

SHARY GOLF ADVISORY BOARD

June 21, 2023

MINUTES

I. CALL TO ORDER

- Mr. Isaac Martinez called the meeting to order.

II. ROLL CALL

- The following board members were present: Mr. Martinez, Mr. Salinas, Mr. Lau, Mr. T. Garza, Mr. Flores, Mr. Barrera, and Mr. C. Garza
- The following board members were absent: None
- The following staff members were present: Mr. Flores, Golf Director and J.P. Terrazas, ACM

III. Approval of Minutes

- The minutes from May 17,2023

IV. Public Participation

- J. P. Terrazas introduced himself as the new A.C.M. overseeing the golf course. He sees a lot of maintenance issues that can be done with interdepartmental resources like Public Works, Sanitation and Parks Department.

V. ADMINISTRATIVE REPORTS

- Golf Director's Report
 - Financials reviewed for May 2022 – May 2023
 - The Jr program was larger this year than last year showing some increase.
 - It is extremely hot and play is slowing down during the hottest part of the day.
 - The Monday Night League is still going strong.
 - We are about 76% of the projected revenues of the fiscal year, we need to be at about 85 % when the winter Texans leave.
- Superintendent's Report
 - He has sprayed the greens for insecticide, fungicide and fertilizer. He believes that the greens have improved some.
 - The rain has helped out in the overall improvement of the golf course.
 -

VI. NEW BUSINESS

- Discussion on new P.O.S. software
 - The golf course would like to enter into a new software agreement for the point of sale system.
 - Teesnap is offering iPads, credit card processing, online booking, website and social media management.
 - The golf course will trade 10 tee times/ players per day in trade to cover the cost of the Teesnap software bundle.
 - A Motion was made by Ben Lau and seconded by Toby Garza to go ahead and get permission from council to enter into a golf tee time trade agreement with the Teesnap company.

VII. OLD BUSINESS

- Golf Course Needs
 - Mr. Martinez mentioned that Shary Golf Course at one time was the best golf courses in the state of Texas and is lucky to have 27 holes. Now is the time for the Shary Golf Course to take advantage of all the other golf

courses closing. The Golf Advisory Board formed the Golf Course Capital Improvement Fund to purchase things necessary for the golf course like specialty equipment and immediate needs. The Fund is now being used to replace the equipment purchase line item in the golf course budget and it was not intended for that. Mr. Barrera would like the city to know the overall economic impact the golf course makes is a big deal and drives in sales and property taxes. Mr. Terrazas mentioned that he noticed several line items in the golf course budget that have not been used or under-utilized. Mr. Martinez also mentioned that the proposed golf maintenance building was too expensive to build and more that was necessary for the golf course needs. Martin Flores would like to the help given to other departments when they hold golf fundraisers be reflected as an in-kind donation to help understand the revenue differences. Mr. Lau also mentioned the loss of revenue that the golf course endures when golf carts are lent out for city events should also be reflected somehow. Mr. Martinez also mentioned the golf tournaments we have lost due to the declining conditions. Mr. Barrera mentioned that support form a council is necessary for improvement. It was also mentioned by several board members that the snack bar might be better off being leased out to a private entity.

- Discussion on Golf Course Capital Improvement Fund
 - The golf course created a capital improvement was created by taking a dollar off every nine-hole green fee and two dollars of every eighteen-
- Discussion on Equipment
 - Mr. Martinez mentioned John Deere 7700A fairway mower, John Deere 2038R Tractor w/ Terra Spike SL6 Aerifier and John Deere Aercore 800 Aerator , the new superintendent said these pieces of equipment are necessary for proper care of the golf course.

VIII. DIRECTOR'S COMMENTS

- Mr. Flores is excited to have Mr. Terrazas as my direct ACM, he also believes that this is the year we will get over the hump.

IX. CHAIRMAN'S COMMENTS

- Mr. Martinez stated that Mario was doing a good job and is glad that Mr. Terrazas is the new ACM overseeing the golf course. He stated that Shary is the biggest park in the City of Mission and provides revenue back into the City, and in combination with the new superintendent and the new leased golf equipment will bring great improvement to the golf course. Mr. Terrazas is glad to be a part of the golf course now, and the departments he oversees have a lot of equipment that can be very helpful to the golf course. He is here to help Mr. Flores succeed and bring Shary Golf Course into the next phase.

X. ADJOURNMENT

SPECIAL PLANNING AND ZONING COMMISSION
JUNE 19, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.

P&Z PRESENT

Connie Garza
Diana Izaguirre
Ruben Arcaute
Steven Alaniz
Jasen Hardison

P&Z ABSENT

Raquenel Austin
Javier Barrera
Kevin Michael Sanchez

STAFF PRESENT

Victor Flores
Susie De Luna
Jessica Munoz
Pat Martinez
Gabriel Ramirez

GUESTS PRESENT

Oscar L. Cantu
Belinda Villegas
Eloy Elizondo
Marco Gonzalez
Evangelina Rodriguez
Jay Villegas

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:34 p.m.

CITIZENS PARTICIPATION

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

There was none

APPROVAL OF MINUTES FOR MAY 24, 2023

Chairwoman Izaguirre asked if there were any corrections to the minutes for May 24, 2023. Mr. Hardison moved to approve the minutes. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:35 p.m.

Ended: 5:42 p.m.

Item #1.1

Rezoning:

**A 19.00 acre composite tract of land being compromised of the West 627.0' of the North ½ of the East ½ of Lot 15-11, West Addition to Sharyland, and all of Lot 3 and the West 297.0' of Lot 4, Rees Subdivision
C-1 & C-3 to R-1
Oscar L. Cantu**

Ms. De Luna went over the write-up stating the subject site is located approximately 600' east of Bryan Road along the north side of Trinity Road

SURROUNDING ZONES:

N: AO-I - Agricultural Open Interim
E: R-1A - Large Lot Single Family
W: C-3 - General Business
S: R-1A - Large Lot Single Family

EXISTING LAND USES:

N: Vacant
E: Residential Subdivision
W: Vacant & Commercial
S: Residential Subdivision
Site: Vacant

FLUM: General Commercial (GC)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map, and is not being consistent with the surrounding large lot single family properties.

RECOMMENDATION: Staff recommends approval.

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

Mr. Marcos Gonzalez stated he did not know the size of the lots. He stated he was opposed to anything less than 8,500.

Mr. Oscar L. Cantu the applicant stated that he purchased Mayfair Subdivision. He added that the average size for the lots would be 8,000 sq. ft. which is the same as Mayfair Subdivision. He stated it would be a copy and paste of Mayfair Subdivision.

Chairwoman Izaguirre asked if the subdivision would be gated.

Mr. Cantu stated "yes". he added it would be the same design, restrictions, and gates as Mayfair Subdivision.

Ms. De Luna explained that the R-1 lots can be 6,000 sq. ft. or higher.

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

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

Started: 5:42 p.m.

Ended: 5:43 p.m.

Item #2.0

Single-Lot Variance:

**Being 2.06 acre of land, more or less,
out of Lot 23-1, West Addition to Sharyland
R-1
Belinda Villegas**

Mr. Ramirez went over the write-up stating the subject site is located approximately 200' south of W. 20th St. along the west side of Adams Avenue. The lot measures 125' x 717' for a total of 89,625 sqft. and currently has an existing home on the lot to include a detached covered patio. The proposed structure will be 953 sqft. which will consist of 2 bedrooms, 1 bathroom, a game room, and a porch.

WATER: There is an existing 6" water line along Adams Ave. There is also an existing fire hydrant along Adams Ave. approx. 450' south of the subject site. No additional hydrants are required.

SEWER: There is an existing 8" sanitary sewer line running along Adams Ave., which currently serves this property.

STREETS: The property has a frontage along Adams Ave., a paved street. An additional 9' of ROW is required to meet the City's Transportation Plan. There is an existing streetlight located near the SE corner of the subject site, thus no new streetlight is required.

OTHER COMMENTS

Since there is an existing home on the property, Park Fees will not be imposed.
Since they are also connected to sewer, the Capital Sewer Recovery Fee will not be imposed.

RECOMMENDATION

Staff does not object to the single lot variance subject to: 1) Dedication of 9' additional ROW along Adams Ave.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the Single Lot Variance. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:43 p.m.

Ended: 5:46 p.m.

