



Mayor: Mario Garza
Mayor Pro-Tem: Jesus “Jesse” Ramirez
Commissioners: Raudel Maldonado
Pete Garcia

The City of San Juan does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the Office of the City Secretary at 956-223-2200 at least 24 hours prior to the scheduled meeting to make proper arrangements.

SAN JUAN CITY COMMISSION

Location: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589
Tuesday, June 13, 2017

REGULAR MEETING AGENDA
6:00 PM

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS

V. PRESENTATIONS

A. Presentation on Departmental Reports: Department of Planning and Zoning, Department of Parks and Recreation, San Juan Memorial Library, Department of Sanitation. (Benjamin Arjona, City Manager)

1. Planning and Zoning Department Monthly Report. (Xavier Cervantes, Director of Planning)

2. Parks and Recreation Monthly Report. (Patrick Willingham, Director of Parks and Recreation)

3. San Juan Memorial Library Monthly Report. (Armandina Segin, Director of Library)

4. Department of Sanitation Monthly Report. (Carmen Gonzalez, Director of Sanitation)

- B. Presentation of Scholarship Awards by San Juan Fire Department. (Tirso Garza, Fire Chief)

VI. PUBLIC HEARING/ORDINANCES

- A. Conduct a Public Hearing and Consider an Ordinance in First Reading for the Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “Oak Barrel Liquor, Wine and Spirits” store located at 502 N. Veterans Boulevard, legally described as the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia. (Xavier Cervantes, Director of Planning)
- B. Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at “H&H Food Mart”, store located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc. (Xavier Cervantes, Director of Planning)
- C. Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property legally described as Lot 2, Jesus Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz. (Xavier Cervantes, Director of Planning)

VII. APPOINTMENTS

- A. Consider to Appoint the Alternate and Policy Committee for the Hidalgo County Metropolitan Planning Organization. (Palmira Cepeda, Interim City Secretary)
- B. Consider Appointments to the Housing Authority Board. (Palmira Cepeda, Interim City Secretary)
- C. Consider Removal and Appointment of Board Members related to the San Juan Economic Development Corporation Board. (Palmira Cepeda, Interim City Secretary)

- D.** Consider Removal and Appointment of Board Members related to the San Juan Civil Service Board. (Palmira Cepeda, Interim City Secretary)

VIII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS:

- A.** Discussion and Action on the Interior Finishes for the New Public Safety Building. (Xavier Cervantes, Director of Planning)
- B.** Discussion and Possible Action to allow staff to Advertise and Accept Sealed BIDS for Water and Wastewater Treatment Chemicals, Analytical Laboratory and Solids Hauling and Disposal Services. (David Salinas, Director of Utilities)
- C.** Discussion and Authorization to ratify Change Order No. 1 to the City of San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project Contract with The Vertex Companies, Inc. in the amount of \$39,484.60 and Authorize City Manager to execute any related documents.. (David Salinas, Director of Utilities)
- D.** Discussion and Authorization to Ratify Change Order No. 2 to the City of San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project Contract with The Vertex Companies Inc., in an amount of \$5,711.60. (David Salinas, Director of Utilities)
- E.** Discussion and Possible Action to Approve Parks and Recreation Advisory Board to attend a PSJA Board Meeting for Permission to Name Park Located to the East of Lalo Arcaute Park, behind Carmen Elementary School.
- F.** Discussion and Possible Action with Naming the Baseball/Softball Complex Consisting of Mayfield Park, Lalo Arcaute Park and Unnamed Park Behind Carmen Elementary School.
- G.** Discussion and Action to Authorize City Manager to Request Statement of Qualifications for City Engineers. (Benjamin Arjona, City Manager)
- H.** Discussion and Possible Action Regarding Contract with Perdue, Brandon, Fielder, Collins & Mott, L. L. P. for Legal Services in Connection with Delinquent Ad Valorem Taxes and Mowing Lien Assessments for the City of San Juan. (Benjamin Arjona, City Manager)

I. Discussion and Possible Action Regarding Appointment of Legal Services in Connection with Delinquent Ad Valorem Taxes and Mowing Lien Assessments for the City of San Juan and Authorize City Manager to Execute an Agreement for Professional Legal Services Relating Thereto. (Benjamin Arjona, City Manager)

J. Discussion and Possible Action to Authorize City Manager to Conduct Interviews for the Position of City Secretary and Recommend top Three Applicants for Second and Final Interview by the City Commission. (Benjamin Arjona, City Manager)

IX. CONTRACTUALS/RESOLUTIONS

A. Consider the Renewal of an Interlocal Agreement between the City of San Juan and the University of Texas Rio Grande Valley (UTRGV) to Continue to Participate in the Stormwater Task Force. (Xavier Cervantes, Director of Planning)

X. CONSENT AGENDA

A. Consider an Ordinance in Second Reading Amending the code of Ordinances at Appendix "A". Unified Development Code, Chapter 2 - Zoning Regulations, Article II - Establishment of Districts and Boundaries for the Expressway Corridor District, Article IV, Expressway Corridor District Including Use and Area Regulations, Area and Heights Requirements, Definitions, Uses, Additional Requirements for Parking Driveway, Landscaping and Architectural Standards. (Xavier Cervantes, Director of Planning)

B. Consider an Ordinance in Second Reading for a Conditional Use Permit for the operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Aziz Quick Stop" proposed for construction at the Northeast corner of Raul Longoria and Eldora Roads, legally described as a 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision, as Requested by Aziz Quick Sotp, LLC. (Xavier Cervantes, Director of Planning)

XI. EXECUTIVE SESSION

A. The City Commission will Convene in Executive Session, in Accordance with the Texas Open Meetings Act, Vernon's Texas Statutes and Codes Annotated, Government Code, Chapter 551 et seq:

1. 551.074, to Deliberate the Appointment, Employment, Reassignment, Duties, Discipline, Renumeration, or Dismissal of Public Office or Employee. (Hussein Bakka, Director of Information Technology)

XII. RECONVENE

XIII. ADJOURNMENT

CERTIFICATION

I certify that the above notice of the Regular Called Meeting of the City of San Juan is true and correct; and that I posted such notice on the bulletin board. A place convenient and readily accessible to the public on the Friday, June 9, 2017, at 5:00 p.m. in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551-041 - §551.050).

PALMIRA CEPEDA
INTERIM CITY SECRETARY
CITY OF SAN JUAN, TEXAS

CERTIFICATION OF REMOVAL

I certify that the agenda of items to be considered by the City Commission was removed by the City Secretary's Office from the San Juan City Hall bulletin area on the the _____ of _____, 2017.

OFFICE OF THE CITY SECRETARY



Mayor: Mario Garza
Mayor Pro-Tem: Jesus “Jesse” Ramirez
Commissioners: Raudel Maldonado
Pete Garcia

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Palmira Cepeda, Interim City Secretary

DATE: 06/07/2017

SUBJECT: Planning and Zoning Department Monthly Report. (Xavier Cervantes, Director of Planning)

The City of San Juan Planning Department is busy processing subdivision plats, rezoning applications, applications for special/conditional use permits, applications for variances and undertaking other duties as listed below.

- 67 building permits were issued with a \$879,413.00 in total valuation.
- 283 garage sale permits were issued (\$2,830.00 in revenues).
- Provided customer service and support to 935 people and handled approximately 1,903 calls.
- The building inspectors made approximately 680 inspections.
- Eight (8) permits were issued for new houses.
- Provided customer service and handled approximately 345 calls regarding animal control.

SUBDIVISIONS IN PROCESS

- Ekamp Village
- Minnesota Vegas Ranches Phase 1

NEW BUSINESSES OPENING IN THE CITY DURING THIS MONTH

- Speedy's Car Wash – 401 W. Business 83
- Bella Mia Italian and American Restaurant – 219 W. Business 83
- Smart Start Childcare – 210 S. Nebraska Ave.
- Papa Johns Pizza – 901 N. Raul Longoria Road
- Dynazty Cuts Barber Shop – 6540 E. Nolana Rd.
- Mexi Cocina Café – 711 Alameda St.
- Yellow Rose Fashion & More – 502 N. Veteran's Blvd.
- Las Dona Grill – 2003 N. Veteran's Blvd.

709 S. Nebraska Ave. • San Juan, Texas 78589-2649
Phone: (956)223-2200 • Fax: (956) 787-5978

- Hernandez Auto Resales – 129 E. 6th St.

SUBSTANTIAL BUILDING PERMITS ISSUED OR PROCESSED IN THE PAST MONTH

- Pueblo Tires

CONDITIONAL AND SPECIAL USE PERMITS IN PROCESS

- Liquor store at one of the suites of the Santos Commercial Plaza
- Gasoline Service Station and alcohol sales for the proposed new Aziz Store
- Soccer field in a commercial property
- Alcohol sales at existing convenience store

REZONING APPLICATIONS IN PROCESS

- None

VARIANCE APPLICATIONS IN PROCESS

- Setback encroachments for Mr. Martinez.

ORDINANCES IN PROCESS

- Expressway Corridor Zoning

PUBLIC SAFETY BUILDING PROJECT

The groundbreaking ceremony for the project was held on February 1, 2017. Bi-monthly meetings are taking place with the architects and the building contractor. The project is scheduled to be completed in August or September, 2017.

EASEMENTS

The Department is working with the project engineer and the Utilities Director to obtain the necessary easements to undertake the First Time Sewer Connections Project scheduled to commence in the Summer or Fall of 2017.

DAVIS-BACON REGULATIONS

The Planning Department conducts employee wage interviews and reviews payroll reports to make sure the project contractors and subcontractors are in compliance with the Davis-Bacon Federal Act. At this time the only project that is impacted by this Act because federal funds are involved is the Water Plant # 2 Expansion Project.

STORMWATER REGULATIONS

The Department is the Stormwater Manager for the City of San Juan. The City of San Juan is a member of the Rio Grande Valley Stormwater Taskforce that is now coordinated by UTRGV. The department ensures the City is in compliance with all TCEQ and EPA laws regarding stormwater discharge. Regional meetings are attended regularly to keep track of this task.

METROPOLITAN PLANNING ORGANIZATION

The Department represents the City of San Juan in the Metropolitan Planning Organization (MPO) Technical Advisory Committee for County-wide transportation planning. Meetings are attended monthly.

OPERATION CRACKDOWN

The Department is very involved in this program in conjunction with the San Juan Police Department and the Public Works Department to tear down unsafe structures that augment crime in the City's neighborhoods. Twenty-five (25) structures have been identified as unsafe and seven (7) have been torn down since the start of the operation in February 2015. Four (4) more structures are slated for demolition in the near future. Agents from the Border Patrol Division out of the United States Department of Homeland Security have been of great assistance in getting property owners to sign demolition consent forms. The demolitions are handled by the Department of Public Works.

HIDALGO COUNTY URBAN COUNTY PROGRAM

Fiscal Year 29 (2016) project includes paving improvements along Coconut, Pullin, Hooper and Salazar Streets (Capri Subdivision). The environmental review phase under the direction of Urban County officials has been completed. A project kick-off meeting took place in March 14, 2017. The project went out for bids already and the bid opening is scheduled for Wednesday, June 7, 2017. The project should be completed by September or October of 2017.

Fiscal Year 30 (2017) project includes paving improvements in the Clark Terrace Phase 1 & 2 Subdivisions. The documents were submitted on time to start the advertisements and the environmental review. If everything goes according to schedule the project is expected to be completed by the Spring or Summer of 2018.

PASEO DE LAS FLORES DRAINAGE PROJECT

The Department is the manager for this project. The project was awarded to Bearkat Construction for \$882,282.00. The pre-construction meeting for this project took place on June 23, 2016 and the Notice to Proceed was issued on July 7, 2016. The project is 95 percent complete at this time. The project should be completed in July, 2017.

STREET IMPROVEMENTS PROJECT PHASE 1

The Department is the manager for this project. Perez Consulting Engineers is the firm that was selected by the City Commission to conduct the engineering. The engineering contract was signed on December 15, 2016. The bid opening was held in May 9, 2017. The awarding of the bids went before the City Commission during their May 23 meeting and the project was awarded to Earthworks Enterprise out of Penitas, Texas in the amount of \$1,425,557.75. The project should commence in June, 2017 and should be completed by February, 2018.

STREET IMPROVEMENTS PROJECT PHASE 2

\$1.87 million are now available for additional street improvements. A contract needs to be negotiated with an engineering firm to get the project started.



Mayor: Mario Garza
Mayor Pro-Tem: Jesus “Jesse” Ramirez
Commissioners: Raudel Maldonado
Pete Garcia

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Patrick Willingham, Director of Parks and Recreation

DATE: 06/08/2017

SUBJECT: Parks and Recreation Monthly Report. (Patrick Willingham, Director of Parks and Recreation)

For the month of May 2017, we have the following to report:

Parks Division staff continues to maintain the parks and grounds as needed. Crew members began the summer fertilization process in the parks and have begun preparing them for our upcoming All-Star tournaments taking place June 5th through 25th. Parks staff also assisted with decorating Memorial Park for the Memorial Day Holiday to help acknowledge all those who served our country. In addition the Parks division helped PSJA ISD with our 40/60 tent putting it up to help provide shade for end of the school year activities.

Events Coordinator, Ruben Rodriguez, assisted the department by coordinating applications for summer staff, scheduling interviews and ordering the necessary items for the summer programs. Ruben was also active in the coordination of decorating Liberty Park for the Memorial Day Holiday, and preparing for the July 4th community event scheduled for July 1, 2017

In our Recreation Division, staff has been coordinating end of the season schedules. Closing ceremonies were held on May 25, 2017 at Mayfield Park. This year we had an increase of 13 new baseball/softball teams that participated in our program. Along with baseball/softball staff has been preparing for our summer track and tennis season. Competition begins on June 9, 2017. All summer recreation programs such as ballet, cheerleading, karate, archery, strength and conditioning, tee-ball camp, soccer camp and open gyms all began June 5, 2017.

Maintenance Division staff continues to provide professional maintenance and custodial services. Maintenance Supervisor, Juan Govea, along with staff, have been spraying

709 S. Nebraska Ave. • San Juan, Texas 78589-2649
Phone: (956)223-2200 • Fax: (956) 787-5978

for bees and ants around various city properties. In addition, Mr. Govea and staff have been taking care of several minor issues such as replacing receptacle lights, fixing plumbing issues and minor AC repairs.

Parks and Recreation Department have kicked off with the summer programs. Teams are preparing for All-Star competition, as well as the annual Games of Texas to be held in McAllen, TX., next month in July. Upcoming events are Fourth of July Fireworks, Saturday, July 1, 2017.



MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Armandina Segin, Director of Library

DATE: 06/07/2017

SUBJECT: San Juan Memorial Library Monthly Report. (Armandina Segin, Director of Library)

Enclosed is the May monthly report including statistics and programs:

For the month of May we had 3,921 visitors. Out of those visitors, 1,501 were here for computer use only. We had 76 new patrons added to our circulation system. We requested and received ten (10) Interlibrary Loans (ILL). The library checked out a total of 1,350 items both adult and children's. We had 250 in-house circulation items. We helped the public with an estimated 744 reference/informational questions. We had 23 children's programs with an attendance of 94 people. The monthly amount deposited was \$1,388.04 both fines and fees.

Please see attached statistical report.

