors that were in favor of his request.

Ms. Dolly Elizondo asked that if Mr. Gomez submitted the signatures to staff?

Ms. Susana De Luna replied no.

Ms. Dolly Elizondo stated that staff had to verify the signatures.

He added that he spoke to his neighbor the one that lives on the left with the balcony and his neighbor had no problems with his canopy patio cover.

Chairman Heraclio Flores asked if there was anyone if favor or against the request.

There was none.

Chairman Heraclio Flores entertained a motion to close the public hearing. Mr. Humberto Garza moved to close the public hearing. Mr. Alberto Salazar seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Humberto Garza asked that if the patio cover was all the way to the property line.

Ms. Susana De Luna replied yes.

There being no further discussion. Chairman Heraclio Flores entertained a motion. Mr. Humberto Garza moved to "table" the variance request to allow staff to verify the signatures. Ms. Dolly Elizondo second the motion. Upon a vote, the motion passed unanimously.

ITEM# 1.4

TO ALLOW A 6' NORTHSIDE SETBACK INSTEAD OF THE REQUIRED 30, AT 1907 MILLER AVENUE, BEING LOT 3, CONWAY GARDENS AS REQUESTED BY RAUL A. ACEVEDO, JR.

Ms. Susana De Luna stated that site is located approximately 125' north of E. 19th Street along the west side of Miller Avenue. The lot measures 124.5'x150' for a total 18,675 sq.ft.

The applicant is remodeling and adding to their existing home and would also like to construct a 24'x47' detached garage within a 30' street right-of-way along the northern perimeter of the lot. Staff notes that on February 12, 2007 the City of Mission determined that there was no viable public need to retain said dedicated right-of-way and abandoned it, however retained a utility easement in case there may be existing utilities in the subsurface right-of-way. The applicant would like the Board to consider the above-mentioned variance for the construction of the detached garage. This would be a 2-story building which would include a 2-car garage and patio in the 1st floor and a storage on the 2nd floor. The applicant has already contacted 811 to spot the utilities and they have reported no utilities in that area.

Staff notes that ZBA has not approve or considered any variances within this subdivision. Staff mailed out 13 notices to the surrounding property owners within 200' radius to get their input in regards to this request.

RECOMMENDATION: Denial.

However, if ZBA is inclined to approve this request then the applicant would need to Sign a hold harmless agreement stating that the structures will remain perpetually "open and to its footprint" and if ever removed, the prevailing setbacks shall be complied thereafter.

Chairman Heraclio Flores asked that what was behind the property being presented.

Ms. Susana De Luna replied that it was the shary golf course.

Chairman Heraclio Flores asked if there were any utilities easements?

Ms. Susana De Luna replied that an 811 report was submitted and that it was included in the board members packet which showed no utilities.

Chairman Heraclio Flores asked if the applicant was present.

Mr. Raul Acevedo was present. He mentioned that him and his wife purchased that property during the pandemic. He stated that staff informed him that the city had to give him a deed or something in order to convey the right of way to him. He added that he spoke with a real-estate attorney and the attorney advised that that once the easement was abandon it reverts back to the property owner.

Chairman Heraclio Flores asked if there was anyone in favor or against the request.

Mr. Guadalupe Enriquez was present, and in favor of the request.

Chairman Heraclio Flores entertained a motion to close the public hearing. Ms. Dolly Elizondo moved to close the public hearing. Mr. Heraclio Flores seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairman Heraclio Flores entertained a motion. Mr. Humberto Garza moved to approve the request. Ms. Dolly Elizondo seconded the motion. Upon a vote the motion passed unanimously.

Chairman Heraclio Flores entertained a motion to un-table item 1.5. Ms. Dolly Elizondo moved to un-table item 1.5. Mr. Alberto Salazar second the motion. Upon a vote, the motion passed unanimously.

TABLED ITEM# 1.5

TO KEEP A 2' SIDE SETBACK INSTEAD OF THE REQUIRED 6' AND A 3.5' REAR SETBACK INSTEAD OF THE REQUIRED 10' AT 413 W 12TH STREET, BEING THE E ½ OF LOTS 1 & 2, BLOCK 184, MISSION ORIGINAL TOWNSITE AS REQUESTED BY JUAN RESENDEZ

Ms. De Luna stated that This item was previously tabled during the December 11, 2024 meeting to allow staff to check if the adjoining property had obtained any variances for the encroaching structures. Staff did a research on the adjoining property and no variances have been granted for encroaching structures.

