



MEETING DATE: February 4, 2026

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

AGENDA ITEM: Conduct a public hearing and consideration of a rezoning request from Large Lot Single-Family Residential District ("R-1A") to Neighborhood Commercial District ("C-2"), being the South 196.0 feet of Lot 99, Sharyland Orchards Subdivision, located at 1403 N. Shary Road. Applicant, Jose Pena - Cervantes

NATURE OF REQUEST:

Project Timeline:

- January 5, 2026 – Application for rezoning submitted for processing.
- January 23, 2026 – In accordance with State and local law notice of the required public hearings was mailed to all the property owners within a 200' radius of the subject tract and notice of hearings was published in the Progress Times.
- February 4, 2026 – Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission.
- February 24, 2026 – Public hearing and consideration of the requested rezoning ordinance by the City Council.

Summary:

- The applicant is requesting to rezone the subject property from Large Lot Single-family Residential District ("R-1A") to Neighborhood Commercial District ("C-2") to build a commercial plaza at the site.
- The code of ordinances states that the main purpose of the neighborhood commercial zoning is to provide space and off-street parking in appropriate locations in proximity to residential areas, for commercial development catering to the convenience shopping and service needs of the occupants of nearby residences.
- The property is located at the Northwest corner of Scout Lane and N. Shary Road and measures 183.68 feet along Scout Lane and 181 feet along Shary Road for a total net area of 33,246 square feet or 0.76 of one acre.
- The surrounding zones are Large Lot Single-family Residential District to the North, South and West, and Public District to the East.
- The property has a house that the property owner is currently renting. The surrounding land uses include single-family homes to the North, South and West and Sharyland High School to the East.
- The Future Land Use Map shows the property designated for low-density residential uses.
- The requested rezoning is not in line with the comprehensive plan designation, but due to the Shary Road high levels of traffic, staff feels that the properties with Shary Road frontage are in transition to light commercial uses.
- Notices were mailed to fifteen (15) property owners. Planning staff received a petition with 19 signatures on January 27 from the surrounding property owners in opposition to the rezoning request. The petitioners state that the rezoning is not in the public interest and is inconsistent with the character of the surrounding neighborhood, existing land uses and the city's comprehensive plan.

- The petition submitted reflects 25.41 percent of the land area within 200 feet and 9.95 percent of the area within 400 feet of the subject property. Based on the current percentages a super majority vote of the City Council is required to approve the rezoning.

STAFF RECOMMENDATION:

Staff recommends denial to the C-2 zoning, but alternatively recommends approval to C-1 zoning.

