

**PLANNING AND ZONING COMMISSION  
DECEMBER 21, 2022  
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

**P&Z PRESENT**

Connie Garza  
Diana Izaguirre  
Hector Moreno  
Raquenel Austin  
Javier Barrera  
Ruben Arcaute

**P&Z ABSENT**

Jasen Hardison  
Debra Alvarez

**STAFF PRESENT**

Susie De Luna  
Alex Hernandez  
Jessica Munoz  
Gabriel Ramirez

**GUESTS PRESENT**

Yuliana Salinas  
Blanca A. Rodriguez  
Sabrina Escobar  
Osbaldo Salinas  
Antonio Marines  
Eric Pena  
Ana Lidia Nava  
Quiricho, LTD  
Carolyn Sanchez  
Jaime Sanchez  
Adelaida Villarreal  
Narda Pacheco  
Daniel Sanchez  
Lane Rangel  
Ingrid Ortiz  
Robert Galligan  
Rodrigo Rodriguez  
Robert L. Bell  
Diana Reyna  
Raul Zarate  
Marco Mascorro  
Jesus Trevino  
Raul Sesin  
Sam Bentsen

**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 NOVEMBER 21, 2022**

Chairwoman Izaguirre asked if there were any corrections to the minutes for November 21, 2022. Mrs. Garza moved to approve the minutes as presented. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:32 p.m.**

**Ended: 5:33 p.m.**

**Item #1.1**

**Rezoning:**

**Lot 12, Block 1, East Side Addition  
R-1 to C-3**

## **Cynthia Ingrid Ortiz Castilla**

Ms. De Luna went over the write-up stating the subject site is located at the Southwest corner of Naranjo Ave. and Matamoros Street.

<b>SURROUNDING ZONES:</b>	N:	P	– Public
	E:	R-2	– Duplex – Fourplex Residential
	W:	R-1	– Single-Family Residential
	S:	R-1	– Single-Family Residential

<b>EXISTING LAND USES:</b>	N:	Holy Rosary Church
	E:	Apartments
	W:	Vacant
	S:	Vacant
	Site:	Vacant

**FLUM:** Low Density Residential (LD)

**REVIEW COMMENTS:** The proposed zone does not comply with the City's Future Land Use Map, and surrounding land uses. Approving a C-3 zone would be detrimental to the surrounding properties.

**RECOMMENDATION:** Staff recommends Denial.

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. Garza moved to deny the rezoning request as per staff recommendation. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:33 p.m.**

**Ended: 5:49 p.m.**

**Item #1.2**

**Rezoning:** Lot 65 and the West ½ of Lot 64,  
Shary Villas Subdivision  
R-1 to C-1  
Jesus Trevino

Ms. De Luna went over write-up stating the subject site is located at the Southeast corner of N. Shary Road and E. 20<sup>th</sup>. Street.

<b>SURROUNDING ZONES:</b>	N:	R-1	– Single-Family Home
	E:	R-1	– Single-Family Home
	W:	R-1	– Single-Family Home
	S:	AO-I	– Agricultural Open Interim

**EXISTING LAND USES:**

N:	Single-Family Home
E:	Single-Family Home
W:	Single-Family Home
S:	Bannworth Park
Site:	Single-Family Home

**FLUM:** Lower Density Residential (LDA)

**REVIEW COMMENTS:** The proposed zone does not comply with the City's Future Land Use Map, and surrounding land uses. Approving a C-1 zone would be detrimental to the surrounding properties.

**RECOMMENDATION:** Staff recommends Denial.

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

Mr. Ciro Ochoa Jr. spoke on behalf of Jose Angel Trevino who resides adjacent to this property. He stated they were opposed to this request. He added that a business is not allowed in this subdivision.

Mr. Raul Zarate who resides at 2413 E. 20<sup>th</sup> Street and represents Shary Villas stated that they were opposed to this request. He added that he collected a total of 45 signatures that were in opposition.

Mr. Mike Trevino who resides at 2401 E. 20<sup>th</sup> stated he was in opposition to this request. He stated that he has lived here all his life. He added that in the deed restrictions it states that no businesses are allowed in the subdivision.

Mr. Raul Segin spoke on behalf of Jesus Trevino the owner of the property. He stated that this property is facing Shary Road and is part of the subdivision. He added that the idea was to remodel the existing home into office space for Mr. Trevino's architectural firm. He mentioned that customers would be seen by appointment only and that the internal street would be limited to use of only employees.

