

**PLANNING AND ZONING COMMISSION**  
**AUGUST 7, 2024**  
**CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

**P&Z PRESENT**

Diana Izaguirre  
Kevin Sanchez  
Jasen Hardison  
J.D Villarreal  
Connie Garza

**P&Z ABSENT**

Raquenel Austin  
Omar Guevara  
Steven Alaniz

**STAFF PRESENT**

Susie De Luna  
Alex Hernandez  
Jessica Munoz  
Gabriel Ramirez  
Elisa Zurita

**GUEST PRESENT**

Sharon Ellison  
Elio Garza  
Anel Mendoza  
Lourdes Lerma  
Ramon Sotelo  
Gilbert Saenz  
Herman Sledge  
Garth Heitshusen  
Aida Santoy  
Corina Avendano  
Hilda Garcia  
Ester Pena

**CALL TO ORDER**

Vice-Chairman Mr. Sanchez called the meeting to order at 5:36 p.m.

**DISCLOSURE OF CONFLICT OF INTEREST**

There was none.

**CITIZENS PARTICIPATION**

Ms. Ester Salinas lives at 715 Miller Avenue. She stated the city was doing a lot of work installing underground cable they were making a mess destroying the streets where the workers were digging. Also, the workers were blocking the entrance to her home and to other peoples in the neighborhood so they would have to park across the street from their homes when the neighbors are bringing groceries to there and they have young children. She mentioned the workers had told her they had permission from the city. She asked why had nobody notified her that there was going to be work in the area.

**APPROVAL OF MINUTES FOR JULY 17, 2024**

Vice-Chairman Mr. Sanchez asked if there were any corrections to the minutes for July 17, 2024. Mr. Villarreal moved to approve the minutes. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:40 p.m.**

**Ended: 5:41 p.m.**

**Item #1.1**

**Rezoning:**

**Lots 8-11, Amber Grove Subdivision  
R-2 to R-3  
Amber Development, LLC**

Ms. De Luna went over the write-up stating the subject site is located approximately 240' East of Trosper Road along the south side of Palmer Road.

**SURROUNDING ZONES:**

**N: R-2**

**– Duplex-Fourplex Residential**

E: R-2 – Duplex-Fourplex Residential  
W: R-2 – Duplex-Fourplex Residential  
S: R-2 – Duplex-Fourplex Residential

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

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

**REVIEW COMMENTS:** Staff notes that the proposed zone does not comply with the City's Future Land Use Map. The request is to consider an R-3 Zone (Multi-family residential), in an already established R-2 zone (Duplex-Fourplex) subdivision which will not be consistent to the lots within this subdivision or surrounding land uses. Staff mailed out 21 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 Denial.

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

There was none.

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

Vice-Chairman Mr. Sanchez asked the board if they had any questions for staff.

There was none.

There being no discussion, Vice-Chairman Mr. Sanchez entertained a motion. Ms. Garza moved to deny the rezoning. Mr. Villarreal 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:**

**Anel's Event Center  
700 W. Griffin Parkway, Ste. D  
Lot 2, Aziz No. 2 Subdivision  
C-3  
Anel Mendoza**

Ms. De Luna went over the write-up stating the site is located 185' east of Holland Road along the north side of W. Griffin Parkway. The applicant is leasing an 825 sq.ft. suite within a commercial plaza for a proposed Event Center. She proposes to have small scale events such

as birthday parties, gender reveals, reunions, seminars etc. Access to the site will be provided via two 45' driveways off of Griffin Parkway.

- **Hours of Operation:** Monday – Thursday from 9 am – 10 pm and Friday – Sunday from 10am – 11pm
- **Staff:** 2 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 45 seating spaces proposed, which would require 15 parking spaces. (45 seats/1 parking space for every 3 seats = 15). There is a total of 61 parking spaces that are held in common for this commercial plaza. Staff notes that additional landscaping will be required.