During the month of May:

- Attended the Directors' meeting
- Attended the City Commission meeting
- Went to City Hall to make the weekly money deposits for the library
- Attended the National Day of Prayer
- Attended the San Juan Memorial Library Board meeting
- Hosted a celebration Merienda for Día de las Madres
- Attended, with Richard, the monthly HCLS meeting at the Sekula Memorial Library in Edinburg
- Took some vacation days

- Managed the day to day operations of the San Juan Memorial Library

Meetings to be held in June, 2017

Multipurpose Room

Planning & Zoning meeting, June 1st & 15th

Summer reading Program Kickoff, June 2nd

Directors' meetings, June 5th & 19th

City commission special called meeting, June 7th

Library Board meeting, June 7th

Summer reading Program, June 13th to June 30th

City Commission meeting, June 13th & 27th

Keep San Juan Beautiful meeting, June 14th

Rio Grande Valley Down Syndrome Association meeting, June 17th

EDC Board meeting, June 29th

Training Room:

GED in Spanish on Mondays, Tuesday, Wednesdays, and Thursdays from June 1st to June 8th

Parks and Recreation meeting, June 2nd

Computer classes on Tuesdays and Thursdays, from June 6th to June 29th

Human Resources Orientation meeting, June 7th

San Juan Police Department training, June 12th, 13th, 16th, 20th, and 23rd

**San Juan Memorial Library
May 2017 Statistics**

Statistics	
Total Visitors	3,921
Computer Users	1,501
Total Checkouts	1,350
In-House Use	250
Inter-Library Loans	10
New Patrons	76
Reference\ Informational Questions	744
Children's Programs	23
Attendance	94

Multipurpose Room Reservations	Attendance
1st Directors Meeting	14
2nd Planning & Zoning Webinar	1
3rd Library Board Meeting	4
10th Mother's Day Celebration	34
16th Directors Meeting	15
16th Hidalgo County Headstart Decoration	4
17th Hidalgo Co. Headstart Graduation	104
18th Planning & Zoning	12
20th PSJA Girl Scouts	38
22nd Parks & Rec Board Meeting	10
23rd City Commission Meeting	73
25th Employee Health Fair	180
25th EDC Board Meeting	14
Total	503

Training Room Reservations	Attendance
1st Spanish GED Class	10
2nd Spanish GED Class	9
3rd Spanish GED Class	8
4th Spanish GED Class	7
8th Spanish GED Class	11
9th Spanish GED Class	11
10th Spanish GED Class	10
10th Keep San Juan Beautiful	3
11th Spanish GED Class	10
12th Planning & Zoning Webinar	1
15th Spanish GED Class	8
16th Computer Class	2
16th Spanish GED Class	8
17th Spanish GED Class	6
18th Spanish GED Class	5
22nd Spanish GED Class	7
23rd Computer Class	3
23rd Spanish GED Class	7
24th SBA Program	2
24th Spanish GED Class	7
25th Spanish GED Class	7

Checkouts	
DVDs	418
Books Juvenile	726
Books Adult	206
Total	1,350

WiFi Usage	
LibGuest	604
LibStaff	23
LibAdmin	0
Total	627

Study Room Attendance	
Study Rooms	76

Facebook Page	
Likes	9
Visitors	73

SJML Homepage	
Visitors	47,821

Deposits	
Fines	\$ 403.29
Copies	\$ 984.75
Total	\$ 1,388.04

Spanish GED Classes	
Attendance	131

Computer Classes	
Attendance	5

Training Room Res. (continued)	Attendance
26th SBA Program	3
30th Computer Class	3
30th Spanish GED Class	7
31st SBA Program	3
31st Spanish GED Class	6
Total	166

San Juan Memorial Library
May 2017 Statistics

25th Former Mayor Meeting	2
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Youth & Children's Programs/Attendance

Date	Program	Attendance
Tuesday, May 2, 2017	Movie	3
Wednesday, May 3, 2017	Toddler Time	5
Thursday, May 4, 2017	Coloring	1
Friday, May 5, 2017	Coloring	2
Tuesday, May 9, 2017	Coloring	4
Wednesday, May 10, 2017	Toddler Time	3
Friday, May 12, 2017	Coloring	4
Saturday, May 13, 2017	Story Time/Craft	6
Tuesday, May 16, 2017	Homework	5
Wednesday, May 17, 2017	Coloring	2
Thursday, May 18, 2017	Game Night	7
Saturday, May 20, 2017	Story Time/Craft	8
Saturday, May 20, 2017	Movie	8
Tuesday, May 23, 2017	Coloring	3
Tuesday, May 23, 2017	Movie	3
Wednesday, May 24, 2017	Coloring	4
Thursday, May 25, 2017	Game Night	6
Friday, May 26, 2017	Coloring	3
Saturday, May 27, 2017	Story Time/Craft	6
Saturday, May 27, 2017	Movie	4
Wednesday, May 31, 2017	Toddler Time	3
Wednesday, May 31, 2017	Movie	4
Total	23	94



MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Carmen Gonzalez, Director of Sanitation

DATE: 06/06/2017

SUBJECT: Department of Sanitation Monthly Report. (Carmen Gonzalez, Director of Sanitation)

The month of May the departments accomplished the following:

SANITATION DEPARTMENT

- The semi-burnt truck and the three new garbage trucks are estimated to be repaired/delivered by the end of June, 2017. The trash was picked up on schedule all month, as there were no breakdowns of sanitation trucks. The department is documenting the containers that are not picked up; the drivers are calling in or taking pictures as to why the container are left behind.
- The brush pickup is on schedule on the north east side which began May 16, 2017. The crew began three days ahead of schedule and should be completed before schedule. There is still a problem with some residents calling and taking the brush out after the crew has gone by.

CENTRAL GARAGE

- Mechanics are keeping up with the repairs of all City vehicles, tractor mowers and other heavy equipment. The mechanics have taken a vehicle that was transferred to Sanitation and have converted it to a vactor/water tank truck. A vehicle transferred from the Fire Department was painted white and is being used to haul caliche/cold mix for streets repairs. The body and fender employee is fixing all broken 30 cubic yard containers, mowers, weed eaters and commercial containers.

STREETS DEPARTMENT

- The mowing crew is working on the main streets as-well-as residential areas. There are two (2) crews doing right-of-ways, one on the south side and the other on the north side.
- Repair of streets/alleys is continuous. The crew repairs the main streets and as well

as the residential neighborhoods. There is a crew that is dedicated to repairing the roads in the alleys.

- Street signs are replaced when the signs are either reported or the street crew sees a sign that requires replacement.

- The grapple for the alleys is back picking up brush, there is a crew assisting them in preparing the alleys by mowing, cutting trees and weedeating. The crew is also putting the brush in pile so that it is easier for the grapple just to pick up three piles and not twenty small ones.

- The streets sweeper had been out all month in May. The sweeper cleaned the south side of town. The sweeper did not run the week of June 5th as it was waiting for new broom.

- A crew has been cleaning the storm drains on the north side of town in preparation for hurricane season. Citrus was flooded on Memorial Day but with the tanker truck that was just refurbished, an employee de-watered the street (eight (8) minutes to fill a 2,400 gallon tank and eleven (11) minutes to empty the water). The tank holds 2,400 gallons and there were 13 tanks (31,200 gallons) of water that were taken from Citrus.

- The entire City has been fumigated. Crew will begin one more time doing the north side, weather permitting in June.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Conduct a Public Hearing and Consider an Ordinance in First Reading for the Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “Oak Barrel Liquor, Wine and Spirits” store located at 502 N. Veterans Boulevard, legally described as the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia. (Xavier Cervantes, Director of Planning)

STAFF COMMENTS AND RECOMMENDATIONS:

Ms. Sharon Garcia is applying for a conditional use permit to operate a liquor store at the proposed "Oak Barrel Liquor, Wine and Spirits" located in one of the suites of the commercial plaza located at the Northeast corner of Veteran's Boulevard and Chaparral Avenue.

The applicant is proposing to sell alcohol Monday to Saturday from 10:00 a.m. to 9:00 p.m.

Staff mailed a notice of the public hearing to fifteen (15) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

RECOMMENDATION:

The Planning and Zoning Commission unanimously recommended approval of the conditional use permit during their May 18 meeting.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 05/18/2017
CITY COMMISSION – 06/13/2017
DATE PREPARED – 05/10/2017

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “Oak Barrel Liquor, Wine and Spirits” store
APPLICANT:	Sharon Garcia
SURVEYOR/ENGINEER:	N/A
LEGAL:	The West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision
LOCATION:	At the Northeast corner of Veterans Boulevard and Chaparral Avenue
CURRENT USE OF PROPERTY:	Commercial Plaza
EXISTING LAND USE AND ZONING:	<u>North</u> – Residential; General Business District (C-2) <u>South</u> – Commercial; General Business District (C-2) <u>West</u> – Outside City Limits <u>East</u> – Residential; Single-Family Residence District (R-S)
ACCESS AND CIRCULATION:	This property has access onto Veterans Boulevard
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval of the conditional use permit for the Sale of Alcoholic Beverages for Off-Premise Consumption with conditions as listed in the packet.

EVALUATION AND CONDITIONS FOR APPROVAL

Ms. Sharon Garcia is applying for a conditional use permit to operate a liquor store at the proposed “Oak Barrel Liquor, Wine and Spirits” located in one of the suites of the commercial plaza located at the Northeast corner of Veteran’s Boulevard and Chaparral Avenue.

The applicant is proposing to sell alcohol Monday thru Saturday from 10:00 a.m. to 9:00 p.m.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to fifteen (15) property owners within a two hundred (200) feet radius and received no comments in favor or against this request.

Staff recommends approval subject to the following conditions:

1. The applicant must install security cameras as per the City’s *Security Cameras Ordinance*.
2. The proposed alcohol sale hours are Monday to Saturday from 10:00 a.m. to 9:00 p.m.
3. The applicant must agree to update the alcohol license with the city every year.
4. No loading or unloading of merchandise in a public street.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Site Plan
Operation Hours Letter
List of neighboring property owners receiving notice
Photos

VETERANS BLVD. ("I" RD.)



Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Oak Barrel Liquor, Wine and Spirits" store located at 502 N. Veterans Blvd, legally described at the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia.





Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Oak Barrel Liquor, Wine and Spirits" store located at 502 N. Veterans Blvd, legally described at the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia.



VETERANS BLVD. ("I" RD)

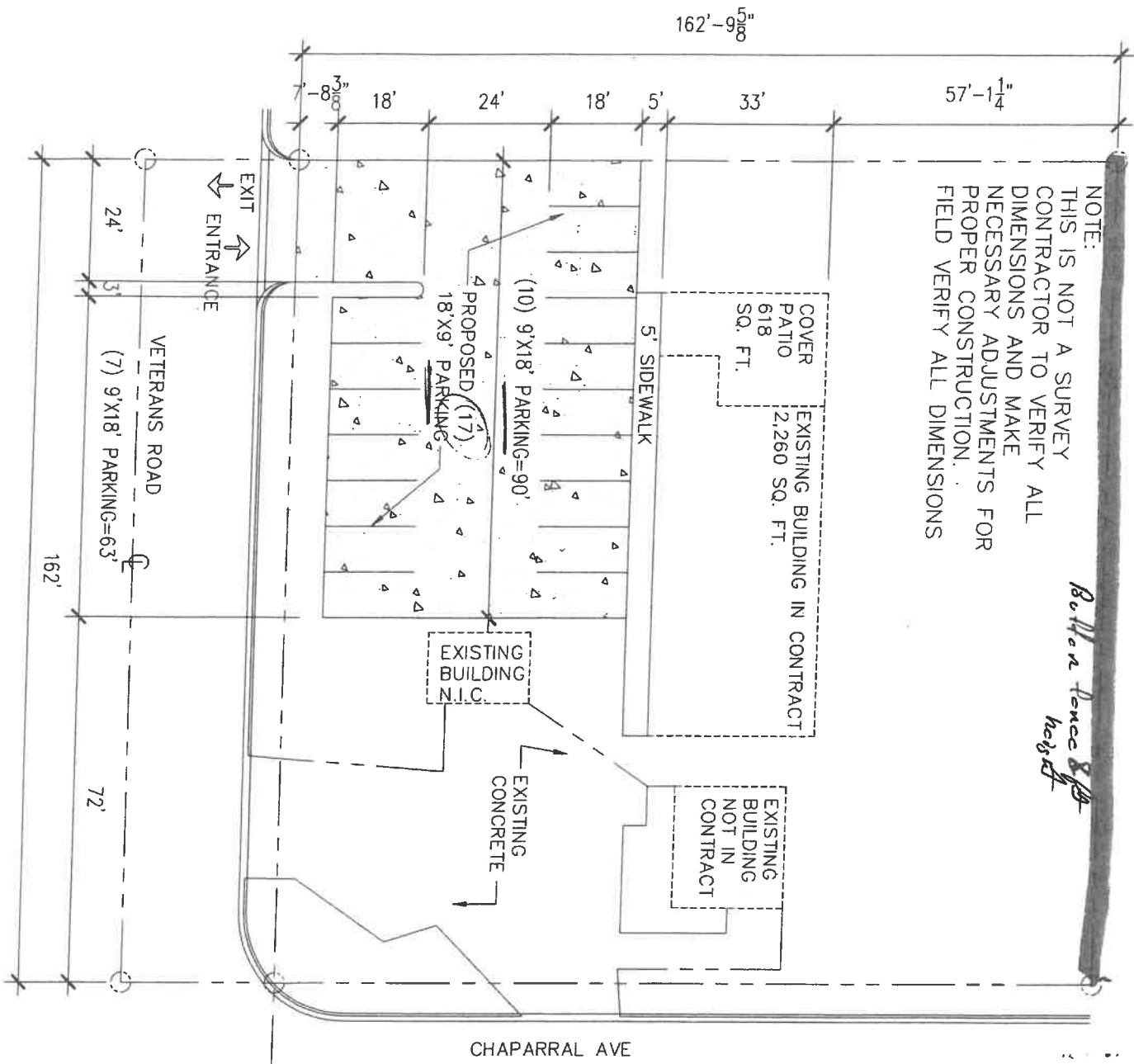


Zoning Districts

- | | | | |
|---|---------------------------------|---|------------------------|
|  | Single Family Residential (R-S) |  | General Business (C-2) |
|  | Manufactured Home (R-MH) |  | Heavy Commercial (C-3) |
|  | Multi-Family Residential (R-MF) |  | Light Industrial (I-1) |
|  | Neighborhood Commercial (C-1) |  | Heavy Industrial (I-2) |
| | |  | Open Space (O) |

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Oak Barrel Liquor, Wine and Spirits" store located at 502 N. Veterans Blvd, legally described at the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia.





1 SITE PLAN

SCALE: 1" = 10'-0"



ADDRESS:
508 N. VETERANS ROAD
SAN JUAN, TEXAS
HIDALGO, COUNTY

TOTAL PARKING EXCLUDING APPROACH 5,531 SQ.FT.
TOTAL SIDEWALK 436 SQ.FT.

TOTAL AREA 5,967 SQ.FT.

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SHEET: 2 of 2	 Sanchez Garcia DESIGN SERVICES Enrique "Richy" Sanchez Certified Drafter	SANTOS'S FAMILY PLAZA	
		PROJECT : 508 N. VETERANS ROAD SAN JUAN, TEXAS HIDALGO, COUNTY. OWNER : MR. EZEQUIEL SANTOS	PROJECT #: 07142016 DATE: 07/14/2016 DRAWN BY: E.SANCHEZ CHECKED BY: JX REVISION: 1: JXX 2: JXX 3: JXX 4: JXX

Donna, Texas 78537 Tel: (956) 472-3758 ensadesignservices@gmail.com Page 24

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AFFIDAVIT

May 3, 2017

To whom it may concern:

I, **Sharon Garcia**, am requesting a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed **Oak Barrel Liquor, Wine and Spirits** located at **502 N. Veterans Boulevard, Suite B**, legally described as the **West 193 feet of the North 162 feet, to the South of 318 feet of Lot 2, Knights Subdivision.**

The sale of alcohol will be:

Monday from 10:00 a.m. to 9:00 p.m.

Tuesday from 10:00 a.m. to 9:00 p.m.

Wednesday from 10:00 a.m. to 9:00 p.m.

Thursday from 10:00 a.m. to 9:00 p.m.

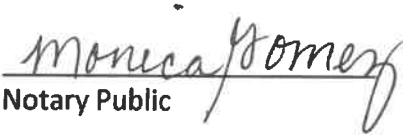
Friday from 10:00 a.m. to 9:00 p.m.

Saturday from 10:00 a.m. to 9:00 p.m.

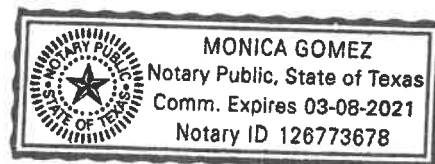
Sunday will be closed



Signature



Notary Public



Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption of at the proposed "Oak Barrel Liquor, Wine and Spirits" store located at 502 N. Veterans Boulevard, legally described as the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia.

Garcia, Sharon
145 San Jacinto
Mission, TX 78572

Vasquez, Adolph & Lydia
902 Mesquite St.
San Juan, TX 78589

Santos, Ezequiel & Maria Luisa
800 W. Chaparral
San Juan, TX 78589

Martinez, Jorge Antonio and
Claudia Edith Cavazos
811 W. Chaparral St.
San Juan, TX 78589-2209

Cano, Severo
504 N. Veterans Blvd.
San Juan, TX 78589-3209

Reyes, Susana
813 W. Chaparral St.
San Juan, TX 78589-209

Gutierrez, Emilio
905 Mesquite St.
San Juan, TX 78589-2229

De Leon, Heraclio R. & Herminia
901 W. Chaparral St.
San Juan, TX 78589-2211

Calvo, Eleazar
903 Mesquite St.
San Juan, TX 78589

Rubio, Oscar M.
Alejandro Cortazar
1207 E. Jackson Ave.
Pharr, TX 78577-6163

Montes, Rafael and Leonor
901 Mesquite St.
San Juan, TX 78589-2229

Correa, Yvette and Federico G.
904 W. Chaparral St.
San Juan, TX 78589-2212

Garcia, Antonio M.
900 W Chaparral St.
San Juan, TX 78589-2212

Salazar, Jaime and Laura I.
810 W. Chaparral St.
San Juan, TX 78589

Trevino, Catalina G.
201 E. Round Grove Rd. Apt #914
Lewisville, TX 75067-8329

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “Oak Barrel Liquor, Wine and Spirits” store located at 502 N. Veterans Boulevard, legally described as the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia.



View from Veterans Boulevard



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION AT THE PROPOSED "OAK BARREL LIQUOR, WINE AND SPIRITS" STORE LOCATED AT 502 N. VETERAN'S BOULEVARD, LEGALLY DESCRIBED AS THE WEST 193 FEET OF THE NORTH 162 FEET OF THE SOUTH 318 FEET OUT OF LOT 2, KNIGHTS SUBDIVISION, AS PROVIDED IN ARTICLE IV, OF THE ZONING ORDINANCE, CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE

WHEREAS, Sharon Garcia has applied for a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan for the sale of alcoholic beverages for off-premise consumption at the proposed "Oak Barrel Liquor ,Wine and Spirits" store.

WHEREAS, this type of activity is prohibited by the Zoning Ordinance unless a Conditional Use Permit is granted; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS, AS FOLLOWS:

SECTION I. That a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan, Texas, be granted to Sharon Garcia for the operation of the "Oak Barrel Liquor ,Wine and Spirits" store located at 502 N. Veteran's Boulevard subject to the following conditions:

1. The applicant must install security cameras as per the City's *Security Cameras Ordinance*.
2. The proposed alcohol sale hours are Monday to Saturday from 10:00 a.m. to 9:00 p.m.
3. The applicant agrees to update the alcohol license with the City every year.
4. No loading or unloading of merchandise shall take place in a public street.