Chairwoman Izaguirre asked if the building would stay the same?

Mr. Raul Segin stated that the building would stay the same. He added that the wall blocking Shary road would be removed to have frontage to Shary.

Discussion amongst the board members.

Mrs. Diana Reyna who resides at 2403 E. 21<sup>st</sup> stated that after hearing all the discussion, she had some comments to make. She added that Jenny Townsen was the original owner of that property and lived there until the very end. Mrs. Reyna mentioned that her and some neighbors are not in opposition. She added that they want Shary Road to grow but not within their subdivision. She added that the neighborhood would have an increase in traffic and the safety of there children would be at risk.

No Action was taken.

**Started: 5:49 p.m.**  
**Ended: 5:56 p.m.**  
**Item #1.3**  
**Rezoning:**

**Lot 2, Yessica Pedraza Subdivision**  
**R-1 to R-3**  
**Armando Pena, III**

Ms. De Luna went over write-up stating the subject site is located 280' north off E. Griffin Parkway and 150' east off Orange Avenue.

**SURROUNDING ZONES:**

N:	AO-I & P	– Agricultural Open Interim & Public
E:	R-1	– Single-Family Home
W:	R-1	– Single-Family Home
S:	C-2	– Neighborhood Commercial

**EXISTING LAND USES:**

N:	Single-Family Home & Agape School
E:	Single-Family Home
W:	Single-Family Home
S:	Frobel Learning Center
Site:	Single-Family Home

**FLUM:** Lower Density Residential (LDA)

**REVIEW COMMENTS:** The proposed zone does not comply with the City's Future Land Use Map, and surrounding land uses. Approving an R-3 Zone would be detrimental to the surrounding properties.

**RECOMMENDATION:** Staff recommends Denial.

Ms. De Luna mentioned that staff received a petition reflecting 71% in opposition. Ms. De Luna added that the concerns were in regards to the property being surrounded by homes and should remain an R-1 zone. She added that the only access to this property is through an alley on the west side. Rose Marie Avenue on the north does not exist.

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

Mr. Robert Bell who resides at 2314 Orange stated that he was opposed to this request. He added that this property is surrounded by homes and has no access.

Mr. Rogelio Gutierrez who resides behind the vacant lot is opposed to this request. He stated that their neighborhood has a lot of vandalism and building apartments would create more problems.

Dr. Lalo Villarreal who resides at 1307 E. 24<sup>th</sup> Street stated that he was opposed to this request. He added that the map presented was a miss representation of the property, Rose Marie Street does not exist. Dr. Villarreal mentioned that in order to comply, Rose Marie needs to be added to 24<sup>th</sup> Street.

Mr. Jaime Sanchez who resides at 2328 Orange Street stated that he is opposed to this request. He added that approving this request would cause more traffic to the area.



**Started: 5:34 p.m.**

**Ended: 5:35 p.m.**

**Item #1.5**

**Conditional Use Permit:**

**Guest House**

**1502 Esperanza Avenue**

**Lot 18, Los Ebanos Village**

**R-1**

**Sabrina Escobar**

Ms. De Luna went over write-up stating the subject site is located 139' west of Los Ebanos Road along the north side of Esperanza Avenue. The owner has applied for a construction permit for a single-family residence thereon and is requesting a conditional use permit for the construction of a guesthouse to include a storage and a carport. The structure is proposed to have 510 sq.ft. of living area. It will consist (1) bedroom, (1) bathroom, and a storage – see site plan. Guest houses are allowed in a Single-Family Zone as long as they apply for a conditional use permit and comply with the following conditions:

The conditions of the CUP require:

- That the lot be a minimum of 12,000 sq.ft.
- Cannot be made available or used for lease, rent, hire, and the owner of such use may not receive remuneration for the use of one of the above.
- Proposal must be clearly secondary to the primary residence
- Shall not have access to a public street. (No shared/extended driveway)
- Shall not have a separate kitchen area

**REVIEW COMMENTS:** The lot is 13,392 sq.ft. and all building setbacks will be met. The proposed driveway is more than sufficient to accommodate any guest vehicle. The guest home must be connected to the same water and electrical meters, i.e. no separate utilities. Staff mailed out 15 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

**RECOMMENDATION:** Staff recommends approval subject to: 1) no separate utility and electrical connections, 2) transferability to other future owners imposing the same conditions imposed to this applicant, and 3) not to be used for rental purposes.

