

**PLANNING AND ZONING COMMISSION
MARCH 8, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Steven Alaniz
Ruben Arcaute
Jasen Hardison
Kevin Michael Sanchez
Connie Garza

P&Z ABSENT

Diana Izaguirre
Raquenel Austin
Javier Barrera

STAFF PRESENT

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

GUESTS PRESENT

Guillermo & Leticia Ramirez
Steve Bazan

CALL TO ORDER

Acting Chairman Ruben Arcaute called the meeting to order at 5:38 p.m.

CITIZENS PARTICIPATION

Acting Chairman Ruben Arcaute asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR FEBRUARY 22, 2023

Acting Chairman Ruben Arcaute asked if there were any corrections to the minutes for February 22, 2023. Mr. Hardison moved to approve the minutes. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:38 p.m.

Ended: 5:41 p.m.

Item #1.1

**Conditional Use Permit
& Site Plan Review:**

**Drive-Thru Service Window - Duck Donuts
911 E. 9th Street
Being a 0.38 acre tract of land out of
Lot 4, Resubdivision of Blocks L & G,
of Wright Addition
C-3
Duck Donuts
c/o Alberto Vela**

Ms. De Luna went over the write-up stating the site is located approximately 360' west of Highland Park Avenue along the north side of Business Highway 83. The applicant is proposing to construct an 1,815' square foot building for his donut shop. Access to the site is off of Business Highway 83 via a 24' driveway that wraps around the building. The drive-thru service window is located behind the building. Staff notes that the wrap around to the drive-thru window will allow stacking for up to 3 vehicles.

Hours of Operation: Monday – Thursday 7am to 7pm, Friday from 7am to 9pm,
Saturday 8am – 9pm and Sunday 9am to 7pm

Staff: 12 employees in different shifts

Parking: Based on the square footage of the building, there are 8 parking spaces required. The applicant is proposing 12, exceeding code by 4. (Might change depending of number of tables & chairs proposed)

Landscaping and Buffering: The applicant will be complying with the landscaping, lighting and buffering requirements.

REVIEW COMMENTS: Applicant will have to comply with all Building, Health, Sign, and Fire Codes for their Business License.

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 Codes, etc.),
3. CUP not to be transferable to others, and
4. Must acquire a new Business License

Acting Chairman Ruben Arcaute asked if there was any input in favor or against the request.

There was none.

Acting Chairman Ruben Arcaute entertained a motion to close the public hearing. Mrs. Garza motioned to close the hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Acting Chairman Ruben Arcaute asked if the board had any questions.

There was none.

There being no discussion, Acting Chairman Ruben Arcaute entertained a motion. Mr. Garza moved to the approve the conditional use permit. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:41 p.m.

Ended: 5:44 p.m.

Item #1.2

**Conditional Use Permit
Renewal:**

**Sale & On-Site Consumption of Alcoholic
Beverages – J.A.L.L's Sports Bar & Grill
1810 W. Griffin Parkway, Ste. B, C, & D
Lots 7 & 8, Inspiration Point Subdivision Ph. I
C-3
J.A.L.L.'S Sports Bar & Grill**

Ms. De Luna went over the write-up stating the subject site is located 300' from the NW corner of Inspiration Road and Griffin Parkway. The last CUP approved for this location was on January 25, 2021 for a period of two years. The applicant would like to renew the CUP for the sale of alcohol. Staff notes that this would be the 4th renewal. The sports bar has been in operation since 2014.

Hours of operation: Monday Closed, Tuesday – Wednesday from 4:00 p.m. to 11:00 p.m., Thursday & Sunday from 4 p.m. to 12:00a.m., Friday from 4:00p.m. to 1: 00a.m, and Saturday from 4:00p.m. to 2:00a.m.

- **Staff:** 3 employees
- **Parking:** In viewing the floor plan, there are 59 total seating spaces for the sports bar, which

require 20 parking spaces (59 total seating spaces/3 = 19.6 parking spaces). It is noted that the parking area is held in common (98 existing parking spaces) and is shared with other suites. The parking area should be restriped and dumpster

- **Landscaping:** In regards to landscaping, there are existing green areas and landscape islands with trees within the parking lot along Griffin Parkway however staff recommends that the parking be re-stripe that the landscaping be watered and maintained.
- **Sale of Alcohol** – The applicant does have a full bar available. Section 1.56(3)(a) states that bars must be at least 300' from the nearest residence. There is an existing residential subdivision located along the north side of the site, however, P&Z and the City Council have 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 asked the Police Department for report of any incidents. There were 3 incidents filed with the Mission PD that include 1-criminal mischief and 2-public intoxication within the last 2 years.

RECOMMENDATION: Staff recommends approval subject to:

1. 2 year re-evaluation to continue to assess this operation at which time the applicant will have to renew his CUP and TABC License,
2. Waiver of the 300' separation requirement from the residential neighborhood,
3. Continued compliance with Building, Fire, and Health Codes,
4. Screen dumpster with 6' block wall with opaque gates, and
5. Uniformed Security must be provided Thursday Sunday

Acting Chairman Ruben Arcaute asked if there was any input in favor or against the request.

There was none.

