



MEETING DATE: May 21, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Conduct a public hearing and consideration of a Conditional Use Permit to Neva P. Masengale for a Home Occupation - Daycare in a (R-1) Single Family Residential District, being Lot 37, Woodcrest Estates, located at 2807 Norma Drive – Cervantes

NATURE OF REQUEST:

Project Timeline:

- May 2, 2025 – Application for Conditional Use Permit (“CUP”) submitted to the City.
- May 8, 2025 – In accordance with State and local law, notice of required public hearings was mailed to all property owners within 200 feet of the subject tract, and notice of public hearings was published in the Progress Times.
- May 21, 2025 – Public hearing and consideration of a Conditional Use Permit by the Planning and Zoning Commission.
- May 27, 2025 – Public hearing and consideration of a Conditional Use Permit by the City Council.

Summary:

- The site is located at the Northwest corner of Taylor Road and Norma Drive.
- Per Code of Ordinance, a Home Occupation requires the approval of a Conditional Use Permit by the City Council.
- The applicant proposes a home daycare for parents to leave their children in a safe and caring environment. The applicant is proposing a daycare where the children can learn skills needed for school and life lessons taught by trained individuals in early childhood development.
- The proposed hours of operation are as follows: Monday–Friday from 7:30 am to 5:30 pm
- Staff: 5 employees (*Note: Sec.1.56(1)(d) states: There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises.)
- Parking: The applicant proposes to utilize the two existing parking spaces on the driveway for drop-off and pickup. Staff is concerned that this proposed home occupation could create traffic concerns due to being too close to the stop sign and Shary Road.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (23) legal notices to surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. 1 year re-evaluation to continue to assess this new home occupation.
2. Applicant to be limited to one (1) employee at a time, or must submit a petition reflecting 90% of the property owners within 200 foot radius in favor of the variance to the number of employees allowed.

3. Pickup and Dropoff of children must be within the private property.
4. Continued compliance with all City Codes (Building, Fire, Health, Noise, etc.)
5. CUP is not to be transferable to others.
6. Hours of operation: Monday–Friday from 7:30 am to 5:30 pm

RECORD OF VOTE:

APPROVED:

DISAPPROVED:

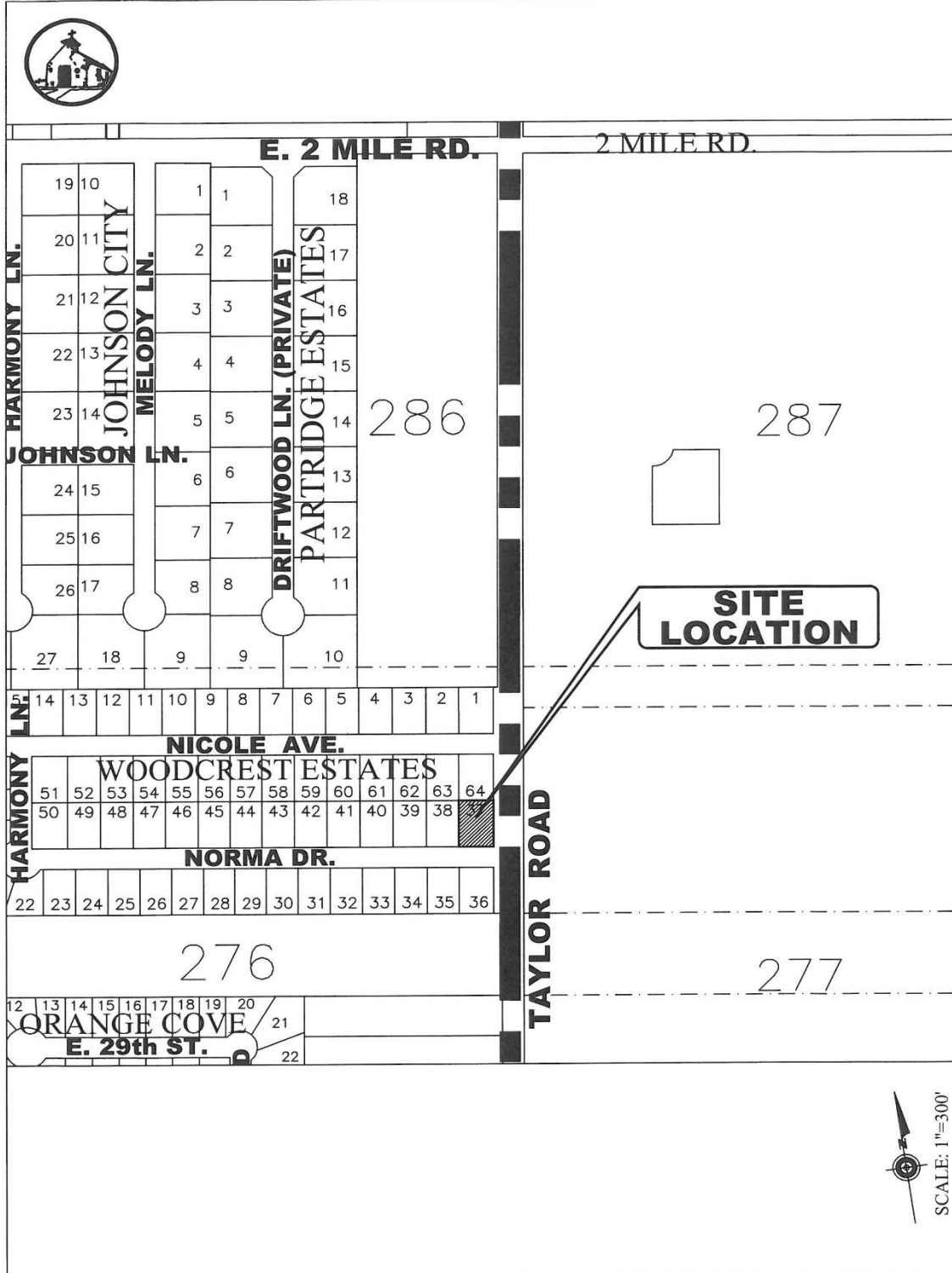
TABLED:

