

**PLANNING AND ZONING COMMISSION
OCTOBER 2, 2024
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
Steven Alaniz
Connie Garza
Irene Thompson
Omar Guevara
Kevin Sanchez
Raquenel Austin

P&Z ABSENT

J.D Villarreal

STAFF PRESENT

Susie De Luna
Alex Hernandez
Elisa Zurita
Gabriel Ramirez

GUEST PRESENT

Mike Braunstein
Alexandra Santos
Julio Alaniz
Isaac Pietizak
Carlos Salinas
Lourdes Lerma
Ramon Sotelo
Dina Salinas
Ester Salinas
Valerie De Luna
Robert Deshazo

CALL TO ORDER

Vice-Chairman Sanchez called the meeting to order at 5:31 p.m.

DISCLOSURE OF CONFLICT OF INTEREST

There was none.

CITIZENS PARTICIPATION

Ms. Ester Salinas resides at 716 Miller Avenue, stated she had a concern regarding the construction the City of Mission was doing in front of her property which is causing a traffic safety problem.

APPROVAL OF MINUTES FOR SEPTEMBER 18, 2024

Vice-Chairman Sanchez asked if there were any corrections to the minutes for September 18, 2024. Ms. Thompson moved to approve the minutes. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:32 p.m.

Ended: 5:53 p.m.

Item #1.1

Rezoning:

**Being a 0.97 acre tract of land, more
or less, out of and forming a part of
Lot 204, John H. Shary Subdivision
C-4 to R-1T
Lourdes Lerma**

Ms. De Luna went over the write-up stating the subject site is located approximately 352.56' West of N. Shary Road along the south side of Mirabelle Street.

SURROUNDING ZONES:

N:	R-1	– Single Family Residential
E:	C-4	– Heavy Commercial
W:	R-1	– Single Family Residential
S:	R-3	– Multi-Family Residential

EXISTING LAND USES:

N:	Single Family Homes
E:	Commercial
W:	Single Family Homes
S:	Vacant
Site:	Commercial

FLUM: General Commercial (GC)

REVIEW COMMENTS: Staff notes that the proposed zone does not comply with the City's Future Land Use Map nor surrounding land uses. A GC (General Commercial) classification includes professional and medical office uses in addition to retail business or service uses that are in conformance with the uses permitted in a C-1 and C-3 zone. Townhomes are usually found in a MD (Moderate Density) classification which includes two family residential, mobiles and townhomes. Staff notes that it is not uncommon to see townhomes abutting commercial properties. Staff mailed out 24 notices to property owners within 200' radius to get their input in regards to this request. As of this date, staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff is recommending Approval.

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

Mr. Issac Pietizak who resides at 2202 E. 8th Street, he is a HOA Board member of the Mirabelle Subdivision. He stated he had a petition with over 50 percent against the rezoning. He added that the subdivision believed that the rezoning goes against the original proposed commercial area. He mentioned lots 47 to 51 were the lots that would be affected since they were proposing to 2-story townhouses. He explained that the subdivision also opposed to the rezoning because the proposed entrance would interfere with the emergency gate that was located on the Mirabelle street.

Ms. Valerie De Luna who resides at the Mirabelle Subdivision stated she was against the rezoning due to the lack of privacy she would have in the rear of her property.

Mr. Robert Deshazo who resides at Lot 47, Mirabelle Subdivision, stated he opposed to the rezoning because of lack of privacy. He added that the applicant was proposing the entrance of the subdivision where the gate entrance to Mirabelle Subdivision was located, and the community did not agree since they pay to maintain the gate.

Ms. Alexandra Santos who resides at 2204 E. 8th Street stated she opposed due to the traffic increase, children's safety and her property value.

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

Mr. Alaniz asked if plans were submitted or if what was being presented was only the rezoning.

Ms. De Luna stated that it was only the rezoning. She added that the entrance of the subdivision needed to be off of Shary Road and not Mirabelle Street.

Ms. Thompson asked if the applicant owned the entire lot.

Ms. De Luna stated yes, the applicant wants commercial in the front and townhouses in the rear. She mentioned that the property owner would need to subdivide and propose the entrance through Shary Road.