Item #2.1

Variance request to the Subdivision Code to allow multiple uses in an un-subdivided tract of land being the East ½ of the West 4.7 acres of the East 9.6 acres of the North 19 acres of Lot 24-5, West Addition to Sharyland, as requested by Eloy Elizondo

Ms. De Luna went over the write-up stating that on May 16, 2023 staff received a written request to allow an Auto Repair Shop and a Used Car Dealer on an un-subdivided acreage out of Lot 24-5, West Addition to Sharyland. Staff notes that currently the property has multiple uses such as a residential, multi-family and commercial.

- 2/27/02 – CUP for portable building to be used as sales office for plumbing business approved for life of use
- 4/9/03 – CUP to build two 4-plexes on property zoned C-3 approved for life of use
- Currently, Mr. Elizondo would like to add 2 more businesses, which triggers the subdivision process.

Mr. Elizondo would like the Board to consider allowing staff to issue any type of permit during the subdivision process. Staff notes that no subdivision has been submitted as of this write-up.

Staff recommends denial.

*Note: If the Board is inclined to approve the request staff would recommend that he complies with all city ordinances and building codes (ex. parking, lighting, landscaping, etc.)

Chairwoman Izaguirre asked if the board had any questions.

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

Started: 5:46 p.m.

Ended: 5:47 p.m.

Item #3.0

**Preliminary & Final
Plat Approval:**

El Crucero III Subdivision

**Being a resubdivision of a 21.50 acre tract of land out
of Lot 18 and 19, Block 11, Texan Gardens Subdivision
Suburban ETJ**

Developer: Pena Chapa Development

Engineer: South Texas Infrastructure Group

Ms. De Luna went over the write-up stating the property is located on SW corner of 5 Mile Rd. and Texan Rd. (Mission Suburban ETJ) – see vicinity map. El Crucero III Subdivision is a proposed 22 single family lot subdivision with an optional commercial use for Lots 17, 21 & 22 – see plat for actual dimension, square footages, and land uses.

WATER

The water CCN belongs to Agua Special Utility District. The developer is proposing to supply each lot by individual services from an existing 12" water main on the north side of 5 Mile Rd. and proposing a new 12" water extension east of Texan Rd. to supply Lots 18-22. There will be 3 fire hydrants to be used as filling stations via direction of the Fire Marshal's office – see utility plan.

SEWER

Sanitary Sewer service for this subdivision will be addressed by individual on-site sewage facilities (OSSF) of a standard design septic tank and drain field on each lot. Each lot meets or exceeds the county's typical ½ acre standard where septic tanks are permitted. This is not within the City of Mission's Sewer CCN.

STREETS & STORM DRAINAGE

Access will be from Mile 5 Rd. for Lots 1-16 and from Texan Rd for Lots 17-22. Storm water will be mitigated by installing a grate inlet on Texan Rd that will drain into an existing drain ditch located on the property. The developer is dedicating the property that encompasses the existing drain ditch which will account for a volume of 52,568 cft for detention purposes. The City Engineer has reviewed and approved the drainage report.

RECOMMENDATION

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

Chairwoman Izaguirre asked if the board had any questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to the approve the Preliminary & Final Plat Approval. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM#4.0
ADJOURMENT**

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to adjourn the meeting. Mr. Hardison seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:47 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

**PLANNING AND ZONING COMMISSION
JUNE 28, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Connie Garza
Diana Izaguirre
Raquenel Austin
Steven Alaniz
Jasen Hardison

P&Z ABSENT

Ruben Arcaute
Javier Barrera
Kevin Michael Sanchez

STAFF PRESENT

Victor Flores
Susie De Luna
Alex Hernandez
Jessica Munoz
Cynthia Gonzalez
Gabriel Ramirez

GUESTS PRESENT

Belinda Balli	Eliana Casanova	Rosa De La Garza	Jesus Urefia
George Sanchez	Sonya Garza	Joel Cura	Jose Angel Treviño
Eznel Perez	Martha Urefia Reyes	Carmina Pedraza	Benjamin Peña
Marco Hinojosa	Mike Treviño	Carla Garcia	Eric Peña
Karen Wunsch	Estin Phillip	Everardo Garcia	Mariano Garcia
Ciro Ochoa	Nora Nely Garcia	Irene Garza	Miguel Martinez
Dolores Ueckert	Angela Gonzalez	Irma Garza	Elvia Esquivel
William Ueckert	Asencion Martinez	Juan Pinera	Zeneth Perez
Juan Rosel	Irma Martinez	Raul Zarate	Alex Guerra
Martin Vega	Robby Gonzalez	Deisy Garza	Crystal B.
Reynaldo Hernandez	Julio Cerda	Ana Nava Cantu	Diana De La Garza
Erick Ramirez	Daniel Estrada	Jose Villegas	

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:33 p.m.

CITIZENS PARTICIPATION

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

There was none

APPROVAL OF MINUTES FOR JUNE 19, 2023

Chairwoman Izaguirre asked if there were any corrections to the minutes for June 19, 2023. Mrs. Garza moved to approve the minutes. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 5:40 p.m.

Item #1.1

Rezoning:

**Being a 5.93 acre tract of land,
being out of Lot 97, Mission Acres
AO-1 to R-1T
Daniel E. Estrada**

Ms. De Luna went over the write-up stating the subject site is located on the Southeast corner of W. 20th Street and Adams Avenue (aka Pena Avenue)

SURROUNDING ZONES:

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

EXISTING LAND USES:

N:	Single Family Home
E:	Single Family Home
W:	Single Family Home
S:	Single Family Home
Site:	Vacant

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map and surrounding land uses. Approving an R-1T zone in this single-family residential area would be detrimental to surrounding property owners.

RECOMMENDATION: Staff recommends denial.

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

Mr. Jay Villegas who resides at 1911 Adams Avenue stated he was opposed to the request. His main concerns were traffic increase, kids' safety, and property values decreasing.

Mr. Everardo Garcia who resides at 1517 W. 20th Street stated he was opposed to the request. He stated they had 28 signatures of citizen who were opposed to the request.

Mrs. Crystal Reyes who resides at 1511 W. 20th Street stated she was opposed to the request. Her main concerns were safety and increase in delinquency.

Mr. Jorge Sanchez who resides at 913 Adams stated he was opposed to the request.

Mr. Daniel Estrada the applicant was present. He stated traffic would decrease since he was proposing to extend the streets which would alleviate homes. He added the townhomes would increase property values. He mentioned they were going to work on drainage and electricity.

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

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to the deny the rezoning. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:40 p.m.

Ended: 5:51 p.m.

Item #1.2

Rezoning:

Lot 65 and the West ½ of Lot 64,

**Shary Villas Subdivision
R-1 to C-1
Jesus Trevino**

Ms. De Luna went over the write-up stating the subject site is located at the Southeast corner of N. Shary Road and E. 20th. Street.

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

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

FLUM: Lower Density Residential (LDA)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map and surrounding land uses. Approving a C-1 zone would be detrimental to the surrounding properties. Staff notes that this item was presented to P&Z on December 21, 2022 and no action was taken to give the applicant the opportunity to get with the neighbors to discuss his proposal since there was opposition.

RECOMMENDATION: Staff recommends denial.

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

Mr. Ciro Ochoa stated he was opposed to the request. His main concerns were property size and parking for clients.

Mr. Mike Trevino who resides at 2401 E. 20th Street stated he was opposed to the request. His main concerns were property values, traffic increasing in the subdivision, strangers in the subdivision, deed restriction showing commercial is not allowed, and a plat note stating lots can not have an entrance through Shary Road.

Mr. Raul Zarate who resides at 2413 E. 20th Street stated he was opposed to the request.

Mr. Jesus Trevino the applicant was present. He stated his request would benefit the subdivision. He added the entrance would be on Shary Road. He mentioned there would be plenty of customer parking and would be properly secured. He added the property values would go up which would benefit the residents.

Mr. Alejandro Arjona who resides at 2419 E. 22nd Street stated he was in favor of the request. He stated that everything along Shary Road is commercial and this project should not be a problem to the subdivision.

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

Mrs. Austin asked if anyone was currently living in the home.

Mr. Treviño stated "yes".

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

Started: 5:51 p.m.

Ended: 6:09 p.m.

Item #1.3

Rezoning:

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

Ms. De Luna went over the write-up stating the subject site is located approximately 1,028' south of E. Mile 2 Road along the west side of Stewart Road.