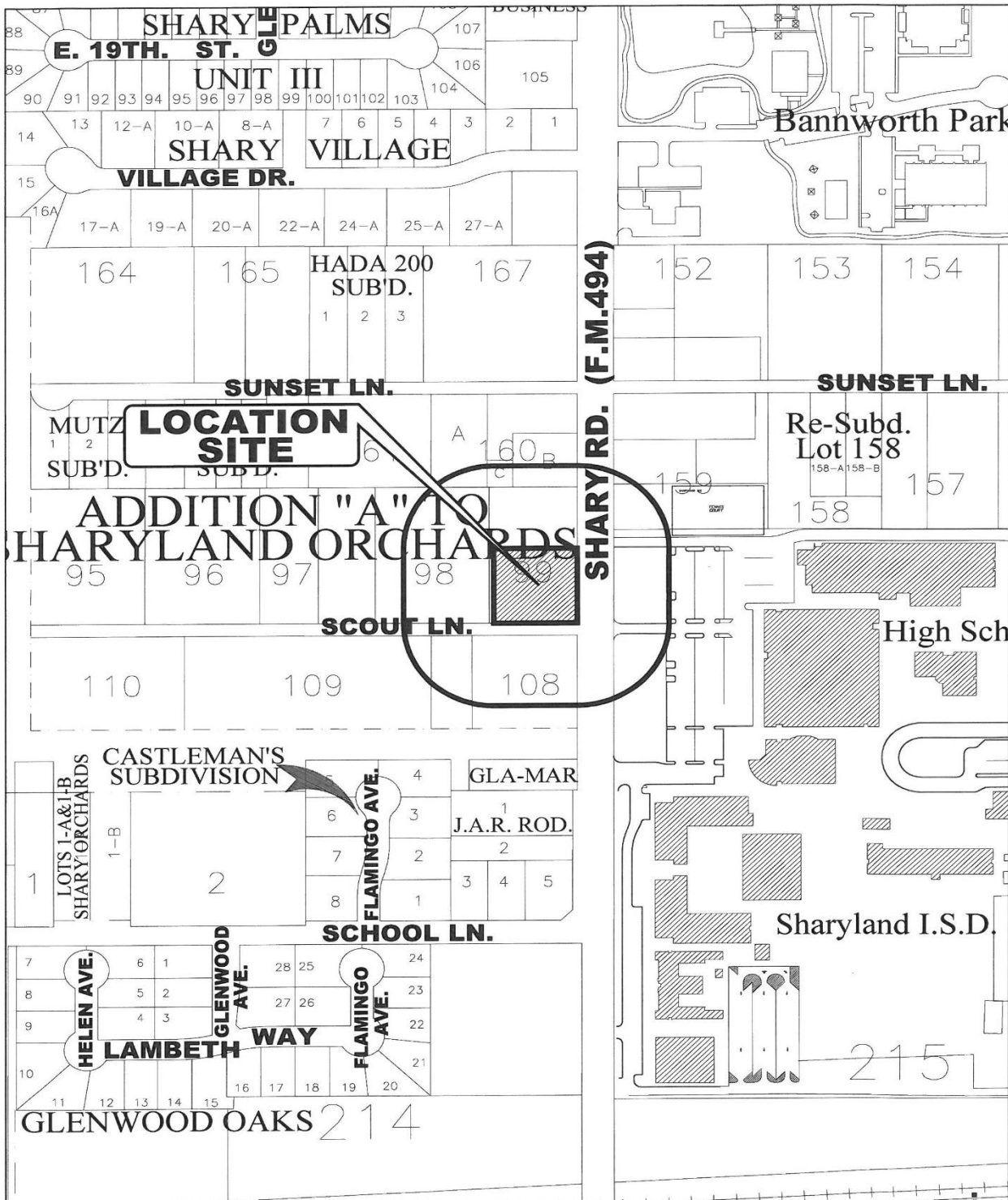
RECORD OF VOTE: **APPROVED:** _____
 DISAPPROVED: _____
 TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