Ms. Thompson asked if the property to the south was zoned Multi-family Residential.

Ms. De Luna stated yes.

Ms. Thompson asked if Lots 41 and ½ of lot 47 would be impacted by 2-story buildings.

Ms. De Luna stated yes.

Vice Chairman Sanchez asked once the city verified the petition, what are the procedures for the petition.

Ms. De Luna stated the petition would need 20 percent of the residence signatures who are within the 200' radius. She added that 4 out of 5 votes were needed by City Council to be approved.

Vice Chairman Sanchez asked if the petition was 50 percent and verified.

Ms. De Luna stated if planning & zoning recommends approval, city council needed 4 out of 5 votes to be approved.

Mr. Alaniz asked if the subdivision would need a driveway since the entrance would have to be from Shary Road. He added why isn't the applicant rezoning the entire lot.

Ms. De Luna stated the applicant wanted to rezone only a small portion to Multi-Family Residential and use the rest of the property for commercial use.

Ms. Austin asked if the applicant was going to build a road for the subdivision.

Ms. De Luna stated yes, the subdivision would require a road.

Vice Chairman Sanchez asked if the board needed to table the rezoning since the petition needed to be verified.

Ms. De Luna stated that staff can verify the signatures before the City council meeting.

Ms. Austin asked how many units were proposed.

Ms. De Luna stated 12 units.

Mr. Guevara asked if all 12 units were being proposed as 2 story.

Ms. De Luna stated all 12 units.

Ms. Garza asked if the fire department would reject the proposal.

Ms. De Luna stated any plan that was submitted had to be reviewed by the fire department and public works.

There being no further discussion, Vice-Chairman Sanchez entertained a motion. Mr. Alaniz moved to table the rezoning. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre arrived the meeting at 5:52 P.M.

Chairwoman Izaguirre took over the meeting.

Started: 5:53 p.m.

Ended: 5:54 p.m.

Item #1.2

Rezoning:

**Being a 4.516 acre tract of land
out of Lot 6-9, West Addition to
Sharyland Subdivision
AO-I to I-1
Union Design Developers, L.P.**

Ms. De Luna went over the write-up stating the site is located approximately 800' East of S. Mayberry Road along the North side of E. Military Highway.

SURROUNDING ZONES:	N:	AO-I	- Duplex-Fourplex Residential
	E:	AO-I/I-1	- Agricultural Open Interim & Light Industrial
	W:	AO-I	- Agricultural Open Interim
	S:	AO-I	- Agricultural Open Interim

EXISTING LAND USES:	N:	Vacant
	E:	Vacant
	W:	Vacant
	S:	Vacant
	Site:	Vacant

FLUM: General Commercial (GC)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map. However it complies with the fairly new existing surrounding land uses. Staff notes that the Future Land Use Map can be amended to reflect the proposed zone. Staff mailed 9 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Guevara moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked the board if they had any questions for staff.

There were none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the rezoning. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:54 p.m.

Ended: 5:58 p.m.

Item #1.3

Rezoning:

**Being a 26.395 acre tract out of a
35.72 acres out of Lot 5-10,
West Addition to Sharyland
AO-I to I-1
Union Design Developers, L.P.**

Ms. De Luna went over the write-up stating the site is located at the Southwest corner of E. Military Highway and S. Bryan Road.

SURROUNDING ZONES:	N:	I-1	- Light Industrial
	E:	I-I & AO-I	- Light Industrial & Agricultural Open Interin
	W:	AO-I	- Agricultural Open Interim
	S:	AO-I/I-1	- Agricultural Open Interim & Light Industrial

EXISTING LAND USES:	N:	Vacant
	E:	Vacant
	W:	Vacant
	S:	Vacant
	Site:	Vacant

FLUM: General Commercial (GC)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map. However it complies with the fairly new existing surrounding land uses. Staff notes that the Future Land Use Map can be amended to reflect the proposed zone. Staff mailed 8 notices to property owners within a 200' radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.

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

Mr. Mike Braunstein attended the meeting on behalf of Sharyland Utilities district, He mentioned that the office was located at 301 S. Mayberry Road. He added that the transition line was 10038 KV that runs across the property. He stated he wasn't opposed to the rezoning and that sharyland owned the easement. His main concern was public safety and wanted to make sure the easement wasn't being obstructed. He asked what was being proposed to be build, and if there is an easement agreement before anything would be built on the lot.