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

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

FLUM: Lower Density Residential (LDA)

REVIEW COMMENTS: This item was previously considered on December 24, 2022 by the City Council and it was denied due to the substantial amount of opposition to the P (Public) zone. During that meeting the residents submitted a petition reflecting 49% opposition. The concerns expressed in the petition refer to being in contravention to the City's purpose in establishing zone districts, the current road that will be used for ingress and egress is not designated to sustain additional heavy traffic and subsequent congestion, and would further complicate the drainage issues.

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

The applicant submitted a traffic count for Stewart Road and a site plan showing compliance with all the required setbacks, two entrances to the school off of Stewart Road.

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

RECOMMENDATION: Staff seeks direction.

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

Mrs. Ridolfo who resides at 2907 N. Stewart stated she was opposed to the request. her main concerns were traffic, Stewart road being narrow, no sidewalks in the area, drainage issues, dip on street, and the construction of the school.

Mr. Julio Cerda who resides at 2800 N. Stewart Road stated he was opposed to the request. His main concerns were the (P) zone not being consistent to the area, the Future Land Use Map, and major financial issues. He mentioned this property should be R-1A.

Mr. Juan Rosel who resides at 1608 Pebble Drive stated he was opposed to the request. His main concerns drainage, home investments, and traffic.

Mr. Miguel Martinez the architect for the school was present. He stated the design for the school would be made to comply with all city requirements and codes. He added they did a traffic study within a 1 mile radius and it complied. He mentioned the school would be for about 800 students.

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

Mrs. Austin asked where would be the 5-12 graders.

Mr. Martinez stated some buildings would be 2 floors.

Chairwoman Izaguirre asked if the traffic study was complying with city requirements.

Ms. De Luna stated the study was done for Stewart Road. She added it also has to be done for 2 Mile Road. She added the current traffic study showed it would alleviate traffic.

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

Started: 6:09 p.m.

Ended: 6:21 p.m.

Item #1.4

Rezoning:

**A 1.000 acre tract of land, more or less,
out of Lot 236, John H. Shary Subdivision
AO-I to R-1T
Elite Development 786, LLC**

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

SURROUNDING ZONES:

**N: AO-I – Agricultural Open Interim
E: AO-I – Agricultural Open Interim &**

City of McAllen

W: AO-I – Agricultural Open Interim
S: R-1 – Single Family Residential

EXISTING LAND USES:

N: Vacant
E: Single Family Home
W: Vacant
S: Single Family Home
Site: Vacant

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The 1 acre is mostly surrounded by Single Family Residences with the exception of the Taylor Senior Village. P&Z may recall seeing a 10-acre tract that included this property before for an R-3 (Multi-family residential) zone in November 16, 2022. Due to the significant amount of opposition from the surrounding property owners this item was denied.

Staff notes that this is a new applicant and the request before the Board is to consider this tract for Townhomes. The proposed zone does not comply with the City's Future Land Use Map nor surrounding land uses. Staff also notes that there are not too many areas designated as Moderate Density Residential which is the zone for Townhomes. This area is designed for single family homes; however, it is not uncommon to see townhomes in between residential subdivisions just like Shary Gardens Subdivision, and Mission Manor. A similar request for R-1T was approved on September 27, 2001 by the City Council for an 8-acre tract further north on Taylor just south of E. 28th Street.

On June 22, 2023 staff received a petition from surrounding property owners reflecting 75% in opposition to this request. The concerns voiced are regarding the proposed change is not consistent to the 2010 Future Land Use Map that was adopted by the City Council in which they designate this area as Single Family Residential.

RECOMMENDATION: Based on the significant amount of opposition staff is seeking direction.

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

Mrs. Dolores Ueckert who resides at 2601 E. 20th Street stated she was opposed to the request. Her main concerns were more people, loss of privacy, crimes, noise, traffic, and a negative impact for the community.

Mrs. Zeneth Perez who resides at 2603 E. 20th Street stated she was opposed to the request. Her main concerns were noise, privacy and traffic.

Mr. Rey Hernandez who resides at 2705 E. 20th Street stated he was opposed to the request. His main concerns were the applicant's name not being the same as the owner on the appraisal.

Mr. Erick Ramirez who resides at 2707 E. 20th Street stated he was opposed to the request.

Mr. Mario Reyna the engineer from Melden & Hunt was present to represent the applicant. He stated this would be a gated community with a masonry fence. He added no lots would be backing up to the subdivision.

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

Mr. Alaniz asked how many units were being proposed.

Ms. De Luna stated it would be 100.

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

Started: 6:21 p.m.

Ended: 6:31 p.m.

Item #1.5

Rezoning:

**A 9.000 acre tract of land, more or less,
out of Lot 236, John H. Shary Subdivision
AO-1 to R-1T
Elite Development 786, LLC**

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

SURROUNDING ZONES:

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

EXISTING LAND USES:

N:	Taylor Senior Village
E:	City of McAllen
W:	Single Family Home
S:	Single Family Home
Site:	Vacant

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The 9 acres are mostly surrounded by Single Family Residences with the exception of the Taylor Senior Village. P&Z may recall seeing the entire 10-acre tract before for an R-3 (Multi-family residential) zone in November 16, 2022. Due to the significant amount of opposition from the surrounding property owners this item was denied.

Staff notes that this is a new applicant and the request before the Board is to consider this tract for Townhomes. The proposed zone does not comply with the City's Future Land Use Map nor surrounding land uses. Staff also notes that there are not too many areas designated as Moderate Density Residential which is the zone for Townhomes. This area is designed for single family homes; however, it is not uncommon to see townhomes in between residential subdivisions just like Shary Gardens and Mission Manor. A similar request for R-1T was approved on September 27, 2001 by the City Council for an 8-acre tract further north on Taylor just south of E. 28th Street. If the request is approved, the applicant is proposing to do a subdivision with 100 R-1T lots.

On June 22, 2023 staff received a petition from surrounding property owners reflecting 75% in opposition to this request. The concerns voiced are regarding the proposed change is not

consistent to the 2010 Future Land Use Map that was adopted by the City Council in which they designate this area as Single Family Residential.
opposition to this request.

RECOMMENDATION: Based on the significant amount of opposition staff is seeking direction.

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

Mr. William Ueckert who resides at 2601 E. 20th Street stated he was opposed to the request. His main concerns were the lot sizes, excessive amounts of units, the 0' rear setback and privacy.

Mrs. Norma Perez who resides at 2603 E. 20th Street stated she was opposed to the request.

Mrs. Asenscion who resides at 2707 E. 20th Street stated he was opposed to the request. His main concerns were traffic and property taxes.

Mr. Raul Zarate who resides at 2413 E. 20th Street stated he was opposed to the request.

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

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

Started: 6:31 p.m.

Ended: 6:37 p.m.

Item #1.6

Rezoning:

**Being a tract containing 0.36 acre of land situated out of the South one-half of Block 15-8, of the West Addition to Sharyland of Porciones 53, 54, 55, 56 & 57, and further being out of Lot 61, of the unrecorded Melba Carter Subdivision
R-1 to R-2
Martin Vega**

Ms. De Luna went over the write-up stating the subject site is located at the southwest corner of Melba Carter & Mayberry Road

SURROUNDING ZONES:	N:	I-1	- Light Industrial
	E:	I-1	- Light Industrial
	W:	R-1	- Single Family Residential
	S:	R-1	- Single Family Residential

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

FLUM: Industrial (I)

REVIEW COMMENTS: This subdivision has considered several rezoning in the past ranging from commercial, industrial and residential. It is staff understanding from the surrounding residents and the City Council that they would like to keep this area residential with the exception of the lots off of Conway which are already zoned commercial. Staff notes that the proposed zone does not comply with the City's Future Land Use Map nor surrounding land uses.

RECOMMENDATION: Staff recommends denial.

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

Mrs. Irene Garza who resides at 308 Melba Carter stated she was opposed to the request. Her main concerns were safety, home rates, and property values.

Mr. Vega the applicant was present. He stated the duplex was for his kids. He added he has been renting for 8 years and wants to have his own place for his kids.

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

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to the deny the rezoning. Mrs. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:38 p.m.

Ended: 6:38 p.m.

Item #1.7

Conditional Use Permit:

**D' Lux Event Center
507 N. Conway Avenue
Lot 8, Block 92, Mission Original Townsite
C-3
Nora N. Garcia**

Ms. De Luna went over the write-up stating the subject site is located just off the NW corner of Conway and 5th Street. The applicant leased the 4,600 sq. ft. building for her proposed event center. Staff notes that this building has always been used as an Event Center since 2002. The last CUP approved for this location was on May 14, 2018 for La Mansion Ballroom & Catering and it was for the sale & on-site consumption of alcohol. The applicant does not have a bar component nor is planning on offering any alcoholic beverages to her customers. An event center is an allowable use under a C-3 (General Business) zone as long as they apply for a conditional use permit, therefore the need for the request.