LEGAL NOTICE MAP



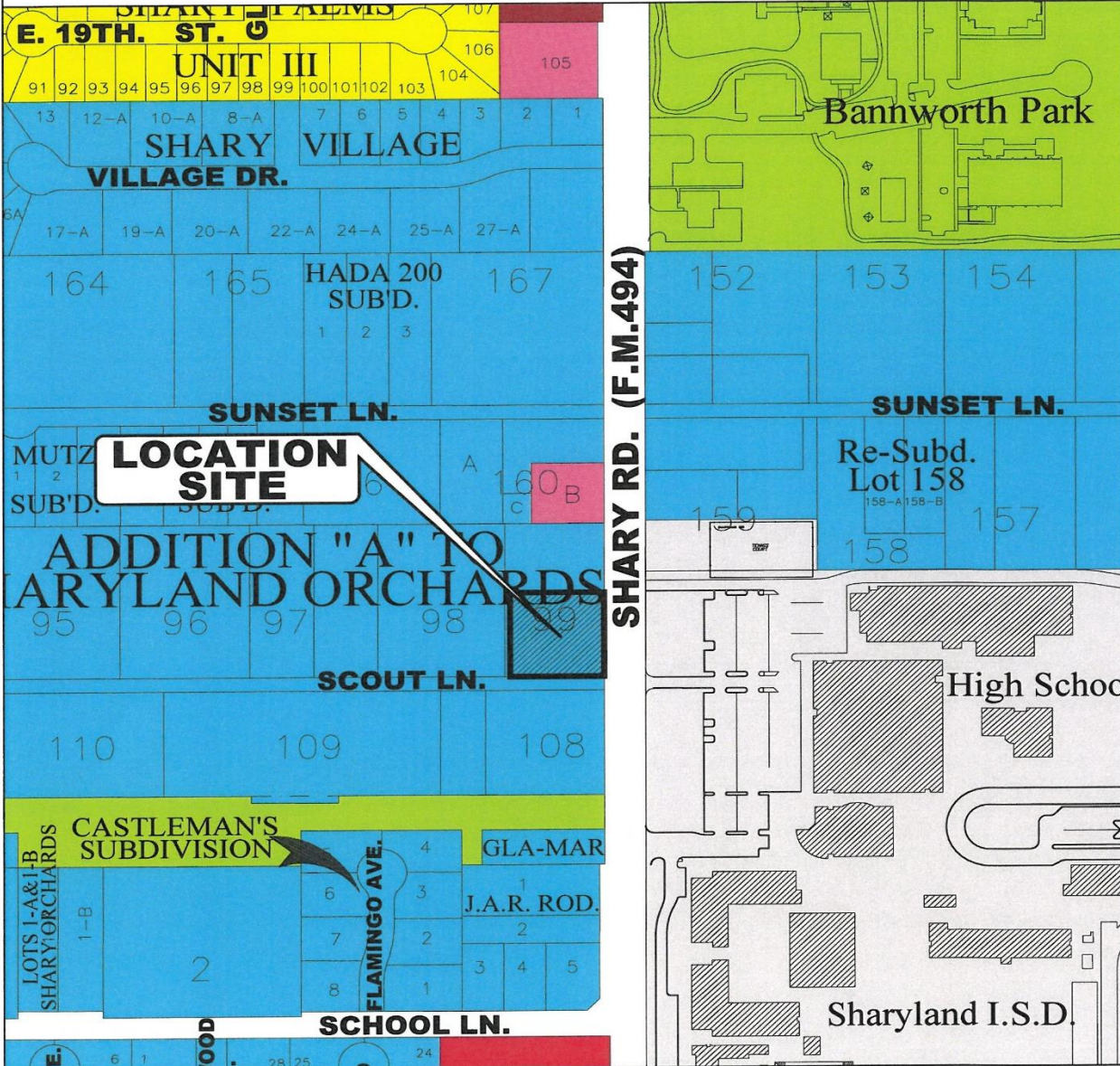
CITY OF MISSION
 HIDALGO COUNTY, TEXAS

1201 E. 8th Street
 MISSION, TX 78572

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

No

ZONING MAP



ZONING LEGEND

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

AERIAL



**LOCATION
SITE**

SCOUT LN

N SHARY RD

PROPERTY SURVEY



PEÑA ENGINEERING

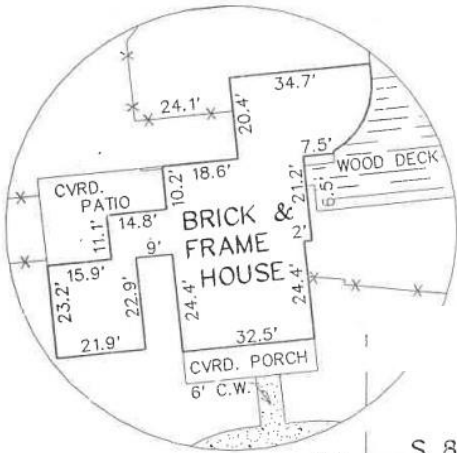
1001 WHITEWING · P.O. BOX 4320
(956) 682-8812 · McALLEN, TEXAS 76802 · FAX (956) 631-PENA