SECTION II. PUBLICATION AND EFFECTIVE DATE CLAUSE. This Ordinance shall be published in the official newspaper of the City of San Juan, Texas, as provided by law, and shall be and remain in full force and effect from and after said date of publication.

PASSED and APPROVED on first reading on the 13th day of June, 2017.

PASSED and APPROVED on second and final reading on the ____ day of _____, 2017.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

**PALMIRA CEPEDA
INTERIM CITY SECRETARY**

APPROVED BY:

CITY ATTORNEY

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at "H&H Food Mart", store located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc. (Xavier Cervantes, Director of Planning)

STAFF COMMENTS AND RECOMMENDATIONS:

The applicant is taking over the business formally known as E-Z Mart under the name of "H&H Food Mart". The convenience store is located at the Southeast corner of Sam Houston Avenue and Veteran's Boulevard. The applicant is applying for a conditional use permit for the sale of alcoholic beverages (wine and beer) for off-premise consumption only.

The applicant is proposing to sell alcohol Monday thru Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.

Staff mailed a notice of the public hearing to fifteen (15) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

RECOMMENDATION:

The Planning and Zoning Commission unanimously recommended approval of the conditional use permit during their May 18 meeting.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 05/18/2017
CITY COMMISSION – 06/13/2017
DATE PREPARED – 05/10/2017

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the “H&H Food Mart” store
APPLICANT:	HH & A, Inc.
SURVEYOR/ENGINEER:	N/A
LEGAL:	The West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision
LOCATION:	Located at the Southeast corner of Veterans and Sam Houston Boulevard
CURRENT USE OF PROPERTY:	Commercial Plaza
EXISTING LAND USE AND ZONING:	<u>North</u> – Commercial; General Business District (C-2) <u>South</u> – Vacant; General Business District (C-2) <u>West</u> – Outside City Limits <u>East</u> – Vacant; Multi-Family Residence District (R-MF)
ACCESS AND CIRCULATION:	This property has access onto Veterans Boulevard and Sam Houston Boulevard
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval of the conditional use permit for the Sale of Alcoholic Beverages for Off-Premise Consumption with conditions as listed in the packet.

EVALUATION AND CONDITIONS FOR APPROVAL

The applicant is taking over the business formally known as E-Z Mart under the name of "H&H Food Mart". The convenience store is located at the Southeast corner of Sam Houston and Veterans Boulevard. The applicant is applying for a conditional use permit for the Sale of Alcoholic Beverages (wine and beer) for Off-Premise Consumption only.

The applicant is proposing to sell alcohol Monday thru Friday from 7:00 a.m. to 12:00 p.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.

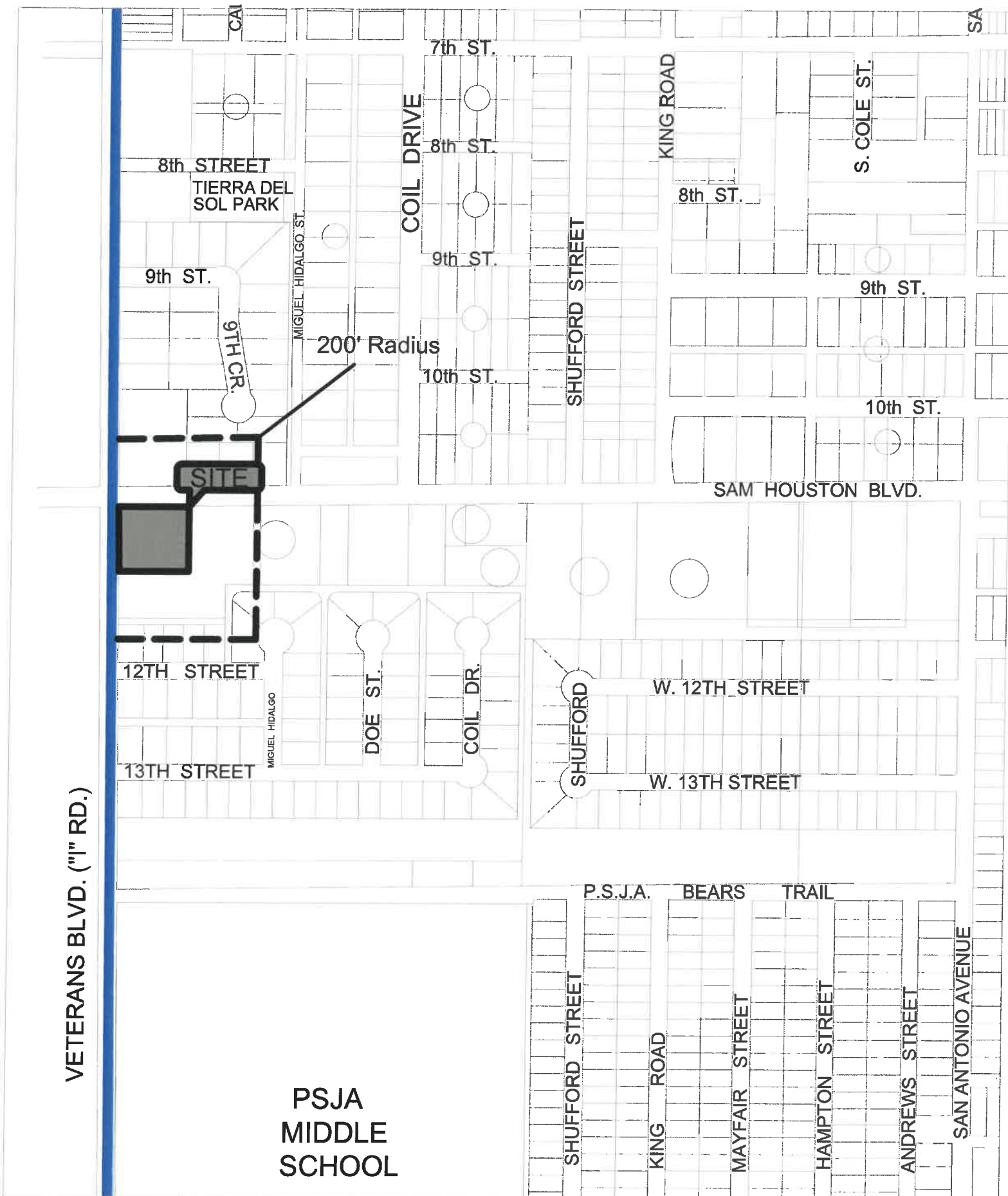
Staff mailed a notice of the public hearing before the Planning and Zoning Commission to fifteen (15) property owners within a two hundred (200) feet radius and received no comments in favor or against this request.

Staff recommends approval subject to the following conditions:

1. The applicant must install security cameras as per the City's *Security Cameras Ordinance*.
2. The proposed alcohol sale hours are Monday thru Friday from 7:00 a.m. to 12:00 p.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.
3. The applicant must agree to update the alcohol license with the city every year.
4. No loading or unloading of merchandise in a public street.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Site Plan
Operation Hours Letter
List of neighboring property owners receiving notice
Photos



Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the "H&H Food Mart" store located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc.



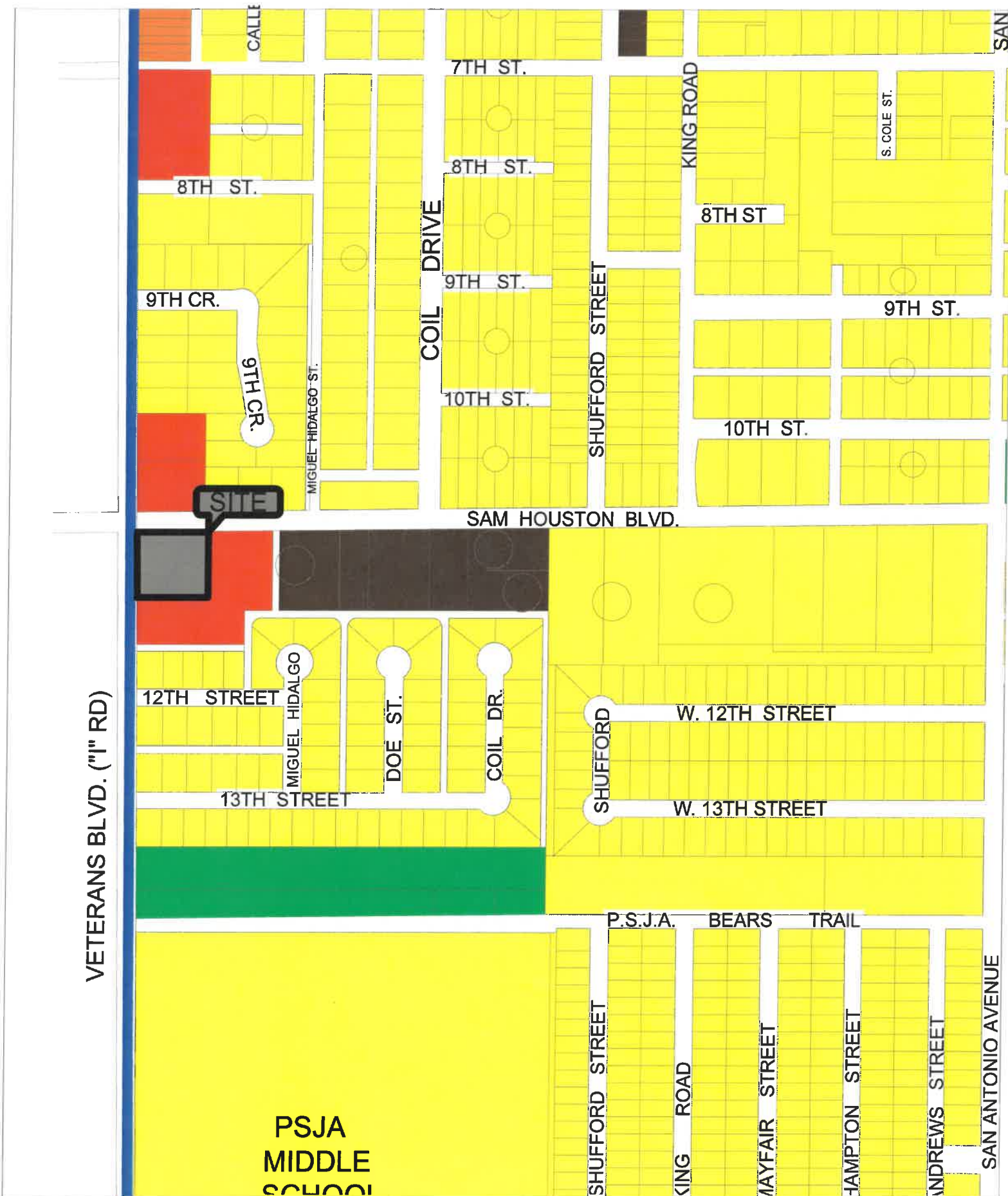


Legend

-  CITY LIMITS
-  Proposed area

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the "H&H Food Mart" store located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc.





Zoning Districts

Single Family Residential (R-S)	General Business (C-2)
Manufactured Home (R-MH)	Heavy Commercial (C-3)
Multi-Family Residential (R-MF)	Light Industrial (I-1)
Neighborhood Commercial (C-1)	Heavy Industrial (I-2)
	Open Space (O)

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the "H&H Food Mart" store located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc.



S81°31'00"E

SAM HOUSTON BLVD

199.00'

8' curb line

BASIS OF BEARING

(32)
B2c

SIGN

COLUMNS

CANOPY

GAS
PUMP
(TYP.)

192.00'

25.00'
RIGHT OF WAY

CANOPY

MAILBOX

60.0'

50.0'

BLOCK
COMMERCIAL
BLDG.

50.0'

0.88 AC.
GROSS

63.1'

60.0'

B

GREASE
TRAP

S08°29'00"W

R

N81°31'00"W

199.00'

30.00'
RIGHT OF WAY

AFFIDAVIT

May 8, 2017

To whom it may concern:

I, **Rebecca Regalado**, am requesting a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption on behalf of **HH&A Inc.** at the proposed "**H&H Food Mart**" located at **914 W. Sam Houston Boulevard**, legally described as the **West 422.8' of the North 355 feet EXC the West 209 feet of the North 192 feet and the South 88 feet of the East 77.8 feet of Lot 1, Clark Mellenbruch**

The sale of alcohol will be:

Monday from 7:00 a.m. to 12:00 p.m.

Tuesday from 7:00 a.m. to 12:00 p.m.

Wednesday from 7:00 a.m. to 12:00 p.m.

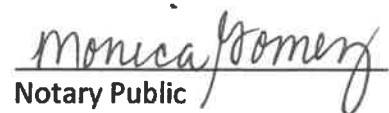
Thursday from 7:00 a.m. to 12:00 p.m.

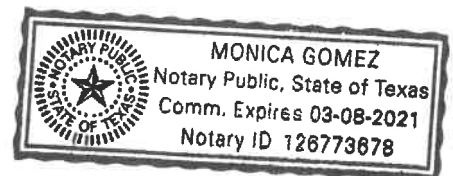
Friday from 7:00 a.m. to 12:00 p.m.

Saturday from 7:00 a.m. to 1:00 a.m.

Sunday will be 12:00 p.m. to 12:00 a.m.


Signature


Notary Public



Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the "H & H Food Mart" store located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc.

HH & A, Inc.
809 6th Street
Mercedes, TX 78570

Diaz, Maria Consuelo
Gustavo Cespedes Arcos
912 w. 12th Street
San Juan, TX 78589-2013

Perveen, Zahida
DBA Valley Food Mart
107 7th Street
Mercedes, TX 78570-3254

Hernandez, Ignacio
908 W. 12th Street
San Juan, TX 78589-2013

Cantu, Andres
707 W. Helmer
Pharr, TX 78577

Garza, Noemi
906 w. 12th Street
San Juan, TX 78589-2013

Benavides, Bulmaro and Maria de
la Cruz
108 W. Esperanza Avenue
Mission, TX 78574-5834

Garcia, Nancy and Esteban
904 Miguel Hidalgo St.
San Juan, TX 78589

Rex, Bayardo & Thelma
2716 Garza St.
Edinburg, TX 78539-6656

Trevino, Ricardo
1207 Miguel Hidalgo St.
San Juan, TX 78589-2012

Smith, Gilberto Jr. and Rebecca M.
902 Sam Houston Blvd.
San Juan, TX 78589-2169

Carrillo, Magda L.
900 W. Sam Houston Blvd.
San Juan, TX 78589

Barrera, Ernestina R.
922 W 9th Street
San Juan, TX 78589

Reyes, Susan B.
919 W. 9th Street
San Juan, TX 78589

Cantu, Samuel
916 W. 12th Street
San Juan, TX 78589-2013

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at “H&H Food Mart” store located at 914 W. Sam Houston Boulevard legally described as the West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc.



View from Sam Houston Boulevard



View from Veterans Boulevard

ORDINANCE NO.

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR
THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISE
CONSUMPTION AT THE PROPOSED “H&H FOOD MART” STORE
LOCATED AT 914 W. SAM HOUSTON AVENUE, LEGALLY
DESCRIBED AS THE WEST 209 FEET OF THE NORTH 192 FEET OF
LOT 1, CLARK MELLEBRUCH SUBDIVISION, AS PROVIDED IN
ARTICLE IV, OF THE ZONING ORDINANCE, CITY OF SAN JUAN,
HIDALGO COUNTY, TEXAS, PROVIDING FOR PUBLICATION AND
AN EFFECTIVE DATE**

WHEREAS, HH & A, Inc. has applied for a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan for the sale of alcoholic beverages (wine and beer) for off-premise consumption at the proposed “H&H Food Mart” store.

WHEREAS, this type of activity is prohibited by the Zoning Ordinance unless a Conditional Use Permit is granted; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS, AS FOLLOWS:

SECTION I. That a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan, Texas, be granted to HH & A, Inc. for the operation of the “H&H Food Mart” store located at 914 W. Sam Houston Avenue subject to the following conditions:

1. The applicant must install security cameras as per the City’s *Security Cameras Ordinance*.
2. The proposed alcohol sale hours are Monday to Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.
3. The applicant agrees to update the alcohol license with the City every year.
4. No loading or unloading of merchandise shall take place in a public street.

SECTION II. PUBLICATION AND EFFECTIVE DATE CLAUSE. This Ordinance shall be published in the official newspaper of the City of San Juan, Texas, as provided by law, and shall be and remain in full force and effect from and after said date of publication.

PASSED and **APPROVED** on first reading on the 13th day of June, 2017.

PASSED and **APPROVED** on second and final reading on the ____ day of _____, 2017.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

PALMIRA CEPEDA
INTERIM CITY SECRETARY

APPROVED BY:

CITY ATTORNEY

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property legally described as Lot 2, Jesus Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz. (Xavier Cervantes, Director of Planning)

STAFF COMMENTS AND RECOMMENDATIONS:

Mr. Jesus Quiroz is applying for a conditional use permit to construct a soccer field in a commercial property. The field will be fenced and will have a net within the fenced area to prevent the soccer balls from going to Veteran's Boulevard. Mr. Quiroz is proposing to build A.D.A. restrooms and to use his car lot for parking for the patrons.

The proposed hours of operation are Monday to Friday from 6:00 p.m. to 9:00 p.m. and Saturdays and Sundays from 8:00 a.m. to 9:00 p.m.