- **Days & Hours of Operation:** Monday – Sunday from 10am to 2am
- **Employees:** 7
- **Parking:** Typically parking reflects a need of 46 parking spaces (1 space per 100 sq. ft.). The property is in Mission's Central Business District (CBD); thus, exempt from parking requirements for existing structures.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: The applicant proposes to host weddings, quinceaneras, reunions, birthday parties, seminars, etc. Staff mailed out 27 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

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

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

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

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

Started: 6:38 p.m.

Ended: 6:40 p.m.

Item #1.8

**Conditional Use Permit: Mobile Food Truck- FrizzFries
 2509 Colorado Street
 Lot 1, Block 2, Santa Lucia Development
 C-3
 Martha L. Ureña Reyes**

Ms. De Luna went over the write-up stating the subject site is located the subject site is located near the NW corner of Colorado and Taylor Road along the north side of Colorado Street. The applicant is leasing a space on the recently approved Mobile Food Park and would like to place her mobile food truck to offer a variety of fries. Access to the site will be provided off of Colorado or Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Tuesday – Sunday from 11:30 am to 10:00 pm
- **Employees:** 3-4
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.
- **Other Requirements:** Must comply with all Building, Fire and Health Codes.

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

RECOMMENDATION: Staff recommends approval subject to:

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

3) Must acquire a business license prior to occupancy.

Chairwoman 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. Mr. Alaniz moved to close the hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 6:38 p.m.

Ended: 6:40 p.m.

Item #1.9

Conditional Use Permit:

Mobile Food Truck

- Midtown Ceviche Bar

2509 Colorado Street

Lot 1, Block 2, Santa Lucia Development

C-3

Juan Pinera

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Colorado and Taylor Road along the north side of Colorado Street. The applicant is leasing a space on the recently approved Mobile Food Park and would like to place his mobile food truck to offer ceviche, shrimp cocktails among other seafood. Access to the site will be provided off of Colorado or Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Monday – Thursday from 11am to 10pm and Friday – Sunday from 11am to 11pm
- **Employees:** 4 employees in total 2 per shift
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes.

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

RECOMMENDATION: Staff recommends approval subject to:

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

Chairwoman 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. Mr. Alaniz moved to close the hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 6:41 p.m.

Ended: 6:43 p.m.

Item #2.0

**Conditional Use Permit: To Place a Mobile Food Truck- Taqueria El Nene
1200 N. Conway Blvd.
Being a tract of land out of
Lots 5 & 6, Block 201,
Mission Original Townsite
C-3
Eznel Perez**

Ms. De Luna went over the write-up stating the subject site is located near the NE corner of Conway Blvd. and E. 12th Street. The applicant is leasing an 8'x12' space from the existing landscaping business to place his mobile food truck to offer hamburgers, hotdogs, and tortas, etc. Access to the site will be provided off of Conway Blvd.

- **Days & Hours of Operation:** Tuesday – Sunday from 5:00 pm to 12:00 am
- **Employees:** 2
- **Parking & Landscaping:** In reviewing the site plan, the existing office measures 15'x21' for a total of 315 sq.ft. Based on size of the building, there is a total of 4 parking spaces required for the building and 4 parking spaces for the mobile food unit for a total of 8 parking spaces. If request is approved, it is noted that the parking will need to be resurface in order to meet the City's minimum parking lot standards. Landscaping is complying.
- **Other Requirements:** Comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff notes that the hours of operation will not coincide with the main business, however the applicant has obtained a written approval from the business owner for the use of the restroom after hours. Staff mailed out 18 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

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

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

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

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

Started: 6:43 p.m.

Ended: 6:45 p.m.

Item #2.1

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Suerte Bar & Grill
205 N. Shary Road, Suites A & B
Lot 1, South Shary Commercial
C-3
Suerte Bar & Grill on Shary, LLC
c/o Jessica Aguilar**

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Shary Road and Selena Street (E. 1st Street) along the west side of Shary Road. The applicant occupies a 3,870 sq.ft. building with an outdoor terrace along the south side for this Bar & Grill. Access to the site is off of Shary Road. The last CUP approved for this location was on January 9, 2023 for a period of 2 years. The applicant recently changed the name of the LLC from Buzz Entertainment, LLC to Suerte Bar & Grill, LLC therefore the need to apply for a new Conditional Use Permit.

It is also noted that the applicant has a "bar" component within the restaurant which requires the use of Sec. 1.56 (3a.) of the Zoning Code which states: *Bars, cocktail lounges, taverns, cantinas, saloons, dancehalls, discotheques, discos or nightclub*: "the property line of the lot of any of the above mentioned businesses which have late hours (after 10:00 p.m.) must be at least 300 feet from the nearest residence, church, school or publicly owned property . ..". There is one residence to the north a few mobile homes to the west within 300 feet.

Hours of operation: Monday – Sunday from 12p.m. to 2 a.m.

Staff: 10 employees

Parking: In viewing the floor plan, there are 42 seating spaces in the interior portion of the restaurant/bar and 24 seating spaces in the terrace for a total of 66 seating spaces, which require 22 parking spaces (66 seats/1 space for every 3 seats = 22 parking spaces). It is noted that the parking area is held in common (58 existing parking spaces) and will be shared with other businesses.

REVIEW COMMENTS: Staff notes that this business has been in operation since June of 2020. Staff mailed out 13 notices to property owners within 200' radius of the site, and as of this writing, staff has not received any comments in favor or against this request. Staff has asked Mission PD to provide a report in relation to the sale of alcohol and there has been 1 incident reported due to public intoxication.

RECOMMENDATION: Staff recommends approval subject to: 1) 2 year re-evaluation at which time the applicant will have to renew his CUP and TABC License, 2) Waiver of the 300' separation requirement from the residential homes, and 3) Must continue to comply with all City Codes (Fire, Health, and Building Code requirements).

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. Mr. Hardison moved to close the hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

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

Started: 6:45 p.m.

Ended: 6:46 p.m.

Item #2.2

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Wing Daddy’s Sauce House
2315 N. Conway Street, Suite 250
Lot 1, Shops at 495 Subdivision
C-3
M&S Group, Inc.
c/o Karen Wunsch**

Ms. De Luna went over the write-up stating the subject site is located approximately 430’ north of W. Griffin Parkway (FM 495) along the west side of Conway Street. The applicant leased a 4,203 sq.ft. building with an outdoor patio for a proposed Wing Daddy’s Sauce House Restaurant and would like to offer Alcoholic Beverages in their menu. Access to the site is off of Conway Street.

- **Days & Hours of Operation:** Sunday – Thursday from 11:00 am to 12:00 am and Friday & Saturday from 11:00 am to 1:00 am
- **Staff:** 50 employees location to work different shifts
- **Parking:** In viewing the floor plan, there are 174 seating spaces in the interior portion of the restaurant/bar and 12 seating spaces in the patio for a total of 186 seating spaces, which require 62 parking spaces (186 seats/1 space for every 3 seats = 62 parking spaces). It is noted that the parking area is held in common (78 existing parking spaces) and will be shared with other businesses.

The site plan shows that the restaurant will have a bar component. Sec. 1.56 (3a.) of the Zoning Code states: *Bars, cocktail lounges, taverns, cantinas, saloons, dancehalls, discotheques, discos or nightclub:* “the property line of the lot of any of the above-mentioned businesses which have late hours (after 10:00 p.m.) must be at least 300 feet from the nearest residence, church, school or publicly owned property...”. Staff notes that there no residences within 300 feet.

REVIEW COMMENTS: Staff mailed out 13 notices to property owners within 200’ radius of the site, and as of this writing, staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to: 1) 2 year re-evaluation at which time the applicant will have to renew the CUP and TABC License, and 2) Must comply with all City Codes (Fire, Health, and Building Code requirements), 3) CUP not to be transferable to others.

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

There was none.

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

Chairwoman Izaguirre asked if the board had any questions.

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

Started: 6:46 p.m.

Ended: 6:48 p.m.