Chairwoman Izaguirre stated that would be discussed during the subdivision process.

Chairwoman Izaguirre entertained a motion to close the public hearing. Ms. Thompson moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Guevara moved to approve the rezoning. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:58 p.m.

Ended: 6:04 p.m

Item #1.4

**Conditional Use Permit
Renewal:**

**La Muñequita Ranch Event Center in a
property Zoned (AO-I) Agricultural Open Interim
3608 Compton Drive
The North 4 acres of Lot 35, and the South 1.98
acres of Lot 34, Bell-Wood Company's Subdivision "C"
AO-I
Dina Salinas-Valdez**

Ms. De Luna went over the write-up stating the site is located ¼ mile north of 2 Mile Road along the east side of Compton Road. The applicant has been running La Muñequita Ranch for more than 16 years. This is a family operated property that has several amenities such as a pond, stage, and kitchen, used for private family and rental events such as outdoor birthday parties, small weddings, quinceañeras and sweet 16, and other gatherings. Access to the property is off of a dirt road off of Compton Road. The last CUP approved for this location was on March 14, 2022 for a period of 2 years after business license issuance.

- **Days/Hours of Operation:** Sunday – Thursday from 8 am – 5 pm due to property management and upkeep, and Friday & Saturday from 8 am to 1 am depending on scheduled events.
- **Parking:** The applicant proposed to have a maximum of 150 guests, which requires 50 parking spaces (1 parking space for every 3 seats). There is an area designated for parking within the property.

REVIEW COMMENTS: Staff mailed out 11 notices to property owners within 200' radius and as of this write-up staff has not received any comments in favor or against this request. Staff has checked with the Police Department for any complaints regarding this use and no reports have been filed. Since this business has been in operation for 16 years without any complaints, staff does not object to an extended approval tenure.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Compliance with all City Codes, (Building, Fire, Health, Noise, etc.), and
- 2) CUP not to be transferable to others

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

Ms. Ester Salinas who owns 3 acres next to the event center stated her main concern was additional light poles to be located east of Compton Drive. She added that she was not opposed to the conditional use permit.

Chairwoman Izaguirre entertained a motion to close the public hearing. Ms. Thompson moved to close the public hearing. Mr. Guevara seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked the board if they had any questions for staff.

Ms. Garza asked what does the city require to finish the Compton Road.

Ms. De Luna stated the property owners on the west side would need to dedicate a portion of their land to widen the street.

Chairwoman Izaguirre asked if Compton Drive was a public street or a private street.

Ms. De Luna stated Compton Drive was a public street.

Ms. Thompson asked if the street would get widen during the subdivision process.

Ms. De Luna stated yes.

Ms. Garza asked if the event center required security for the events.

Ms. De Luna stated yes, that is a requirement.

Ms. Garza asked if the parking was enough for 150 people.

Ms. De Luna stated yes.

Ms. Garza asked if the city required the event center to be ADA compliant or its grandfathered.

Ms. De Luna stated that the event center was grandfathered as is. She added the City of Mission does not require to be ADA compliant, that would be with the State of Texas.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Guevara moved to approve the conditional use permit. Ms. Thompson seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre entertained a motion to un table item 1.5. Ms. Garza moved to un table item 1.5. Mr. Alaniz seconded the motion. Upon a vote the motion passed.

Started: 6:04 p.m.

Ended: 6:08 p.m.

Item #1.5**Tabled****Conditional Use Permit:**

**The Cordelle Event Center
2402 Brock Street, Suite C
Lot 20, Shary Business Center
(aka Shary Business Center Condos Unit 3)
C-3
Julio C. Alaniz**

Ms. De Luna went over the write-up stating the site is located approximately 130' east of Shary Road along the south side of Brock Street. The applicant is leasing an 1,820 sq.ft. suite within a multi-unit commercial plaza for a proposed event center. The applicant proposes to have small scale events such as corporate meetings, birthday parties, gender reveals, reunions, seminars, etc. Access to the site will be provided via a driveway off of Shary Road and Brock Street.