RUDY

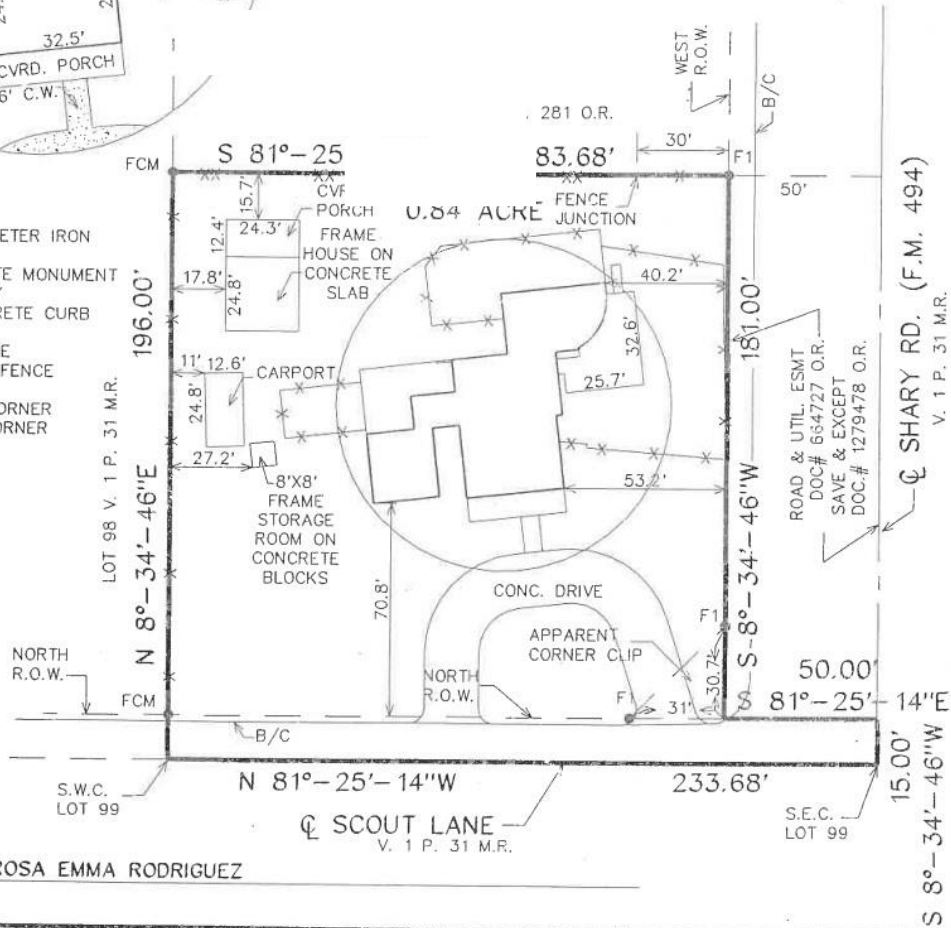
BASIS OF BEARING IS THE WEST LINE
OF LOT 99 SHARYLAND ORCHARDS SUB.
V. 1 P. 31 M.R. HIDALGO COUNTY TEXAS.

CAD5 - SHAORCH-99
SCALE: 1"=50'



NOTE:
1.) EASEMENTS, RULES, REGULATIONS IN FAVOR OF UNITED
IRR. DISTRICT.

- LEGEND**
- F1 - FOUND 1/2" DIAMETER IRON ROD
 - FCM - FOUND CONCRETE MONUMENT
 - R.O.W. - RIGHT OF WAY
 - B/C - BACK OF CONCRETE CURB & GUTTER
 - X-X - 6' CEDAR FENCE
 - XX-XX - 6' CHAINLINK FENCE
 - CVRD. - COVEED
 - S.W.C. - SOUTHWEST CORNER
 - S.E.C. - SOUTHEAST CORNER