Item #2.3

Conditional Use Permit:

**Storage Units for Lease
on property zoned C-1 (Office Building)
Being the North 330' of Lot 25-11,
West Addition to Sharyland
C-1
Robby Gonzalez**

Ms. De Luna went over the write-up stating the subject site is located approximately 660' E. of Bryan Road along the northside of E. Griffin Parkway. The applicant desires a Conditional Use Permit to have Storage Units for lease at this (C-1) Office Building location. The applicant is proposing to build 5 different buildings to include the following: 84 (10'x10'); 16 (10'x20'); and 24 (12'x30') for a total of 124 storage units and an office to be located within the retail offices.

- **Days & Hours of Operation:** Office hours: Monday – Sunday from 10:00 am to 10:00 pm
However, the storage units will have a 24-hour access through a coded front gate
- **Employees:** 1-2
- **Parking & Landscaping:** In reviewing the site plan, the applicant is proposing to construct a parking lot with 58 spaces in the area south of the property which will include the 4 parking spaces required for the office. Access to the storage unit facility will be through a 27' access driveway along the westside of the property off of E. Griffin Parkway (FM 495). Landscaping will be complied with. An 8' solid buffer will be required along the property line.
- **Lighting:** Installation of down cast lighting not to illuminate adjoining residents.
- **Other Requirements:** Must comply with all Building, Lighting, and Fire Codes.

REVIEW COMMENTS: Staff mailed out 15 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

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

- 1) Must comply with all City's Codes (Fire, Building, Lighting, etc.)
- 2) Must comply with solid buffer,
- 3) Comply with City's detention requirements, and
- 4) Must acquire a business license prior to occupancy.

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. Mr. Hardison moved to close the hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

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

Started: 6:48 p.m.

Ended: 6:49 p.m.

Item #2.4

**Conditional Use Permit: Auto Mechanic Shop in an AO-I Zone
1603 Adams Avenue
A .85-acre tract of land out of Lot 23-1,
West Addition to Sharyland Subdivision
AO-I
Marco A. Hinojosa, Sr.**

Ms. De Luna went over the write-up stating the subject site is located 105' north of W. 18th Street along the west side of Adams Avenue. The site currently has an existing masonry building with four bays for auto mechanic work. Access to the site is from Adams Avenue. The applicant has been in operation at this location since 2013. The applicant would like to renew his conditional use permit for the auto mechanic shop. This CUP was last approved by P&Z on May 13, 2020 for a period of 3 years. Staff notes that this would be their 4th renewal.

- **Days & Hours of Operation:** Monday – Saturday from 8am to 6pm
- **Employees:** 2 employees will run the shop
- **Parking:** There is a large asphalt area available for customer parking. There is enough room for 10+ to be parked on site.

REVIEW COMMENTS: This mechanic shop is in the midst of a residential neighborhood; however, it has been a mechanic business for several years. Staff mailed out 32 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 4 year re-evaluation to continue to assess the business
- 2) Continued compliance with all City Codes, and
- 3) CUP not to be transferred 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. Mrs. Austin moved to close the hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

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

Started: 6:49 p.m.

Ended: 6:50 p.m.

Item #2.5

Conditional Use Permit

Renewal:

**Sale & On-site Consumption of Alcoholic Beverages/Event Center – Balli’s Terrace Event Center
1509 Industrial Way
Lot 5, Mission Business Park Subdivision
I-1
Belinda Balli Catering, LLC**

Ms. De Luna went over the write-up stating the subject site is located near the International Boulevard and Industrial Way intersection along the south side of Industrial Way. A CUP for the Sale & On-Site Consumption of Alcoholic Beverages was previously approved at this location on April 12, 2021 for a period of 2 years. Ms. Balli would like to renew her conditional use permit for the Sale & On-Site Consumption of Alcoholic Beverages. Staff notes that this would be her 2nd renewal.

- **Hours of Operation:** The hours of operation vary depending of the type of activity; however, most events are during the evenings and on weekends and typically take place during the hours of 5:00 pm till 2:00 am
- **Staff:** 2 employees plus contracted staff to man the operation.
- **Parking and Landscaping:** Parking and Landscaping are existing and exceed the minimum City Codes for an event center of this size. There is a total of 79 parking spaces.
- **Alcoholic Beverages:** This request is compliant with Sec. 6-4 which requires that no alcoholic beverages be sold within 300’ of a church, public school, private school, or hospital. There are no residences within 300’ of this event center.

REVIEW COMMENTS: The types of activities that Ms. Balli host range from weddings, Quinceañeras, Christmas parties, reunions, birthday parties, seminars, and business conferences. Staff has checked with PD for any incident reports and as of this date no reports regarding alcohol have been reported. Staff mailed out 7 notices to the property owners within a 200’ radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 4 years re-evaluation in order to assess the business at which time the applicant will have to renew the CUP and TABC license.
- 2) Must continue to comply with all City Codes (Building, Fire, etc.), and
- 3) Must comply with Noise Ordinance.

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. Garza moved to close the hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

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

Started: 6:09 p.m.

Ended: 6:11 p.m.

Item #3.0

Single-Lot Variance:

**The North 55' of the West 140' of Lot 53,
Mission Acres Subdivision
R-1
Juan Muniz**

Ms. De Luna went over the write-up stating the subject site is located approximately 120' south of Barnes St. on the east side of Adams Ave. - see vicinity map. The property measures 55' X 140' and the applicant's intent is to build a new home. Currently, the land is vacant.

WATER: There is an existing 6" water line running thru Adams Ave. There is also an existing fire hydrant along Adams Ave. approx. 150' to the north of the subject site. No additional hydrants are required.

SEWER: There is an existing sanitary sewer line within the alley between Adams Ave. and Lee St., which currently serves the structure south of this property. The Capital Sewer Recovery Fee is required at \$200.00/Lot.

STREETS: The property has a frontage along Adams Ave. There is an existing streetlight located to the north of the subject site, thus no new streetlight is required.

OTHER COMMENTS

Park Fees will be required in the amount of \$500/Lot.

RECOMMENDATION

Staff does not object to the single lot variance subject to payment of Capital Sewer Recovery and Park fees.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the single lot variance. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:51 p.m.

Ended: 6:52 p.m.

Item #4.0

**Preliminary & Final
Replat Approval:**

**Edna Subdivision
A 0.42 acres of land, more or less, of the east
47' of Lot 6 and all of Lot 7, Block 3, Parkview
No. 1 Subdivision
R-1
Developer: Josefina Lopez de Longoria**

Engineer: I.N. Civil Designs, LLC

Ms. De Luna went over the write-up stating the site is located approximately 215' west of Highland Park Ave. on the south side of Pamela Dr. The proposed Edna Subdivision will consist of 2 single family residential lots. The developer is requesting a variance for the minimum lot frontage from 60' to 54.5', per Zoning Code, Appendix A, Area requirements.

WATER

The developer will propose a new water meter to Lot 1 by connecting to an existing water line located at the alley.

SEWER

A proposed sanitary sewer service connection will be provided for Lot 2 by connecting to an existing 6" sanitary sewer line located within the rear alley. The Capital Sewer Recovery Fee is required at \$200.00/Lot.

STREETS & STORM DRAINAGE

Lots 1 and 2 will abut Pamela Dr. which is an existing city owned and maintained curb & gutter roadway complete within a paved ROW. Drainage calculations reveal a total of 1,705 cubic feet of storm runoff should be detained within the property's green areas (852.50 cubic feet per lot). The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

Escrow Park fees (\$500/Lot)

RECOMMENDATION

Staff recommends approval subject to payment of Capital Sewer Recovery Fee, Park Fee, and Approval of the variance requested.

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. Austin moved to close the hearing. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.


Chairwoman Izaguirre asked if the board had any questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to the approve the Preliminary & Final Replat Approval. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#5.0

ADJOURMENT

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to adjourn the meeting. Mrs. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:52 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

**PLANNING AND ZONING COMMISSION
JULY 12, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Connie Garza
Diana Izaguirre
Raquenel Austin
Javier Barrera
Kevin Michael Sanchez

P&Z ABSENT

Steven Alaniz
Jasen Hardison
Ruben Arcaute

STAFF PRESENT

Susana De Luna
Alex Hernandez
Jessica Munoz

GUEST PRESENT

Santiago Gonzalez
Sandalio R. Garcia
Blisson George
Diego Huerta

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:35 p.m.

CITIZENS PARTICIPATION

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

There was none

APPROVAL OF MINUTES FOR JUNE 28, 2023

Chairwoman Izaguirre asked if there were any corrections to the minutes for June 28, 2023. Mrs. Garza moved to approve the minutes. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:37 p.m.

Ended: 5:41 p.m.