The subject site is located 75' east of Slabough Avenue along the south side of W. 12th Street. The lot measures 75'x100' for a total 7,500 sq.ft.

The applicant would like the Board to consider the above-mentioned variance to keep an 8'x23' storage shed that was built without a permit. This violation was discovered by Code Enforcement while doing an inspection in the area.

Staff notes that ZBA has not approve or considered any variances within this area. Approving this variance will set precedence to others. Staff mailed out 19 notices to the surrounding property owners within 200' radius to get their input in regards to this request. Staff did receive a letter of support from the neighbor.

RECOMMENDATION: Denial.

Chairman Heraclio Flores asked if something changed since the last time the item was seen.

Ms. Susana De Luna replied that the reason it was tabled was to check the type of structures the neighbor had. She added that the neighbor was the applicant's father in law.

Chairman Heraclio Flores asked if the applicant was present.

Mr. Juan Resendez who resides at 413 W. 12th Street was present. He mentioned that he hired someone to built his shed, and they had an agreement that contractor was going to obtain the permits. He added that he tried to contact the contractor but the phone number was disconnected. He stated that the shed had no utilities and was on blocks.

Mr. Humberto Garza asked how long ago was the shed built?

Mr. Juan Resendez replied 10 months.

Mr. Alberto Salazar asked how much did he pay the contractor?

Mr. Juan Resendez replied \$1,800.

Mr. Alberto Salazar stated that there was no room to move the shed too.

Chairman Heraclio Flores asked if there was anyone if favor or against the request.

There was none.

Chairman Heraclio Flores entertained a motion to close the public hearing. Mr. Humberto Garza moved to close the public hearing. Ms. Dolly Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

Ms. Dolly Elizondo stated that it was a fire hazard.

Mr. Humberto Garza asked that what was the distance between the shed and the next-door neighbor home.

Ms. Dolly Elizondo stated that if there's wind the distance didn't matter.


There being no further discussion, Chairman Heraclio Flores entertained a motion. Mr. William Ueckert moved to deny the request. Ms. Dolly Elizondo seconded the motion. Upon a 2/2 vote the motion failed.

Chairman Heraclio Flores entertained a second motion. Mr. Humberto Garza moved to approve the request. Mr. Alberto Salazar seconded the motion. Upon a 2/2 vote, the motion failed.

2.0 OTHER BUSINESS

3.0 ADJOURNMENT

There being no further business, Mr. Andrew Riddle moved to adjourn. Mr. Humberto Garza seconded the motion. Upon a vote, the motion passed unanimously at 5:35 p.m.


Heraclio Flores, Chairman
Zoning Board of Adjustments

**ZONING BOARD OF ADJUSTMENTS
MARCH 13, 2025
CITY HALL'S COUNCIL CHAMBERS**

ZBA PRESENT

Alberto Salazar
Heraclio Flores, Jr.
Dolly Elizondo
William Ueckert Jr.

ZBA ABSENT

Humberto Garza

STAFF PRESENT

Susie De Luna
Irasema Dimas
Jessica Munoz
Alex Hernandez
Patricio Martinez

GUESTS PRESENT

Maria Botello
Conne A. Gomez
Patricia Gomez
Anna Silva Cantu

CALL TO ORDER

Chairman Heraclio Flores called the meeting to order at 4:43p.m.

CITIZENS PARTICIPATION

Chairman Heraclio Flores asked if there was anyone in the audience that had anything to present or express that was not on the agenda.

There was none.

APPROVAL OF MINUTES FOR FEBRUARY 22, 2025

Chairman Heraclio Flores asked if there were any corrections to the minutes. Mr. Salazar moved to approve the minutes as presented. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

TO ALLOW A TOTAL OF 1,257.15 SQ.FT. INSTEAD OF THE MAXIMUM 800 SQ. FT. ALLOWED FOR AN ACCESSORY STRUCUTRE (BBQ TERRACE/SPA) AT 3104 GRANITE DRIVE, LOT 15, STONEGATE SUBDIVISION PH. I AS REQUESTED BY CARLOS RAINHA

Ms. De Luna stated that the subject site is located approximately 220' north of Stonegate Drive along the east side of Granite Drive. The irregular lot has a total 18,148.97 sq.ft.

The applicant would like the Board to consider the above-mentioned variance to construct a BBQ Terrace/SPA 457.15 sq.ft. over the 800 sq.ft. maximum allowed. Staff notes that the proposed structures would be meeting the required setbacks.

Accessory structures are allowed in lots zoned R-1 (Single Family Residential), however, they need to meet the requirements below.