RECOMMENDATION:

The Planning and Zoning Commission unanimously recommended approval of the conditional use permit during their May 18 meeting.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 06/01/2017
CITY COMMISSION – 06/13/2017
DATE PREPARED – 05/26/2017

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property
APPLICANT:	Jesus Quiroz
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 2, Jesus Quiroz Subdivision
LOCATION:	2603 N. Veterans Boulevard
CURRENT USE OF PROPERTY:	Vacant
EXISTING LAND USE AND ZONING:	<u>North</u> – Commercial; General Business District (C-2) <u>South</u> – Commercial; General Business District (C-2) <u>West</u> – Outside City Limits <u>East</u> – Residential; Single-Family Residence District (R-S)
ACCESS AND CIRCULATION:	This property has access onto Veterans Boulevard
PUBLIC SERVICES:	Water service belongs to the North Alamo Water Supply Corporation; sewer is provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval of the special use permit subject to comply with the conditions listed in the packet.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Quiroz subdivided the property in 2015 into two (2) commercial lots. One of the properties has a used car lot owned by Mr. Quiroz and he is proposing to have a soccer field in the empty lot. According to the Zoning Ordinance, any recreational development in a commercial zoned property needs to apply for a conditional use permit thru the city.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to five (5) property owners within a two hundred (200) feet radius and received no comments in favor or against this request.

Staff recommends approval subject to the following conditions:

- a) ADA Restroom needs to be available
- b) One (1) water fountain will be required
- c) Parking area must be provided in adjacent property. No parking shall take place along Veterans Boulevard shoulder.
- d) Sufficient lighting must be provided at all times.
- e) There shall be a net covering the top of the field.
- f) Security cameras must be provided.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Site Plan
Section of the Ordinance
Subdivision Plat
List of neighboring property owners receiving notice
Photos



Legend

-  CITY LIMITS
-  Proposed area

Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property legally described as Lot 2, Jesus Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz.

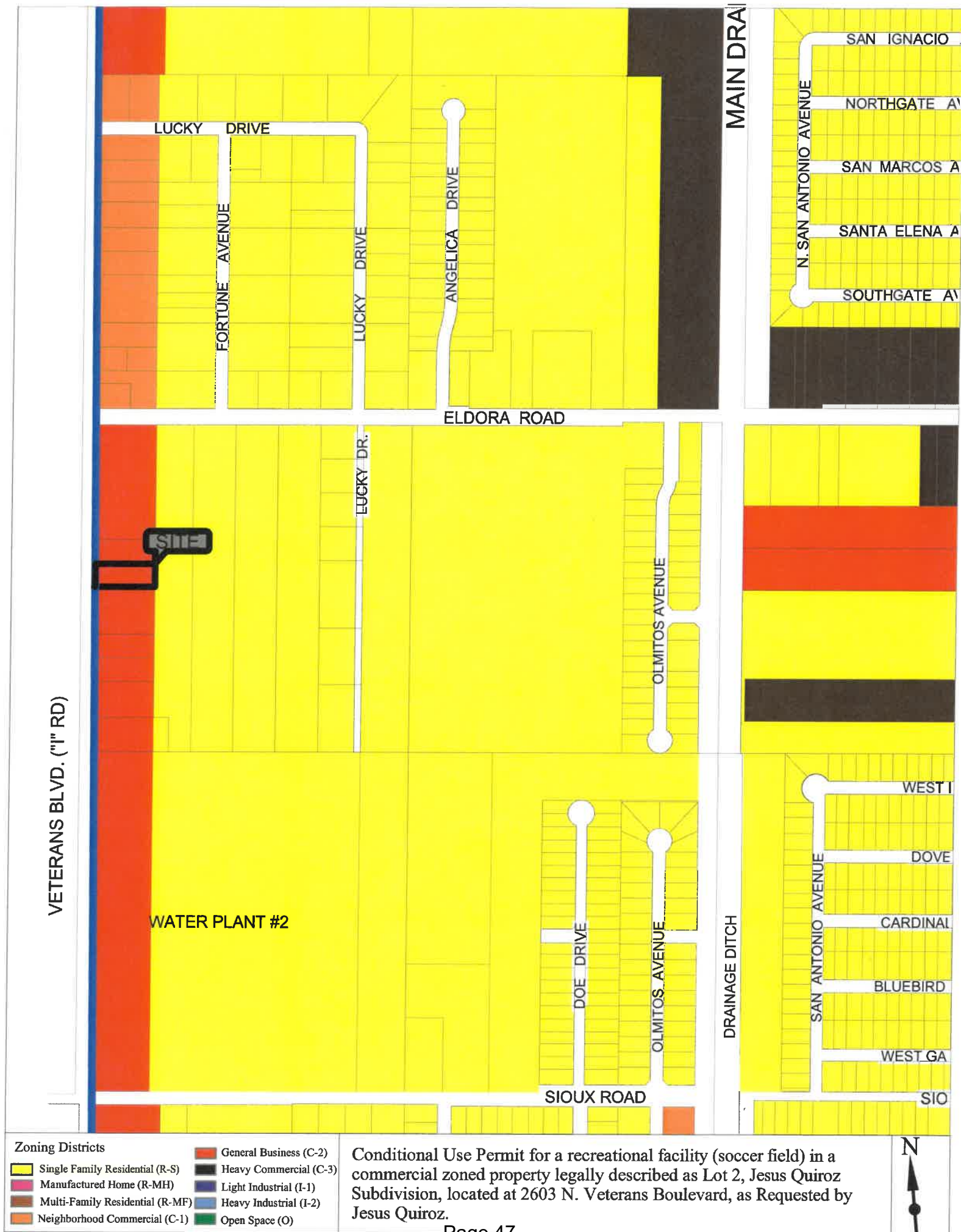


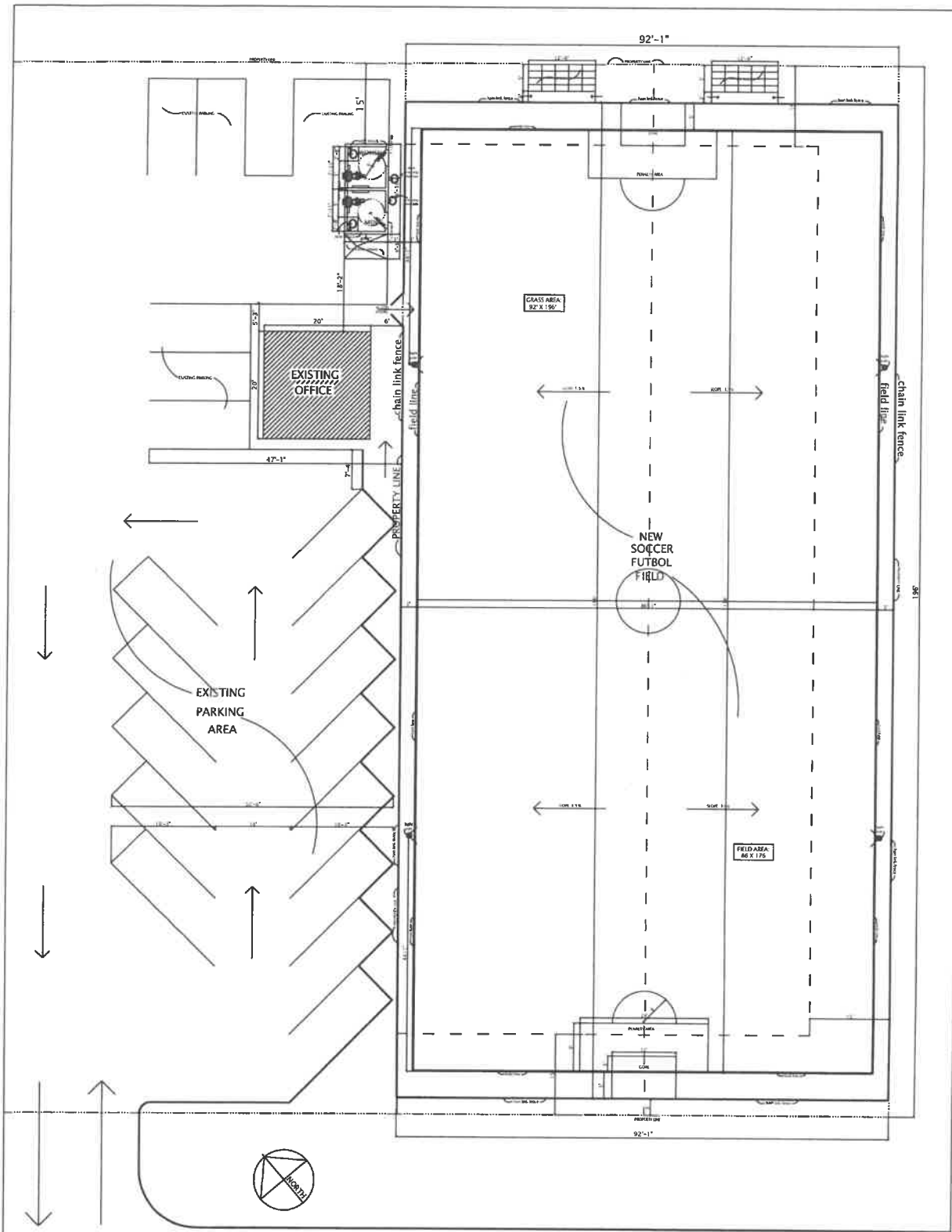
Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property legally described as Lot 2, Jesus Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz.







N. VETERANS BLVD.



DESIGN GROUP, INC.
EUSEBIO TAMEZ (956) 333-1897

PROPOSED SOCCER FIELD 7 FOR:
MR. JESUS QUIROZ
2609 N. VETERANS RD. SAN JUAN TX
FLOOR PLAN & SITE PLAN

DATE: 04-27-17
SCALE: 1/8" = 1'-0"
COMMENT: SEE DIMENSIONS

Sheet Number:

1 OF 1

SECTION 5.00: (C-2) GENERAL BUSINESS DISTRICT:**SECTION 5.01: PERMITTED USES:**

- (a) All uses listed as permitted uses in C-1 districts;
- (b) Any retail business, personal services, business services except the following: Lumberyards or contractor yards, farm equipment or other heavy equipment sales or service, farm products warehousing and storage or stockyards, general warehousing and storage. Household goods warehousing and storage in individually rented storage units is permitted;
- (c) Hotel, motel and/or eating places;
- (d) Printing, publishing and allied products manufacturing;
- (e) Rail and motor vehicle transportation passenger terminals;
- (f) Telephone, telegraphs, television, radio or similar media stations, centers, studios, but not including public microwave, radio and television towers;
- (g) Any wholesale trade or wholesale trade accessory to any permitted retail operation except the following: Raw cotton, grain, hide, skins and raw furs, tobacco, wool or mohair, livestock, commercial or industrial machinery or supplies, metals and minerals, petroleum bulk stations and terminals, scrap or junk waste materials;
- (h) Signs in accordance with adopted ordinances; or
- (i) Automotive repair as an accessory use to a permitted retail use, such as retail sale of automobiles or retail sale of automotive parts.

SECTION 5.02: CONDITIONAL USES (REQUIRE USE PERMITS):

- (a) Gasoline service stations or retail outlets where gasoline products are sold;
- (b) Drive-in businesses;
- (c) Planned shopping centers;
- (d) Bars, nightclubs and social event centers in accordance with adopted policies;
- (e) Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, or tents or other temporary structures used for temporary purposes, in accordance with all applicable City regulations and ordinances;
- (f) Portable buildings;
- (g) Owner-occupied residence in compliance with the setback requirements of this zoning district;
- (h) Automotive repair and service as a primary use, including auto paint and body work as a primary use, subject to required conditions. (See conditions listed in [Section 5.04](#) hereof.)⁽¹⁾

¹. All establishments engaged in automotive repair, services, maintenance, or paint and body work that are under construction or in existence and located in C-2 zone as of the date of adoption of this subsection shall hereby be classified as conforming uses and shall not be denied the right to expand, repair or rebuild such establishments.

SECTION 5.03: REQUIRED CONDITIONS:

Conditional Use Permit for a recreational facility in a commercial zone property legally described as Lot 2, Jesus Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz.

Quiroz, Jesus
2609 N. Veterans Blvd.
San Juan, TX 78589

Arevalo, Trinidad
601 W. Eldora Road
San Juan, TX 78589-5066

Andrade, Roel & Cecilia G.
3617 Burr Dr.
Edinburg, TX 78542-2749

5M & A Development, LLC.
909 E. Eldora Road
San Juan, TX 78589

Escoobar, Adan Jr.
815 W. Eldora Road
San Juan, TX 78589-5081

Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property legally described as Lot 2, Jesus Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz.



Proposed Site

ORDINANCE NO.

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR
THE OPERATION OF A RECREATIONAL FACILITY (SOCCER FIELD)
IN A COMMERCIAL ZONED PROPERTY LOCATED AT 2603 N.
VETERAN'S BOULEVARD, LEGALLY DESCRIBED AS LOT 2, JESUS
QUIROZ SUBDIVISION, AS PROVIDED IN ARTICLE IV, OF THE
ZONING ORDINANCE, CITY OF SAN JUAN, HIDALGO COUNTY,
TEXAS, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE**

WHEREAS, Jesus Quiroz has applied for a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan for the operation of a recreational facility (soccer field) in a commercial zoned property.

WHEREAS, this type of activity is prohibited by the Zoning Ordinance unless a Conditional Use Permit is granted; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS, AS FOLLOWS:

SECTION I. That a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan, Texas, be granted to Jesus Quiroz for the operation of a recreational facility (soccer field) in a commercial zoned property located at 2603 N. Veteran's Boulevard subject to the following conditions:

1. A.D.A. restrooms with water fountains must be available for the patrons.
2. Parking for the patrons must be provided in the adjacent (used auto sales) property. No parking shall take place anywhere along the Veteran's Boulevard shoulder.
3. Sufficient lighting must be provided at all times.
4. There shall be a net covering the top of the field.
5. Security cameras must be provided.

SECTION II. PUBLICATION AND EFFECTIVE DATE CLAUSE. This Ordinance shall be published in the official newspaper of the City of San Juan, Texas, as provided by law, and shall be and remain in full force and effect from and after said date of publication.

PASSED and APPROVED on first reading on the 13th day of June, 2017.

PASSED and APPROVED on second and final reading on the ____ day of _____,
2017.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

**PALMIRA CEPEDA
INTERIM CITY SECRETARY**

APPROVED BY:

CITY ATTORNEY

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Consider to Appoint the Alternate and Policy Committee for the Hidalgo County Metropolitan Planning Organization. (Palmira Cepeda, Interim City Secretary)

STAFF COMMENTS AND RECOMMENDATIONS:

Due to the recent May Election, staff is requesting the City's appointment representative for the remainder of 2017 to the Hidalgo County Metropolitan Planning Organization.

RECOMMENDATION:

Appointment to the Hidalgo County Metropolitan Planning Organization Policy Committee

PREPARED BY:

Palmira Cepeda,
Interim City Secretary

APPROVED BY:

Benjamin Arjona, City
Manager

Hidalgo County Metropolitan Planning Organization
Transportation Policy Committee
Fiscal Year 2017

Name of City/County/ Entity: _____

Name of Designee: _____

Name of Alternate: _____

List 3 Proxies: _____

In accordance with House Bill (HB) 1883 and Section 1, Chapter 472, Section 472.031 of the Transportation Code,

(a) A policy board of a metropolitan planning organization designated or re-designated under 23 U.S.C. Section 134 may provide in its bylaw for appointment of voting proxies by its members.

Section 472.032 of the transportation code, further clarifies that:

(a) A proxy appointment under section (a):

- 1)** Acts on behalf of and under the supervision of the policy board member who appointed
- 2)** Must be appointed in writing; and
- 3)** Is authorized to vote for the policy board member who appointed the proxy to the extent the member has given the proxy the member's voting power.

(b) A legislative member of a policy board may not be counted absent at a meeting of the policy board during a legislative session.

(c) A legislative member of a policy board may only appoint a proxy under Subsection (a) who is:

- 1) The legislative member's employee or staff member;
- 2) A person related by consanguinity, as determined under subchapter B, Chapter 573, Government Code, who is not required to register as a lobbyist under Chapter 305, Government Code;
- 3) Another legislative member of the policy board; or
- 4) A locally elected official.

Authorization Signature

Date

Hidalgo County Metropolitan Planning Organization
Transportation Policy Committee
Fiscal Year 2017

Name of City/County/ Entity: City of San Juan

Name of Designee: Mario Garza

Name of Alternate: _____

List 3 Proxies: _____

In accordance with House Bill (HB) 1883 and Section 1, Chapter 472, Section 472.031 of the Transportation Code,

(a) A policy board of a metropolitan planning organization designated or re-designated under 23 U.S.C. Section 134 may provide in its bylaw for appointment of voting proxies by its members.

Section 472.032 of the transportation code, further clarifies that:

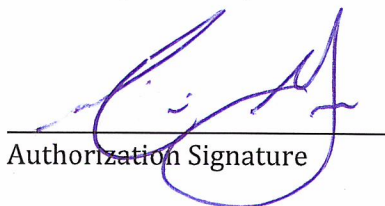
(a) A proxy appointment under section (a):

- 1) Acts on behalf of and under the supervision of the policy board member who appointed
- 2) Must be appointed in writing; and
- 3) Is authorized to vote for the policy board member who appointed the proxy to the extent the member has given the proxy the member's voting power.

(b) A legislative member of a policy board may not be counted absent at a meeting of the policy board during a legislative session.

(c) A legislative member of a policy board may only appoint a proxy under Subsection (a) who is:

- 1) The legislative member's employee or staff member;
- 2) A person related by consanguinity, as determined under subchapter B, Chapter 573, Government Code, who is not required to register as a lobbyist under Chapter 305, Government Code;
- 3) Another legislative member of the policy board; or
- 4) A locally elected official.