- **Hours of Operation:** Monday – Thursday from 6:00 pm to 12:00 am, Friday from 6:00 pm – 2am, and Saturday & Sunday from 8 am – 2am
- **Staff:** 4 employees
- **Parking:** In viewing the floor plan, there is a total of 48 seating spaces, which require 16 parking spaces (48 seats/ 1 space for every 3 seats = 16 parking spaces). It is noted that the parking area is held in common (142 existing parking spaces) and are shared with other businesses. Staff notes that when this commercial plaza was built the parking requirements were based on the square footage and not on the actual use.

REVIEW COMMENTS: Staff mailed out 25 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 the request. Staff notes that more than 50% of the businesses within the plaza are only open Monday thru Friday and close at 5pm. The applicant has amended the hours of operation to avoid any conflicts with the other businesses.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 year re-evaluation after business license issuance to assess this new operation,
- 2) Compliance with all City Codes (Building, Fire, Health, etc.),
- 3) Acquisition of a business license prior to occupancy, and
- 4) CUP not be transferrable to others

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

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Ms. Thompson moved to close the public hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to approve the conditional use permit. Ms. Thompson seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:08 p.m.

Ended: 6:09 p.m.

Item #2.0**Preliminary & Final
Plat Approval:**

**Las Cumbres Terrace Subdivision (Private)
Being a 4.5 -acre tract of land, more or less, out of
Lot 29-4, West Addition to Sharyland Subdivision
R-2**

Developer: Victor Meza

Engineer: M2 Engineering, PLLC

Mr. Ramirez went over the write-up stating this proposed site located along the West side of Trosper Rd. approximately 660' North of Mile 2 Rd. The site currently is vacant and unimproved consistent with grassland and bare surface. The subdivision will be private and feature approximately twelve (12) Fourplex lots. — see plat for actual dimensions, square footages, and land uses.

WATER

The developer is proposing to connect to an existing 12" water line located along the west R.O.W. of N. Trosper Rd. and extend an 8" water line through the site providing water service to each lot. It will be looped to the south onto the existing 8" line which was stubbed by the Trosper Fair Heights development. There are 2 proposed fire hydrants via direction of the Fire Marshal's office.
– see utility plan

SEWER

The developer is proposing to connect to an existing sewer line on the east side ROW of N. Trosper Rd. and extend an 8" PVC line to collect from all lots abutting the internal street which will end with a standard MH. All lots will be stubbed with a 6" PVC line. The Capital Sewer Recovery Fee is required at \$670.00/Lot which equates to \$8,040.00 (\$670 x 12 Lots).

STREETS & STORM DRAINAGE

The subdivision will have 1 main access to be gated and end with a cul-de-sac. This access will have a 60' ROW with median islands at the entrance. The design will also include the street with a proposed paved 40' B-B.

The site is located within Zone "C", areas of minimal flooding based on the Community FIRM Panel No. 480334 0400C, Map Revised November 16, 1982. The proposed drainage infrastructure for this subdivision shall consist of an internal pipe system with curb inlets that will capture and convey the residual storm runoff towards an onsite detention pond. The runoff will be collected, detained onsite, and ultimately discharging into an existing 36" storm line located along the west side of Trosper Rd., which then discharges into the Mission Lateral a Hidalgo Co. Drainage District No. 1 owned ditch. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

0. Payment of Park Fees in the amount of \$24,000.00 (\$500 x 1-fourplex x 12 lots)
1. Installation of Street Lighting as per City Standards
2. Compliance with the Private Street policies
3. Water District Exclusion
4. Conveyance or Payment of Water Rights (\$3,000.00 per ac-ft.)
5. Comply with all other format findings

RECOMMENDATION

Staff recommends approval subject to:

1. Payment of Capital Recovery Sewer fee
2. Payment of Park fee
3. Water District Exclusion, and
4. Conveyance or Payment of Water Rights

Chairwoman Izaguirre asked if there were any questions for staff.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the subdivision plat. Ms. Thompson seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#3.0

ADJOURNMENT

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to adjourn the meeting. Ms. Thompson seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:08 p.m.

A handwritten signature in black ink, appearing to be 'Diana Izaguirre', written over a horizontal line.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission