

**PLANNING AND ZONING COMMISSION
OCTOBER 28, 2020
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
Debra Alvarez
Hector Moreno
Bealinda De Forest
Raquenel Austin
Jasen Hardisen
Javier Barrera

P&Z ABSENT

Ruben Arcaute

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez

GUESTS PRESENT

Eric Pena

CALL TO ORDER

Chairwoman Diana Izaguirre called the meeting to order at 5:30 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR OCTOBER 14, 2020

Chairwoman Izaguirre asked if there were any corrections to the minutes for October 14, 2020. Mrs. Debra Alvarez moved to approve the minutes as presented. Mr. Javier Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:31 p.m.

Ended: 5:35 p.m.

Item #1.1

**Conditional Use Permit: To Expand Suerte Bar & Grill for the Sale & On-Site Consumption of Alcoholic Beverages
205 N. Shary Road, Ste. A & B
Lot 1, South Shary Commercial Subdivision
C-3
Buzz Entertainment, LLC**

Ms. De Luna went over the write-up stating that this 2,450 sq. ft. bar & grill 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 suite with an outdoor terrace along the south side of the existing commercial building. The Planning and Zoning Commission recently approved a CUP for the Sale & On-Site Consumption of Alcoholic Beverages for this location on July 13, 2020 for a period of 2 years. Now the applicant would like to expand an additional 1,420 sq. ft. making it a total of 3,870 sq. ft.

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 . . ." There is one residence to the north and a few mobile homes to the west within 300 feet.

Hours of operation: Monday – Sunday from 11a.m. to 2 a.m.

Staff: 10 employees

Parking: In viewing the floor plan, there will be 86 seating spaces in the interior portion of the restaurant/bar and 24 seating spaces in the terrace for a total of 110 seating spaces, which require 37 parking spaces (110 seats/1 space for every 3 seats = 37 parking spaces). It is noted that the parking area is held in common (58 existing parking spaces) and will be shared with other businesses.

Staff has received several concerns regarding noise in the past couple of weeks. Staff has met with the applicant to address these concerns. The applicant has agreed to remove the speakers that are outside in the terrace and add a buffer to deflect any noise.

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; 3) Must comply with all Fire, Health, and Building Code requirements; and 4.) Acquire a business

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

There was none.

The applicant was available to answer any questions might have.

Chairwoman Izaguirre asked if the board had any questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Debra Alvarez moved to approve the request as per staff's recommendation. Mr. Javier Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:35 p.m.

Ended: 5:37 p.m.

Item #1.2

**Conditional Use Permit
Renewal:**

**Sale & On-Site Consumption of Alcoholic
Beverages – 100% Antojitos Mexicanos
2306 E. Expressway 83, Suites 1 & 2
Being Lot 1, Cimarron Crossing Phase I Subdivision
C-3
100% Antojitos Mexicanos**

Ms. De Luna went over the write-up stating that this site is located near the SE corner of J.R. Dr. and Expressway 83 along the Frontage Rd. - see vicinity map. The applicant is

requesting the renewal of his CUP for the Sale & On-Site Consumption of Alcoholic Beverages. This CUP was most recently approved on October 22, 2018 for a period of 2 years.

- **Hours of Operation:** Sunday from 9:00 a.m. to 10:00 p.m., Monday – Thursday from 10:30 a.m. to 10:00 p.m., Friday from 10:30 a.m. to 11:00 p.m. and Saturday from 9:00 a.m. to 11:00 p.m. Alcoholic beverages are only served during allowable State selling hours.
- **Staff:** 9 employees will man this operation in different shifts
- **Parking and Landscaping:** The Landscaping, paving, and drainage for the entire plaza meets code.

REVIEW COMMENTS: Notices were sent to property owners within a 200' radius of this business where Staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

1. CUP to be valid form a period of 2 years at which time the applicant will need to renew their CUP and their TABC license. and
2. Must continue to comply with all Building, Fire, and Health Codes.

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

There was none.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Raquene Austin moved to approve the request as per staff's recommendation. Mrs. Bealinda De Forest seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:37 p.m.

Ended: 5:39 p.m.

Item #1.3

Conditional Use Permit

Renewal:

**Sale & On-Site Consumption of Alcoholic Beverages – Spaugy's Ice House
815 N. Francisco Avenue
The South 109.5' of Lot 2, Block 137,
Mission Original Townsite Subdivision &
All of Lot 52, John H. Shary Industrial Subdivision
C-3
Spaugy's Ice House, c/o Sonia Mayhugh**

Ms. De Luna went over the write-up stating that this site is located at the NW corner of Francisco and 8th Street—see vicinity map. This bar has been in existence at this location

since 1960. The applicant is requesting the renewal of her CUP for the Sale & On-Site Consumption of Alcoholic Beverages. This CUP was most recently approved on October 22, 2018 for the sale and on-site consumption of alcohol for a period of 2 years in line with their TABC permit.

- **Hours of Operation:** Sunday through Friday from 10 a.m. to 12 a.m. Saturday 10 a.m. – 1 a.m.
- **Staff:** 3 employees including the owner.
- **Parking and Landscaping:** are existing and meet code for this existing establishment.
- **Alcoholic Beverages:** Such uses need to be 300' from residential uses. (There are some residences within this radius); thus, a waiver of the separation requirement needs consideration.

REVIEW COMMENTS: Notices were sent to property owners within a 200' radius of this business where Staff has not received any comments in favor or against this request. Staff does not object to an extended approval period for this item.

RECOMMENDATION: Staff recommends subject to:

1. CUP to be valid form a period of 2 years at which time the applicant will need to renew their CUP and their TABC license. and
2. Must continue to comply with all Building, Fire, and Health Codes.

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

There was none.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Javier Barrera moved to approve the request as per staff's recommendation. Mrs. Debra Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:39 p.m.

Ended: 5:43 p.m.

Item #2.0

Preliminary & Final

Plat Approval:

Western Oaks Subdivision

**A 30.00 Acre Tract of Land, being all of Lots 14,
21, and 26, Block 9, Texan Gardens Subdivision
Rural ETJ**

Developer: Everardo & Rigoberto Villarreal

Engineer: Izaguirre Engineering Group, LLC

Ms. De Luna went over the write-up stating that this site is located along the west side of Abram Road between W. Mile 5 Road and W. Mile 6 Road (Mission Rural ETJ)—see vicinity map. The developer is proposing (42) forty – two Single Family Residential lots — see plat for actual dimensions, square footages, and land uses.

WATER

The water CCN belongs to Agua Special Utility District. The developer is proposing to connect to an 8-inch located along the west side of Western Road to provide water service to each lot. There are 9 fire hydrants provided and will be use as filling stations for this Rural ETJ Subdivision.

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 area is not within the City of Mission's Sewer CCN.

STREETS & STORM DRAINAGE

All internal streets are 32' Back to Back within a 50' Right of Way. First featured project access will be from Abram Road and Western Road for Lots 1 thru 28. And Second featured project access will be from Abram Road for Lots 29 thru 42. The proposed drainage system shall consist on the installation of an internal storm sewer system with 16 Inlets within the streets to collect surface runoff from the lots and streets. Storm Pipes ranges from 24" to 30" and will consist of a proposed onsite detention pond located within a proposed 150-ft R.O.W. that is being granted to Hidalgo County Drainage District #1 for the use of a future drainage ditch that is part of the H.C.D.D#1 Master Plan. The City Engineer has reviewed and approved the drainage report.

RECOMMENDATION

Staff recommends approval subject to meeting the Model Subdivision Rules, complying with the street alignment policy and meeting any comments from the County Planning Department.

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

There was none.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Vice Chairman Barrera entertained a motion. Mr. Hector Moreno moved to approve the request as per staff's recommendation. Mrs. Raquanel Austin seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #3.0

OTHER BUSINESS

ITEM #4.0 ADJOURNMENT

There being no further items for discussion, Mrs. Debra Alvarez moved to adjourn the meeting. Mrs. Bealinda De Forest seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:43 p.m.

Javier Barrera, Vice Chairman
Planning and Zoning Commission