Authorization Signature

5/26/17
Date

**HIDALGO COUNTY METROPOLITAN PLANNING ORGANIZATION POLICY BOARD
ETHICAL STANDARDS AFFIDAVIT**

I, MARIO GARZA, a voting Member of the Hidalgo County Metropolitan Planning Organization Policy Board representing, City of SAN JUAN, hereby swear and affirm that I will uphold the following ethical standards required by voting members of MPO Policy Boards as identified in Texas Senate Bill 585. These standards state that voting members of the MPO Policy Board are prohibited from engaging in the following: 1.) Accepting or soliciting any gift, favor or service that might reasonably tend to influence the voting member in the discharge of official duties or that the voting member knows or should know is being offered with the intent to influence the voting member's official conduct; 2.) Accepting employment or engaging in a business or professional activity that the voting member might reasonably expect would require or induce the voting member to disclose confidential information acquired by reason of the official position; 3.) Accepting employment or compensation that could reasonably be expected to impair the voting member's judgment in the performance of the voting member's official duties; 4.) Making personal investments that could reasonably be expected to create a substantial conflict between the voting member's private interest and the public interest; 5.) Intentionally or knowingly solicit, accept or agree to accept any benefit for having exercised the voting member's official powers or performing the voting member's official duties in favor of another.

I further swear and affirm that in order to prevent a potential conflict of interest, that I will abstain from voting in or engaging in the discussion of any matter of business before the Hidalgo County MPO Policy Board that will have a special economic effect on either a business or real property of which I have a substantial interest that is distinguishable from the effect on the public.

I understand that a substantial interest is defined as either 1.) I own 10 percent or more of the voting stock or shares of the business entity or either 10 percent or more or \$15,000 or more of the fair market value of the business entity; or 2.) I have received funds from the business entity exceeding 10 percent of my gross income for the previous year; or 3.) I have a substantial interest in real property defined as an equitable or legal ownership with a fair market value of \$2,500 or more; or 4.) I have a family member related to me in the first degree by consanguinity or affinity with a substantial interest in a business entity or real property as defined above.

I agree to notify the MPO Director in writing of any conflict of interest as defined above prior to any vote or discussion of any matter of business which has created the conflict of interest.

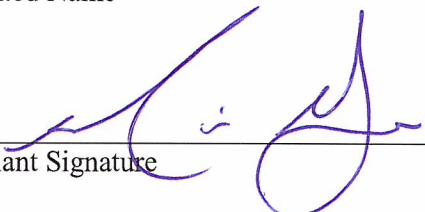
I understand that any violation of these standards or requirements may subject me to removal from the MPO Policy Board and possible prosecution by the Hidalgo County District Attorney.

I further understand that SB 585 requires me to notify the Hidalgo County District Attorney's Office and MPO Policy Board in a timely manner should I have personal knowledge of any violations of these same standards by other voting members of the Hidalgo County MPO Policy Board or of the Hidalgo County MPO Staff.

I also understand that failure to report violations of these standards by other voting members of the Hidalgo County MPO Policy Board or of the Hidalgo County staff subjects me to possible removal from the MPO Policy Board and possible prosecution by the Hidalgo County District Attorney.

I hereby swear and affirm that I have read the entire affidavit and that I understand and agree to its contents.

MARIO GARZA
Printed Name


Affiant Signature

Mayor

Position

City of San Juan

Representing

Sworn and subscribed before me
this 26th day of May, 2017.

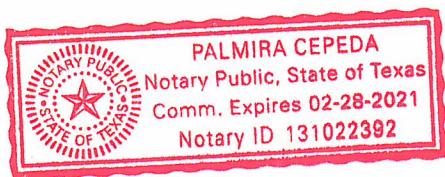
Palmira Cepeda

Notary Public, State of Texas

Notary's Printed Name: Palmira Cepeda

My Commission Expires: 2-28-2021

(Seal)



**HIDALGO COUNTY METROPOLITAN PLANNING ORGANIZATION POLICY BOARD
ETHICAL STANDARDS AFFIDAVIT**

I, _____, a voting Member of the Hidalgo County Metropolitan Planning Organization Policy Board representing, **City of** _____, hereby swear and affirm that I will uphold the following ethical standards required by voting members of MPO Policy Boards as identified in Texas Senate Bill 585. These standards state that voting members of the MPO Policy Board are prohibited from engaging in the following: 1.) Accepting or soliciting any gift, favor or service that might reasonably tend to influence the voting member in the discharge of official duties or that the voting member knows or should know is being offered with the intent to influence the voting member's official conduct; 2.) Accepting employment or engaging in a business or professional activity that the voting member might reasonably expect would require or induce the voting member to disclose confidential information acquired by reason of the official position; 3.) Accepting employment or compensation that could reasonably be expected to impair the voting member's judgment in the performance of the voting member's official duties; 4.) Making personal investments that could reasonably be expected to create a substantial conflict between the voting member's private interest and the public interest; 5.) Intentionally or knowingly solicit, accept or agree to accept any benefit for having exercised the voting member's official powers or performing the voting member's official duties in favor of another.

I further swear and affirm that in order to prevent a potential conflict of interest, that I will abstain from voting in or engaging in the discussion of any matter of business before the Hidalgo County MPO Policy Board that will have a special economic effect on either a business or real property of which I have a substantial interest that is distinguishable from the effect on the public.

I understand that a substantial interest is defined as either 1.) I own 10 percent or more of the voting stock or shares of the business entity or either 10 percent or more or \$15,000 or more of the fair market value of the business entity; or 2.) I have received funds from the business entity exceeding 10 percent of my gross income for the previous year; or 3.) I have a substantial interest in real property defined as an equitable or legal ownership with a fair market value of \$2,500 or more; or 4.) I have a family member related to me in the first degree by consanguinity or affinity with a substantial interest in a business entity or real property as defined above.

I agree to notify the MPO Director in writing of any conflict of interest as defined above prior to any vote or discussion of any matter of business which has created the conflict of interest.

I understand that any violation of these standards or requirements may subject me to removal from the MPO Policy Board and possible prosecution by the Hidalgo County District Attorney.

I further understand that SB 585 requires me to notify the Hidalgo County District Attorney's Office and MPO Policy Board in a timely manner should I have personal knowledge of any violations of these same standards by other voting members of the Hidalgo County MPO Policy Board or of the Hidalgo County MPO Staff.

I also understand that failure to report violations of these standards by other voting members of the Hidalgo County MPO Policy Board or of the Hidalgo County staff subjects me to possible removal from the MPO Policy Board and possible prosecution by the Hidalgo County District Attorney.

I hereby swear and affirm that I have read the entire affidavit and that I understand and agree to its contents.

Printed Name

Affiant Signature

Position

Representing

Sworn and subscribed before me
this _____ day of _____, 2017.

Notary Public, State of Texas
Notary's Printed Name: _____
My Commission Expires: _____

(Seal)

BYLAWS AND OPERATING PROCEDURES
HIDALGO COUNTY METROPOLITAN PLANNING ORGANIZATION
REVISED
APRIL 21, 2016

STATEMENT OF PRINCIPLES

1. The physical, economic, and social well being of the region, its citizens, and business enterprises, now and in the future, is determined to a great extent by its transportation system. Therefore, decisions involving transportation systems and subsystems must consider the environmental, economic, and social impacts of the alternatives in the future development of the transportation system, and must attain the principal objective of having an efficient, safe and practical system for moving people, goods, and services in the region according to their needs.
2. A transportation system can best be planned on a large-area basis involving city, county, regional, and state jurisdictional responsibilities and a proper mix of various modes of travel.
3. Counties and cities have the local responsibility for anticipating and meeting the transportation needs for adequately moving people and goods within their jurisdictions. However, law charges the Texas Department of Transportation, with the responsibility for planning, designing, constructing, and maintaining the State Highway System. In addition, duly authorized transportation entities are responsible for planning, developing, and operating public transportation services in their respective service areas.
4. Evaluation of transportation alternatives and the determination of the most desirable transportation system can best be accomplished through a Metropolitan Planning Organization (MPO) of primarily elected officials as spokesmen for the county and cities in the Hidalgo County Urban Area. The MPO will be the forum for cooperative decision-making by primarily elected officials of general purposes local governments, and including representatives of entities responsible for highway and mass transit improvements.
5. The Metropolitan Planning Organization (MPO) will make recommendations involving the regional transportation system to the county and cities, the State, and the authorities for all modes of transportation. Final decisions for implementing the regional transportation plan rest with the governing bodies of the counties and cities, the Transportation Commission and the authorities.
6. The Metropolitan Planning Organization (MPO) will monitor the transportation planning process to assure that it is conducted in a manner consistent with requirements of federal law and regulations.
7. In an attempt to fulfill the above concepts and to meet the requirements of the Federal Aid Highway Act of 1973, Governor Ann Richards, on April 27, 1993 designated the Lower Rio Grande Valley Development Council as the Metropolitan Planning Organization for transportation planning with the provision that the Transportation Policy Committee be the decision-making group for regional transportation policy for the urbanized area. As the designated Metropolitan Planning Organization, the Hidalgo County Metropolitan Planning Organization must assure that transportation planning in the urbanized area is satisfactorily coordinated and integrated with other comprehensive planning in the State Planning Region. These Bylaws and Operating Procedures spell out the manner in which the Metropolitan Planning Organization shall fulfill its responsibilities as the cooperative transportation decision-making group of the Metropolitan Planning Organization for the Hidalgo County Metropolitan Area.

DEFINITIONS

Section 1. The following definitions shall apply to terms used in these Bylaws and Operating Procedures:

- A. Transportation Planning Process. The Transportation Planning Process is the process of estimating future travel demand, identifying transportation improvement alternatives, and evaluating those alternatives to determine the best combination of facilities and services for all modes of travel.
- B. Regional Transportation Plan. The Regional Transportation Plan is the delineation of the highway, transit, and airport facilities and services for all modes of travel.
- C. Regional Transportation System. The Regional Transportation System is the continuous network of roadways and transit services that provides for movement and interchange of people and goods, primarily between local jurisdictions within the region. Included in the Regional Transportation System are highways and streets, parking and intermodal terminals, toll ways, fixed-guide way transit lines, bus routes, taxi services, paratransit and ridesharing services, railroad facilities, and general aviation and air carrier airports.
- D. Regional Highway System. The Regional Highway System consist of those freeways, principal and minor arterials, toll ways, truck terminals, parking facilities, and ridesharing which make up the system for travel by automobile or truck.
- E. Regional Public Transportation System. The Regional Public Transportation System includes all fixed-guide way facilities, bus routes, persona rapid transit, paratransit, and taxi services operated by public or private entities.
- F. Regional Airport System. The Regional Airport System is the collective airports and heliports in the urbanized area which provide terminals for commercial air travel, general aviation, and air cargo.
- G. Metropolitan Area. The Metropolitan Area is that portion of Hidalgo County expected to be principally urbanized within 20 years. The Metropolitan Area, which is also the Transportation Study Area, may be adjusted on amended demographic projections.

ORGANIZATION

Section 2. The organization for regional transportation planning shall consist of the Transportation Policy Committee (TPC) and Technical Committee, and described in subsequent paragraphs and sections of these Bylaws and Operating Procedures.

- A. Transportation Policy Committee. The Transportation Policy Committee (TPC) shall be the forum for cooperative decision-making by primarily elected officials of general purpose local governments in the Transportation Study Area.
- B. Technical Committee. This Committee shall provide technical review and advice for the regional transportation planning process to the Transportation Policy Committee.

Transportation Policy Committee

Section 3. The following rules shall govern the procedures, membership, and records of the Transportation Policy Committee.

- A. Membership. Membership on the Transportation Policy Committee shall be provided for local governments in the Transportation Study Area. There will be two (2) types of membership on the Policy Committee. The first type Membership with full voting privileges. The second type is ex-officio without voting privileges. The following governments and public agencies shall be represented as indicated:

Census Designation	City Name	Number of Votes
City	Alamo	3
	Alton	3
	Donna	3
	Edcouch	1
	Edinburg	7
	Elsa	2
	Granjeno	1
	Hidalgo*	3
	La Joya*	1
	La Villa	1
	McAllen	9
	Mercedes	3
	Mission	7
	Palmhurst	1
	Palmview	2
	Penitas	1
	Pharr	7
	Progreso *	2
	Progreso Lakes *	1
	San Juan	4
	Sullivan City	1
	Weslaco	4
	TxDOT	1
	Hidalgo Cnty RMA	1
	Valley Metro	1
Unincorporated Hidalgo County		9
Total Hidalgo County MPO TPC		79

All incorporated cities and public agencies are guaranteed at least one vote as long as they remain members in good standing. Any local government may receive additional votes based on the chart in and the official decennial Census populations. The vote totals will only be revised after every ten years unless these bylaws are amended.

All members of the Transportation Policy Committee shall be comprised of elected officials, the TxDOT District Engineer and additional parties as approved by the Transportation Policy Committee.

In addition, the State Senator and State Representatives that represent the Metropolitan Area shall serve as Ex-Officio members. Ex-Officio members shall have the same role as a regular member except that due to the fact they do not vote; their attendance shall not count in determining a quorum.

Each governmental entity may be represented by three (3) members of the governmental entity, one of whom shall be the Mayor by virtue of his position, and the other two (2) appointed by the governmental entity by force of resolution. All three (3) may represent the governmental entity at any and all MPO Policy Committee meetings, but only one may exercise the right to vote.

The Lower Rio Grande Valley Development Council's Executive Director or their proxy shall serve as an Ex-Officio member of the Transportation Policy Committee and his designee shall serve on the Technical Committee in the same capacity.

Additional Ex-Officio members will be managers or their designees for the airports of the cities of Weslaco, Edinburg, and McAllen; Valley Transit Company (owner); Rio Valley Switching, Union Pacific Railroad; and the American Trucking Association, and will be members of both the Policy and Technical Committees.

- B. Attendance: Records of attendance of Transportation Policy Committee meetings shall be kept in accordance with the Open Meetings Act. These records shall be sent to the members annually. Members of the Transportation Policy Committee that have missed three (3) consecutive meetings shall be informed of their absences by a letter from the Director. Appointing bodies will be asked if they wish to change their member representative due to the absences. Any voting members who have been absent four (4) consecutive times on the regularly scheduled meetings will be informed by letter from the Chairman that they will be placed in Ex-Officio status immediately.

In order to regain full voting status the suspended member must show good faith effort to retain the full status. A good effort is attending 4 consecutive meetings as an ex-officio member. In the fifth (5) month the active members will consider this a good faith effort and restore full voting membership.

If the full calendar year suspension is served and the member still has not shown any interest, then the Policy Committee will decide on further course of action.

The only exception to this rule is if the total active membership falls below the Federal Register's Required minimum representation of 75% level threshold of the metropolitan population. The TxDOT district and transit operator will maintain their respective status until these by-laws are further amended.

- C. Quorum. At least 50 percent of the active voting members or votes identified in Section 3A above must be present at meetings for the Transportation Policy Committee to take action. Proxies and/or alternates will be allowed.
- D. Proxies. In accordance with House Bill (HB) 1883 and Section 1, Chapter 472, Section 472.031 of the Transportation Code, (a) A policy board of a metropolitan planning organization designated or re-designated under 23 U.S.C. Section 134 may provide in its bylaw for appointment of voting proxies by its members.

Section 472.032 of the transportation code, further clarifies that:

(a) A proxy appointment under section (a):

1. Acts on behalf of and under the supervision of the policy board member who appointed the proxy;
2. Must be appointed in writing; and
3. Is authorized to vote for the policy board member who appointed the proxy to the extent the member has given the proxy the member's voting power

(b) A legislative member of a policy board may not be counted absent at a meeting of the policy board during a legislative session.

- (c) A legislative member of a policy board may only appoint a proxy under Subsection (a) who is:
1. The legislative member's employee or staff member;
 2. A person related by consanguinity, as determined under subchapter B, Chapter 573, Government Code, who is not required to register as a lobbyist under Chapter 305, Government Code;
 3. Another legislative member of the policy board; or
 4. A locally elected official.

E. Official Action. All official action shall require a majority of the votes represented by the members present at a meeting during which a quorum has been established.

F. Executive Committee. The Transportation Policy Committee shall originally elect a Chairperson, Vice-Chairperson, and Secretary for a two-year term after adoption of these by-laws. Subsequently, every two-year the officers shall ascend to the Chairperson position with the Transportation Policy Committee electing a new secretary. In the event that the Chairperson of the Transportation Policy Committee cannot continue to serve at any time during his/her term of election, the Vice-Chairman shall automatically become Chairperson. A vacancy in the office of the Secretary shall be filled by the Transportation Policy Committee in the first meetings of the Committee after the vacancy becomes known. In the event that the offices of Chairperson, Vice-Chairperson, and Secretary all become vacant, new officers shall be elected at the next regularly scheduled meeting of the Transportation Policy Committee, with nominations from the floor. The TxDOT, District Engineer or their designee shall also be a member of the Executive Committee.

All of the Transportation Policy Committee Executive Committee shall be eligible to vote on all matters before the Committee.

F. Meetings. At least one meeting shall be held annually by the Transportation Policy Committee, but the Committee shall meet as necessary for the purpose of transacting the business at hand. The Chairperson shall call the meeting and shall designate in written notice of the meeting the business to be transacted or considered.