**REVIEW COMMENTS:** Staff mailed out 20 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

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

- 1) Compliance with all City Codes (Building, Fire, Health, etc.),
- 2) Acquisition of a business license prior to occupancy, and
- 3) CUP not be transferrable to others

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

Ms. Anel Mendoza the address of her business is 700 W. Griffin Parkway Ste. D. she stated wanting to open her event center with the conditional use permit.

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

Vice-Chairman Mr. Sanchez asked the board if they had any questions for staff.

There was none.

There being no discussion, Vice-Chairman Mr. Sanchez entertained a motion. Mr. Hardison moved to approve the conditional use permit. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:44 p.m.**

**Ended: 5:46 p.m.**

**Item #1.3**

**Conditional Use Permit:**

**Once Upon a Spa Party Event Place  
2711 E. Griffin Parkway  
Lot 9, Adams Crossing Subdivision  
C-3  
Aida Santoy**

Ms. De Luna went over the write-up stating the site is located approximately 354' west of Taylor Road along the north side of E. Griffin Parkway. The applicant is leasing a 1,375 sq.ft. suite within a commercial plaza for a proposed party place intended for small scale events. The initial idea is

mainly for little girls and teenagers who want to have small parties with their group of friends. The idea is for them to experience a pretend play spa, which will include make up, hair, manicure, pedicure, fashion show, and a dance party. This type of events will have two options for parents to choose from either a Drop off party or to Stay in the party. They will also rent the place for ladies' brunch, birthday parties, baby showers, dinners or engagement parties. Access to the site will be provided via a 30' driveway off of Griffin Parkway.

- **Hours of Operation:** The hours of operation vary depending of the type of activity; for kid's party Monday - Friday from 4pm – 9pm, Saturday & Sunday from 10am – 9pm
- **Staff:** 5 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 50 seating spaces, which would require 17 parking spaces. (50 seats/1 parking space for every 3 seats = 16.6). There is a total of 62 parking spaces that are held in common for this commercial plaza.

**REVIEW COMMENTS:** Staff mailed out 28 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

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

- 1) Compliance with all City Codes (Building, Fire, Health, etc.),
- 2) Acquisition of a business license prior to occupancy, and
- 3) CUP not be transferable to others

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

There was none.

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

Vice-Chairman Mr. Sanchez asked the board if they had any questions for staff.

There being no discussion, Vice-Chairman Mr. Sanchez entertained a motion. Ms. Garza moved to approve the conditional use permit. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:46 p.m.**

**Ended: 5:48 p.m.**

**Item #1.4**

**Conditional Use Permit:**

**El Jardin Events  
105 E. 30<sup>th</sup> Street  
Lot 1, Block 1, Briana Estates Subdivision  
C-3  
Hilda Garcia**

Ms. De Luna went over the write-up stating the subject site is located approximately 235' east of Conway Avenue along the north side of E. 30<sup>th</sup> Street. The applicant is leasing a suite within a commercial plaza for a proposed Event Center. She proposes to have small scale events such

as birthday parties, gender reveals, reunions, seminars etc. In the near future the applicant will be applying for a BYOB CUP. Access to the site will be provided via a 22' driveway off of E. 30<sup>th</sup> Street.

- **Hours of Operation:** Monday – Wednesday from 1 pm – 12 am and Thursday – Sunday from 1 pm – 1 am
- **Staff:** 2 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 100 seating spaces proposed, which would require 33 parking spaces. (100 seats/1 parking space for every 3 seats = 33). There is a total of 44 parking spaces that are held in common for this commercial plaza. Staff notes that no landscaping is present and that the property is paved all around. Therefore, planters will be required.

**REVIEW COMMENTS:** Staff mailed out 21 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

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

- 1) Compliance with all City Codes (Building, Fire, Health, etc.),
- 2) Acquisition of a business license prior to occupancy, and
- 3) CUP not be transferrable to others

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

There was none.