Item #1.1

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Medelina's Restaurant
2224 E. Business Hwy. 83
Being a tract of land containing 1.08 acres
of land, being part or portion of Lot 204,
John H. Shary Subdivision
C-4
Sandalio R. Garcia**

Ms. De Luna went over the write-up stating the subject site is located on the SW corner of Glenwood Avenue and East Business Hwy 83. The applicant is leasing 2820 sq. ft. building to operate a First-Class family-oriented Mexican Restaurant with top quality food that provides a comfortable atmosphere resulting in a positive dining experience. The restaurant has been in operation since February 2023 but did not offer alcohol in their menu. The applicant would now like to offer alcoholic beverages with his meals. Access to the site is from 2 – 24' driveways off of Business Highway 83.

- **Hours of operation:** Monday - Sunday from 7am to 7pm.
- **Staff:** 12 employees.

- **Parking & Landscaping:** In reviewing the floor plan, the applicant is proposing 84 seats, which require a total of 28 parking spaces (84 seats/3=28 parking spaces). It is noted that there are 36 existing parking spaces that are shared with the other businesses. The applicant would need to reduce the number of seats by 30 in order to comply with the parking requirements. Landscaping requirements are being met.
- Must comply with all City codes including Health, Fire Department and TABC requirements.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within the 300' radius, however P&Z and City Council have waived this requirement for similar businesses.

REVIEW COMMENTS: Since the sale of alcohol does not seem to be the primary intent and has worked before at this location, staff does not object to this proposal. Additionally, 24 notices were sent to property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

RECOMMENDATION:

Staff recommends approval subject to:

1. Approval for 2 years at which time the CUP and TABC permit will need to be renewed;
2. Waiver of the 300' separation requirement from the residential home;
3. Must comply with all requirements from our City Codes (Noise, Fire, Health, etc.), and
4. Must obtain a business license prior to occupancy.

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

Mr. Sandalio R. Garcia was available for any questions the board had.

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

Chairwoman Izaguirre asked if the board had any questions.

Mr. J.D. Villarreal asked if the applicant was extending his hours of operation?

Mr. Sandalio R. Garcia stated "yes" that is correct.

Mr. J. D. Villarreal asked Mr. Garcia that if his business had been operating 7:00am – 7:00pm since his business opened?

Mr. Sandalio Garcia stated "No".

Mr. J. D. Villarreal asked that if alcohol was going to be served with meals or like a bar?

Mr. Sandalio Garcia stated that alcohol was going to be served as part of the meals only.

Mr. J.D Villarreal stated that if there was a provision that indicated that alcohol can only be served with meals. Mr. Villarreal added that if a couple or a family would be restricted to consume only a certain amount of alcohol.

Ms. Susana De Luna stated that the hours of operation are only until 7:00pm. She added that if Mr. Garcia would like to extend his hours he would have to reapply for his conditional use permit.

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

Started: 5:41 p.m.

Ended: 5:45 p.m.

Item #1.2

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Cocktails Latin Bar & Grill
4001 S. Shary Road, Ste. 350
Lot 1, Sharyland Plantation Grove Tech-Center #2
PUD
The Best Flavored Beer, LLC**

Ms. De Luna went over the write-up stating the subject site is located on the SE corner of San Mateo and Shary Road. The applicant leased a 1,500 sq.ft. suite and is proposing to open a Bar & Grill. Access to the site can be from one primary driveway to Shary Road or from separate driveways from San Mateo or from San Gabriel. The last CUP approved by the City Council for this location was on February 13, 2023 for a period of 2 years. The applicant recently decided to change the name of the business from 1942 Bar & Grill to Cocktail Latin Bar & Grill, therefore the need to apply for a Conditional Use Permit.

- **Hours of Operation:** Monday & Sunday from 3 p.m. – 12 a.m. and Tuesday – Saturday from 3 p.m. to 2 a.m.
- **Staff:** 7-10 employees
- **Parking:** In reviewing the floor plan, there are 65 total seating spaces, which require 22 parking spaces (65 total seating spaces/1 space for every 3 seats=22 parking spaces). It is noted that the parking area is held in common (180 existing parking spaces) and is shared with other businesses.
- **Sale of Alcohol:** The proposed restaurant does include a 'bar' component. Section 1.56 (3a) of the Zoning code requires a minimum separation of 300' from the *property line* of any churches, schools, publicly owned property, and residences. There is a single-family residential neighborhood located within the 300' radius; however, P&Z and the City Council waived this separation requirement in the CUP's previous approval.

REVIEW COMMENTS: In the past this site has been used for a restaurant but it has also been used primarily as a bar. The applicant proposes to have hamburgers, wings, hotdogs and salads in his menu aside from the alcohol. He is also proposing to have a DJ in his establishment. Staff does not object to a 2 year approval to see how this new operation will work.

RECOMMENDATION:

Staff recommends approval subject to:

1. Approval for 2 years at which time the CUP and TABC permit will need to be renewed;
2. Waiver of the 300' separation requirement from the residential home;
3. Must comply with all requirements from our City Codes (Noise, Fire, Health, etc.), and
4. Must obtain a business license prior to occupancy.

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. Mr. Sanchez moved to close the hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

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

Started: 5:45 p.m.

Ended: 6:00 p.m.

Item #1.3

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Taboo Bar & Grill
608 N. Shary Road, Suites 9 & 10
Lot 1, Alba Plaza
C-3
BGD Investments, LLC**

Ms. De Luna went over the write-up stating the subject site is located ¼ mile south of East Business Highway 83 within a commercial plaza along the east side of Shary Road. Access to the site is via a 34' driveway off of Shary Road. The applicant is currently operating a nightclub. It is noted that a nightclub and the sale & on-site consumption of alcoholic beverages are an allowable use under the General Business Zone (C-3), but require a conditional use permit and the City Council's approval. This nightclub concept offers food, VIP areas, live music and concerts, etc. The last CUP for this location was considered by the City Council on January 9, 2023 and it was denied. Staff notes that after the City Council meeting a petition from the residents of Shary Crossing reflecting 41% in opposition to the request was submitted. The concerns voiced in the petition were in regards to the following: loud music, shot fired, speeding, burning tire, and the use of foul language in the back of the alley. Staff notes that the applicant has been trying to renew his conditional use permit but has been denied.

- **Days/Hours of Operation:** Thursday – Sunday from 6:00 p.m. to 2 a.m. Alcoholic beverages will only be served during allowable State selling hours.
- **Staff:** 15 employees
- **Parking:** It is noted that parking is held in common and there is a total of 138 total parking spaces shared with the various businesses within the commercial plaza.
- Section 1.56-3 of the Zoning Code cites that Bars, cocktail lounges, taverns, cantinas, saloons, dancehalls, discotheques, or nightclubs: must be 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within 300' (see aerial); however, P&Z and the Council have waived this separation requirement in previous CUP's.

REVIEW COMMENTS: Staff mailed out 27 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. In conferring with Mission PD for incidents at this location, reports indicate 6 complaints regarding noise, fights, public intoxication, and suspicious circumstances from November to present. In an effort to comply with city requirements and address these concerns the applicant has installed his own decibel reader and has restricted the entrance to patrons that have caused problems in the past.

RECOMMENDATION: Staff recommends approval subject to:

1. 6-month re-evaluation to continue to assess this operation.
2. Waiver of the 300' separation requirement from the residential homes.

3. Continued compliance with the Building, Fire, Health, Noise and Sign Codes,
4. Continued compliance with TABC requirements, and
5. Must have at least 2 securities at all times.

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

Mr. Diego Huerta representing the owner stated that all the problems they had were when the business first opened. He added that all those issues have been solved.

Mr. Blesson George owner of the business stated that he resides at 1001 Travis street. He stated that the customers that caused him problems are not allowed to go back.

Mrs. Connie Garza asked that if the business had been opened for the past 6 months?

Mr. Blesson George stated "yes" that the business was open Friday, Saturday's, and Sundays.

Mrs. Connie Gaza asked that if he would sell alcoholic beverages?

Mr. Blesson George stated "yes" we have food and alcohol. He added that his TABC license expires in December.

Ms. Susana De Luna stated that he had an active TABC license. She added that the business had been cited for operating without a conditional use permit. Ms. De Luna mentioned that Mr. George had to wait 6 months to reapply for the conditional use permit.

Chairwoman Izaguirre stated that once he renewed his Conditional Use Permit and was approved he would comply with city requirements. She added that he had to wait 6 months to reapply.

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

Mr. Sanchez asked that what was the amount of the fine?