Written notice of the meeting, accompanied by an Agenda, shall be mailed to the members and major news media at least 72 hours prior to the meeting and confirmed by telephone. The place of the meetings shall be designated by the Chairperson. All meetings shall be held as open meetings as defined in Article 6252-17, Vernon's Annotated Statutes.

G. Minutes. Minutes of the meetings shall be submitted to the members of the Transportation Policy Committee for approval and maintained online as well as in hard print.

H. Staff Support. The transportation Policy Committee shall hire a transportation director for the purpose of providing staff support. The Transportation Policy Committee shall establish the workforce needs and shall authorize the transportation director to hire personnel to meet those needs in compliance with the current Transportation Planning Contract.

H. Committee. Functions of the Transportation Policy Committee shall be as follows:

1. Provide direction for the regional transportation planning process.
2. Certify the coordination, comprehensiveness, and continuity of the regional transportation planning process.
3. Approve the Unified Planning Work Program, Regional Transportation Plan, and Transportation Improvement Program in accordance with requirements of federal statutes and regulations.

4. Review the Transportation Improvement Program to assure that highway projects do not unreasonably exceed what funding currently seems likely to be available for each metropolitan area, to the degree that is reasonable.
 5. Review the limits of the Transportation Study Area and make revisions considered appropriate.
 6. Authorize transit planning technical assistance to transit operating agencies at their request.
 7. Identify the kinds of consultant projects eligible for federal transportation funding.
 8. Hire and supervise an employee who shall serve as the Transportation Director of the Metropolitan Planning Organization. The Transportation Director shall administer a budget and hire staff as may be approved by the Transportation Policy Committee.
 9. The Transportation Policy Committee shall consider the recommendation of the Technical Committee on any plan or project to be discussed.
- I. Conflict of Interest. The Transportation Policy Committee members will conduct business in compliance with Chapter 472 of the Texas Transportation Code and Chapter 171 of the Texas Local Government Code. Pursuant to Section 472.033 of the Texas Transportation Code, a Transportation Policy Committee member is considered to be a local public official for purposes of Chapter 171 of the Texas Local Government Code. Pursuant to Section 171.004 of the Texas Local Government Code, if the Transportation Policy Committee Member has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if: (1) in the case of substantial interest (interest of more than 10 % of his/her or his/her parent's, child's or spouse's gross income for the previous year or 10% of the stock or the fair market value (or \$15, 000 or more) of a business entity that has work, business or a contract with the MPO), the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or (2) in the case of substantial interest in real property (interest in property having a fair market value of \$2500 or more) it is reasonably foreseeable that the action will have a special economic effect on the value of the property distinguishable from its effect on the public. The affidavit must be filed with the Transportation Planning Director. A business entity means: sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.

TECHNICAL COMMITTEE

Section 4. The MPO Technical Advisory Committee (TAC) shall be created by the Policy Committee. The TAC shall be a group of local municipal and county government representatives appointed by the Policy Committee to investigate, research and report on issues charged to them for the Policy Committee's consideration in developing regional transportation planning process. The following regulations shall govern the procedures, membership, and records of the technical Advisory Committee:

- A. Membership. Each Policy Committee member will appoint at least one member to the TAC. All local municipal and county government and public agencies within the Metropolitan Study Boundary shall have representation on the Technical Committee.

It is the responsibility of each Policy Committee member to see that the Technical Advisory Committee members are person who are authorized to act in the interest of their entity.

In addition, the staff of the State Senator and State Representatives that represent the Metropolitan Area shall serve as Ex-Officio members. Also all modes of transportation will be represented, i.e. trucking, railroads, airports, transit providers, etc. Ex-Officio members shall have the same role as a regular member, except they do not vote.

- B. Officers. The Transportation Advisory Committee shall originally elect a Chairperson, Vice-Chairperson, and Secretary for a two-year term after adoption of these by-laws. In the event that the Chairperson of the Transportation Advisory Committee cannot continue to serve at any time during his term of election, the Vice-Chairman shall automatically become Chairman. A vacancy in the office of the Secretary shall be filled by the Transportation Advisory Committee in the first meetings of the Committee after the vacancy becomes known. In the event that the offices of Chairperson, Vice-Chairperson, and Secretary all become vacant, new officers shall be elected at the next regularly scheduled meeting of the Transportation Advisory Committee, with nominations from the floor.
- C. Attendance. The Policy Committee representative from each entity is responsible to assure the attendance of their appointee(s) and may change their representative(s) at any time for any reason.

Written notice of the meeting accompanied by an Agenda shall be delivered to the members at least 72 hours prior to the meeting and confirmed by telephone. The Place of the meeting shall be designated by the Chairperson. All meetings shall be accessible to the public.

The MPO Director may reschedule or cancel a Technical Advisory Committee in the event that the aforementioned dates conflicts with a holiday, or a regionally significant scheduled event requiring the presence of the MPO Director and/or appropriate TxDOT planning staff and/or a majority of the Technical Advisory Committee membership.

No Quorum will be necessary to conduct business at TAC Meetings.

- D. Minutes. Written Minutes shall be kept for all regularly scheduled meetings of the TAC.
- E. Staff Support. Staff support for the Technical Advisory Committee shall be furnished by the MPO Director for the administration of meetings.
- F. Functions. The functions of the Technical Advisory Committee shall be as follows:
 - 1. Provide technical support to the regional transportation planning process.
 - 2. Provide assistance to the Policy Committee as needed to ensure that the MPO provides for the coordination, comprehensiveness, and continuity of the Regional Transportation Planning Process.
 - 3. Provide recommendations and support for the development of the Unified Planning Work Program, Regional Transportation Plan, and assist TxDOT in developing the Transportation Improvement Program in accordance with requirements of federal statutes and regulations, and provide review and comment to assist the Policy Committee in their consideration of these documents for approval.
 - 4. Review and comment on the Transportation Improvement Program to assure that transportation projects are reflective of local needs and do not reasonably exceed what funding currently seems likely to be available for the metropolitan area.
 - 5. Review the limits of the Transportation Study Area and make Recommendations considered appropriate for adoption by the Policy Committee.
 - 6. Recommend Policy Committee authorization of transit planning technical assistance to transit operating agencies at their request.

7. Assist the Policy Committee in identifying the kinds of consultant Studies.
 8. Provide assistance and support in developing selection process for STP4C projects. MPO Staff shall maintain up to date data to support the selection process with assistance from the Technical Advisory Committee.
 9. Communicate the activities, actions, recommendations and technical Ramifications on all matters considered by the Technical Advisory Committee, particularly those resulting in a recommendation to the Policy Committee.
- G. Technical Advisory Sub-Committees. The Technical Committee Chairperson will have the authority to appoint sub-committees as required to carry out the business of the Technical Advisory Committee.
- a. Sub-Committees may operate under their own set of bylaws and procedures with the approval from the Technical Advisory Committee and the Transportation Policy Committee.

INTENT

Section 5. These Bylaws and Operating Procedures are intended to provide rules and procedures to assure the orderly function of the urban transportation planning process in Hidalgo County.

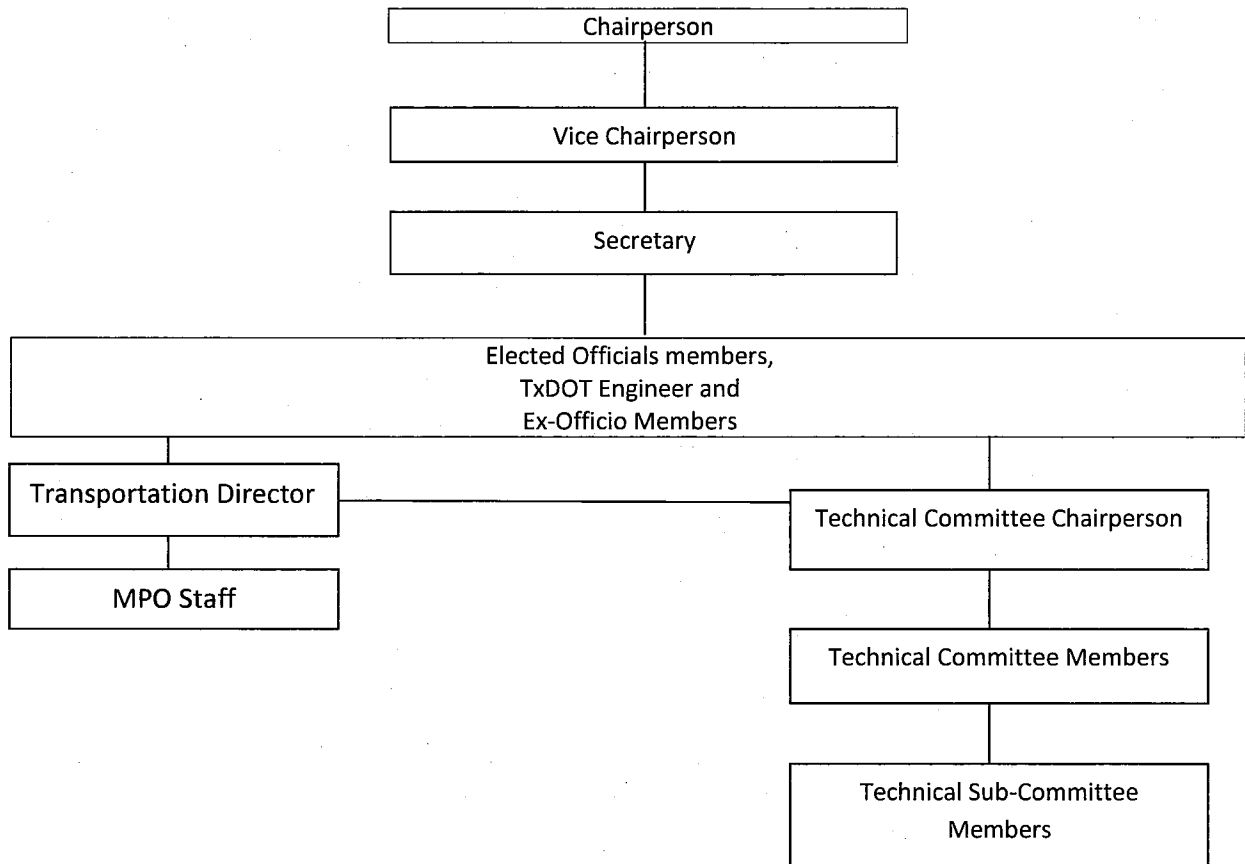
ADOPTION

Section 6. The Bylaws and Operating Procedures shall be in full force and effect at such time as they have been approved by a two-thirds (2/3) vote of the Transportation Policy Committee at which a quorum, as defined herein, is present.

REVISION

Section 7. These Bylaws and Operating Procedures may be revised by approval of two-thirds (2/3) of the votes of the Transportation Policy Committee at a meeting during which a quorum, as defined herein, is present. Changes in the Bylaws must be presented at one regularly scheduled meeting. No Bylaw change shall be made that has not been presented at a previous meeting. The Chairperson shall vote on Bylaw changes.

Hidalgo County
Metropolitan Planning Organization
Transportation Policy Committee
Structure

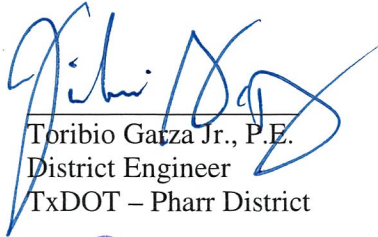


CONFLICT OF INTEREST

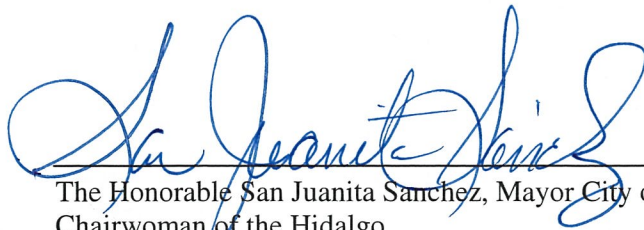
Section 8. Everyone connected with the MPO shall take all steps necessary to avoid even the appearance of a Conflict of Interest. In regards to all RFP's authorized by the MPO the rules below apply:

- A. When proposals are being reviewed, members and alternates of either the Policy or Technical committee shall not vote if they have vested interest in any proposal considered for contract (a personal from an entity in which the member has association with, i.e. employment, consultant, owner, board or committee member, etc.)
- B. No Committee member(s) may act as a representative for proposals being reviewed by either committee. If a member chooses to submit a proposal in response to an MPO approved RFP/RFQ he or she may not serve as a Committee member during review of that proposal.

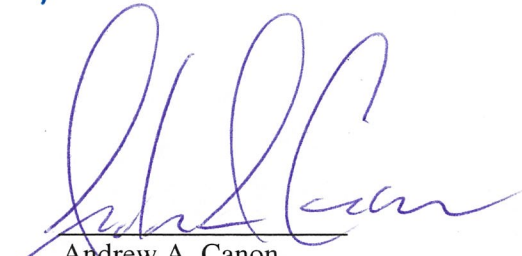
APPROVED this 21st day of APRIL 2016



Toribio Garza Jr., P.E.
District Engineer
TxDOT – Pharr District



The Honorable San Juanita Sanchez, Mayor City of San Juan
Chairwoman of the Hidalgo
County MPO Policy Committee



Andrew A. Canon
Transportation Director
Hidalgo County MPO

City of San Juan

RECEIVED

MAY 23 2017

Application for Appointment

City Secretary

ll 9:15am

Date: May 22, 2017

Board / Commission / Committee: Civil Service Board

Name: Rolando Casas

Mailing Address: 425 W 12th St San Juan TX 78589

(956)342-6150

Preferred Phone and Fax: _____

Employer: Hidalgo Co Emergency Occupation: Deputy EMC/Fire Marshal

rcasas956@gmail.com

Email Address: _____

Are you or can you be qualified to vote in a City of San Juan Election? ☒ Yes ☐ No

Are you a City of San Juan resident? ☒ Yes ☐ No How Long? 30 years

Have you ever represented any other private person, group or entity for compensation before the City Commission or any department, commission, board of committee of the city within the last three years? ☐ Yes ☒ No

Do you, your spouse, or your employer have any financial interest, direct or indirect in any contract with the City? ☐ Yes ☒ No

Do you, your spouse, or your employer have any financial interest, direct or indirect in the sale to the city of any land, materials, supplies or service? ☐ Yes ☒ No

List Professional or Social Membership(s)

South Texas Fire Investigators

State Firefighters & Fire Marshal

South Texas Arson Response Team

RGV All Hazards Incident Management

San Juan Volunteer Fire Department

Experience / Knowledge Pertaining to Board / Commission / Committee of Interest:

Hidalgo County LEPC Coordinator, San Juan Volunteer Fire Department Treasurer, Vice President of the South Texas Fire Investigators Association,

City of San Juan

Application for Appointment

RECEIVED

MAY 23 2017

City Secretary
PL 4:44

Date: May 22, 2017

Board / Commission / Committee: Civil Service Board

Name: Eric Sanchez

Mailing Address: 1110 E. 10th San Juan Texas

(956) 225-3361

Preferred Phone and Fax: _____

Employer: Hidalgo County Fire Marshals Office Occupation: Chief Deputy Fire Marshal

esanchezsdfd@yahoo.com

Email Address: _____

Are you or can you be qualified to vote in a City of San Juan Election? ☒ Yes ☐ No

Are you a City of San Juan resident? ☒ Yes ☐ No How Long? 15

Have you ever represented any other private person, group or entity for compensation before the City Commission or any department, commission, board of committee of the city within the last three years? ☐ Yes ☒ No

Do you, your spouse, or your employer have any financial interest, direct or indirect in any contract with the City? ☐ Yes ☒ No

Do you, your spouse, or your employer have any financial interest, direct or indirect in the sale to the city of any land, materials, supplies or service? ☐ Yes ☒ No

List Professional or Social Membership(s)

South Texas Arson Investigators

International Association of Arson

San Juan Fire Department Volunteer Fire

Texas Commision on Fire Protection

Associa Hill County Home Owners

Experience / Knowledge Pertaining to Board / Commission / Committee of Interest:

As a member of the South Texas Arson Investigators Association I assisted with fundraising events, and organizing social gatherings. As President of Associa Hill County Home Owners Association I worked closely with other board members on yearly budget for our Communities home owners association. As a Volunteer of the San Juan Fire Department we hold business

Application will be kept on file for two (2) years: thereafter applicants must reapply. Applications may be faxed (956) 787-5978, mailed to the City Secretary (709 S. Nebraska, San Juan, Tx 78589) or emailed to pcepeda@cityofsanjuantexas.com

City of San Juan

Application for Appointment

RECEIVED

MAY 23 2017

City Secretary

2:10
PL

Date: May 23, 2017

Board / Commission / Committee: Civil Service Board

Name: Jose Miguel Navarro

Mailing Address: 1620 Star Ruby Road San Juan Tx, 78589

9562501059
Preferred Phone and Fax: _____

Employer: City Of Pharr Occupation: Firefighter / Engineer

Navarro1202@yahoo.com
Email Address: _____

Are you or can you be qualified to vote in a City of San Juan Election? ☒ Yes ☐ No

Are you a City of San Juan resident? ☒ Yes ☐ No How Long? 34yrs

Have you ever represented any other private person, group or entity for compensation before the City Commission or any department, commission, board of committee of the city within the last three years? ☐ Yes ☒ No

Do you, your spouse, or your employer have any financial interest, direct or indirect in any contract with the City? ☐ Yes ☒ No

Do you, your spouse, or your employer have any financial interest, direct or indirect in the sale to the city of any land, materials, supplies or service? ☐ Yes ☒ No

List Professional or Social Membership(s)

San Juan Volunteer Fire Department _____

South Texas Arson Investigators _____

Experience / Knowledge Pertaining to Board / Commission / Committee of Interest:

Knowledgeable in Civil Service statues and current on other matters that affect Civil Service. Participated in and negotiated on previous collective bargaining contracts. Experience in administration management for private industry EMS service as there administrator of record.

