

**PLANNING AND ZONING COMMISSION
NOVEMBER 16, 2022
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Connie Garza
Diana Izaguirre
Hector Moreno
Jasen Hardison
Debra Alvarez
Javier Barrera

P&Z ABSENT

Ruben Arcaute
Raquenel Austin

STAFF PRESENT

Susie De Luna
Alex Hernandez
Jessica Munoz
Cynthia Gonzalez
Irasema Dimas
Gabriel Ramirez

GUESTS PRESENT

Ranjir Singh Lidhar
Enrique Castellanos
Miguel Trevino
Reynaldo Hernandez
Asencion Martinez
Sam Benson
Irma Martinez
Dolores Ueckert
Esteban Phillips
Erick Ramirez
Gerardo Rodriguez
William Ueckert
Joel Cura
Mario
Cyndi Stojanvoic
Margie Briseno
Zeneth Perez

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:31 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR OCTOBER 26, 2022

Chairwoman Izaguirre asked if there were any corrections to the minutes for October 26, 2022. Mrs. Garza moved to approve the minutes as presented. Mrs. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:32 p.m.

Ended: 5:54 p.m.

Item #1.1

Rezoning:	Tract 1:	A 1.000 acre tract of land, more or less, out of Lot 236, John H. Shary
		&
	Tract 2:	A 9.000 acre tract of land, more or less, Out of Lot 236, John H. Shary Subdivision AO-I to R-3 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:	Residential
	S:	Residential
	Site:	Vacant

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed property is mostly surrounded by single family residences with the exception of the Taylor Senior Village. Staff notes that P&Z had considered a rezoning for this property on March 23, 2022, however the applicant withdrew the request and it didn't go before the City Council. During the P&Z meeting there was a substantial amount of opposition from the surrounding property owners. The concerns voiced were in regards to infrastructure, traffic increase, noise, schools being crowded, safety, decreased property values, privacy, etc. On November 11, 2022, staff received a petition in opposition from residents within the 200' radius reflecting 61%. Based on the substantial amount of opposition from surrounding property owners during the P&Z meeting staff cannot support the request.

RECOMMENDATION: Staff is recommending Denial.

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 in opposition. Mrs. Ueckert read from Exhibit "A".

Mr. Eric Ramirez who resides at 2707 E. 20th Street stated he purchased his home 17 years ago. He stated he did not want apartments in the back. He added all neighbors knew each other and protected each other. His main concerns were infrastructure, traffic, and the extension of Taylor Road not being completed.

Mr. Rey Hernandez who resides at 2705 E. 20th Street spoke on behalf of the director of Taylor Village. He stated they were opposed to the request. He added that there was a big difference between a multi-family development and a 55 and older community.

Mr. Sam Benson who resides at 2408 E. 20th Street stated he was opposed to the request. He added the current owner purchased the property as a business investment and was purchased cash. He mentioned any owner should do a survey and a assessment in the area before purchasing a property. Mr. Benson stated he spoke to the Parks Director for the City and they discussed the probability of the owner donating the land to the City and making a Park.

Joel Cura who resides at 2504 E. 20th Street was opposed to the request. He stated he has been living there since 2003. He added that he believed this was a wrong location for this project but a neighborhood would be welcomed but not a multifamily complex.

Mr. Milo Salinas representing the new owner/developer of the property stated he had been at Planning & Zoning meeting before but with a different owner. He stated the new owner was actually proposing 4-plex lots and not an apartment complex. Mr. Salinas showed a rendering of the development. He added they were proposing approximately 30 4-plex lots that would meet the multifamily requirements, drainage requirements, traffic requirements, the infrastructure, and all the engineering would meet the City of Mission requirements. Mr. Salinas mentioned that the developer wouldn't want to build 22nd Street. He added this would be an additional cost to whoever develops the land. Mr. Salinas added that if the rezoning was not approved then the developer still had the plan to develop the property. Mr. Salinas stated that the owner already has a permit to demolish the homes on the property and plans to clear the property and install a fence. He added the owner would be able to do an 8 foot masonry wall along the residential homes for privacy concerns.

Chairwoman Izaguirre asked Mr. Salinas how many residential lots would he be proposing.