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

There being no further discussion Vice-Chairman Mr. Sanchez entertained a motion. Mr. Hardison moved to approve the conditional use permit. Ms. Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:48 p.m.**

**Ended: 5:51 p.m.**

**Item #1.5**

**Conditional Use Permit:**

**Sale & On-Site Consumption of Alcoholic  
Beverages – El Porton  
2311 N. Conway Avenue, Ste. 10  
Lot 2, Shops at 495  
C-3  
El Porton, LLC  
c/o Rebeca Avendano**

Ms. De Luna went over the write-up stating the subject site is located approximately 320' North of W. Griffin Parkway along the west side of Conway Avenue. The applicant is leasing a 3,500 sq. ft. suite within a commercial plaza for a proposed Mexican and Seafood restaurant with a bar

component. Staff notes that there is an existing drive-thru service window which would require separate CUP. Access to the site is off a 35' driveway off of Conway Avenue.

- **Hours of Operation:** Monday – Sunday from 8am to 10pm
- **Staff:** 11 employees in different shifts.
- **Parking:** In viewing the floor plan, there is a total of 82 seating spaces, which require 27 parking spaces (82 seats/ 1 space for every 3 seats = 27.3 parking spaces). It is noted that the parking area is held in common (69 existing parking spaces) and are shared with other businesses.
- **Sale of Alcohol:** Section 6-4 states: "...the sale of all alcoholic beverages within 300 feet of any church, public school, private school or public hospital, is hereby prohibited. There are no such uses within 300' of this site.

**REVIEW COMMENTS:** Since this business will not be open after 10 p.m., and the sale of alcohol is not the primary item of purchase, staff does not object to this proposal. Staff mailed out 18 notices to the property owners within a 200' radius of the site and there have been no comments in favor or against this request forwarded to the Planning Department.

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

- 1) 2-year re-evaluation after obtaining the business license in order to assess this new business,
- 2) Must comply with TABC requirements
- 3) Must comply with all City Codes (Building, Fire, Health, etc.),
- 4) Acquisition of a business license prior to occupancy,
- 5) CUP not be transferable to others, and
- 6) Wet Zone Property

Vice-Chairman Mr. Sanchez yield the chair to Chairwoman Ms. Izaguirre.

Chairwoman Ms. Izaguirre arrived the meeting at 5:50 P.M.

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

There was none.

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

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

There was none.

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

**Started: 5:51 p.m.**

**Ended: 6:20 p.m.**

**Item #1.6**

**Conditional Use Permit:**

**Sale & On-Site Consumption of Alcoholic  
Beverages – Moon Restaurant Mixology  
1603 E. Griffin Parkway  
Lot 11, Block 3, Shary Gardens Subdivision  
C-3  
American Restaurants, LLC  
c/o Lourdes Lerma**

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Garden View Drive and Griffin Parkway (F.M. 495). The applicant is proposing to open a restaurant with a bar component. Access to the site would be via a 40' driveway off of E. Griffin Parkway or a 25' driveway off of Garden View Drive.

- **Hours of Operation:** Sunday – Thursday from 10am - 11pm, Friday & Saturday from 10am to 2am
- **Staff:** 18 employees in different shifts
- **Parking:** The subject site has a total of 170 total seating spaces; which require 57 parking spaces (170 seats/1 space for every 3 seats = 56.6 parking spaces). It is noted that this location has 116 parking spaces plus 3 stacking spaces at a drive-thru service window for a total of 119 parking spaces, which exceeds code by 1.
- **Sec. 6-4:** This request is compliant to Sec. 6-4 which requires that no alcoholic beverages be sold within 300' of a church, public or private school, or public hospital. There are none of these land uses within the above radius (measured *door to door* for church or hospital; measured *lot line to lot line* for schools.)
- **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.

**REVIEW COMMENTS:** Since a restaurant is allowed in a C-3 zone and the sale of alcohol is not the primary item of purchase, staff does not object to this proposal. Staff mailed out 24 notices to the property owners within a 200' radius of the site and staff did receive 1 call in opposition to this request. The concerns voiced were in regards to the type of business, hours of operations being past 11 pm, the noise the business would create if they had DJ or live bands, and trash not being contained.