On December 16, 2013 the City Council approved Ordinance #4044 which states: An accessory use customarily related to a principal use authorized in this district. Furthermore, any non-living accessory structure, such as a carport or a garage, whether as an addition or as a detached building, shall not exceed a maximum size equal to 40% of the primary structure's living area; and shall not exceed the primary structure's total height, as measured to the top of its roof. However, if the primary structure's living area totals less than 2,000 square feet, the accessory structure may be constructed to a

maximum size of 800 square feet. No carport, whether temporary or not, shall have a roof composed of tarp, canvas, or other similar fabric-like material. It is noted that the total living area for the home is 1,797 sq.ft.

Staff notes that ZBA has considered the following variances within this subdivision

Staff mailed out 13 notices to the surrounding property owners within 200' radius to get their input in regards to this request.

RECOMMENDATION: Denial.

Chairman Heraclio Flores asked if there was anyone in favor or against the variance request.

Mr. Carlos Rainha who resides at 3104 Granite Drive was present. He stated that his lot was a very large lot and had enough space to build another home. He added that what he was proposing to built was an open Bar-b-que area, a gym with two restrooms that his guest use and a spa.

Ms. Dolly Elizondo stated that Mr. Rainha was proposing to built a pergola with one enclosed area which was a spa.

Mr. Carlos Rainha replied yes.

Ms. Dolly Elizondo asked how was he proposing to build the roof?

Mr. Carlos Rainha replied that it was a covered roof to protect him from the heat. He added that the structure he wanted to built was only for him and his family. He added that he attended the gym on daily but would like one in the back of his house to wake up at whatever time in morning and just go.

Chairman Heraclio Flores entertained a motion to close the public hearing. Ms. Dolly Elizondo moved to close the public hearing. Mr. William Ueckert seconded the motion. Upon a vote, the motion passed unanimously.

Ms. Dolly Elizondo stated that the lot was an irregular lot and exceptions could be made. She added that it was a pergola and not a living area.

Mr. Alberto Salazar asked what was the propose of city council only approving 800sq.ft. for accessory structures.

Ms. Dolly Elizondo stated limit the accessory structures.

Ms. Susnana De Luna replied that it was to limit the size of the accessory structures.

Mr. Alberto Salazar stated that setbacks give you the limitations on what can be built.

Chairman Heraclio Flores entertained a motion. Ms. Dolly Elizondo moved to approve the variance request. Mr. Alberto Salazar seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.2

TO KEEP A 11.5' SIDE SETBACK INSTEAD OF THE REQUIRED 18' AND A 1' REAR SETBACK INSTEAD OF THE REQUIRED 10' FOR A CARPORT, AT 1911 JOHNATHON DRIVE, BEING LOT 109, THE OAKS AT CIMARRON, AS REQUESTED BY MARIA BOTELLO

Ms. De Luna stated that the site is located at the northwest corner of Red River and Jonathon Drive. The lot measures 75'x 120' for a total 9,000 sq.ft.

The applicant would like the Board to consider the above-mentioned variance to keep a 20'x21.9' carport that was built without a permit. This violation was discovered by Code Enforcement while doing an inspection in the area.

Staff notes that ZBA has not approved or considered any variances within this subdivision. Staff mailed out 24 notices to the surrounding property owners within 200' radius to get their input in regards to this request.

RECOMMENDATION: Denial.

Chairman Heraclio Flores asked if there was anyone in favor or against the variance request.

Ms. Maria Botello who resides at 1911 Johnathon Drive was present. She mentioned that when she applied for her permit she said that it was a carport but she doesn't use it to park her cars. She added that she uses the structure, as a patio, shade for her dogs, parties, and bar-b-cue's. She stated that the cement was there already and she built the carport/patio the size of the cement.

Chairman Heraclio Flores asked if the cement had a permit.

Ms. Maria Botello replied that she purchased the home with the cement.

Mr. Alberto Salazar asked if she applied for a building permit.

Ms. Maria Botello replied that she was not aware that she needed a permit.

Mr. William Ueckert asked when was the carport/patio built?

Ms. Maria Botello replied that she had it built 6 months ago.

Ms. Dolly Elizondo stated that she was reading that the permit was denied.

Ms. Maria Botello replied that is what I was told.

Ms. Dolly Elizondo asked that if Ms. Maria Botello continued with the construction after the permit was denied.

Ms. Maria Botello replied that she was not aware she needed a permit. She mentioned that she applied for the permit after the carport/patio was build.