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. Garza moved to approve the conditional use permit as per staff's recommendation. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:34 p.m.**

**Ended: 5:35 p.m.**

**Item #1.6**

**Conditional Use Permit:**

**Guest House**

**1005 Alameda Drive**

**Lot 1005 Alameda Drive**

**Lots 14 & 15, Mayberry Manor**

**R-1**

**Osbaldo Salinas**

Ms. De Luna went over write-up stating the subject site is located 990' east of Mayberry Road along the north side of Alameda Drive. The applicant is requesting a conditional use permit for the construction of a guesthouse to include (2) bedrooms, (2) bathrooms, loft, gaming area and a porch. The guest house will have 672 square feet. Guest houses are allowed in a Single-Family Zone as long as they apply for a conditional use permit and comply with the following conditions:

The conditions of the CUP require:

- That the lot be a minimum of 12,000 sq.ft.
- Cannot be made available or used for lease, rent, hire, and the owner of such use may not receive remuneration for the use of one of the above.
- Proposal must be clearly secondary to the primary residence
- Shall not have access to a public street. (No shared/extended driveway)
- Shall not have a separate kitchen area

**REVIEW COMMENTS:** The lots measure 20,001 sq.ft. in total and all building setbacks will be met. The proposed driveway is more than sufficient to accommodate any guest vehicle. The guest home must be connected to the same water and electrical meters, i.e. no separate utilities. Staff mailed out 24 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

**RECOMMENDATION:** Staff recommends approval subject to: 1) no separate utility and electrical connections, 2) transferability to other future owners imposing the same conditions imposed to this applicant, and 3) not to be used for rental purposes.

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. Arcaute moved to approve the conditional use permit without the kitchen. Mrs. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:04 p.m.**

**Ended: 6:05 p.m.**

**Item #1.7**

**Conditional Use Permit:**

**Texas Citrus Fiesta Fun Fair with the**

**Started: 6:05 p.m.**

**Ended: 6:07 p.m.**

**Item #1.8**

**Conditional Use Permit:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Southern Pour Sips & Bites  
2600 E. Griffin Parkway  
Being a 1.04 acre tract of land out of Lot 246,  
John H. Shary Subdivision  
C-3  
Southern Pour Sips & Bites, LLC**

Ms. De Luna went over write-up stating the subject site is located between Hackberry Avenue and Taylor Road along the south side of Griffin Parkway (F.M. 495). Southern Pour Sips & Bites is an existing venue that operates a first-class restaurant and provides a comfortable atmosphere resulting in a positive experience for families, friends and guests who can enjoy and relax in a comfortable setting for delicious breakfast and lunch. They would like to offer beer and wine to their menu. In addition to the restaurant, the site houses a gift shop and flower shop, which operates from 8am to 3pm. Access to the site is via 24' driveway leading to Southern Sips & Bites, which has 15 parking spaces available in the front and an additional 20 parking spaces in the rear.

- **Hours of Operation:** Monday – Thursday from 8:00 a.m. to 3 p.m., and Friday – Sunday from 8:00 a.m. to 4:00 p.m.
- **Staff:** 15 employees including managers, bartenders, cooks, wait staff, cashiers and janitorial services.
- **Parking:** Based on the square footage of the building there is a total of 24 parking spaces required. It is noted that this location has 35 parking spaces which exceeds code.
- **Sale of Alcohol:** 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.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes prior to obtaining a new business license.

**RECOMMENDATION:** Staff recommends approval subject to:

1. 2 year re-evaluation at which time the applicant will need to renew their CUP & TABC License;
2. Waiver of 300' separation requirement from residential homes; and
3. Must continue to comply with all City Codes (Building, Fire, and Health Codes, etc.), and
4. 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 if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Arcaute moved to approve the conditional use permit as per staff's recommendation. Mr. Barrera seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:34 p.m.**

**Ended: 5:35 p.m.**

**Item #1.9**

**Conditional Use Permit:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Taboo Bar & Grill  
608 N. Shary Road, Suites 9 & 10  
Lot 1, Alba Plaza  
C-3  
BGD Investments, LLC**

Ms. De Luna went over write-up stating the subject site is located ¼ mile south of East Business Highway 83 within a commercial plaza along the east side of Shary Road. Access to the site is via a 34' driveway off of Shary Road. The applicant originally applied for a family-oriented Bar & Grill restaurant with a large dining area and a bar. It was later discovered that this was more of a nightclub concept rather than their original Bar & Grill proposal. It is noted that a nightclub is an allowable use under the General Business Zone (C-3), but the sale & on-site consumption still requires a conditional use permit. This nightclub concept offers food, VIP areas, live music and concerts, etc. The last CUP for this location was approved on June 28, 2021 for a period of 1 year.