BUYER'S NAME: ROSA EMMA RODRIGUEZ

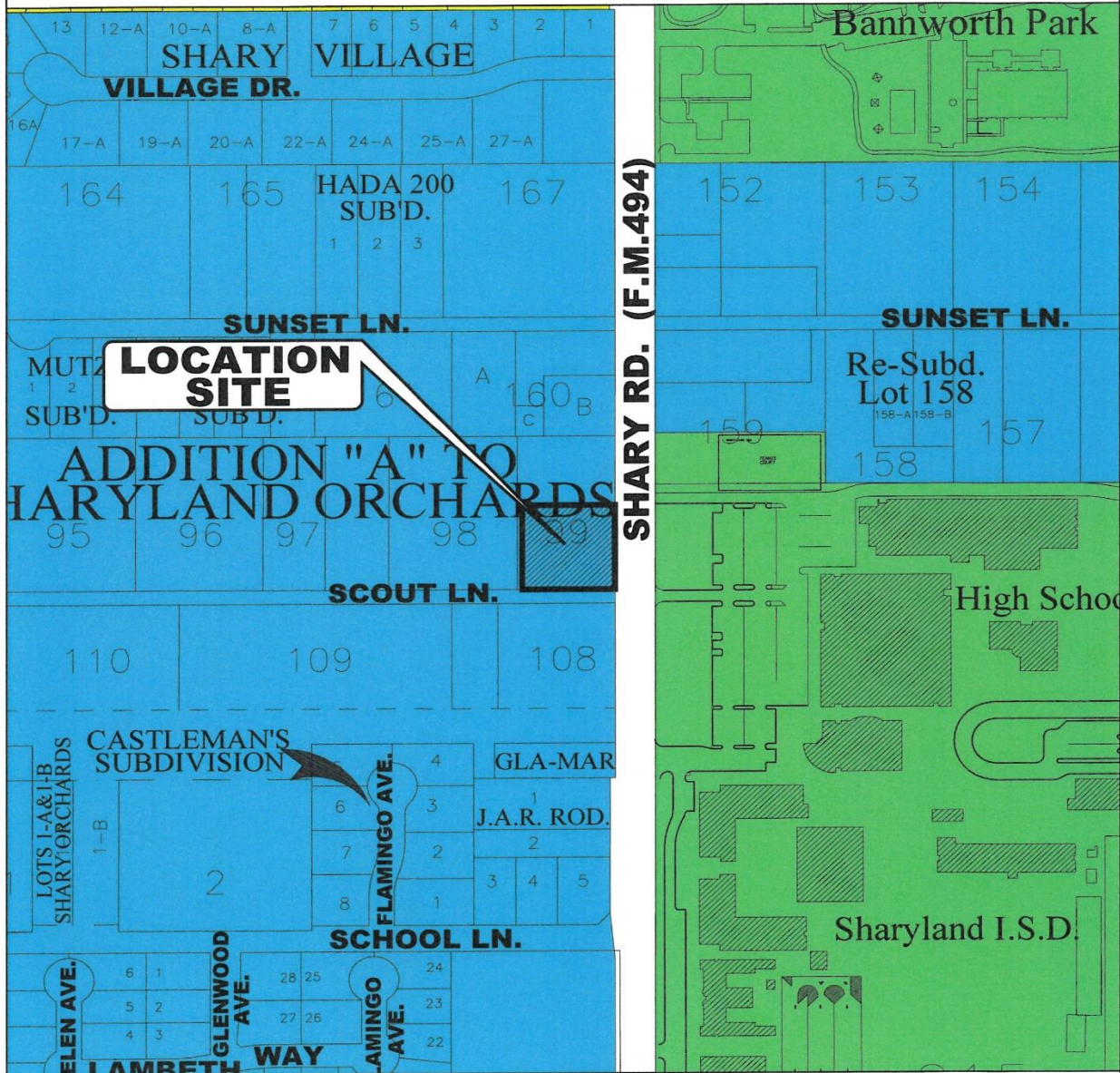
PHOTO OF THE PROPERTY FROM SHARY ROAD



PHOTO OF THE PROPERTY FROM SCOUT LANE



FUTURE LAND USE MAP



FUTURE LAND USE MAP

- | | |
|---|---|
| - LD - Low Density Res. | - GC - General Commercial |
| - LDA - Lower Density Res. | - HC - Heavy Commercial |
| - MD - Moderate Density Res. | - I - Industrial |
| - HD - High Density Res. | - P - Public |
| - ● - Neighborhood Commercial | - PUD - Planned Unit Development |

PETITION IN OPPOSITION

Neighborhood Petition AGAINST

PROTEST PETITION AGAINST REZONING APPLICATION

Zoning Case No.: REZ2026-60 and REZ26-3
Property Subject to Rezoning: 1403 SHARY RD.; 1413 N. SHARY RD., and 2122 SUNSET LN. MISSION, TEXAS
Current Zoning: RESIDENTIAL
Proposed Zoning: C-2 NEIGHBORHOOD COMM DIST

PETITION OF PROTEST

We, the undersigned, being owners of record of property located in the City of Mission, Hidalgo County, Texas, hereby formally protest the proposed rezoning referenced above and submit this petition in accordance with Section 440.140(C) of the City of Mission Code of Ordinances.

We believe the proposed rezoning is not in the public interest and is inconsistent with the character of the surrounding neighborhood, existing land uses, and/or the City's Comprehensive Plan.

We respectfully request that the Planning & Zoning Committee along with City Council DENY the rezoning application.

PETITION IN OPPOSITION

**CITY OF MISSION, TEXAS
PROTEST PETITION AGAINST - SIGNATURE PAGE**

Rezoning Application: REZ2026-60 and REZ26-3 8

IMPORTANT: Only owners of record may sign this petition. If property is jointly owned, each owner must sign separately. All information must match Hidalgo County Appraisal District records.