Chairman Heraclio Flores entertained a motion to close the public hearing. Ms. Dolly Elizondo moved to close the public hearing. Mr. William Ueckert seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Heraclio Flores stated that it wasn't only a utility easement issue but also a fire hazard.

Chairman Heraclio Flores entertained a motion. Ms. Dolly Elizondo moved to deny the variance request as presented. Mr. Alberto Salazar seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.3

TO KEEP A 0' FRONT SETBACK INSTEAD OF THE REQUIRED 20' AND A 1' SIDE SETBACK INSTEAD OF THE REQUIRED 6' FOR A CARPORT AT 114 RESPLANDOR, BEING LOT 6, BLOCK 8, TIERRA DORADA SECTION 2, AS REQUESTED BY IRMA EMMA GOMEZ

No Action was taken.

Chairman Heraclio Flores entertained a motion to un-table Item 1.4. Mr. Alberto Salazar moved to un-table the variance request. Ms. Dolly Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

TABLED ITEM #1.4

TO KEEP A 5' SIDE SETBACK INSTEAD OF THE REQUIRED 6' AND A 5' REAR SETBACK INSTEAD OF THE REQUIRED 10' AT 1713 AUDREY DRIVE, BEING LOT 92, THE LEGENDS AT CIMARRON, AS REQUESTED BY CONNE A. GOMEZ

Ms. Deluna stated that This item was previously tabled during the January 22, 2025 meeting to allow the applicant time to call 811 to schedule an appointment to mark the utility lines and provide letters from the utility locator.

The subject site is located at the northwest corner of Princeton Drive and Audrey Drive. The irregular lot has a total area of 10,451.21 sq.ft.

The applicant would like the Board to consider the above-mentioned variance to keep the following: a 10'x55' canopy patio cover and a 21'x21' patio w/outdoor kitchen. Staff notes that a building permit for the patio w/outdoor kitchen was obtained on 1/29/10 and it was meeting setbacks. The applicant recently modified the patio w/outdoor kitchen and added the canopy patio cover without obtaining a permit. This violation was discovered by Code Enforcement while doing an inspection in the area. The applicant did mention that the canopy patio cover was added for privacy from the adjoining properties for the new swimming pool.

Staff mailed out 28 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Denial. The structures must be modified to comply with the required setbacks.

However, if ZBA is inclined to approve this request then the applicant would need to comply with the following: 1) Signing a hold harmless agreement stating that the structures will remain perpetually "open and to its footprint" and if ever removed, the prevailing setbacks shall be complied thereafter, and 2) obtaining a building permit fee and pay a double permit fee.

Chairman Heraclio Flores asked if there was anyone in favor or against the variance request.

Mr. Conne Gomez who resides at 1713 Audrey Drive was present. He mentioned that the purpose for the canopy covered patio was for security/privacy purposes for the pool he had built. He added that his pool was not a public pool but a private one. He mentioned that when he hired the contractor to build the "canopy" he told him that he needed privacy from his neighbors that had a two-story house. He stated that later on he found out that the contractor he hired didn't obtain the proper permit for the canopy.

Ms. Dolly Elizondo asked if staff received the utility locator letter?

Ms. Susana De Luna replied that pictures were taken where the utilities were located.

Mrs. Anna Silva Cantu wife of Jose Manuel Cantu who resides at 1711 Audrey Drive was present. She mentioned that she was terrified when she received the notice of the public hearing, she stated that she didn't know what was going on. She added that she's resided at her home for last 14 years and no modifications had been done to her home. She mentioned that she was not present to harm anyone or to accuse anyone of anything, that she was invited to come to this meeting in reference to the item being presented. She stated that she doesn't agree with her neighbors comment that he needs privacy, but understands that everyone needs their privacy, when setback lines are respected. She added that Mr. Gomez would call her husband everyday to sign a document for him that he had no problem with the structure that was built. She mentioned that she called her insurance and her insurance informed her that if she would sign the document and something would happen her house the insurance would not be cover any damages. She added that her neighbors when they purchased their home knew she had a two-story home.

Chairman Heraclio Flores entertained a motion to close the public hearing. Ms. Dolly Elizondo moved to close the public hearing. Mr. Alberto Salazar seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Heraclio Flores entertained a motion. Mr. William Ueckert moved to deny the variance request as presented. Ms. Dolly Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

2.0 OTHER BUSINESS

There was none.

3.0 ADJOURNMENT

There being no further business, Ms. Dolly Elizondo moved to adjourn. Mr. William Ueckert seconded the motion. Upon a vote, the motion passed unanimously at 5:21 p.m.



Heraclio Flores, Chairman
Zoning Board of Adjustments