Application will be kept on file for two (2) years: thereafter applicants must reapply. Applications may be faxed (956) 787-5978, mailed to the City Secretary (709 S. Nebraska, San Juan, Tx 78589) or emailed to pcepeda@cityofsanjuantexas.com

City Of San Juan
Application for Appointment

received
2:07 pm June 8, 2017
P.C.

Date: 6-8-17

Board / Commission / Committee: Civil Service Board

Name: Oscar Alaniz Jr

Mailing Address: P.O. Box 2638

Preferred Phone: (956) 560-2257 Other Phone: Fax:

Employer: PSJA ISD Occupation: Parent Educator

Email Address (work): OSCAR.ALANIZ@PSJAISD.ES Alternate Email (personal):

Are you or can you be qualified to vote in a City of San Juan Election? ☒ Yes ☐ No

Are you a City of San Juan resident? ☒ Yes ☐ No How Long? 3 years 2 months

Have you ever represented any other private person, group or entity for compensation before the City Commission or any department, commission, board of committee of the city within the last three years? ☐ Yes ☒ No

Do you, your spouse, or your employer have any financial interest, direct or indirect in any contract with the City? ☐ Yes ☒ No

Do you, your spouse, or your employer have any financial interest, direct or indirect in the sale to the city of any land, materials, supplies or service? ☐ Yes ☒ No

List Professional or Social Membership(s)

Experience / Knowledge Pertaining to Board / Commission / Committee of Interest:

Retired Assistant Fire Chief Pharr Fire Dept

OSCAR

Signature

Date

Application will be kept on file for two (2) years: thereafter applicants must reapply. Applications may be faxed (956)787-5978, mailed to the City Secretary at (709 S. Nebraska San Juan Tx 78589) or deposited into the payment box outside City Hall inside a white mailing envelope.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Discussion and Action on the Interior Finishes for the New Public Safety Building. (Xavier Cervantes, Director of Planning)

STAFF COMMENTS AND RECOMMENDATIONS:

Choices need to be made for interior building finishes. PBK Project Architect will present a palette selection board and will show a power point presentation during the meeting for the Commission to choose the colors as desired.

RECOMMENDATION:

Select public safety building interior colors as presented.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

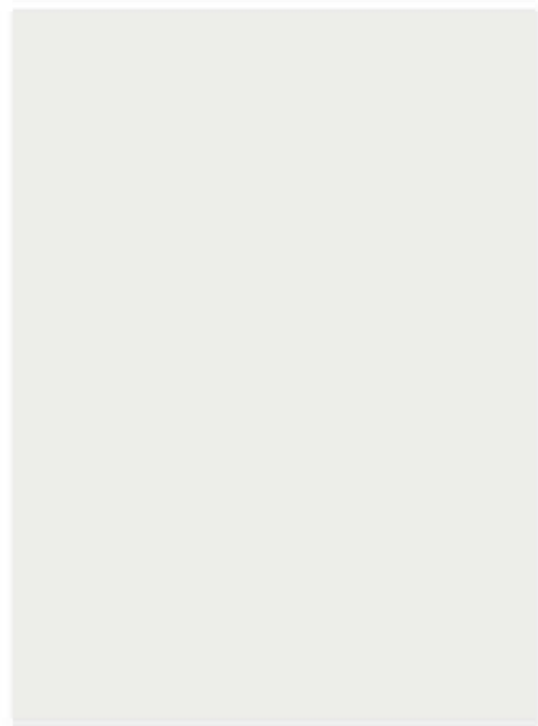
APPROVED BY:

Benjamin Arjona, City
Manager



1 PAINT (RIGHT TO LEFT)
SHERWIN WILLIAMS

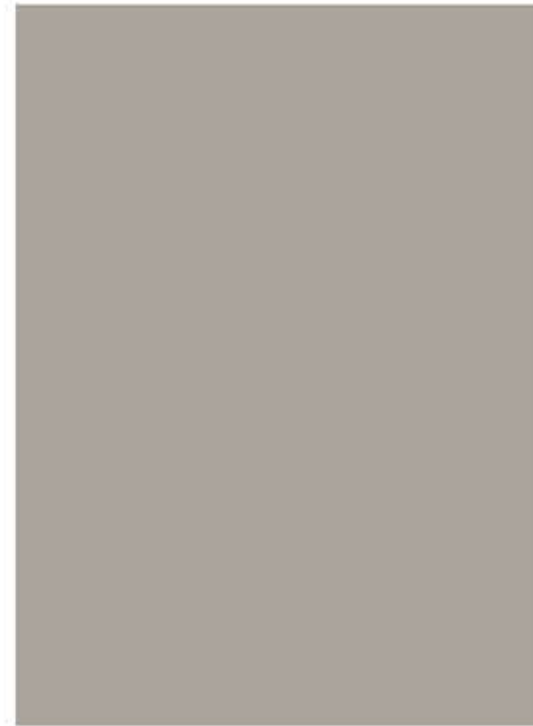
PT - 1 : SW 8917 SHELL WHITE
PT - 2 : SW 7022 ALPACA
PT - 3 : SW 7024 FUNCTIONAL GRAY
PT - 4 : SW 6531 INDIGO
PT - 5 : SW 9179 ANCHORS AWEIGH



PT - 1



PT - 2



PT - 3



PT - 4



PT - 5



2 DOOR - 1
WILSONART
7054-60
WILD CHERRY



3 BASE - 1
ARMSTRONG
61 GRAPHITE
GRAY



BASE - 2
ARMSTRONG
94 MIDNIGHT
BLUE



4 VCT - 1
AZROCK
V - 271
NAUTICAL



VCT - 2
AZROCK
V - 209
WHISPER



VCT - 3
AZROCK
V - 222
STONEBED



VCT - 4
AZROCK
V - 217
WEATHERED



VCT - 5
AZROCK
V - 232
ASPHALT



5 PLAM - 1
WILSONART
4842-60
CANYON
ZEPHYR



PLAM - 2
WILSONART
4811-60
SILICON EV

6 WALL TILE - 1
INTERCERAMIC
BEIGE

7 FLOOR TILE - 1
INTERCERAMIC
TAUPE

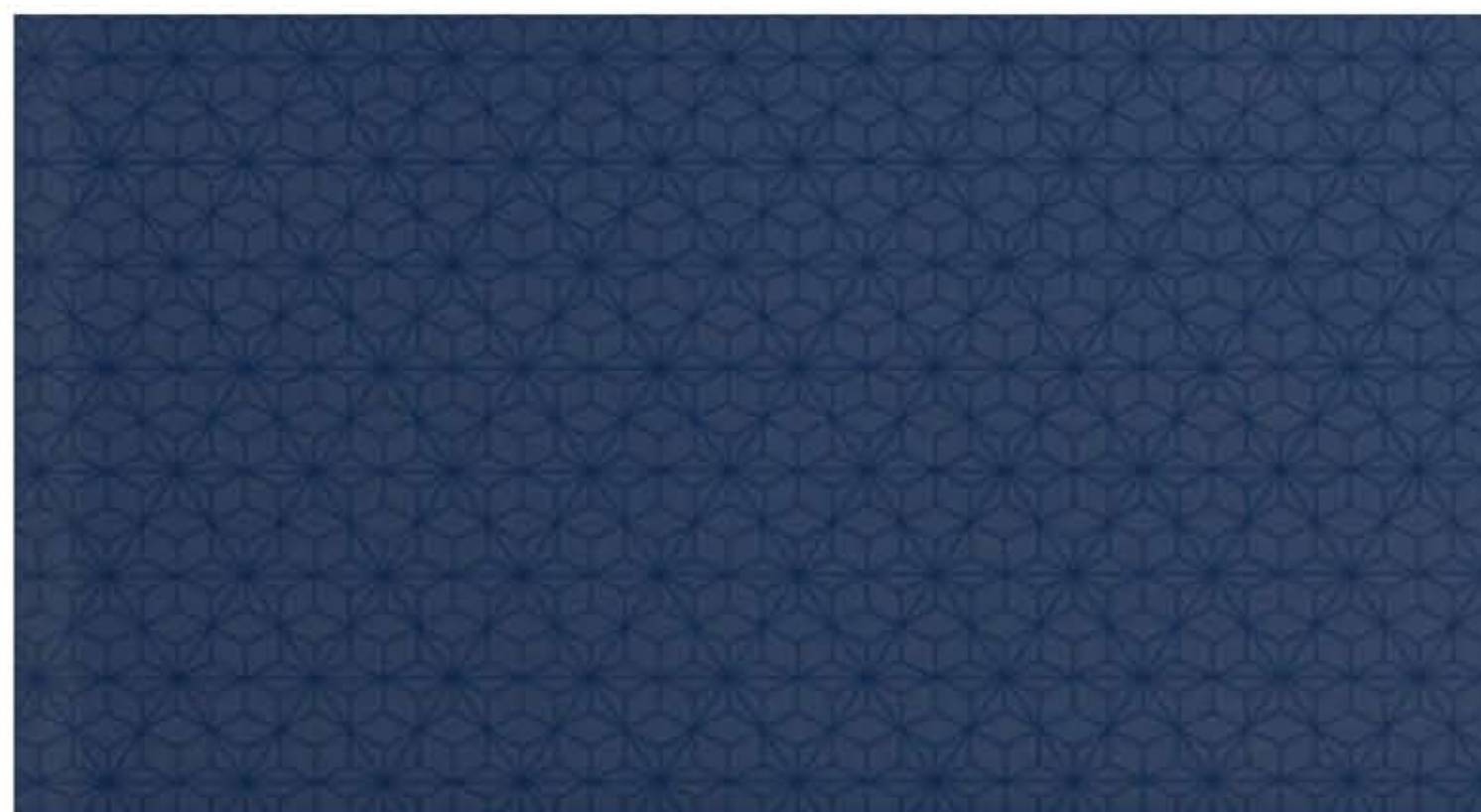


8 WALL TILE - 2
INTERCERAMIC
GRIGIO

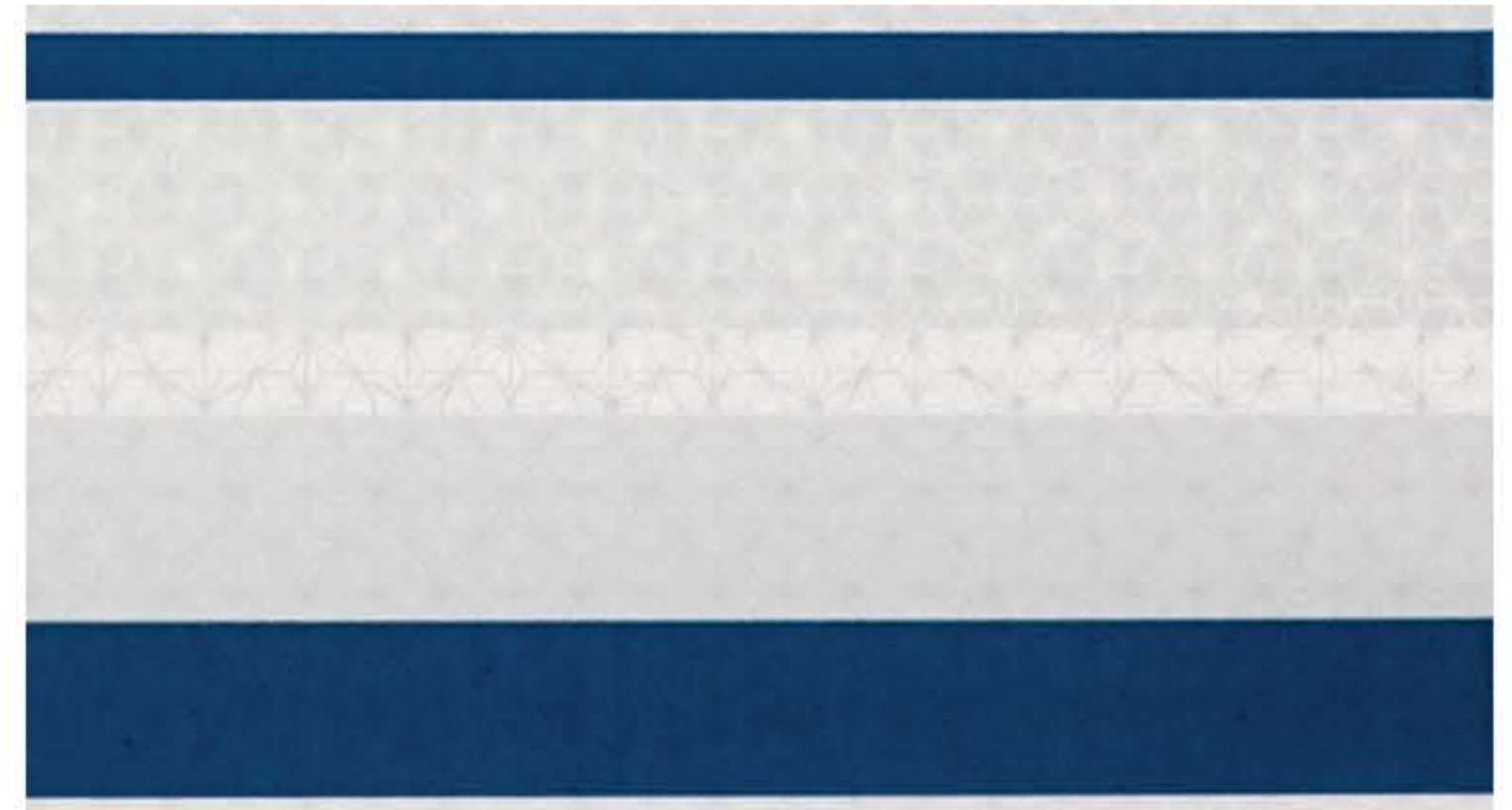
9 FLOOR TILE - 2
INTERCERAMIC
GREY



10 LOBBY FLOOR TILE - 1
INTERCERAMIC
THASSOS TRAVERTINE ROMAN



11 LOBBY TILE - 1
INTERCERAMIC
AVIO BLUE



12 LOBBY TILE - 2
INTERCERAMIC
AVIO STRIPES BLUE

New Public Safety Building

City of San Juan \ June 2017

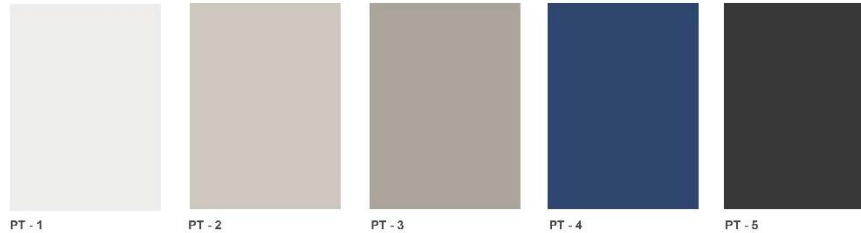


INTERIOR FINISHES

INTERIOR DESIGN

① **PAINT**
(RIGHT TO LEFT)
SHERWIN WILLIAMS

PT - 1 : SW 8917 SHELL WHITE
PT - 2 : SW 7022 ALPACA
PT - 3 : SW 7024 FUNCTIONAL GRAY
PT - 4 : SW 6531 INDIGO
PT - 5 : SW 9179 ANCHORS AWEIGH