- **Days/Hours of Operation:** Thursday – Sunday from 6:00 p.m. to 2 a.m. Alcoholic beverages will only be served during allowable State selling hours.
- **Staff:** 15 employees
- **Parking:** It is noted that parking is held in common and there is a total of 138 total parking spaces shared with the various businesses within the commercial plaza.
- Section 1.56-3 of the Zoning Code cites that Bars, cocktail lounges, taverns, cantinas, saloons, dancehalls, discotheques, or nightclubs: must be 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within 300' (see aerial); however, P&Z and the Council have waived this separation requirement in previous CUP's.

**REVIEW COMMENTS:** Staff mailed out 20 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. In conferring with Mission PD for incidents at this location, reports indicate 20 complaints regarding noise, fights, use of weapons, public intoxication, disturbance from December to present. Staff & PD have met twice with the applicant to address these concerns. In an effort to comply with City requirements and address these concerns the applicant has installed his own decibel reader and has restricted the entrance to patrons that have caused problems in the past.

**RECOMMENDATION:** Staff recommends approval subject to:

1. 6-month re-evaluation to continue to assess this operation.
2. Waiver of the 300' separation requirement from the residential homes.
3. Continued compliance with the Building, Fire, Health, Noise and Sign Codes,
4. Continued compliance with TABC requirements, and
5. Must have at least 2 securities at all times.

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

Mrs. Austin asked if staff had a period of time between complaints?

Ms. De Luna stated from January to October of this year.

Ms. De Luna stated that the complaints received recently are for public intoxication.

Chairwoman Izaguirre stated that she thought the complaints received are for loud music.

Ms. De Luna stated that the complaints received were for both loud music and public intoxication.

Mrs. Austin asked how many complaints about the use of weapons.

Ms. De Luna stated complaints on the use of weapons twice.

Ms. De Luna stated that the main concern was the base and it is hard to enforce.

Mrs. Garza asked the assistant police chief what kind of calls are received for this business?

Assistant police chief stated that the complaints received for this business are two-gun incidents, physical altercations inside and out of the establishment, and loud music. He added that a resident that lives behind the establishment called law enforcement complaining on the loud music and based on the decibel reading from inside the house the business was complying to the noise ordinance.

Mr. Arcaute stated that his main concern is the safety for the citizens and tenants within the plaza.

Assistant police chief stated that the establishment had two off duty police officers as security guards during the incidents.

Mr. Diego Ortado stated that he was the marketing director for Taboo Bar & Grill. He added that several incidents have occurred but were resolved. Mr. Ortado mentioned that 6 security guards and 2 police officers are on duty during business hours.

Mr. Barrera asked when was the last time Mission Police Department was called to the establishment?

Mr. Ortado stated a month ago. He added that when customers or employees open the doors the music sounds louder.

Mr. George Blesson the owner of Taboo Bar & Grill stated that the establishment has three exit doors in the back. He added that the third one is a riser room that can't be locked.

Mr. Ortado stated that two Palmview Police Officers are on duty during events. He added that the officers have been there for the past 9 months during business hours.

Chairwoman Izaguirre asked that if fights still occurred after having police officers.

Mr. Blesson stated "No".

Chairwoman Izaguirre asked if he was willing to fix the loud music?

Mr. Blesson stated that he removed three speakers from the second floor. He added that he was going to perforate the doors to help with the loud music.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Barrera moved to approve the conditional use permit as per staff's recommendation. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:24 p.m.**

**Ended: 6:27 p.m.**

**Item #2.0**

**Conditional Use Permit:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Ice House, LLC  
815 N. Francisco Avenue  
Being the South 109.5' of Lot 2, Block 137,  
Mission Original Townsite & all of Lot 52,  
John H. Shary Industrial Subdivision  
C-3  
Robert Galligan**

Ms. De Luna went over write-up stating the subject site is located at the NW corner of Francisco and 8<sup>th</sup> Street. This bar has been in existence at this location since 1960 as per appraisal district records. The new applicant recently remodeled the building. There are tables and chairs located inside and outside the building, and some bar stools around the bar area too (total of 124 seating spaces). This is a longstanding business frequented by different Mission residents and Winter Texans. The applicant will offer finger foods like chips, frozen pizza and fries.