Mr. Salinas stated approximately 40-45 lots. He added that the property owner was thinking to develop townhomes if the 4-plex were not allowed. Mr. Salinas mentioned that the property was expensive and then they had to add the cost of the extension of 22nd street.

Chairwoman Izaguirre asked how can Planning and Zoning request a meeting with the City so that the extension of 22nd Street is not required by the developer.

Ms. De Luna stated that in any development if there is a potential street that could be extended it is usually recommended by the City to extend the street. She added that a portion had been already donated by the Taylor Senior Village.

Chairwoman Izaguirre stated that if any developer would not have to expand the streets then maybe they would want to develop residential.

Mr. Barrera stated there was no other way to connect Shary Road to Taylor Road from 495 to old 83. He added that there needs to be some type of connections. He mentioned there has to be a way to alleviate traffic.

Ms. De Luna stated that this would be something staff would have to discuss with the City Engineer.

Chairwoman Izaguirre asked if the owner was requesting R-2 zone.

Ms. De Luna stated that the original request was R-3.

Chairwoman Izaguirre stated that now they are asking for R-2.

Ms. De Luna stated the board could would down zone if they wish to consider.

Chairwoman Izaguirre asked the board if they had questions.

Mrs. Garza asked if that could be done even if the original request was for a R-3 or would they have to submit another request.

Ms. De Luna explained that staff could downgrade but not go higher.

Mr. Salinas stated the R-3 request on the application was a mistake.

Mr. Ueckert asked that what was staff considering at that time.

Chairwoman Izaguirre stated they were considering an R-2 zone.

Ms. De Luna stated the original request was an R-3, but the developer is willing to go down to an R-2 zone. She added that the Planning and Zoning board could consider a lesser dense but not a higher dense.

Mr. Hardison stated that the applicant needs to have an opportunity to speak to the neighbors. He added that the property should be R-1 since it is surrounded by Single-Family Residence.

Mrs. Garza stated she agreed with Mr. Hardison and she added that the extension of 22nd Street should not be negotiable.

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

Started: 5:54 p.m.

Ended: 5:56 p.m.

Item #1.2

Rezoning:

**A 1.999 acre tract of land being a
Part or portion of Lot "D", B.L. Millers
Re-Subdivision of Lots 16, 17, 18, 19 & 20,
Block 4, Mission Grove Estates
AO-I to C-3
Gilberto Maldonado**

Ms. De Luna went over write-up stating the subject site is located 1,066' West of Inspiration Road along the north side of W. Griffin Parkway.

SURROUNDING ZONES:

N:	AO-I	– Agricultural Open Interim
E:	C-3	– General Business
W:	AO-I	– Agricultural Open Interim
S:		– City of Palmview ETJ

EXISTING LAND USES:

N:	Vacant
E:	Apartments
W:	Vacant
S:	Commercial
Site:	Vacant

FLUM:

General Commercial (GC)

REVIEW COMMENTS: Since the property is along a major thoroughfare and is consistent with the existing land uses staff is receptive to the request.

RECOMMENDATION: Staff is recommending Approval.

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the rezoning request as recommended by staff. Mrs. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:56 p.m.

Ended: 5:58 p.m.

Item #1.3

Conditional Use Permit:

**Drive-Thru Service Window – Kayala Coffee Company
2138 E. Griffin Parkway
Lot 20, Block 2, Springfield Ph. I Subdivision
C-3
Juan Angel Rivera III**

Ms. De Luna went over the write-up stating the subject site is located on the southwest corner of Helen Avenue and E. Griffin Parkway along the south side of Griffin Parkway. The applicant is taking over the 1,554 sq. ft. coffee shop and would like to continue using the existing drive-thru service window. The applicant will be offering coffee, teas, breakfast and lunch croissants in their menu. The site has an access point off of Helen Avenue. Drive-thru customers would use the Helen Avenue access in order to utilize the drive-thru service window and exit either to the parking lot or Helen Avenue. The location of the window allows enough stacking for at least 3 vehicles.

- **Days/hours of operation:** Monday – Friday from 7 a.m. – 6 p.m., Saturday from 9:00 a.m. to 3 p.m. and closed on Sunday
- **Staff:** 4 employees
- **Parking:** It is noted that the parking area is held in common (76 existing parking spaces) and will be shared with other businesses. Based on the square footage of the building this business requires 7 parking spaces, thus meeting code.
- **Landscaping:** Landscaping requirements are being met.

