

PLANNING AND ZONING COMMISSION
JANUARY 24, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.

P&Z PRESENT

Jasen Hardison
Steven Alaniz
Connie Garza
J.D Villarreal
Raquenel Austin
Omar Guevara
Kevin Sanchez

P&Z ABSENT

Diana Izaguirre

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez
Victor Flores
Irasema Dimas

GUEST PRESENT

Norma Guevara
J. Gonzalez
Karen Prewitt
Kay Wolf
Krysti Davis
Selma Gonzalez
Gerardo Cabello
Marcia Miller
Jereme A. Miller
Robert Norrgard
Diane Norrgard
Blesson George
Kevin Whitehouse

CALL TO ORDER

Acting Chairman Hardison called the meeting to order at 5:35 p.m.

CITIZENS PARTICIPATION

Vice Chairman Mr. Sanchez asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR JANUARY 10, 2024

Vice Chairman Mr. Sanchez asked if there were any corrections to the minutes for January 10, 2024. Mr. Hardison made a correction on the minutes. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

City Attorney Mr. Victor Flores stated that he had general legal counsel to provide to the zoning commissioners on items 1.1, 1.2, and 1.3. He mentioned if the commission is inclined to do so a motion was needed to go into executive session to discuss those legal matters under 551.071.

Vice Chairman Mr. Sanchez entertained a motion to go into executive session. Mrs. Garza moved to go into executive session at 6:09pm. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Vice Chairman Mr. Sanchez entertained a motion to reconvene the meeting. Mrs. Garza moved to reconvene the meeting. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

City Attorney Mr. Victor Flores stated that based on the items that were discussed in executive session, there's no action that needed to be taken as of those actions. He mentioned that since it was in regards to items 1.1, 1.2, and 1.3 those items will be read out the description of those items because they relate to the same development. He added that the commission open public discussion on items 1.1, 1.2, and 1.3.

Started: 6:12 p.m.

Ended: 6:29 p.m.

Item #1.1

Rezoning:

**A tract of land containing 0.612 of one acre,
being a part or portion of the Gulf Course and Lake
Reserve out of Meadow Creek Country Club Phase I-B
1916 Crystal Drive
(AO-I) Agricultural Open Interim to
(R-1) Single Family Residential
Meadow Creek Development**

**A tract of land containing 0.551 of one acre, being
a part or portion of the Gulf Course and Lake Reserve
out of Meadow Creek Country Club Phase I-B
1931 Meadow Way Drive
(AO-I) Agricultural Open Interim to
(R-1) Single Family Residential
Meadow Creek Development**

**A tract of land containing 0.613 of one acre, being
A part or portion of the Gulf Course and Lake Reserve
out of Meadow Creek Country Club Phase I-B
1914 Crystal Drive
(AO-I) Agricultural Open Interim to
(R-1) Single Family Residential
Meadow Creek Development**

Ms. De Luna went over the captions for items 1.1, 1.2, and 1.3.

City Attorney Mr. Victor Flores stated Mr. Chairman at this time if the commission desires to entertain public comments for items 1.1, 1.2 and 1.3.

Vice Chairman Mr. Sanchez entertained a motion to listen to public comments on items 1.1, 1.2, and 1.3. Mrs. Garza moved to listen to public comments on items 1.1, 1.2, and 1.3. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Vice Chairman Mr. Sanchez asked if there was any input in favor or against the request.

Mrs. Karen Prewitt who resides at 2101 Mauve Drive. She mentioned that she was representing her community and was speaking on all three tracts and were against the requests. She added that she submitted a petition that was signed by many members of her community. She mentioned that her and her neighbors have done their due diligence to report all issues that happen in her subdivision to 311. She added that her community would like to work with the owners but it was difficult to work with them since they hide behind to many LLC. She stated that her neighbors are committed to bring the golf course back and to beautify the area. She also mentioned that the community had flooding and environmental concerns.

Mr. Robert Norrgard who resides at 1807 Meadow View Drive. He mentioned that three or four years ago residents came before the planning and zoning commission with a rezoning to rezone the front line of the meadow creek golf course and assured us that the back part would remain a golf course. He added that he was in opposition to all three items.

Mr. Kevin Whitehouse who resides at 1912 Meadow Way Drive. He stated that they city should focus to beautify the area. He added that he was in opposition to all three items.

Mr. Gabriel Guerrero stated that he was representing Meadow Creek Development. He mentioned that he would like to work with the community with any concerns they had. He added that the three tracts that were being rezoned were for single family residential.

Mrs. Diana Norrgard who resides at 1807 Meadow View Drive stated that she was in opposition to all three rezoning. She stated that she wanted to know why Mr. Guerrero purchased the property. She mentioned that it was a mess.