- **Hours of Operation:** Monday – Sunday from 10 am to 10 pm. Although beverages will only be served during the allowable State selling hours.
- **Staff:** 2 employees including the owner.
- **Parking:** As can be seen in the aerial, there are over 12 off-street parking spaces that were constructed in the 60's, thus some of the parking spaces need to be re-stripped. The parking requirements for a restaurant, nightclub, café or similar recreation or amusement establishment: One space for each 75 square feet of floor area or one space for each three seats, whichever is greater. Based on the code, 41 parking spaces are required. However, this property is located within the Mission's Central Business District; thus, exempt from parking requirements for existing structures.
- **Alcoholic Beverages:** Such uses require that no alcoholic beverage be sold within 300' to a residence, church, public school, private school or public hospital. There are some residences within this radius; thus, a waiver of the separation requirement would need to be considered.

**REVIEW COMMENTS:** Notices were sent out to property owners within 200' radius of this business, as of this writing staff has not received any comments in favor or against this request. In the past, staff has received several concerns in regards to noise for this establishment, therefore the new applicant will need to comply with the noise ordinance.

**RECOMMENDATION:** Staff recommends approval subject to: 1) 2-year approval at which time the applicant will have to renew their CUP and TABC License, 2) waiver of the 300' separation requirement from residential areas, 3) re-stripe parking area and add landscaping, 4) compliance with building, fire, and health codes, 5) obtain a business license, and 6) compliance with noise ordinance.

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. Arcaute moved to approve the conditional use permit as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:27 p.m.**

**Ended: 6:30 p.m.**

**Item #2.1**

**Conditional Use Permit:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Lada (52) Bar & Grill  
4001 S. Shary Road, Ste. 100  
Lot 1, Sharyland Plantation Grove Tech-Center #2  
PUD  
Marco Mascorro**

Ms. De Luna went over write-up stating the subject site is located on the SE corner of San Mateo and Shary Road. Access to the site can be from one primary driveway off of Shary Road or from separate driveways from San Mateo or from San Gabriel. The last CUP approved for this location was on October 26, 2020 for a period of 2 years. The applicant would like to renew his CUP, staff notes that this would be the 3<sup>rd</sup> renewal.

- **Hours of Operation:** Monday – Sunday from 7p.m. to 2a.m.
- **Staff:** 9
- **Parking:** It is noted that the parking area is held in common (180 existing parking spaces) and are shared with other businesses. There are some areas within the parking that need maintenance but have already been addressed with the applicant.
- **Sale of Alcohol:** The existing restaurant includes a 'bar' component. Section 1.56 (3a) of the Zoning code requires a minimum separation of 300' from the *property line* of any churches, schools, publicly owned property, and residences. There is a single-family residential neighborhood located within the 300' radius; however, P&Z and the City Council waived this separation requirement in the CUP's previous approval.

**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 has asked Mission PD to provide a report in relation to the sale of alcohol and there has been no incidents reported.

**RECOMMENDATION:**

Staff recommends approval subject to:

1. Approval for 4 years at which time the CUP and TABC permit will need to be renewed;
2. Waiver of the 300' separation requirement from the residential homes; and
3. Must comply with all City Codes (Fire, Health, and Building Code requirements)

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. Garza moved to approve the conditional use permit renewal as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:30 p.m.**

**Ended: 6:31 p.m.**

**Item #2.2**

**Conditional Use Permit:  
Renewal:**

**Mobile Food Truck – El Sancho BBQ  
1625 N. Conway Avenue  
The north ½ of Lot 13 & all of Lot 14, Block 258,  
Mission Original Townsite Subdivision  
C-3  
Daniel Sanchez**

Ms. De Luna went over write-up stating the subject site is located 400' north of Kika De La Garza Loop along the west side of Conway Avenue. The primary business is Jitterz Coffee Bar. Access to the site is off of Conway Blvd. This CUP was most recently approved by P&Z on November 18, 2020 for a period of 2 years. The applicant desires to renew his CUP for the Food Truck, staff notes that this would be the 3<sup>rd</sup> renewal for this location.

- **Hours of operation:** Monday through Friday from 7:00 a.m. to 10:00 p.m., Saturday from 8 a.m. to 10:00 p.m., and Sunday 8:00 a.m. to 7:00 p.m.
- **Staff:** Only the applicant will be running the stand.
- **Parking:** The coffee shop has a large paved area directly west of the building. In addition, there is additional parking in the front of the coffee shop through Conway.
- **Landscaping:** There are some green areas south side and west side of Jitterz.

**REVIEW COMMENTS:** El Sancho BBQ has been operating at this location without any issues. The applicant has an agreement with Jitterz to use their restroom facilities for both his personal use and for customer use. Parking is also plentiful and not a concern.

**RECOMMENDATION:** Staff recommends approval subject to: CUP to valid for a period of 4 years and must continue to comply with all Fire, Health Requirements

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. Arcaute moved to approve the conditional use permit renewal as recommended by staff. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:31 p.m.**

**Ended: 6:34 p.m.**

**Item #2.3**

**Conditional Use Permit:  
Renewal**

**Sale & On-Site Consumption of Alcoholic Beverages  
Suerte Bar & Grill  
205 N. Shary Road, Ste. A  
Lot 1, South Shary Commercial Subdivision  
C-3  
Buzz Entertainment, LLC**

Ms. De Luna went over write-up stating the subject site is located near the NW corner of Shary Road and Selena Street (E. 1<sup>st</sup> Street) along the west side of Shary Road. The applicant occupies a 3,870 sq.ft. building with an outdoor terrace along the south side for this Bar & Grill. The last CUP approved for this location was on November 9<sup>th</sup> for a period of 2 years. This is the 1<sup>st</sup> renewal for this location. Access to the site is off of Shary Road.

It is also noted that the applicant has a "bar" component within the restaurant which requires the use of Sec. 1.56 (3a.) of the Zoning Code which 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 a few mobile homes to the west within 300 feet.

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

**Staff:** 10 employees

**Parking:** In viewing the floor plan, there are 42 seating spaces in the interior portion of the restaurant/bar and 24 seating spaces in the terrace for a total of 66 seating spaces, which require 22 parking spaces (66 seats/1 space for every 3 seats = 22 parking spaces). It is noted that the parking area is held in common (58 existing parking spaces) and will be shared with other businesses.

**REVIEW COMMENTS:** Staff mailed out 13 notices to property owners within 200' radius of the site, and as of this writing, staff has not received any comments in favor or against this request. Staff has asked Mission PD to provide a report in relation to the sale of alcohol and there has been 1 incident reported due to public intoxication.

**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, and 3) Must continue to comply with all City Codes (Fire, Health, and Building Code requirements).

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. Arcaute moved to approve the conditional use permit renewal as recommended by staff. Mr. Moreno seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:34 p.m.**

**Ended: 6:35 p.m.**

**Item #3.0**

**Site Plan Approval:**

**Construction of a Commercial Plaza**

**(Conway Plaza – 3501 N. Conway Ave.)**

**Being a resubdivision of 4.666 acres out of Lot 32, Bell - Woods Company's Subdivision "C"**

**C-3**

**Haidar Properties, LLC**

Mr. Ramirez went over write-up stating the subject site is located approximately 1355' north of Mile 2 Rd along the West side of Conway Ave. (SH 107) – see vicinity map. The developer is proposing a two-lot subdivision with the Plaza complex on Lot 2 to include a build-to-suit pad, 2 free standing structures, and an L-shaped shell plaza. The site is currently vacant.

Upon reviewing the site plan, the primary access will be from Conway Ave. through a proposed 24' common access easement running East to West with the complex being on the south. The building sizes measuring 5,524sqft, 1,701sqft / 2,245sqft, and 19,080sqft respectively with 2 drive thru windows. The Plaza could accommodate a maximum of 13 rental commercial spaces.

The front building setback is approximately 85' from the property line and all other setbacks are to comply with zoning ordinance, easements or greater as per site plan.

A total of 135 parking spaces are allocated to serve the complex. There will be 4 fire hydrants and its assemblies located strategically per fire code and fire lanes will be noted at restricted locations throughout the site.

Storm water detention area has been designated at the rear of the property to fulfill drainage requirements. Landscaping is to comply with the City's regulations and code ordinances and a Lighting Plan will be reviewed so that nearby residential properties won't be affected.