RECOMMENDATION: Staff recommends approval subject to:

- 1.) 1 year re-evaluation to assess this new operation
- 2.) Must comply with all City Codes (Building, Fire, Health, etc.)
- 3.) Must acquire a business license prior to business occupancy
- 4.) 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 asked if the board could recommend for more years since it's a coffee shop in a low density area.

Ms. De Luna stated that if the Council is inclined then it can be approved for 3 years unless it changed ownership.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit for a period of 3 years. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:58 p.m.

Ended: 6:00 p.m.

Item #1.4

Conditional Use Permit:

**The Complimentary Offering of Alcoholic Beverages for
On-Site Consumption for a Social and/or Cultural Event
- Mission Historical Museum 20th Anniversary
December 8th, 2022
900 Doherty Avenue
Lots 1-7, Block 161, Mission Original Townsite
C-3
Mission Historical Museum
c/o Cynthia Stojanovic**

Ms. De Luna went over the write-up stating the subject site is located on the NW corner of Doherty Avenue and Business Highway 83. The Mission Historical Museum is a 501(C)3 non-profit organization, which first opened its doors in 2002, and serves the community of Mission and visitors to the area. In celebration of The Mission Historical Museum's 20th anniversary, the Mission Historical Museum will be hosting a private event on December 8th, 2022. Museum galleries will be open for guests to view and would like to offer alcohol to their guests. The alcohol and the food consumption will only be allowed in the courtyard area. The alcohol will not be sold to guests and will consist of wine and brews.

- See aerial of site reflecting the common parking spaces that serve the facility.
- Ord. #3436 permits civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks will be offered (not sold) during a social/cultural event.
- A similar CUP was last approved on 3-9-2020 for a period of 4 years for the Upper Valley Art League.
- This event is scheduled from 5:00p.m. to 7:30p.m.

REVIEW COMMENTS: It appears that this type of social events occurred with no incidents. The Mission Historical Museum firmly attests that they will be very watchful of how much the patrons are responsibly served, and intend to have continued vigilance at their social event.

RECOMMENDATION: Staff recommends approval.

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

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

Started: 6:00 p.m.

Ended: 6:02 p.m.

Item #1.5

Conditional Use Permit:

**Regulated Consumer Finance Lender Office on
property zoned (C-2) Neighborhood Commercial
1821 N. Shary Road, Suite 2,
Lot 1, Bannworth Business Center
C-2
Lendmark Financial Services, LLC**

Ms. De Luna went over the write-up stating the subject site is located along the west side of Shary Road between Village Drive and Mulberry Street. The applicant leased a 1,198 sq.ft. suite for a Regulated Consumer Finance Lender Office. Access to the site is via a 30' access driveway off of Shary Road. The property is currently zoned Neighborhood Commercial (C-2). Sec. 1.42(3)(d) of the Zoning Code states that business establishments which perform services on the premises such as banks, loan companies, and real estate offices require a conditional use permit.

- **Hours of Operation:** Monday – Friday from 8:30 a.m. to 5:30 p.m.
- **Staff:** 4
- **Parking:** Based on the square footage of the suite, there are 6 parking spaces required for this business. It is noted that the parking area is held in common there are 46 existing parking spaces shared with other businesses, thus meeting code.
- **Landscaping:** Staff is recommending to add more plants along Shary Road.

REVIEW COMMENTS: Staff has seen several businesses in a C-2 zone without creating a negative impact to the surrounding areas since the hours of operation are reasonable.

RECOMMENDATION: Staff recommends approval subject to:

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

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

Mr. David Ramos was representing Lendmark Financial Services, LLC and was present to answer any questions.

Chairwoman Izaguirre asked the board if they had questions.

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

Started: 6:02 p.m.

Ended: 6:04 p.m.