_____ AYES

_____ NAYS

_____ DISSENTING_____

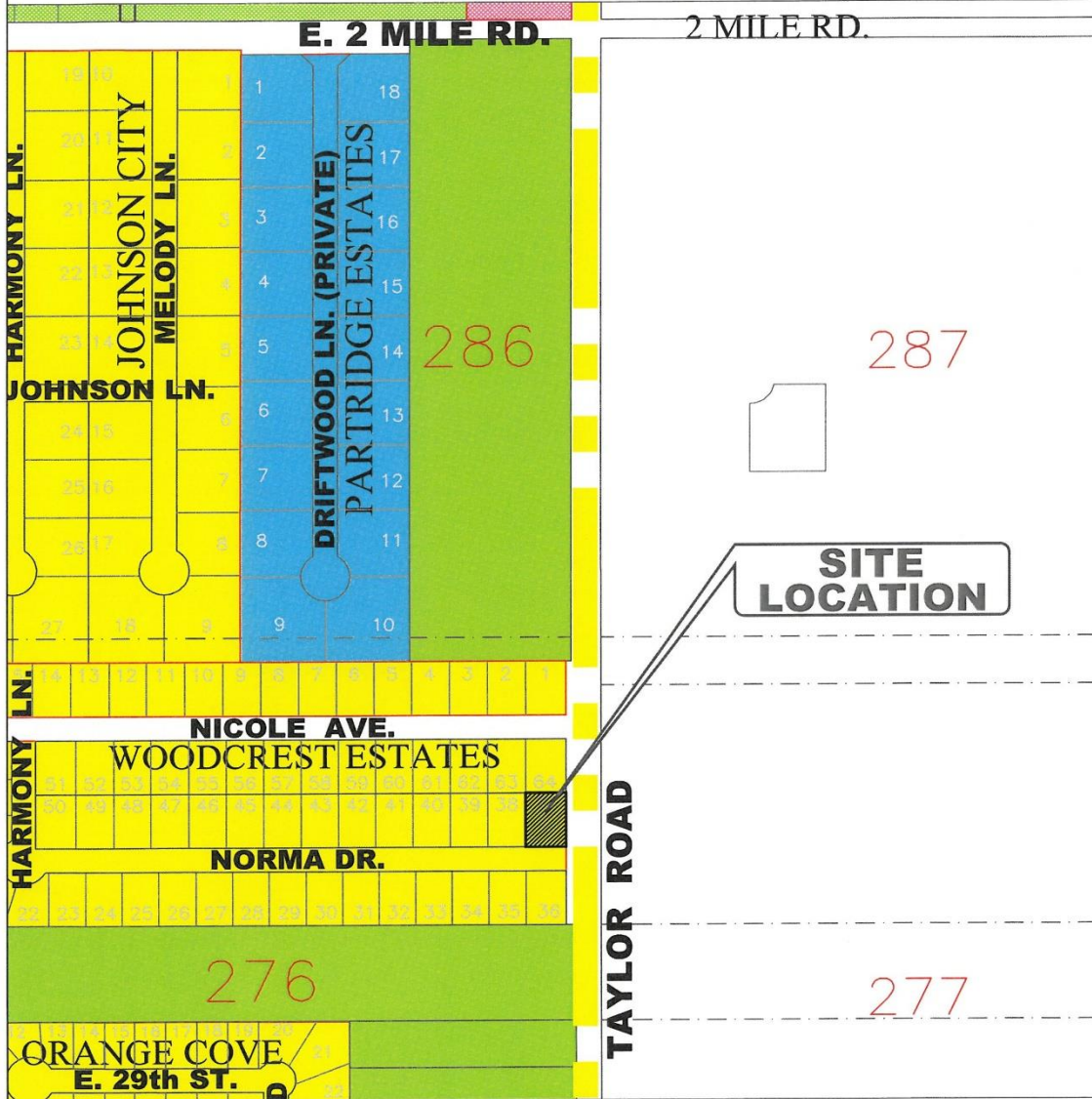
VICINITY MAP



ARIEL MAP



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 MFC'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



SCALE: 1"=300'

FLOOR PLAN

BACK YARD

TOYS & EXERCISES

25'4"

sofa

DAYCARE CLASS AREA

DINING
TABLE

T.V.