**OTHER COMMENTS:**

1. 3 enclosed dumpsters will be located within the complex to be screened with a 6' block fence and opaque (solid) gates.
2. Sign permits will be required per tenant

**RECOMMENDATION:** Staff recommends approval

Vice-Chairman Barrera asked if the board had any questions.

There was none.

There being no discussion, Vice Chairman Barrera entertained a motion. Mr. Arcaute moved to approve the site plan as recommended by staff. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:35 p.m.**

**Ended: 6:36 p.m.**

**Item #4.0**

**Preliminary & Final  
Plat Approval:**

**Las Comadres #10 Subdivision**

**Being a 64.658 acre tract of land out of a part of a  
certain 243.51 acre tract out of Porcion 48**

**Suburban E.T.J.**

**Developer: Carlos Leal**

**Engineer: South Texas Infrastructure Group**

Mr. Ramirez went over write-up stating the subject site is located at the intersection of 4 Mile Line and Abram Rd. (Mission Suburban ETJ) – see vicinity map. The developer is proposing (47) Forty-Seven Single Family Residentials lots.

### **WATER**

The water CCN belongs to Agua Special Utility District. The developer is proposing to connect to existing 8" water lines located along Abram Rd., 4 Mile Line Rd., and Brushline Rd. to provide water service to each lot. There are 7 fire hydrants provided to be used as filling stations via direction of the Fire Marshal's office – see utility plan.

### **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**

The proposed internal street is a 32' back-to-back within a 50' Right of Way. Access to Lots 1-27 will be from Abram Road; Lots 28-32 will be from 4 Mile Line Rd; and Lots 33-47. The proposed drainage system shall consist of 10 Inlets within the streets to collect surface runoff from the lots and streets. Storm Pipes ranges from 18" to 30" to have an outfall to a regional detention pond being dedicated by plat to the Hidalgo County Drainage District # 1. This regional detention pond with an average depth of 20.50 ft. will provide a total capacity of 210.12 acre-ft (9,152,827.2 ft<sup>3</sup>). 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.

Vice Chairman Barrera asked if the board had any questions.

There was none.

There being no discussion, Vice Chairman Barrera entertained a motion. Mr. Moreno moved to approve the subdivision as recommended by staff. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 6:36 p.m.**

**Ended: 6:37 p.m.**

**Item #4.1**

**Preliminary & Final  
Plat Approval:**

**Eduardo's Subdivision No. 26**

**A 9.93 acre tract of land (North 10 acres recorded)  
out of Block 16, Texan Gardens Subdivision**

**Rural ETJ**

**Developer: Las Dianas Land Development**

**Engineer: Izaguirre Engineering Group, LLC**

Mr. Ramirez went over write-up stating the subject site is located along the east side of Western Road approximately ½ mile north of Mile 6 Road. The developer is proposing 16 Single Family Residential lots — see plat for actual dimensions, square footages, and land uses.

**WATER**

The water CCN belongs to the Agua Special Utility District. The developer is proposing to connect to an existing 8" water line along the west side of Western Rd. and extending a proposed 8" water thru the proposed subdivision to provide water service to each lot. There will be 3 fire hydrants to be used as filling stations per Fire Marshall.

**SEWER**

Sewage from this subdivision will be is to be treated by individual on-site sewage facilities consisting of a standard design dual compartment septic tank and drainage fields on each site. Each lot in the proposed subdivision is at least ½ acre in size. The sewer CCN does not belong to Mission.

**STREETS & STORM DRAINAGE**

The internal street is a 32' Back-to-Back within a 50' Right of Way. Access will be from Western Road. The proposed development site surface storm water runoff will be intercepted by proposed Type "A" inlets thru 24" storm sewer lines flowing east into existing regional detention pond owned by the HCDD#1. Required detention volume per Hidalgo County Drainage District No. 1 policies concerning increased storm water runoff to be added to said regional detention pond owned by the HCDD#1. 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.

Vice Chairman Barrera asked if the board had any questions.

There was none.

There being no discussion, Vice Chairman Barrera entertained a motion. Mr. Arcaute moved to approve the subdivision as recommended by staff. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #4.2**

**ADJOURNMENT**

There being no further items for discussion, Vice Chairman Barrera entertained a motion. Mr. Arcaute moved to adjourn the meeting. Mr. Hardison seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:39 p.m.

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Javier Barrera, Vice Chairwoman  
Planning and Zoning Commission