Item #1.6

Conditional Use Permit:

**Restaurant (The Sandwichon House) on property
Zoned (C-2) Neighborhood Commercial
1821 N. Shary Road, Suite 7,
Lot 1, Bannworth Business Center
C-2
Tomas Aguirre**

Ms. De Luna went over the write-up stating the subject site is located along the west side of Shary Road between Village Drive and Mulberry Street. The applicant leased a 1,152 sq.ft. suite for his Restaurant The Sandwichon House. The applicant will be offering salads, sandwich cakes, specialty cakes, cookies in their menu. Access to the site is via a 30' access driveway off of Shary Road. The property is currently zoned Neighborhood Commercial (C-2). Sec. 1.42(3)(e) of the Zoning Code states that restaurants require a conditional use permit.

- **Hours of Operation:** Monday – Friday from 10:00 a.m. to 6:00 p.m., Saturday from 12:00 p.m. to 6:00 p.m. and Sunday only for special deliveries
- **Staff:** 3
- **Parking:** Based on the square footage of the suite, this restaurant requires 7 parking spaces. It is noted that the parking area is held in common there are 46 existing parking spaces shared with other businesses, thus meeting code.
- **Landscaping:** The site has minimal green space to begin with. Staff is recommending to add more plans along Shary Road once the irrigation system is completed.

REVIEW COMMENTS: Staff has considered other Restaurants in a C-2 zone without creating a negative impact to the surrounding areas.

RECOMMENDATION: Staff recommends approval subject to:

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

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

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

Started: 6:04 p.m.

Ended: 6:06 p.m.

Item #1.7

Conditional Use Permit:

**Drive-Thru Service Window and Sale & On-Site
Consumption of Alcoholic Beverages
- La Curva Taqueria**

**2575 E. Griffin Parkway, Suite 12,
Lot 1, Tres Picos Ph. I Subdivision
C-3
Eliecer Uresti/La Curva Taqueria, LLC**

Ms. De Luna went over the write-up stating the subject site is located approximately 700' west of Taylor Road on the north side of E. Griffin Parkway (F.M. 495). The drive-thru windows are on the east side of the building, traffic must travel into one of the two 24' drives via Harmony Lane then proceed to the eastern side of the building where they would then turn north and proceed along the eastern side of the building to the drive-thru windows. The first window is used to place and pay for your order and the second window further north is used to pick up your order. The drive-thru window locations allow stacking for approximately 4 vehicles—see site plan. Exiting is done by continuing northbound along the eastern most side of the building followed by a partial 'wrap around' effect exiting westbound along the northern side of the building to a third 24' drive at the NW corner of the property back onto Harmony Lane. On October 28, 2019, a CUP was approved for the use of the drive-thru window and sale & consumption of alcoholic beverages subject to a waiver of the 300' separation requirement from the residential neighborhood, the CUP was approved for 2 years at which time the applicant will have to renew their TABC license and CUP. All other requirements have been met.

- **Hours of Operation:** Monday - Sunday from 11 a.m. to 11 p.m.
- **Staff:** 12 Employees
- **Parking:** The 1,400 sq. ft. building has a total of 44 seating spaces for the restaurant. A total of 19 parking spaces are required for this site (1,400 sq. ft./75sq.ft.=18.7 parking spaces). It is noted that a total of 150 parking spaces are held in common within the commercial development.
- Landscaping is existing at this commercial plaza and meets code.

REVIEW COMMENTS: Staff has asked Mission PD to provide a report in relation to the sale of alcohol which we should have by the meeting date.

RECOMMENDATION: Staff recommends approval subject to:

- 1) Life of use for the Drive-Thru Service
- 2) 2 year re-evaluation for the Sale & On-Site Consumption of Alcoholic Beverages at which time the applicant will have to renew his CUP & TABC License, and
- 3) Must continue compliance with all City Codes (Building, Fire, Health, etc.)

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

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

Started: 6:06 p.m.

Ended: 6:08 p.m.

Item #1.8

Conditional Use Permit

Sale & On-Site Consumption of Alcoholic

Renewal:

Beverages – La Fogata Restaurant
300 N. Shary Road
Lot 1, El Lugar Subdivision
C-3
El Lugar Cabrito & Steak House

Ms. De Luna went over the write-up stating the site is located 1/3 mile north of Expressway 83 along the east side of Shary Rd. La Fogata is a family oriented Mexican restaurant and bar that has been in operation since 2008. This CUP was most recently approved by P&Z on November 23, 2020 for a period of 2 years.