15'11"

TO KITCHEN

Piano

BATH ROOM

BATH ROOM
DOOR

OUT
TO
FRONT
DOOR

ENTRY

DOOR



TO 2ND
FLOOR

PICTURES



PICTURES



CONDITIONAL USE PERMIT

Section 1.56. - Conditions of conditional use.

1. Home occupations:
 - a. The area used in conducting the home occupation will be clearly secondary to the residential use. Such permitted occupation shall not create offensive noise, vibration, smoke, dust, odor, heat or glare or require more than four parking spaces.
 - b. A sign may be posted within a maximum size of 24 inches x 118 inches and must be non-illuminated.
 - c. There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling.
 - d. There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises.
 - e. There shall be no outside storage of materials or products.
 - f. The permitted use shall not create frequent or heavy traffic greater than ten percent of the average load per hour, per street.
 - g. The planning and zoning commission may, under extenuating or special circumstances unique to the home occupation, recommend waiver of this provision on a temporary or permanent basis to the city council who shall have the ultimate authority on the matter. With regard to proposed variances to subsections [1.56](#) 1.a., d. and/or f., a minimum of 90 percent of the property owners within 200 feet mailout radius shall provide written support for the proposed home occupation to request variance. Should the 90 percent threshold not be provided, no variance shall be considered.

MAILOUT LIST

PROP_ID	file_as_na	addrDeliveryLine	addrCity	addrState	addrZip
649908	FUENTES ROLANDO & JUAN RAMIREZ	2804 NORMA DR	MISSION	TX	78574-3556
649909	CANTU JOSE A VILLARREAL & NORA CAMACHO	2806 NORMA DR	MISSION	TX	78574-3556
649875	VELA LENNY & KARLA A	2805 NICOLE DR	MISSION	TX	78574-6593
649911	VILLARREAL RUBEN OSCAR	2805 NORMA DR	MISSION	TX	78574-3556
649913	GARZA SYLVIA I	2801 NORMA DR	MISSION	TX	78574-3556
649936	GARZA ROGELIO	PO BOX 720074	MCALLEN	TX	78504-0074
454375	HIDALGO COUNTY DRAINAGE DISTRICT NO. 1	902 N DOOLITTLE RD	EDINBURG	TX	78542
649873	LEAL ADALGISA SAENZ	2807 NICOLE DR	MISSION	TX	78574-6593
649876	MONTERO JUAN V & JACQUELINE	2803 NICOLE DR	MISSION	TX	78574-6593
649910	MASENGALE STEVEN WAYNE & NEVA D PARRILLA EYZAGUIRRE	2807 NORMA DR	MISSION	TX	78574-3556
649912	TREVINO NANCY T	2803 NORMA DR	MISSION	TX	78574-3556
649935	RESTO GONZALO & ADA N	2802 NICOLE DR	MISSION	TX	78574-6593
649937	YOUNGBLOOD RUDY & MELINDA	2806 NICOLE DR	MISSION	TX	78574-6593
649906	STAHELY PATRICK WILLIAM & JENNIFER R	2800 NORMA DR	MISSION	TX	78574-3556
649907	VARELA RICARDO	1104 W 23RD ST	MISSION	TX	78574-2235
649934	CONFIDENTIAL	<Null>	<Null>	<Null>	<Null>
281423	HIDALGO COUNTY DRAINAGE DISTRICT NO. 1	902 N DOOLITTLE RD	EDINBURG	TX	78542
281427	MARTIN FREDERICK H III & MELAYNE	2524 N TAYLOR RD	MCALLEN	TX	78501-5404
958823	FLORES ARAM & ALEXIA HUERTA	5113 W HIGHLAND AVE	MCALLEN	TX	78501-2238
958822	WHETSTONE ADDISON GRANT & CASSANDRA SALINAS	5109 HIGHLAND AVE	MCALLEN	TX	78501-2238
958787	SOSA JUAN C GURROLA & ANGELICA FELIX	5108 W HIGHLAND AVE	MCALLEN	TX	78501-2237
958786	PENA ESPERANZA	5112 W HIGHLAND AVE	MCALLEN	TX	78501
958824	MV TAYLOR HOMEOWNERS ASSOCIATION	620 S 12TH ST	MCALLEN	TX	78501-4928