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

- 1) 2-year re-evaluation after obtaining the business license in order to assess this new business,
- 2) Must comply with TABC requirements,
- 3) Must comply with all City Codes (Building, Fire, Health, etc.),
- 4) No objection to a waiver of 300' separation requirement from residential neighborhoods;
- 5) Acquisition of a business license prior to occupancy, and
- 6) CUP not be transferable to others

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

Ms. Sharon Ellison stated her house was within 25' of the plaza where the business is planning to open she is located at lot 17. She mentioned there was a church within lot 2 that its within 300'

so the city isn't complying. She stated she doesn't want anybody open past midnight and mentioned the business isn't a legitimate business. She mentioned she called several times to the police department for about 6 years to protest the noise. She stated the owners don't full, clean up the trash and pick up the pipe that has fallen due to a past hurricane. Also, the large trash has been moved by the city, which is a blind spot to cars that past through the alley. She mentioned there has been suspicious behavior going on in the business since she has been hearing noises for the past 6 months. There are people going in and out and had called the Mission PD on August 5, 2024. She had received a notice for the Planning & Zoning meeting and decided to protest for the conditional use permit. She stated she lived at her house for over 25 years and she has a right to protest from the business being opened and licensed.

Ms. Ester Pena stated she owns a 3 acres land at 3318 Compton Road that is around the area of the property. She mentioned she used to have a similar situation around her oblate home she owns. There was a lot of noise, drinking and traffic. She mentioned that she found out there was drugs and fights happening. She stated she attended planning & zoning to voice out her protest of the Ice House. it was Friday, Saturday and Sunday they were playing till 1 o'clock in the morning. Also, she had mentioned she ended up shutting down the Ice House a few times because the music was out of control. She agreed with Ms. Sharron because she has been there for 25 years and has every right to protest against the business. Unless the new business owner can assure her there is not going to be any loud music, she believes if it so close to a residential area or a church there should be some kind of restriction.

Mr. Ramon Sotelo is the co-owner for 1603 E. Griffin Parkway. He stated Ms. Sharron has gone to business and harassed him and the workers occasionally. The applicant is planning on installing security cameras. He stated she had taken matters into her own hands and called the police on the business and complaining to the police which was about the worker being there at all hours. He stated they have been complying with the laws. He mentioned they are just wanting to open the restaurant for the community so families can go and have family quality time together. Help workers with jobs as for an example the owner's son will be going to the restaurant eating there every day and he wouldn't want his son to have bad service. He stated he just wanted to get the conditional use permit for the sale of alcohol at his restaurant. He mentioned as far as he has been there his workers have been responsible and clean up after themselves.

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

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

Chairwoman Ms. Izaguirre asked Mr. Ramon Sotelo if he can translate what he said in Spanish to the board and Ms. Sharron.

Mr. Ramon stated he can but his English isn't that good and he doesn't want to translate for her but can translate to the board.

Mr. Villarreal stated the importance its dependence on the board members if they understood the testimony he provided to the board. Since the members of the audience isn't going to challenge what the applicant had said. Mr. Villarreal asked the board members who didn't understand the testimony he said in Spanish.



Mr. Hardison replied he didn't understand what he said in Spanish.

Mr. Villarreal asked Mr. Hardison how does he feel about the applicant translating in English to what he said in Spanish.

Mr. Hardison asked who is going to be translating?

Mr. Villarreal answered the applicant is going to try to the best of his ability to speak English. Mr. Villarreal suggested to Mr. Hardison to table the item and wait till they have someone that can translate and the board can be able to fully motion on the item.

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

**Started: 6:21 p.m.**

**Ended: 6:25 p.m.**

**Item #1.7**

**Conditional Use Permit:**

**Drive-Thru Service Windows & Sale  
& On- Site Consumption of Alcoholic  
Beverages – La Palma Azul  
3501 N. Conway Avenue, Ste. 1  
Lot 2, IHOP On Conway Subdivision  
C-3  
Elio C. Garza**

Ms. De Luna went over the write-up stating the subject site is located approximately 1,355' north of Mile 2 Road along the west side of Conway Avenue. The applicant is leasing a 1,701 sq.ft. building for a snack place which will include two drive-thru windows on the north side of the building. Access to the drive-thru service windows would be off of Conway Avenue via a 24' driveway. They would place the order on the first window on the north side of the building and pick up the order on the second window. The drive-thru window's location allows stacking for approximately 3 vehicles. The applicant would like to offer alcoholic beverages with their snacks.

