



MEETING DATE: August 25, 2025

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

AGENDA ITEM: Conduct a public hearing and consideration and possible action to approve a resolution for a license to encroach onto a City of Mission Right-of-Way, being a part of Lot 1, Pena Escondida Estates, located at 2211 Betty Drive, for the purpose of building parking spaces for the Waterford Gardens Retirement Community employees. Applicant: Lucille G. Cavazos, Administrator, Approval of Resolution # _____ - Cervantes

NATURE OF REQUEST:

Project Timeline:

- July 3, 2025 – Application submitted to the City for the construction of concrete parking stalls within the City's Right-of-Way.
- July 7, 2025 – A site visit and meeting took place with the Waterford Gardens Administrator to inspect and discuss the proposed parking area along the Right-of-Way of Lot 1, Pena Escondida Estates property.
- July 28, 2025 – Received formal letter from the Administrator requesting the use of the ROW as instructed by City Staff.
- August 5, 2025 – Initiated the public notice for the public hearing scheduled for August 25th.
- August 25, 2025 – Consideration and possible action to execute License Agreement by the City

Summary:

- Ms. Lucille Cavazos, the applicant, is requesting a license to encroach onto the City's right-of-way by building parking area for the Waterford Gardens Assisted Living employees.
- The right-of-way for Lot 1, Pena Escondida Estates has frontage to Betty Drive along the 50 feet radius cul-de-sac with a length of 97.19 feet.
- Based on the site plan, the applicant is requesting to pour a concrete slab on the right-of-way where the employees will be able to park.
- The request has been reviewed by the Staff Review Committee. There is no objection to the requested license to encroach with conditions.
- The Waterford Gardens have been granted a Life of Use Conditional Use Permit for non-residential facilities on Lot 1, Pena Escondida Estates dated March 27th, 2017.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to:

1. Ownership of the property shall remain accessible to the city at all times

2. The City reserves the right at any time now or in the future to remove the proposed improvements within the property for any reason, and shall not be required to provide reimbursement for the improvements
3. The proposed improvements shall conform to City standards and shall not be constructed in such a manner as to cause a nuisance or storm water runoff onto adjacent properties
4. That Waterford Gardens, its representatives, heirs, administrators, successors and assigns shall indemnify and hold the CITY OF MISSION harmless from any claim, suit, demand, or judgement arising from the encroachment of said items as described in this Revocable License To Encroach regardless of whether or not such claim, suit demand, or judgement results from injuries, death or property damage caused by the sole, joint or concurrent negligence or gross negligence of the CITY OF MISSION.
5. The Licensee must obtain all necessary permits and approvals prior to the use of the property.
6. The Licensee must maintain the said property area in a safe and clean condition.

Departmental Approval: Approval

Advisory Board Recommendation: N/A

City Manager's Recommendation: Approval *MRP*

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