Printed Name (Owner of Record)	Property Address	Signature	Date
JAVIER F. PÉREZ	2119 SCOUT LANE	[Signature]	1-26-26
SONIA PÉREZ	2119 SCOUT LANE	[Signature]	1-26-26
Lesva Salinas	2111 Scout Lane	[Signature]	1-26-26
Jesse Salinas	2111 Scout Ln	[Signature]	1-26-26
Jim Berlang	2110 Scout Ln	[Signature]	1-26-26
Blandina Valverde	2102 Scout Ln	[Signature]	1/26/26
Miner Lung	2103 Scout Ln	[Signature]	1/26/26
John Lung	2103 Scout Ln	[Signature]	01/26/2026
Cori Carrizosa	2105 South	[Signature]	1-26-2026
Clark M. Jimenez	2112 Scout Ln	[Signature]	1-27-2026
Arona			
Veronica Mantre	2116 Scout Lane	[Signature]	1-27-2026
Minerva Mutz	2120 SCOUT LN	[Signature]	1-27-2026
Robert Anzaldua	2118 SCOUT LN	[Signature]	1-27-2026
(Becky) Jose J / Hilda Gonzalez	2118 Sunset Lane	[Signature]	1/27/2026
Meagan Mosser	2100 Scout Lane	[Signature]	1/27/2026