- **Days/Hours of Operation:** Monday – Saturday from 11 am to 10 pm and Sunday from 12 pm to 8:30 pm. Alcoholic beverages are only served during allowable State selling hours.
- **Staff:** 10 employees
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 3 tables with 4 chairs each for a total of 12 seating spaces proposed, which would require 4 parking spaces. (1 parking space for every 3 seats = 4). It is noted that the parking spaces are held in common for this commercial. There is a total of 130 parking spaces that will be shared with the other businesses. The applicant will have to comply with the landscaping requirements.
- **Sale of Alcohol:** This request is compliant to Sec. 6-4 states: "...the sale of all alcoholic beverages within 300 feet of any church, public school, private school or public hospital, is hereby prohibited. There are no such uses within 300' of this site.

**Review Comments:** Staff recommends that proper signage be placed for the Drive-Thru Service Windows in order to avoid any confusion and that they install a speed bump to be located just

before existing vehicles reach the access lane. Staff mailed out 15 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

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

- 1) 2-year re-evaluation after obtaining the business license in order to assess this new business,
- 2) Must comply with TABC requirements,
- 3) Must comply with all City Codes (Building, Fire, Health, etc.),
- 4) Installation of a speed bump at the end of the ordering window;
- 5) Acquisition of a business license prior to occupancy,
- 6) CUP not be transferable to others, and
- 7) Wet zone

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

Ms. Ester Pena owns 3 acres behind the plaza which she is in favor. She stated she loves businesses and loves when they have the drive thru windows because there is a lot of people that are elderly or have special needs such as like her grandson which is easier on her when taking her grandson places to pickup food. She believes it isn't going to be anything negative so she is in favor with the drive thru service window.

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

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

Mr. Sanchez asked if it was the IHOP on Conway subdivision or the IHOP?

Ms. De Luna stated it's the IHOP on Conway Subdivision.

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

**Started: 6:25 p.m.**

**Ended: 6:28 p.m.**

**Item #1.8**

**Conditional Use Permit  
Renewal:**

**Sale & On-Site Consumption of Alcoholic  
Beverages – Muelle 37  
801 N. Shary Road, Suites 150, 160 & 170  
Lot 1A, Mirabelle Subdivision  
C-4  
Mariscos El Muelle, LLC**

Ms. De Luna went over the write-up stating the subject site is located approximately 600' south of E. Business Highway 83 along the west side of N. Shary Road. The applicant has been operating this Seafood Restaurant since July 2022. The applicant would like to continue offering alcohol with the meals therefore the need to renew the conditional use permit. The last CUP approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was on May 9, 2022 for

a period of 2 years after obtaining the business license. Access to the site is off a 25' driveway off of N. Shary Road and two 32' driveways off of Mirabelle Street.

- **Hours of Operation:** Monday – Thursday from 11:00 a.m. to 9:00 p.m., Friday, Saturday & Sunday from 11:00 a.m. to 10 p.m.
- **Staff:** 18 to 25 employees in different shifts.
- **Parking:** In viewing the floor plan, there is a total of 177 seating spaces, which require 59 parking spaces (177 seats/ 3 seats = 59 parking spaces). It is noted that the parking area is held in common (135 existing parking spaces) and are shared with other businesses.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within the 300' radius, however P&Z and City Council have waived this requirement for other similar businesses.

**REVIEW COMMENTS:** Staff mailed out 22 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. Staff has asked PD for any reports regarding alcohol for this establishment as of this date there has been none. Since the sale of alcohol is not the primary item of purchase, staff does not object to an extended approval term.

