

**PLANNING AND ZONING COMMISSION
DECEMBER 13, 2017
CITY HALL'S COUNCIL CHAMBERS @ 5:00 P.M.**

P&Z PRESENT

Ned Sheats
John Guerra
Carlos Lopez
Julio Cerda

P&Z ABSENT

Jaime Gutierrez
Marisela Marin
Diana Izaguirre

STAFF PRESENT

Jaime Acevedo
Susie De Luna
Kristin J. Warshak
Abiel Flores
Juan Chapa, Jr.

GUESTS PRESENT

Bill Filut
Rafael Garcia, Jr.
Ricardo Saldaña
Jorge Meza
Victor Treviño

CALL TO ORDER

Vice-Chairman John Guerra called the meeting to order at 5:01 p.m.

CITIZENS PARTICIPATION

Vice-Chairman Guerra asked if there was any citizen's participation for any item not on the Agenda.

There was none.

APPROVAL OF MINUTES FOR NOVEMBER 15, 2017

Vice-Chairman Guerra asked if there were any corrections to the minutes for November 15, 2017. Mr. Ned Sheats moved to approve the minutes as presented. Julio Cerda seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:01 p.m.

Ended: 5:04 p.m.

Item #1.1

Rezoning:

**2.98 acres (3 acres-Deed call) of land out of Lot 16-6
West Addition to Sharyland Subdivision
C-3 to I-1
South Texas Infrastructure Group, c/o Victor Trevino**

No action taken on this item.

Started: 5:01 p.m.

Ended: 5:04 p.m.

Item #1.2

Rezoning:

**Being a 14.33 acre tract of land, more or less, lying North
of the Expressway 83 comprised of 1.90 acres of Lot 1,
3.12 acres of Lot 2, and 9.33 acres of Lot 3,
The Goodwin Tract Subdivision #3**

**AO-I to C-3
South Texas Infrastructure Group, c/o Victor Trevino**

No action taken on this item.

Started: 5:01 p.m.

Ended: 5:04 p.m.

Item #1.3

Rezoning:

Lot 81, Sharyland Orchards Subdivision

R1-A to R-3

South Texas Infrastructure Group, c/o Victor Trevino

No action taken on this item.

Started: 5:04 p.m.

Ended: 5:09 p.m.

Item #1.4

Conditional Use Permit:

Texas Citrus Fiesta Carnival

7.4 acres out of Lot 25-6, West Addition to

Sharyland Subdivision and Lot 1, North Star Plaza

AO-I & C-3

January 14, 2018 through January 30, 2018

Texas Citrus Fiesta (c/o Bill Filut)

Mr. Jaime Acevedo went over the write-up stating that the subject site is located near the NW corner of Conway and Griffin Parkway (F.M. 495). Texas Citrus Fiesta organizers have been given permission to have their annual carnival on the vacant lots to the north and west of the old Carl's Supermarket. They wish to set up on the week of 1-14-2018 and have the carnival from 1-21-18 to 1-30-18. They will then take down the carnival on the 31st.

- **Hours of Operation:** Weekdays 5:30p.m. to 10:30p.m. and Weekends 1:00p.m. to 11:30p.m.
- **Parking:** Parking for the event will be provided by utilizing the old Carl's parking lot located to the south. Staff encourages that "No Parking" signs be placed along Conway and F.M. 495 and that there be early morning trash pick-up throughout the entire site during the "Heart of America Shows" Carnival's tenure.
- The Zoning code states that a carnival site should be a minimum of 300' away from any residentially used property from lot line to lot line. This CUP is compliant to this Code, i.e., there are no homes within 300'.

REVIEW COMMENTS: Security will be evident as in past years via Mission PD officers (as hired by TCF) and sufficient restrooms will be available. All provisions of Chapter 10 – Amusements and Entertainment– will need to be complied with, in particular the insurance coverage requirements for such amusements.

RECOMMENDATION: Staff recommends approval subject to:

1. Installation of a perimeter fence/debris stop;
2. Installation of “No Parking” signs along Conway and Griffin Parkway; and
3. Meet Noise, Insurance, and any other related Codes.

Vice-Chairman Guerra asked if there were any comments in favor or against the request.

There were no comments.

There being no further discussion, Vice-Chairman Guerra entertained a motion. Mr. Ned Sheats moved to approve the conditional use permit as per staff’s recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:09 p.m.

Ended: 5:11 p.m.

Item #1.5

Conditional Use Permit:

Texas Citrus Fiesta Fun Fair

Mission Market Square

202 W. Tom Landry

Lots 1-12, Block 174, Mission Original Townsite Subd.

January 27, 2018

Texas Citrus Fiesta (c/o Bill Filut)

Mr. Jaime Acevedo went over the write-up stating that the subject site for the Texas Citrus Fiesta ‘Fun Fair’ will be located at Mission Market Square. Texas Citrus Fiesta organizers will be having their annual ‘Fun Fair’ event on January 27, 2018. The fun fair will include use of the area east of the Chamber of Commerce building at the City of Mission Market Square. It will be used for various vendors, Vaqueros’ cook-off and other food vendors. There will be continued trash pick-up throughout the event.

- **Hours of Operation:** 10:00a.m. to 10:00p.m.
- **Parking:** Parking for this event will be provided east and north of the Chamber of Commerce building and east of Fallas Paredes.
- The Zoning code requires the ‘Fun Fair’ to be a minimum of 300’ separation from residentially used property from lot line to lot line. There are several residential properties within this radius; thus a waiver of the separation requirement needs consideration.
- **Ch. 10 – Amusements and Entertainment:** Security will be evident as in past events via Mission PD officers (as hired by TCF). Restrooms will be available. All provisions of the Chapter 10 Mission Code of Ordinances – Amusements and Entertainment– will need to be complied with.