Ms. De Luna stated that the judge sets the fee.

Mrs. Connie Garza asked that if multiple citations had been issued?

Ms. De Luna stated that multiple citations had been issued.

Chairwoman Izaguirre asked that why didn't we wave the 6-months?

Ms. De Luna stated that Mr. George did apply for the waiver but it was denied.

Mr. Sanchez asked why was the waiver denied by city council.

Ms. De Luna stated that he had opposition.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to the approve the conditional use permit for a period of 6 months, Friday-Sunday only. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:00 p.m.

Ended: 6:04 p.m.

Item #1.4

Discussion and action, if any, related to an ordinance providing for a definition of “storage unit facility” and providing for the conditional use of those facilities in Interim Agricultural Use (AO-I), Office Building District (C-1), Neighborhood Commercial District (C-2), and General Business District (C-3), and permitted uses for districts (C-4) – (I-2).

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

There was none.

Chairwoman Izaguirre asked that if a minimum acreage was included? She added that at the work shop with city council and planning and zoning an acreage was discussed.

Ms. De Luna stated that it didn't include a minimum acreage but can be included. She mentioned that this ordinance is to allow storage units with a conditional use permit on a AO-I (Agricultural Open Interim) or any commercial zone that does not allow storage units.

Chairwoman Izaguirre stated that a minimum acreage should be included.

City Attorney Mr. Victor Flores stated that the way the ordinance was drafted was to include AO-I (Agricultural Open Interim) or any commercial districts as conditional use permits and for permitted uses C-3 through C-5 and all industrial zones.

Chairwoman Izaguirre stated that she would like for an acreage to be stipulated because some areas are close to residential properties.

City Attorney Mr. Victor Flores stated that the acreage can be stipulated in the draft before the item was taken to City Council.

Chairwoman Izaguirre stated that a minimum of 2 acres should be included.

Chair woman Izaguirre asked if the board had any questions.

There was none.

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

Started: 6:04 p.m.

Ended: 6:07 p.m.

Item #1.5

Discussion and action, if any, related to an ordinance providing for amendments to the city's Historic Preservation Ordinance under Section 1.47B of its Code of Ordinances (Appendix A) with necessary revisions to ensure compliance with state and city regulations, as recommended by the City's Historic Preservation Commission.

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. Garza moved to close the hearing. Mr. Villarreal 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 the approve the request. Mr. J.D. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:07 p.m.

Ended: 6:14 p.m.

Item #1.6

Discussion and Action to consider whether or not to revoke the Conditional Use Permit for a Social Club/Night Club - Blackout Private Social Club, 1512 E. Expressway 83, Suite 109, Lot 109, Re-Plat of Lots 3 & 4, Stewart Plaza Subdivision, C-3, Yair Cruz

Ms. De Luna went over the write-up stating that on April 24, 2023, the City of Mission held public hearings wherein the conditional use permit for a Social Club/Night Club – Blackout Private Social Club would be allowed or not. It was conditionally approved based on the information provided, the testimony given at the hearings, and as predominately shown on Ordinance No. 5304.

Since that time, Staff, Management, and the Police Departments have received several complaints of the business being operating past 2:00 a.m. We have called this to the attention of Mr. Yair via mail and in person and evidently, the violation still continued.

Staff has consulted with Management and our City Attorney on this Item since it isn't Planning's objective to 'shut down businesses' but to follow the City Ordinance approved by the City Council.

With that in mind, it is hoped that Mr. Yair will provide whatever measures are required to comply.

RECOMMENDATION: Hold hearing to readdress conditional use permit.

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. Garza moved to close the hearing. Ms. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Sanchez asked that if this was the hearing to revoke or not to revoke?

Ms. De Luna stated that this was the hearing.

Chairwoman Izaguirre asked that if the Planning and Zoning Commission approved the conditional use permit for 24 hours.

Ms. De Luna stated that it was approved 24 hours depending on the type of event. She added that this business was more of a nightclub.

Mr. Sanchez asked that if the business was in violation with TRO?

City Attorney Mr. Victor Flores stated that the TRO was granted until July 3, 2023. He added that the TRO was extended until July 17 2023. Mr. Flores mentioned that on Monday he had court to extend the TRO permanently to comply until 2:00am.

Mr. Sanchez asked that if the business owner had made an appearance in court?

City Attorney Mr. Victor Flores stated "yes".


Mr. J.D. Villarreal asked if the business owner was aware of the revocation.

Ms. De Luna stated that a letter was mailed out and a phone call had been made.

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

ITEM#2.0 ADJOURNMENT

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to adjourn the meeting. Mrs. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:14 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission



**KEEP MISSION
BEAUTIFUL BEAUTIFICATION
COMMITTEE REGULAR MEETING
MISSION CITY HALL
JULY 11, 2023 at 5:45 PM**

MINUTES

MEMBERS PRESENT:

Lucille Cavazos
Gavino Garza
Mario Cantu
Robert Treviño

ABSENT:

Lisa Salinas

STAFF PRESENT:

Anais Chapa, Assistant City Secretary
Roel Mendiola, Sanitation Director
Yaritza Peña, Administrative Coordinator
Laura Ojeda, Administrative Assistant

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Anais Chapa, Assistant City Secretary, called the meeting to order at 5:46 p.m.

APPROVAL OF MINUTES – MAY 9, 2023

Members took a few minutes to review the minutes from the meeting held on May 9, 2023 meeting. Ms. Lucille Cavazos moved to approve the minutes as presented. Motion was seconded by Mr. Mario Cantu, and approved unanimously 4-0.

GUEST PRESENTATION – THELMA GARZA

Ms. Thelma Garza, a resident of Mission, attended our meeting in hopes of partnering with Keep Mission Beautiful in an effort to beautify their subdivision, Capistrano. This subdivision was located off of 2-mile line. Ms. Garza stated that they were in the process of reforming their home owner's association. With the newly formed HOA, they plan on beautifying the entrance to their subdivision. They have volunteers available to help with the labor, but wanted input from KMB as to what aid we can offer. It was asked that they provide us with a proposal of what they had in mind as well as a cost estimate to see if we would be able to collaborate.

A. Placement of Keep Texas Beautiful Affiliate Sign

A couple of months back, the City of Mission received a metal sign that read "Keep Texas Beautiful Affiliate". This sign was to be showcased somewhere throughout the city. Mr. Cantu proposed that the sign be placed in the median off of Bryan Road and the expressway. This was a central location that was visible. Also, this area has been growing a lot and would attract more traffic. Mr. Roel Mendiola said that we would partner with city council to approve the placement of the sign as well. Mr. Robert Trevino advised that Bryan Road was a state road and most likely, we would have to contact TxDot to get permission to use the area to display the sign. Ms. Chapa stated that she would partner with Assistant City Manager J.P. Terrazas about getting in contact with someone from TxDot.

B. Discussion on Irrigation Pipe Art Project

We have started the process to initiate a Pipe Art Project here in Mission. Anais Chapa got permission from the United Irrigation District to use the pipes within city limits for artwork. The only thing pending from the city's end was to obtain a waiver for the artists. Ms. Chapa has been working with the city attorney to finalize the waiver. The group asked Mr. Trevino how McAllen's program runs. He stated that they pay up to \$1,000 per artist. The artist submits a rendering of what will be painted on the pipe, but they do not have any restrictions as to what can be painted. Ms. Cavazos suggested that we set restrictions as far as what can be painted.

C. Upcoming Quarterly Clean Up Events

The last clean-up event that was held was back in April. It had been suggested that we do some form of clean-up event every quarter. With that being said, we would need to schedule a clean up event for sometime in August or September. After some discussion, it was the consensus of the committee to have a bulky item and tire round up event on September 23, 2023. This would fall under the "Fall Sweep" period for Keep Texas Beautiful and would qualify as a clean up event. The event would be the same set up as the one held in April. The only difference would be adding a container for strictly metal that could later be sold and monies collected would be for Keep Mission Beautiful. Also, it was suggested that we partner with media to advertise the event and ensure a great turnout.

D. Review 501(c)(3) Application

The application has been completed by Ms. Chapa; however, she was waiting to meet with the city attorney to review it with him. There had been a meeting scheduled for the following week so as soon as she got the okay from him, the application would be sent off for processing.

DATE AND TIME OF NEXT MEETING

The next meeting will be held on August 1, 2023 at 5:45 p.m..