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

- 1) 4-year re-evaluation at which at which time the applicant will need to renew his CUP and TABC license,
- 2) Continue to comply with all City Codes (Building, Fire, Health, etc.),
- 3) Waiver of the 300' separation requirement from residential neighborhoods, and
- 4) CUP not to be transferable to others

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

There was none.

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

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

There was none.

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

**Started: 6:28 p.m.**

**Ended: 6:32 p.m.**

**Item #1.9**

**Conditional Use Permit  
Renewal:**

**Sale & On-Site Consumption of  
Alcoholic Beverages – Still Tap**

**600 N. Shary Road, Ste. C  
Lot 1, Esdras Vega Subdivision  
C-3  
Richard Gomez**

Ms. De Luna went over the write-up stating the subject site is located at the NE corner of E. 6<sup>th</sup> Street and Shary Road. The applicant has been in operation since August 2023 at this commercial plaza. The last CUP approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was on August 15, 2023 for a period of one 1 year. Access to the site is off of E. 6<sup>th</sup> Street, through an existing 24' driveway.

- **Days / Hours of operation:** Monday – Wednesday from 5pm to 10pm and Thursday - Saturday from 5pm to 12:00a.m.
- **Staff:** 2 employees will man this operation
- **Parking:** In reviewing the floor plan, there are a total of 40 seating spaces, which require 13 parking spaces (40 seats/1 space for every 3 seats = 13.3 parking spaces). It is noted that the parking area is held in common for the entire plaza and there is a total of 58 parking spaces.
- **Landscaping:** The landscaping, paving, and drainage for the entire plaza meets code.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within the 300' radius, however P&Z and City Council have waived this requirement for other similar businesses.

**REVIEW COMMENTS:** Staff mailed out 19 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. Staff has asked PD for any reports regarding alcohol for this establishment as of this date there has been none.

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

- 1) 4-year re-evaluation at which time the applicant will need to renew his CUP and TABC license,
- 2) Continue to comply with all City Codes (Building, Fire, Health, etc.),
- 3) Waiver of the 300' separation requirement from residential neighborhoods, and
- 4) CUP not to be transferable to others

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

Herman Sledge works at 600 N. Shary Road. He stated they haven't had any issues with the residential area behind the plaza and never had any issues with law enforcement. He mentioned at the end of the day they aren't there to be a drive by bar or speed bar. The major revenue comes from events on occasion they do live music but its strictly only jazz music.

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

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

There was none.

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

**Started: 6:32 p.m.**

**Ended: 6:33 p.m.**

**Item #2.0**

**Preliminary & Final**

**Re-Plat Approval:**

**Replat of Lot 1, Business Park Plaza**

**Ph. 2 Subdivision**

**Being all of Lot 1, Business Park Plaza**

**Ph. 2 Subdivision**

**I-1**

**Developer: Fire Fund 2 900 Business Park Drive, LLC  
Park Drive, LLC**

**Engineer: South Texas Infrastructure Group**

Mr. Ramirez went over the write-up stating this replat of Lot 1 is within the Business Park Plaza Phase 2 subdivision located at the east side of Business Park Dr. and at the south side of Plaza Drive. — **see vicinity map**. The developer is proposing a two (2) lot commercial subdivision — see plat for actual dimensions, square footages, and land uses.

#### **Utilities**

When Business Park Plaza Ph. 2 Subdivision was subdivided, water and sewer services were made accessible and will be available to each lot. This replat will not affect any utility lines or the availability to connect to them upon issuance of permits.

#### **STREETS & STORM DRAINAGE**

This is a simple re-plat; all roads and drainage infrastructure for Business Park Plaza Ph. 2 Subdivision is complete to include drainage and paving improvements. The development of Lot 2 shall comply with the pro-rated conditions and requirements of the original drainage report that include detention and discharge. The City Engineer has reviewed and approved the drainage report.

#### **OTHER COMMENTS**

Street Lighting already exists

Must Comply with all other format findings

#### **RECOMMENDATION**

Staff recommends approval subject to:

- Payment of Capital Sewer Recovery fee
- Comply with other format findings.

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

There was none.

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

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

There was none.

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

**Started: 6:33 p.m.**

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

**Item #3.0**

**Preliminary & Final**

**Plat Approval:**

**Crystal Estates Ph. IV Subdivision**

**Being a 14.71- acre parcel of land, out of Lot 27-1,**

**West Addition to Sharyland**

**R-2**

**Developer: DG & GG Investments, LLC**

**Engineer: Ever Engineering, LLC**

Mr. Ramirez went over the write-up stating this subdivision is located east of Inspiration Rd. approximately 1,400' south of W. 2 Mile Road. – **see vicinity map**. The developer is proposing forty-seven (47) Duplex - Fourplex lots. - see plat for actual dimensions, square footages, and land uses.

### **VARIANCE**

The developer is requesting to change the following street names:

Estevan St. to Glenda St. / Gabriel St. to Britany St. / Teresa St. t Bailey St. / and David St. to Briley St.

*Note:*

*Code of Ordinances / Chapter 98 - SUBDIVISIONS, Sec. 98-134. - Streets. (n) Street names.*

*Names of new streets shall not duplicate or cause confusion with the names of existing streets, unless the new streets are a continuation of or in alignment with existing streets, in which case names of existing streets shall be used, and shall conform to the existing street naming system.*

### **WATER**

The developer shall connect to an existing 12" water line located along the west side of Inspiration Rd. and extend into the subdivision. The water line will be a main 8" looped line providing water service for each lot. There are 2 proposed fire hydrants via direction of the Fire Marshal's office. – **see utility plan**

### **SEWER**

Sanitary sewer service for this subdivision will tie into a proposed manhole located within the Inspiration Rd. ROW. The sewer line will extend into the subdivision collect from each lot through a 6" stub out into the proposed 8" sewer main line. The Capital Sewer Recovery Fee is required at \$670.00/Lot which equates to \$31,490.00 (\$670.00 x 47 Lots).

### **STREETS & STORM DRAINAGE**

The proposed internal street is a 32' back-to-back within a 50' Right of Way. Access will be from Inspiration Rd. Proposed runoff after development is 25.56 cfs during the 50-yr storm frequency. Drainage shall consist of surface runoff from the lots into the proposed streets and collected by

type "A" inlets. Pipe size diameter will be 24". The proposed storm system shall discharge into a proposed detention pond on the south side of the site which will then discharge into an existing City of Mission storm system network, located on the southwest corner of the site and on the west ROW of Trosper Rd. The City Engineer has reviewed and approved the drainage report.

### **OTHER COMMENTS**

Installation of street lighting as per City Standards

Payment of Park Fees in the amount of \$94,000 (\$500.00 x 188 HUE).

Water District Exclusion

Must comply with all other format findings.

### **RECOMMENDATION**

Staff recommends approval subject to:

1. Payment of Capital Sewer Recovery Fees
2. Payment of Park Fees
3. Water District Exclusion
4. Denial of the requested variance to use suggested street names requested by the owner and apply the City's continued and aligned existing street names as noted on the Code of Ordinances / Chapter 98 - SUBDIVISIONS, Sec. 98-134. - Streets. (n) Street names.

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

Chairwoman Ms. Izaguirre asked staff if the board is approving on the whole subdivision plat or just the variance being requested?

Ms. De Luna stated they already voted on the subdivision this is just for the Variance itself.

Chairwoman Ms. Izaguirre asked if the subdivision is gated?

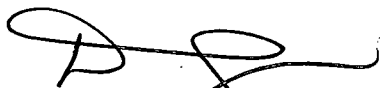
Mr. Ramirez stated no its not gated it public streets not private.

There being no further discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Sanchez moved to deny the variance request for street names changes. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

### **ITEM#4.0**

### **ADJOURNMENT**

There being no discussion, Chairwoman Ms. Izaguirre entertained a motion. Mr. Hardison moved to adjourn the meeting. Mr. Sanchez seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:36 p.m.



Diana Izaguirre, Chairwoman  
Planning and Zoning Commission