REVIEW COMMENTS: With sufficient professional security, barricades, lighting, & TCF monitoring, this event will again be very successful and well attended. TCF has assured the City that all aspects of security will be taken care of.

RECOMMENDATION: Staff recommends approval subject to: 1) Waiver of the 300' separation; 2) Must comply with Health and Fire Codes; and 3) Must meet Noise, Amusement and Entertainment, and any other related codes.

Vice-Chairman Guerra asked if there were any comments in favor or against the request.

There were no comments.

There being no further discussion, Vice-Chairman Guerra entertained a motion. Mr. Carlos Lopez moved to approve the conditional use permit as per staff's recommendations. Mr. Julio Cerda seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:11 p.m.

Ended: 5:14 p.m.

Item #1.6

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic Beverages – Kato Sushi Restaurant
2306 E. Expressway 83, Ste. 12
Lot 1, Cimarron Crossing Ph. I Subdivision
C-3
Meza Garza Investments, LLC**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located near the SW corner of Shary Road and U.S. Expressway 83. Access to the site can be directly from the Frontage Road or driveways off J.R. Drive and Cecilia Lane. The applicant desires to renew a CUP for the Sale and On-Site Consumption of Alcohol at his sushi restaurant. The 2,664 sq. ft. restaurant has been at this location since 2006 without any incidents to report due to the sale of alcohol.

- **Hours of Operation:** The days and hours of operation are from Monday through Sunday from 11:00 am to 11:00 pm.
- **Staff:** 5-6 employees
- **Parking & Landscaping:** There are 84 seating spaces in the dining area and 6 seating spaces proposed in the bar area for a total of 90 seating spaces for the restaurant. One parking space for every three seats; or one space for every 75 square feet of floor area, whichever is greater, is required by code. It is noted that a total of 105 parking spaces are held in common at Cimarron Crossing Subdivision Phase I meeting code. Landscaping is also meeting City code.

REVIEW COMMENTS: A total of 4 notices were mailed to property owners within a 200' radius of the site and as of this write-up, no comments in favor or against this request have been forwarded to the Planning Department.

RECOMMENDATION: Since the applicant has been in operation for over 10 years without any incidents, Staff recommends approval for a period of 2 years, at which time the applicant will have to renew their TABC license and Conditional Use Permit.

Vice-Chairman Guerra asked if there were any comments in favor or against the request.

There were no comments.

There being no further discussion, Vice-Chairman Guerra entertained a motion. Mr. Ned Sheats moved to approve the conditional use permit as per staff's recommendations. Mr. Julio Cerda seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:14 p.m.

Ended: 5:16 p.m.

Item #1.7

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Wingstop
1801 N. Conway Avenue, Ste. F
Lot 1, Enrique Mery Subdivision
C-3
Gabriela's Heavenly Wings II, LLC**

Mr. Jaime Acevedo went over the write-up stating that the existing restaurant site is located within a commercial plaza in the NW area of 18th St. and Conway. This CUP was most recently approved by P&Z on 02-22-17 for a period of 10 months. The intent is to have this CUP approved keeping the CUP renewal dates in line with the TABC permit dates.

- **Hours of Operation:** Everyday from 11:00a.m. to 12:00a.m.
- **Staff:** 13-17 employees
- **Parking:** There are 50 total seating spaces, which require 17 parking spaces (50 seats/1 space for every 3 seats = 16.6 parking spaces). It is noted that the parking area is held in common (66 existing parking spaces) with other smaller suites and staff has not received any complaints regarding the parking at this plaza.
- **Landscaping:** There is some existing landscaping along Conway Blvd. and the applicant had recently made significant improvements to the building and the overall site.
- **Sale of Alcohol:** Chapter 6 of the Mission Code of Ordinances states that alcohol cannot be sold within 300' of a church, school, or hospital. There are no such uses within 300' of the Wing Stop. Staff has asked Mission PD for a report of incidents in regards to the sale of alcohol.

REVIEW COMMENTS: Wing Stop is a family-oriented restaurant that successfully acclimates well to this commercial location and Staff has not received any complaints in regards to this business.

RECOMMENDATION: Staff recommends approval of this CUP for a period of 2 years, at which time the applicant will have to renew their TABC license and Conditional Use Permit.

Vice-Chairman Guerra asked if there were any comments in favor or against the request.

There were no comments.

There being no further discussion, Vice-Chairman Guerra entertained a motion. Mr. Julio Cerda moved to approve the conditional use permit as per staff's recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:01 p.m.

Ended: 5:04 p.m.

Item #2.0

Pre-Final Plat Approval:

Mayfair Residence Subdivision

Being a 21.59 acre tract of land out of

Lot 7 & 8, and the East 2.00 acres of

Lot 6, Rees Subdivision

R-1

Developer: Union Design Developers

Engineers: South Texas Infrastructure Group

No action taken to the item.

ITEM #3.0

OTHER BUSINESS

There was no other business.

ITEM #4.0

ADJOURMENT

There being no further items for discussion, Mr. Julio Cerda moved to adjourn the meeting. Mr. Ned Sheats seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:17 p.m.

John Guerra, Vice-Chairman
Planning and Zoning Commission