CHAIRMAN'S COMMENTS

Mr. Cantu stated that he had the opportunity to meet Chris Lash from Keep McAllen Beautiful. He attended their board meeting and was impressed by how much information they covered within an hour. He realized that everyone has a busy schedule and we must all be respectful of each other's time.

MEMBER'S COMMENTS

Mr. Robert Trevino mentioned that we should try contacting the schools, possibly at the elementary level, to try to set up a water bottle recycling contest. With schools starting soon, it would be a good idea to put a presentation together to present during a student pep rally.

ADJOURNMENT

At 7:02 p.m., Ms. Cavazos moved to adjourn the meeting. Motion was seconded by Mr. Garza and approved unanimously 4-0.



Mario Cantu, Chairman

**MINUTES FOR THE
MISSION CIVIL SERVICE COMMISSION
June 29, 2023**

Commission-Present

**Jerry Saenz-Chairman
Polo Garza-Vice-Chair
Michael Davis-Member**

Staff Present

**Jesse Lerma Jr-CS Director
Noemi Munguía-HR Director
Victor Flores-City Attorney
Robert Hinojosa-Director OD
Cesar Torres-Chief of Police
David Garcia-Sgt PD
Laura Gonzalez-Law Clerk
Adrian Garcia-Fire Chief**

Call to Order

Mr. Jerry Saenz called the meeting to order at 9:00 a.m.

Approval of Mission Fire Department Entry Level Scores and the Creation of a New Eligibility List

Mr. Lerma advised the Commission that they held an entry level examination on June 15, 2023. Mr. Lerma advised them that they had 51 individuals that participated and all passed. He advised them that there were quite a few individuals that were dually certified as firefighters and medics. Chief Garcia advised the Commission that once the list was approved they would start with the physical agility and the hiring process. After a brief discussion, Mr. Davis made a motion to approve the scores and to create a new eligibility list. Mr. Garza seconded the motion. Motion was approved unanimously.

Approval of Mission Police Department Entry Level Scores and the Creation of a New Eligibility List

Mr. Lerma advised the Commission that they held an entry level examination on June 21, 2023. Mr. Lerma advised them that they had 24 individuals that participated and all passed. He advised them that there were 11 certified police officers and 9 pending the TCOLE exam in a few weeks. Chief Torres advised the Commission that the physical agility would be August 5, 2023 and then they would start to fill the positions they had. After a brief discussion, Mr. Davis made a motion to approve the scores and to create a new eligibility list. Mr. Garza seconded the motion. Motion was approved unanimously.

Approval of Mission Police Department LT's Promotional Examination Scores and the Creation of a New Eligibility List (Appeal Pending)

Mr. Lerma advised the Commission that they held a promotional examination for LT for the Mission Police Department on June 8, 2023. He advised them that they had four (4) individuals participated and these were the scores PENDING APPEAL:

1. Salvador Trevino-72 plus 10 points for seniority-82
2. Vidal Trevino-71 plus 10 points for seniority-81
3. David Garcia-69 plus 10 points seniority-79
4. Hiram Flores-65 plus 10 points seniority-75

Mr. Lerma advised the Commission that David Garcia and Vidal Farias had submitted appeals and that those would be heard today then they could approve the final scores and the eligibility list for the position. Mr. Lerma advised the Commission that both individuals submitted their appeals in writing as required, both received the same packets as the Commission, and both were advised to show up for the meeting.

1st appeal was Sgt. Garcia, his question (#1) and all pertaining information is attached. In his appeal, he asked that the Commission for the following:

1. Declare his answer "D" as correct as clearly verified by the testing agency and the sources.
2. Declare answer "B" as incorrect and deduct any points given to other candidates that selected the "B"
3. To not accept the testing agency's recommendation of declaring the question defective and giving a point to all candidates.

After a brief discussion, Mr. Davis stated that the Commission may have some legal questions for the attorney. The City Attorney, Victor Flores, advised that such matters could be discussed in Executive Session under 551.071 of the Texas Government Code. Mr. Davis made a motion to go into executive session to consult with attorney. Mr. Garza seconded the motion. Motion was approved unanimously at 9:17 a.m. Meeting resumed at 9:29 a.m.

Mr. Garza thanked Sgt. Garcia for coming before the Commission and made a motion to approve his appeal by declaring "D" as the correct answer for question #1, not accepting the testing agency's recommendation of giving everyone a point due to the question being defective, and to make the changes on the test results as directed by this motion. Mr. Garza stressed that the Commission was not going to award a point to a wrong answer. Mr. Davis seconded the motion. Motion was approved unanimously.

Sgt. Farias was not present at the meeting but was contacted thru cell phone and was allowed to participate thru the cell phone.

2nd Appeal was Sgt. Farias question #24 and all information is attached. His appeal was based on his feelings that the question involving effective decision-making being linked to the planning process not being direct in specifying the third step as being asked in the question. The testing agency specified that the text-THIRD STEP-is printed and italicized which states that the planning process entails the gathering of all relevant information concerning the problem under consideration. After a brief discussion, they moved on to next appeal.

3rd Appeal was Sgt. Farias question #89 and all the information is attached. The question pertains to patterns of interactions between people. Sgt. Farias's appeal was that the question was not clear in identifying the major patterns from the basic patterns. The testing agency clearly identifies the question and answer valid and we can see that the answer "All of the Above" is correct and Sgt. Farias's appeal was deniable.

After a brief discussion, Mr. Garza made a motion to deny the appeals from Sgt. Farias. Mr. Davis seconded the motion. Motion was approved unanimously.

Mr. Lerma then advised the Commission that with the decisions made on the appeals the scores would now reflect the following:

1. Sal Trevino-81
2. David Garcia-80
3. Vidal Farias-80
4. Hiram Flores-75

Mr. Lerma advised the Commission that we needed to clarify the tie between Sgt. Garcia and Sgt. Farias due to the wording on the local rules for tie breakers. Both were hired on the same date clearing tie breaker #1 and tiebreaker #2 reads "Time in Classification". Sgt Garcia had a break in service as a Sgt due to a disciplinary agreement signed on October of 2022. He was requesting for all his time in the classification of SGT as it reads in the tie breaker rules to be counted towards time served in the classification for tie breaker purposes. After a brief discussion, Mr. Davis stated that the Commission had some legal questions for the attorney. The City Attorney, Victor Flores, advised that such matters could be discussed in Executive Session under 551.071 of the Texas Government Code. Mr. Davis made a motion to go into executive session to consult with the attorney at 10:06 a.m. Mr. Garza seconded the motion. Motion was approved unanimously. Meeting resumed at 10:17 a.m.

Attorney Victor Flores explained that the tie-breaker rule specifying time in classification was broad and did not reference break in service. For that reason, the Civil Service Commission could consider all time served for tie breaker purposes. Taking all information into consideration and counting all the time in classification, the Civil Service Commission determined the following for the tie breaker:

1. Vidal Farias-October 5, 2020 to June 8, 2023=976 days
2. David Garcia-January 12, 2018 to March 31, 2020=809
-October 26, 2022 to June 8, 2023=225
Total-1014

Mr. Lerma then advised the Commission that the eligibility list would now reflect the following for approval:

1. Sal Trevino-would be promoted immediately

2. David Garcia would move to #1
3. Vidal Farias would move to #2
4. Hiram Flores would move up #3

After a brief discussion, Mr. Davis made a motion to approve the new scores and the eligibility list presented above once all dates are confirmed. Mr. Garza seconded the motion. Motion was approved unanimously.

Approval of Mission Fire Department Promotional Examination Resource List for ENG

Mr. Lerma advised the Commission that ENG Manuel Salinas had retired and that created an opening so we needed to start the process to fill the position. Chief Garcia and his staff were recommending the following sources for approval:

1. Pumping and Aerial Apparatus Driver/Operator Handbook-3rd Edition
2. Engine Company Fireground Operations-4th Edition

After a brief discussion, Mr. Garza made a motion to approve the resource list as presented. Mr. Davis seconded the motion. Motion was approved unanimously.

Approval of Mission Fire Department Promotional Examination Schedule for ENG

Mr. Lerma was requesting the following examination schedule for approval:

1. Post Resource List-June 29, 2023
2. 30 Day Notice-August 24, 2023
3. Deadline to submit MOI-September 15, 2022
4. Date of Examination-September 28, 2023

After a brief discussion, Mr. Garza made a motion to approve the schedule as presented. Mr. Davis seconded the motion. Motion was approved unanimously.

Pending Business

No pending business

Adjourn

Meeting was adjourned at 10:20 a.m.