PETITION IN OPPOSITION

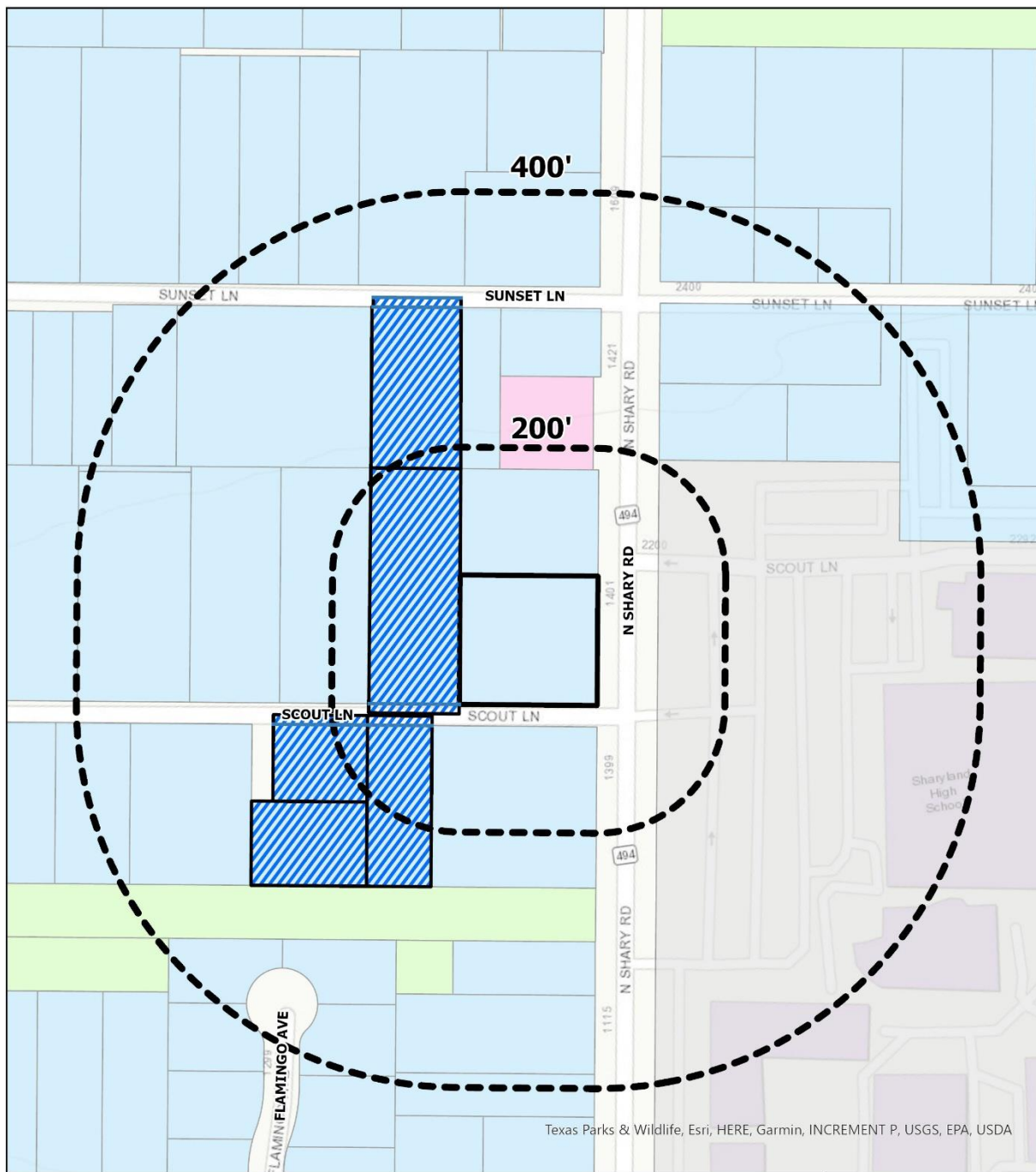
**CITY OF MISSION, TEXAS
PROTEST PETITION AGAINST - SIGNATURE PAGE**

Rezoning Application: REZ2026-60 and REZ26-3

IMPORTANT: Only owners of record may sign this petition. If property is jointly owned, each owner must sign separately. All information must match Hidalgo County Appraisal District records.

Printed Name (Owner of Record)	Property Address	Signature	Date
Paul Manfre	2116 Scout Ln	<i>Paul Manfre</i>	1-27-26
(Becky) Jose J. / Hilda R. Gonzalez	2118 Swasey Lane	<i>Hilda R. Gonzalez</i>	1-27-26
Aurora Melhem	2114 Scout Ln	<i>Aurora Melhem</i>	1-27-26
_____	_____	_____	_____
_____	_____	_____	_____

PETITION MAP



Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

 200' NOTIFICATION BOUNDARY SUBJECT PROPERTY IN OPPOSITION	AGRICULTURAL OPEN INTERIM (AO - I)	OFFICE BUILDING (C - 1)
	AGRICULTURAL OPEN PERMANENT (AO - P)	NEIGHBORHOOD COMMERCIAL (C - 2)
LARGE LOT SINGLE FAMILY (R1 - A)	GENERAL BUSINESS (C - 3)	HEAVY COMMERCIAL (C - 4)
TOWNHOUSE RESIDENTIAL (R1 - T)	ADAPTIVE COMMERCIAL (C - 5)	LIGHT INDUSTRIAL (I - 1)
SINGLE FAMILY RESIDENTIAL (R - 1)	DUPLEX FOUR-PLEX RESIDENTIAL (R - 2)	HEAVY INDUSTRIAL (I - 2)
SINGLE FAMILY RESIDENTIAL (R - 1)	MULTI-FAMILY RESIDENTIAL (R - 3)	PLANNED UNIT DEVELOPMENT (PUD)
SINGLE FAMILY RESIDENTIAL (R - 1)	MOBILE & MODULAR HOME (R - 4)	PLANNED UNIT DEVELOPMENT (PUD)
SINGLE FAMILY RESIDENTIAL (R - 1)	HIGH DENSITY MFCT'D HOUSING (R - 5)	PUBLIC (P)

This map has been produced by the City of Mission for the sole purpose locating jurisdiction boundaries and is not intended for any other. The map data is compiled from various sources including imagery, engineer plans, plat surveys, and other sources. This map is intended for graphic representation only. No warranty is made by the city regarding its accuracy or completeness. Before relying on information, check with the Planning Department.

PETITION CALCULATIONS

REZ 26-6

Area of 200 ft. Radius and Subject Property	7.7 Acres
Area of Subject Property	1.01 Acres
Notification Area	6.69 Acres
Area of Opposition	1.7 Acres

$$1.7 \text{ acres} / 6.69 = .2541 = 25.41\%$$

Area of 400 ft. Radius and Subject Property	38.39 Acres
Area of Subject Property	1.01 Acres
Notification Area	37.38 Acres
Area of Opposition	3.72 Acres

$$3.72 \text{ acres} / 37.38 = .0995 = 9.951\%$$

PERMITTED USES FOR THE C-2 DISTRICT

NEIGHBORHOOD COMMERCIAL DISTRICT ("C-2")

PERMITTED USES

- Generally recognized retail businesses which supply commodities on the premises for persons residing in adjacent residential areas such as groceries, meats, dairy products, baked goods, clothing or hardware and similar uses
- Personal services establishments which perform services on the premises such as: Repair shops, tailor shops, beauty parlors or barber shops, photographic studios and self-service laundries but not automotive repair services
- Dry cleaning establishments or pick up stations dealing directly with the consumer
- Personal services including the following: Outpatient medical clinics, offices of doctors, dentists and similar professions
- Business establishments such as banks, mortgage companies, insurance, and real estate offices
- Accessory uses related to a principal use above
- On-premise signs
- Daycare services
- Changeable copy signs not along the expressway corridor
- In the Original Townsite R-3 uses are permitted.