Acting Chairman Ruben Arcaute entertained a motion to close the public hearing. Mr. Hardison motioned to close the hearing. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Acting Chairman Ruben Arcaute asked if the board had any questions.

There was none.

There being no discussion, Acting Chairman Ruben Arcaute entertained a motion. Mr. Hardison moved to the approve the conditional use permit renewal. Mr. Alanis seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:37 p.m.

Ended: 5:40 p.m.

Item #2.0

Discussion and Possible Action to Designate Honorary Street Name

Staff has received a written petition, dated February 6, 2023, from Mr. Steven Bazan requesting that the City of Mission consider the honorary street name of "Elias & Delia Bazan Drive" for Rose Marie Street, from Conway Blvd to Doherty Avenue, a distance of approximately 220'.

Mr. & Mrs. Elias & Delia Bazan married on January 11, 1970. In 1973, they decided to open their own restaurant. Taco Ole was founded in Downtown Mission, Texas. Both sides of the family worked to help build the business. Whether it was breakfast, lunch or dinner a family

member was always there to provide a helping hand. Traditionally family recipes created the authentic taste that Taco Ole' became known for. Taco Ole' was recognized for serving "The Best Mexican Food in The Valley".

Mr. & Mrs. Bazan immerse themselves in the community from baseball clubs, Lions Club, church organizations, and numerous prayer groups. Taco Ole' served as a meeting place for everyone to congregate. In 1986, Mr. & Mrs. Bazan moved into their new building on North Conway, their love for Taco Ole' built a family tradition. As the years progressed, Mr. & Mrs. Bazan enjoyed sharing their trade secrets with the next generation of family members, cousins, nieces, and nephews. Their dedication made Taco Ole' a place to enjoy special occasions. Whether it be meetings, birthdays anniversaries, or just family get togethers, Taco Ole' never failed to satisfy. Taco Ole' continues to thrive under the ownership of the Bazan Family.

Taco Ole' is celebrating its 50th year anniversary and the City of Mission has proclaimed February 22nd as Elias & Delia Bazan Day in honor of the couple that created "Taco Ole", a true family tradition.

There is a brief biography attached for your review and consideration. This particular stretch of Rose Marie is the neighborhood in which Taco Ole' is located. An honorary street name will have NO change of address for anyone.

His family respectfully requests that an honorary street name be approved on this block stretch of Conway to Doherty Avenue.

Staff does not object to this request.

Acting Chairman Ruben Arcaute asked if there was any input in favor or against the request.

Mr. Steve Bazan the applicant was present. He stated his parents did a lot for the city throughout the years and would like to honor them for all there work.

Acting Chairman Ruben Arcaute entertained a motion to close the public hearing. Mr. Hardison motioned to close the hearing. Mr. Alanis seconded the motion. Upon a vote, the motion passed unanimously.

Acting Chairman Ruben Arcaute asked if the board had any questions.

There being further discussion, Acting Chairman Ruben Arcaute entertained a motion. Mr. Hardison moved to the approve the conditional use permit. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:40 p.m.

Ended: 5:48 p.m.

Item #3.0

Single-Lot Variance:

**Being a 0.38 acre tract of land out of
Lot 4, Resubdivision of Blocks L & G,
Of Wright Addition
C-3
Alberto Vela**

Mr. Ramirez went over write-up stating the subject site is located on the north side of E. U.S. Bus. 83 (Loop 374) approximately 837' east of Mayberry Rd. The property measures

approximately 115'x147'+/- with a total square footage of 16,790. The property is currently vacant. The owner's intent is to build a new drive thru building.

WATER: Records show an existing 2" water line located along the north side of the lot and is readily available to service the business. The nearest fire hydrant is approximately 400' from this site. As per Fire Marshall, a fire hydrant is required to be within 300' from the property therefore requiring the apparatus.

SEWER: The lot will be serviced by an existing 6" sanitary sewer line located along the north side of this lot. A Capital Sewer Recovery fee will be assessed in the amount of \$200.00 (\$200/HUE) as per Ordinance #3022.

STREETS & DRAINAGE: The subject property has access to E. U.S. Bus 83. No additional ROW is required. Storm drainage will be accomplished through on-site detention.

OTHER COMMENTS:

- There is an existing streetlight located along the south side of E. U.S. Bus 83, thus no new streetlight required.

RECOMMENDATION:

Staff recommends approval subject to:

1. Payment of the Capital Sewer Recovery Fee
2. Installation of a new Fire Hydrant and its assemblies
3. Comply with all other format findings.

Acting Chairman Ruben Arcaute asked if there was any input in favor or against the request.

Acting Chairman Ruben Arcaute entertained a motion to close the public hearing. Mr. Alanis motioned to close the hearing. Mr. Arcaute seconded the motion. Upon a vote, the motion passed unanimously.

Acting Chairman Ruben Arcaute asked if the board had any questions.

There being no further discussion, Acting Chairman Ruben Arcaute entertained a motion. Mr. Hardison moved to the approve the conditional use permit. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #4.0

ADJOURNMENT

There being no further items for discussion, Acting Chairman Ruben Arcaute entertained a motion. Mr. Hardison moved to adjourn the meeting. Mr. Arcaute seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:07 p.m.


Ruben Arcaute, Acting Chairman
Planning and Zoning Commission