- **Hours of operation:** Sunday - Thursday from 8 a.m. to 10 p.m. and Friday – Saturday from 8:00 a.m. to 12:00 a.m.
- **Staff:** 58
- **Parking:** The existing 21,533 sq. ft. building has a grand total of 357 seating spaces which require 119 parking spaces (357/3 seats). There is a total of 168 parking spaces exceeding code by 49 spaces.
- **Landscaping:** The applicant is complying with the landscaping requirements by currently providing various trees, plants and shrubs within landscaped islands throughout the site.
- Section 1.56-3 of the Zoning Code cites that 'Bars' must be 300' from the nearest residence, church, school or publicly owned property. There is one single family home and several mobile homes within 300' (see aerial); however, P&Z and the Council waived this separation requirement in the CUP's previous approval.

REVIEW COMMENTS: Staff has asked Mission PD to provide a report in relation to the sale of alcohol which we should have by the meeting date.

RECOMMENDATION: Staff recommends approval subject to:

1. 4 year re-evaluation at which time the applicant will need to renew their CUP & TABC License,
2. Waiver of the 300' separation requirement from the residential homes.
3. 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 the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the conditional use permit as recommended by staff. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:08 p.m.

Ended: 6:10 p.m.

Item #1.9

Conditional Use Permit

Renewal:

Sale & On-Site Consumption of Alcoholic
Beverages – Tinseltown Mission
2516 E. Expressway 83
Lot 1, Tinseltown Subdivision
C-3

CNMK Texas Properties, LLC

Ms. De Luna went over the write-up stating the subject site is located at the SW corner of Expressway 83 and Taylor Road. The applicant desires to renew the conditional use permit for the sale & on-site consumption of alcohol for Tinseltown. No new use is proposed or change has been made at this location. The most recent approval for this site was on October 12, 2020 for a period of 2 years. The sale of alcohol only takes place only from the main concession area.

- **Hours of Operation:** Everyday from 10 a.m. to 1 a.m.
- **Staff:** 59 employees
- **Parking:** Tinseltown Mission has a total of 938 parking spaces. For a theater with 3,034 seats parking code requires 759 parking spaces (1 parking space for every 4 seats) thus exceeding code by 179.
- **Sale of Alcohol:** Section 6-4 of the Alcohol Beverage code states that such uses need to be 300' from residential uses. There are some residences within this radius (Santa Lucia Development); thus, a waiver of the separation requirement needs to be considered

REVIEW COMMENTS: Notices were sent to property owners within 200' of this business where Staff has not received any comments in favor or against this CUP. Staff asked Mission PD for a report of any incidents in relation to the sale of alcohol. No incidents have been reported as of this date.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 2 year re-evaluation at which time the applicant will have to renew his CUP & TABC license, and 2) Waiver of the 300' separation requirement from the residential homes

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the conditional use permit as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:10 p.m.

Ended: 6:12 p.m.

Item #2.0

**Conditional Use Permit
Renewal:**

**Sale & On-Site Consumption of Alcoholic
Beverages – 5x5 Brewing Company
801 N. Bryan Road
Lot 1, Tamkin Subdivision
I-1
5x5 Brewing Co., LLC**

Ms. De Luna went over the write-up stating the subject site is located on the SW corner of Bryan Road and Business Highway 83. The applicant desires to renew the conditional use permit for the sale & on-site consumption of alcohol for 5x5 Brewing Company. The 5x5 Brewing Company is a Veteran owned and operated craft brewery. The most recent approval for this site was on October 26, 2020 for a period of 2 years.

- **Days/Hours of Operation:** Wednesday & Thursday 4:00 pm to 11:00 pm, Friday 4:00 pm to 12:00 am, Saturday 12:00 pm to 12:00 am, and Sunday from 12:00 pm to 10:00 p.m. Closed on Monday and Tuesday
- **Staff:** 18 employees, but only 5 work on the bar
- **Parking:** There are currently several existing parking areas shared with the various businesses within the CEED building. It is noted that parking is held in common and there is a total of 221 total parking spaces.
- **Sale of Alcohol:** Such uses need to be 300' from residential uses. There are no such uses within this radius.

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 from a period of 2 years at which time the applicant will need to renew their CUP & TABC license, and
2. Must continue to comply with all City Codes (Building, Fire, Health Codes, etc.)

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

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

Started: 6:12 p.m.

Ended: 6:13 p.m.

Item #2.1

**Conditional Use Permit
Renewal:**

**Two Drive-thru Service Windows – Tropical Breeze
1610 W. Griffin Parkway
Lot 19, Block 1, Oakwood Estates Subdivision
C-3
Margie Jennifer Briseño**

Ms. De Luna went over the write-up stating the site is located at the NW corner of W. Griffin Parkway and River Oak Avenue along the north side of Griffin Parkway. The applicant is requesting a renewal of a CUP for a sno-cone stand with two drive-thru service windows. The most recent approval for this site was on September 28, 2020 for a period of 2 years.

- **Hours of Operation:** Every day from 12:00 p.m. to 10:00 p.m.
- **Staff:** 3 employees
- **Parking:** The building measures approximately 396 sq. ft. The number of parking spaces required for this size building is 4. The applicant is providing 4 spaces along the front of the building plus there is stacking for approximately 4 cars when placing orders.
- **Landscaping and Buffering:** The applicant has landscaping areas around the perimeter of the lot. There is also a 6' cedar fence providing a buffer from the abutting residential uses.

REVIEW COMMENTS: A total of 23 notices were sent out to property owners within 200 feet and Staff has not received any calls or letters in opposition. Since we have not had any concerns from this location, Staff does not object to this CUP for two drive-thru service windows.

RECOMMENDATION: Staff recommends approval of this CUP for 3 year to continue assessing this operation.

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

There was none.

Chairwoman Izaguirre asked the board if they had questions.

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

Started: 6:13 p.m.

Ended: 6:15 p.m.

Item #3.0

Site Plan Approval:

Construction of 294 Apartments

4100 San Gabriel

Lot 1, Sharyland Plantation Grove No. 6

PUD (R-3)

Cascade Real State Operating, LP

Mr. Ramirez went over the write-up stating the subject site is located on the southeast corner of Santa Engracia and San Gabriel – see vicinity map. Site Plan approval is required prior to permit issuance for multi-unit complexes of five or more.

Upon reviewing the site plan there are a total of 15 – 3 story multifamily buildings and 1 amenity center. There are 3 types of buildings: Type 1 contains 18 units each and there will be 11 buildings for a total of 198 units. Type 2 contains 24 units each and there will be 2 buildings for a total of 48 units. Type 3 contains 24 units each and there will be 2 buildings for a total of 48 units.

The apartments will consist of 1 bedroom – 1 bath (735 sqft), 2 bedroom – 2 baths (1012 sqft), and 3 bdrm-2 baths (1219 sqft). There will also be an amenity building to include office, gym, and mail room within the compound. The buildings must comply with all fire code requirements for a multi-family complex.

The minimum required setbacks for the site will be: 30' front setback, 10' rear setback, 6' side setback, and 15' corner side setback. It is noted that all setbacks are in compliance as per zoning ordinance, easements or greater as per site plan.

As seen in the aerial, the primary access will be from San Gabriel. With regards to parking and landscaping, the parking is held in common within the lot and a Landscaping design was submitted for review to comply with the City's regulations as stated in Sec. 98-15 Code of Ordinance.

OTHER COMMENTS:

1. Payment of Capital Sewer Recovery Fees in the amount of \$30,060
 - \$70 per 1-bdrm apt (114) = \$7,980
 - \$120 per 2-bdrm apt (156) = \$18,720
 - \$140 per 3-bdrm apt (24) = \$3,360
2. Enclosed dumpsters will be located within the complex to be screened with a 6' block fence with opaque (solid) gates.
3. This development requires a 5' sidewalk along San Gabriel

RECOMMENDATION: Staff recommends approval subject to meeting all format findings.

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the request as recommended by staff. Mrs. Alvarez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:15 p.m.

Ended: 6:16 p.m.

Item #4.0

**Preliminary & Final
Plat Approval:**

**Maluz II Subdivision
Being all of Lot 17, Block 3,
Texas Gardens Subdivision
Suburban E.T.J.
Developer: Julio Cerda
Engineer: South Texas Infrastructure Group**

Mr. Gabriel Ramirez went over the write-up stating the proposed subdivision is located at the intersection of 4 Mile Rd. and Iowa Rd. (Mission Suburban ETJ). The developer is proposing (21) Twenty-One Single Family Residentials lots.

WATER

The water CCN belongs to Agua Special Utility District. The developer is proposing to connect to an existing 8" water line located along the south side of W. Mile 4 Road with a proposed 8" water line to provide water service to each lot. There are 3 fire hydrants provided to be used as filling stations via direction of the Fire Marshal's office.

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 available from Iowa Rd for Lots 1-4 and from W. Mile 4 Rd for Lots 5-21. The peak rate will be 31.04 cfs which will give us a net increase of 11.84 cfs. for proposed Maluz II Subdivision only 31,962 cubic-feet, or 0.734 acre-feet of storm water runoff will need to be detained in the green areas of the proposed lots and by re-grading and excavating existing roadside ditch along the frontage of the property where the natural flow will eventually drain into an existing inlet located at the Southwest corner of Las Comadres No. 6 Subdivision. The

mentioned inlet ultimately drains into a caliche pit. The City Engineer has reviewed and approved the drainage report.

RECOMMENDATION

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

Chairwoman Izaguirre asked the board if they had questions.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to approve the request as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:16 p.m.

Ended: 6:17 p.m.

Item #4.1

**Preliminary & Final
Plat Approval:**

Carrizales Subdivision No. 3

**A 24.34 acre tract of land being all of Lots 13 and 14,
Block 5, Texas Gardens Subdivision
Suburban ETJ**

Developer: Carrizales, LLC

Engineer: Quintanilla, Headley, and Associates, Inc.

Mr. Ramirez went over the write-up stating the proposed subdivision is located on the west side of Iowa Road 1,080' south of Mile 5 North Road. The developer is proposing 36 Single Family Residential lots.

WATER

The water CCN belongs to Agua Special Utility Supply District. The developer is proposing to connect to existing 12" PVC water line running along the north side of Mile 5 North Road by extending a proposed 8" water line along the east side of Iowa Road. This will allow water service to the proposed subdivision and provide water service to each lot. There will be 3 fire hydrants to be used as filling station.

SEWER

Sewage from Carrizales Subdivision No. 3 will be treated by individual on-site sewage facilities consisting of a stand design dual compartments septic tank and a drain field on each lot. Each lot in the proposed subdivision is at least ½ acre in size. This is not within the City of Mission sewer CCN.

STREETS & STORM DRAINAGE

All internal streets are 32' Back-to-Back within a 50' Right of Way. Access will be from Iowa Road. After development the runoff will be Q=58.19 cubic feet per second for an increase of Q=40.47 cubic feet per second. Detention will be 80,283.26 cubic feet (1.84 acre-feet) and will be provided by the HCDD No. 1 Iowa RDF located at the northwest corner of Mile 3 North Road and Iowa Road. The drainage system consists of Type "A" inlets and pipes of 18", 24" and 30" that will outfall into the existing HCDD No. 1 PD Lateral located along the west side of the subdivision which flows south and discharges into the HCDD No. 1 Iowa RD. 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 the board if they had questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Alvarez moved to approve the request as recommended by staff. Mr. Moreno 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. Mrs. Alvarez moved to adjourn the meeting. Mr. Moreno seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:17 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

November 16, 2022

Planning and Zoning Meeting

My name is _____ and I live at 2601 E. 20th St.

I am here to speak in opposition to the changing of the zoning of tracts 1 and 2 out of lot 236 from its current designation AO-1 Agricultural to R-3 Multi-Family Residential.

We were faced with this same issue a few months ago, and we will continue to come before you to voice our opposition. Our family and neighbors live adjacent to this property and will be directly impacted if this change is made. This will cause a disruption in our daily lives.

The current land use in this area is for single family residence in accordance with the Future Land Use Map that was approved by the Mission city council in 2010. Any change would deviate from this approved plan.

I will also remind you that on your own website it states that your job is to, "regulate how the lot is used to promote health, safety and general welfare of Mission's neighborhoods and overall community. Essentially the public welfare is affected by what occurs on neighboring lots, and thus the city can impose restrictions to maximize each individual's enjoyment of their private property."

So at this point in time I am asking you to do your job to maximize your constituents' safety and enjoyment in our own homes. These are our homes and not merely a business venture.

Thank you.