CONDITIONAL USES

- R-3 uses except for mobile homes
- Gasoline service stations
- Drive thru service window business for food establishments
- Restaurants
- Planned neighborhood convenience centers
- Accessory structures and uses incidental to the permitted uses above
- Portable buildings
- Household goods, warehousing or storage by individuals in rented storage units
- Veterinary hospitals or clinics all in an enclosed building with no noise or odor outside
- Telephone, radio or tv communication towers
- Limousine rental services
- Mobile food units
- Storage unit facilities

PROHIBITED USES

- Any use not listed above
- Off-premise signs

PERMITTED USES FOR THE C-1 DISTRICT

OFFICE BUILDING DISTRICT (“C-1”)

PERMITTED USES

- Office building for professional occupations including: executive, administrative, legal accounting, writing, clerical, drafting and real estate
- Medical offices, including clinics, where all activities are conducted within an enclosed building
- An accessory use related to a principal use above
- Parking lots
- On-premise signs
- Additions to existing residences including accessory buildings
- Photographic studies including incidental sale of related merchandise
- In the Original Townsite R-3 uses are permitted.

CONDITIONAL USES

- All R-3 uses except for mobile homes
- Funeral homes
- Banks, credit unions, and savings and loans associations
- Household goods, warehousing or storage in individually rented storage units
- Telephone, radio or tv communication towers
- Hair salon service
- Detached pharmacy buildings
- Antique shop
- Tutoring and/or kindergarten services
- Drive-thru service window business for food establishments
- Mobile food units
- Storage unit facilities

PROHIBITED USES

- Any use not listed above
- Off-premise signs

MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
283569	S3000-00-000-0159-10	MARTINEZ CESAR	1402 N SHARY RD	MISSION TX		78572-4627
458346	S2950-00-000-0215-20	SHARYLAND IND SCHOOL DIST	PO BOX 753	MISSION TX		78573-0013
283489	S3000-00-000-0098-00	PEREZ JAVIER F & SONIA	305 (A) N SHARY	MISSION TX		78572
283491	S3000-00-000-0099-00	RODRIGUEZ CENOBIO & ROSA EMMA	1403 N SHARY RD	MISSION TX		78572-4626
283493	S3000-00-000-0099-10	HORN JOSHUA & DEBORAH	1409 N SHARY RD	MISSION TX		78572-4626
641797	S3000-00-000-0108-01	MUTZ HARVEY K & MINERVA	2120 SCOUT LANE	MISSION TX		78572-4620
283497	S3000-00-000-0108-00	FLORES AURELIO & MARELI D CO-TRUSTEES	1217 N SHARY RD	MISSION TX		78572-4624
283498	S3000-00-000-0109-00	ANZALDUA ROBERT JR & J VERONICA	2118 SCOUT LN	MISSION TX		78572-4620
283501	S3000-00-000-0109-30	MUTZ HARVEY K & MINERVA	2120 SCOUT LANE	MISSION TX		78572-4620
283574	S3000-00-000-0160-10	GONZALEZ JOSE J & HILDA R	2118 SUNSET LN	MISSION TX		78572-4632
283575	S3000-00-000-0160-20	GOMEZ MARTHA VILLARREAL	1413 N SHARY RD	MISSION TX		78572-4626
283576	S3000-00-000-0161-00	JARVIS JOSEPH S & ESMERALDA B	2114 SUNSET LN	MISSION TX		78572-4632
283573	S3000-00-000-0160-05	BELTRAN MARTIN	1204 FINCHER ST	MISSION TX		78572-3517
283490	S3000-00-000-0098-10	COLUMBUS CONSTRUCTION TEXAS LLC	1705 N ALAMO RD	ALAMO TX		78516-6812
608038	S3000-00-000-0160-25	STATE OF TEXAS	PO BOX EE	PHARR TX		78577