Mr. Jereme A. Miller who resides at 1805 Meadow View Drive stated that he was against all three rezoning. He added that his concern was the property behind his house was weedy and he had to mow it.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Vice Chairman asked that if the city had verified the petition.

Ms. De Luna stated that the petition was submitted today in the morning. She added that staff didn't have time to review it.

Mrs. Austin asked that if calls were made to the city of mission in regards to the properties.

Ms. De Luna stated that several reports have been made. She mentioned that letter have been sent out to the property owners.

Mrs. Austin asked at what point did they stated that all 9 holes were going to be kept.

Ms. De Luna stated that these properties have been owned by several owners. She added that if she recalled it was a previous owner that stated that.

Mr. Villarreal stated that he would like the property owners and the owner of the lots being rezoned to have a chance to meet and resolve the issues.

There being no further discussion, Vice Chairman entertained a motion. Mr. Villarreal moved to "table" items 1.1, 1.2, and 1.3. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:29 p.m.

Ended: 6:29 p.m.

Item #1.4

Rezoning:

**A 27.969 acre tract of land out of
Lot 29-10, West Addition to Sharyland
AO-I to R-1
Jorge E. Miranda**

No Action Taken

Started: 5:37 p.m.

Ended: 5:39 p.m.

Item #1.5

Conditional Use Permit:

Texas Citrus Fiesta Carnival & Fun Fair
All of Lots 4 & 5, out of Shops at 495 Phase I
& the North 11.87 acres out of Lot 25-6, West
Addition to Sharyland
C-3 & R-3
January 26, 2024 through January 29, 2024
Texas Citrus Fiesta (c/o Amy Tijerina)

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of N. Conway Avenue and W. Griffin Parkway (F.M. 495) – see vicinity map. Texas Citrus Fiesta organizers have been given permission to have their annual events on the vacant lots located on the west side of the 24-hour Emergency Center. They wish to set up for the carnival on Friday, January 26, 2024. The Carnival and Fun Fair will be for 2 days. They will then take down the carnival on the 29th. They are proposing to have 15 kiddie carnival rides and approximately 80 vendors for the Fun Fair.

- **Hours of Operation:** Saturday, January 27th from 10a.m. until midnight, and Sunday, January 28th from 8a.m. to 6p.m.
- **Parking:** Parking for the event will be on the south side of the property and the carnival and fun fair will be on the north side of the property. Staff encourages that “No Parking” signs be placed along Conway and F.M. 495.
- 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: Staff encourages that there be early morning trash pick-up throughout the entire site during the Carnival’s tenure. 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 Mr. Sanchez asked if there was any input in favor or against the request.

There was none.

Vice Chairman Mr. Sanchez asked if the board had any questions.

There was none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Hardison moved to the approve the conditional use permit as per staff’s recommendation. Mr. Alaniz seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:30 p.m.

Ended: 6:37 p.m.

Item #1.6

Conditional Use Permit

Renewal:

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 the 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 is currently operating a nightclub. It is noted that a nightclub and the sale & on-site consumption of alcoholic beverages are an allowable use under the General Business Zone (C-3), but require a conditional use permit and the City Council's approval. This nightclub concept offers food, VIP areas, live music and concerts, etc. The last CUP approved for this location was on July 24, 2023 for a 6-month period.

- **Days/Hours of Operation:** Wednesday – 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 28 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. Staff has also requested a report from Mission P.D. in regards to any incidents which may have occurred in relation to the sale and on-site consumption of alcohol. We should have that report by the meeting date.

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.

Vice Chairman Sanchez asked if there was any input in favor or against the request.

There were none.

Vice Chairman Mr. Sanchez entertained a motion to close the public hearing. Mrs. Garza moved to close the public hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Vice Chairman Mr. Sanchez asked that if this was the item that had a lot of noise complaints?

Ms. De Luna stated "yes", and as of this day I have not heard any complaints.

Mr. Guevara asked that how recent were the police reports that were submitted to the planning department.

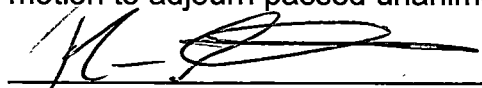
Ms. De Luna stated that the reports were from July to Present.

There being no further discussion, Vice Chairman Mr. Sanchez entertained a motion. Mr. Alaniz moved to the approve the conditional use permit for 6 months. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#2.0

ADJOURMENT

There being no further items for discussion, Vice Chairman Mr. Sanchez entertained a motion. Mrs. Austin moved to adjourn the meeting. Mr. Hardison seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:31 p.m.

A handwritten signature in black ink, appearing to read 'K. Sanchez', is written over a horizontal line.

Kevin Sanchez, Vice Chairman
Planning and Zoning Commission