② **DOOR - 1**
WILSONART
7054-60
WILD CHERRY



③ **BASE - 1**
ARMSTRONG
61 GRAPHITE
GRAY



BASE - 2
ARMSTRONG
94 MIDNIGHT
BLUE



④ **VCT - 1**
AZROCK
V - 271
NAUTICAL



VCT - 2
AZROCK
V - 209
WHISPER



VCT - 3
AZROCK
V - 222
STONEBED



VCT - 4
AZROCK
V - 217
WEATHERED



VCT - 5
AZROCK
V - 232
ASPHALT



⑤ **PLAM - 1**
WILSONART
4842-60
CANYON
ZEPHYR



PLAM - 2
WILSONART
4811-60
SILICON EV

⑥ **WALL TILE - 1**
INTERCERAMIC
BEIGE

⑦ **FLOOR TILE - 1**
INTERCERAMIC
TAUPE



⑧ **WALL TILE - 2**
INTERCERAMIC
GRIGIO

⑨ **FLOOR TILE - 2**
INTERCERAMIC
GREY



⑩ **LOBBY FLOOR TILE - 1**
INTERCERAMIC
THASSOS TRAVERTINE ROMAN



⑪ **LOBBY TILE - 1**
INTERCERAMIC
AVIO BLUE



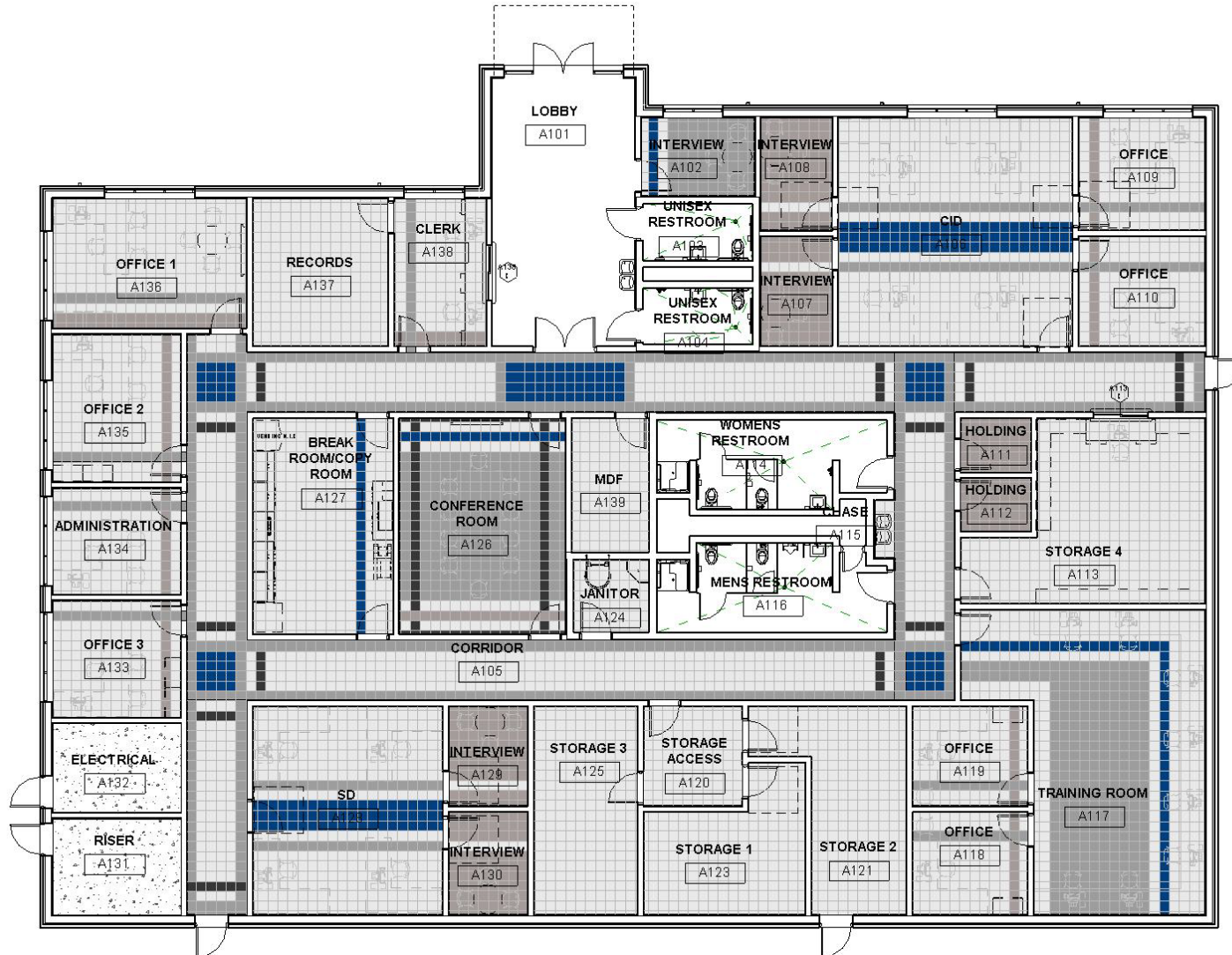
⑫ **LOBBY TILE - 2**
INTERCERAMIC
AVIO STRIPES BLUE



VCT FLOORING PLAN

INTERIOR DESIGN

AZROCK COLLECTION VCT



VCT - 1
V-271
NAUTILUS



VCT - 2
V-209
WHISPER



VCT - 3
V-222
STONEBED



VCT - 4
V-232
ASPHALT



VCT - 5
V-217
WEATHERED

ARMSTRONG RUBBER BASE



RB - 1
61 GRAPHITE
GRAY

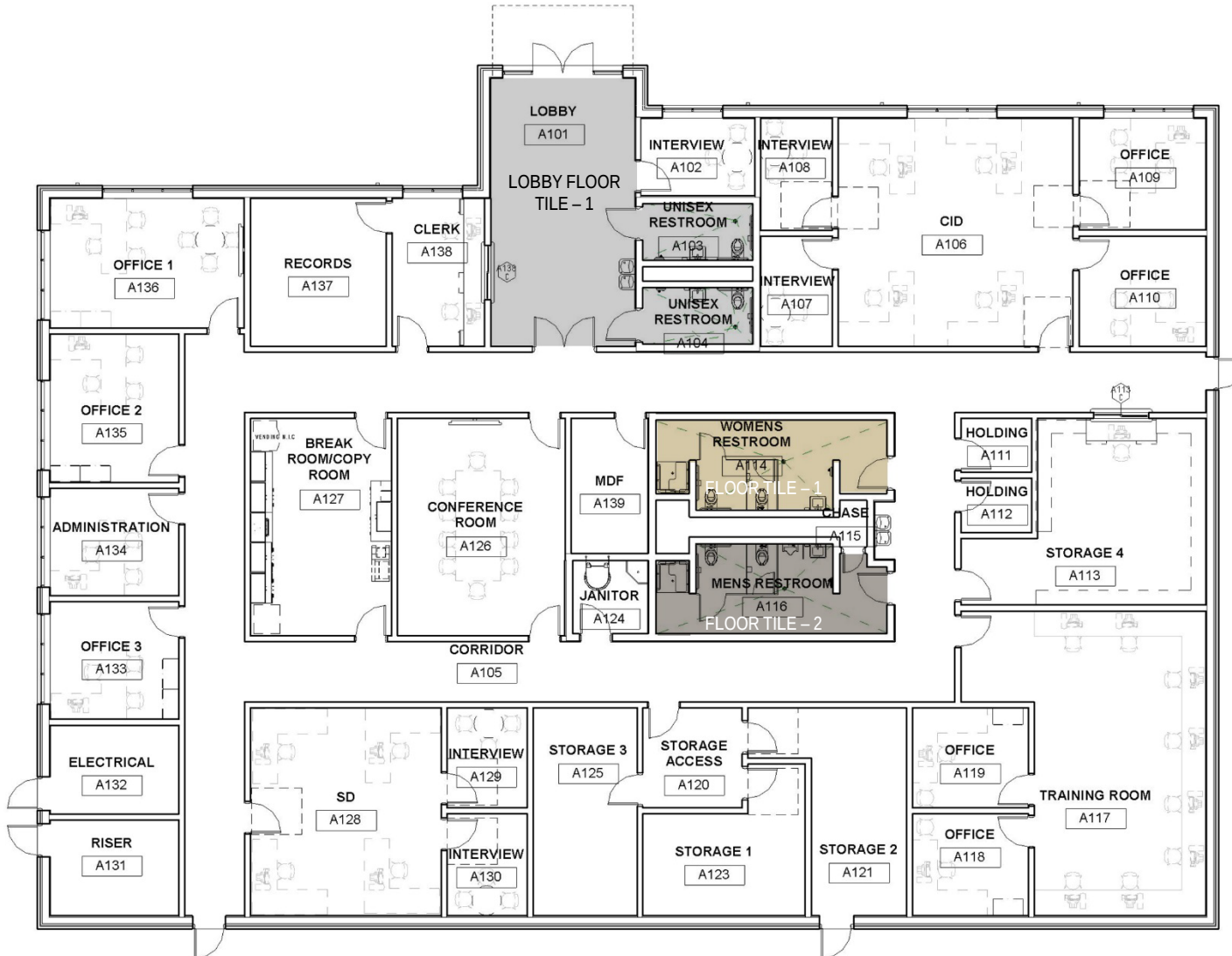


RB - 2
94 MIDNIGHT
BLUE

TILE FLOORING PLAN

INTERIOR DESIGN

INTERCERAMIC
TILE



FLOOR TILE - 1
2X2 UNGLAZED
TAUPE



WALL TILE - 1
MONTPELLIER
GRIGIO



FLOOR TILE - 2
2X2 UNGLAZED
GREY



WALL TILE - 2
MONTPELLIER
GRIGIO



LOBBY FLOOR TILE - 1
THASSOS TRAVERTINE
ROMAN

TILE SELECTION INTERIOR DESIGN

INTERCERAMIC TILE



LOBBY FLOOR TILE - 1
THASSOS TRAVERTINE
ROMAN

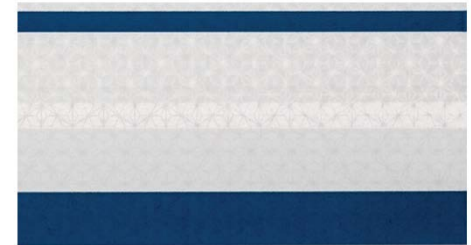


LOBBY WALL TILE - 2

LOBBY WALL TILE - 1



LOBBY WALL TILE - 1
AVIO BLUE

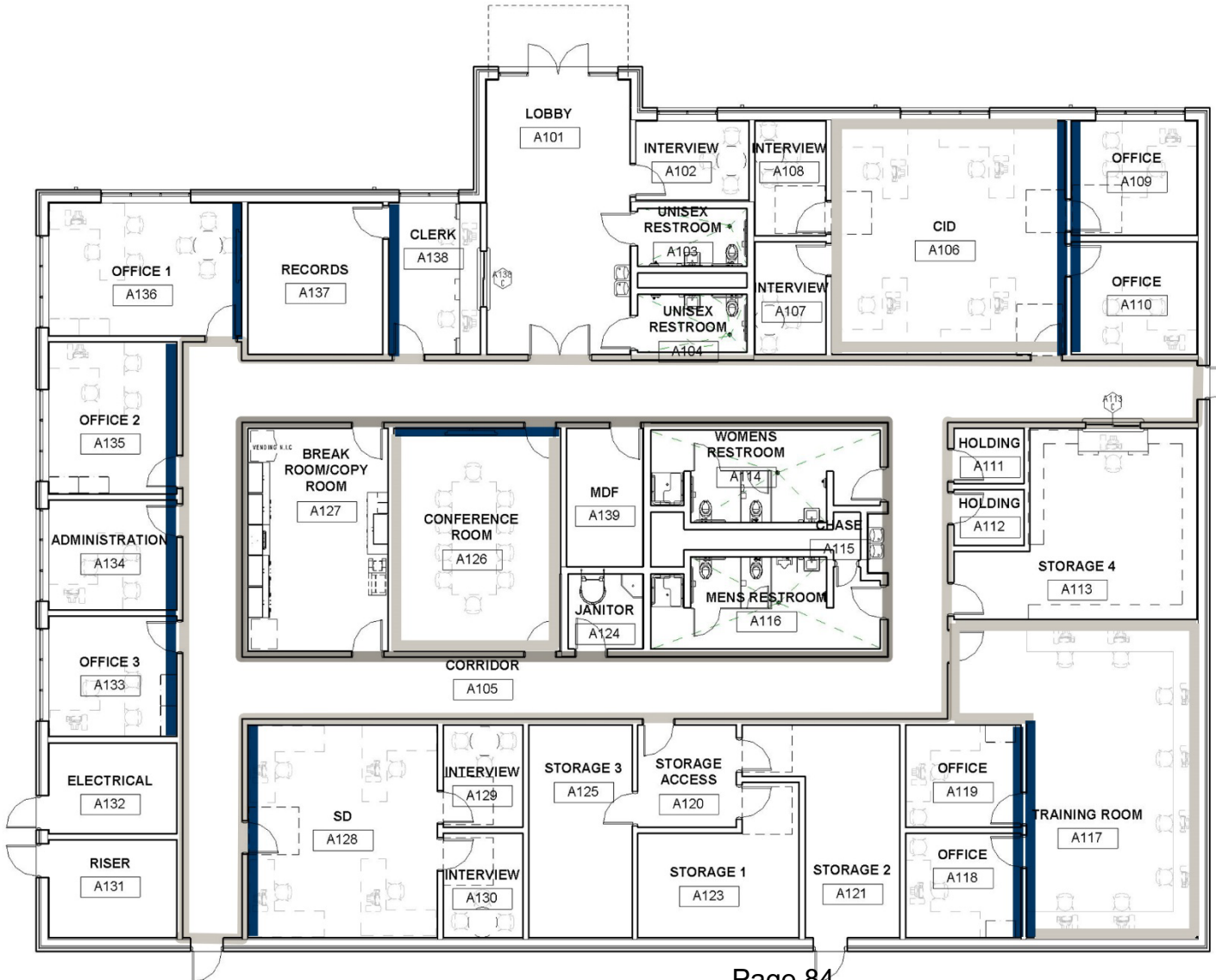


LOBBY WALL TILE - 2
AVIO STRIPES BLUE

PAINT PLAN

INTERIOR DESIGN

SHERWIN WILLIAMS
PAINT

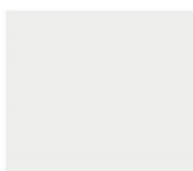


- 

PAINT - 1
SW 9179
ANCHORS AWEIGH
EXPOSED CEILINGS
- 

PAINT - 2
SW 6531
INDIGO
POP WALLS
- 

PAINT - 3
SW 7024
FUNCTIONAL GRAY
CORRIDOR CORE
- 

PAINT - 4
SW 7022
ALPACA
CORRIDOR
- 

PAINT - 5
SW 8917
SHELL WHITE
BASE COLOR

Thank you

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Discussion and Possible Action to allow staff to Advertise and Accept Sealed BIDS for Water and Wastewater Treatment Chemicals, Analytical Laboratory and Solids Hauling and Disposal Services. (David Salinas, Director of Utilities)

STAFF COMMENTS AND RECOMMENDATIONS:

Staff is requesting authorization to advertise for sealed bids for the following treatment chemicals and services:

Liquid Ammonia Sulfate

Aluminum Sulfate

Chlorine

Chlorine Dioxide

Sulfur Dioxide

Polymer

Copper Sulfate

Analytical Laboratory Services

Sludge Hauling and Disposal services

RECOMMENDATION:

Recommends Approval

PREPARED BY:

David Salinas,
Director of Utilities

APPROVED BY:

Benjamin Arjona, City
Manager

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Discussion and Authorization to ratify Change Order No. 1 to the City of San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project Contract with The Vertex Companies, Inc. in the amount of \$39,484.60 and Authorize City Manager to execute any related documents.. (David Salinas, Director of Utilities)

STAFF COMMENTS AND RECOMMENDATIONS:

After reviewing the 16'-WL-C905 tie in to the existing 16'-WL-PVC it was determined there was no way to isolate the existing clearwell without added isolation valves. Staff requested and reviewed a proposal from the project contractor, The Vertex Companies, Inc., in an amount of \$39,484.60. The current Contract Amount is \$8,343,000.00 with a Net Increase of \$39,484.60 for a New Contract amount of \$8,382,484.60. Staff Recommends Approval and Authorization for City Manager to Execute any related documents.

RECOMMENDATION:

Staff Recommends Approval

PREPARED BY:

David Salinas,
Director of Utilities

APPROVED BY:

Benjamin Arjona, City
Manager



San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project
San Juan, Texas

CHANGE ORDER PROPOSAL

Change Order Proposal No.: 001 Date: May 10, 2017	Reference
The Vertex Companies, Inc.	RFI #013 - Clearwell Valves
Contractor	Description:
City of San Juan	Replacement and relocation of valves at existing clearwell.
Institution or Agency	
San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project	
Contract No. CHC #460	
Project No. / Name	

PART I - WORK PERFORMED BY CONTRACTOR

Line 1.	Direct Labor Costs	\$	1,160.00	
Line 2.	Labor Overhead (Direct Labor Burdens) (31% X Line 1)	\$	-	
Line 3.	Total Contractor's Labor Costs (Lines 1 & 2)			\$ 1,160.00
Line 4.	Direct Materials Cost	\$	-	
Line 5.	Materials Overhead (Delivery costs) (10% X Line 4)			
Line 6.	Total Materials Cost (Lines 4 & 5)			\$ -
Line 7.	Total Equipment Costs			\$ -
Line 8.	PART I - TOTAL CONTRACTOR'S L, M & E COSTS (Lines 3, 6 and 7)			Part I \$ 1,160.00

PART II - WORK PERFORMED BY SUBCONTRACTOR

Line 9.	Subcontractor Costs - See Attached	\$	35,534.00	
Line 10.	PART II TOTAL SUBCONTRACTOR's Costs (Line 9)			Part II \$ 35,534.00

PART III - CONTRACTOR'S OVERHEAD

Line 11.	Contractor's Home Office Overhead (10% X Part I Total)	\$	-	
Line 12.	Contractor's Field Office Overhead (6% X Part I Total)	\$	69.60	
Line 13.	PART III - TOTAL CONTRACTOR OVERHEAD & PROFIT (Lines 11 and 12)			Part III \$ 69.60

PART IV - CONTRACTOR'S OVERHEAD ON SUBCONTRACTOR

Line 14.	Contractor's Overhead on Subcontractor (5% X Part II Total)	\$	1,777.00	
Line 15.	PART IV - TOTAL CONTRACTOR OVERHEAD ON SUBCONTRACTOR (Lines 14 and 15)			Part IV \$ 1,777.00

PART V - SUBTOTAL C.O. PROPOSAL (Parts I and II and III and IV)

Part V (Subtotal) \$ 38,540.60

PART VI - CONTRACTOR'S BOND COST (1% X Part V)

Part VI \$ -

PART VII - CONTRACTOR'S GENERAL LIABILITY INSURANCE (1% X Part V)

Part VII \$ 385.00

PART VIII - CONTRACTOR'S BUILDERS RISK INSURANCE COST (1% X Part V)

Part VIII \$ 385.00

PART VIII - SUBTOTAL (Parts V, VI, VII, and VIII)

Part VIII \$ 39,310.60

Part X - CONTRACTORS PROFIT

Line 16.	Contractor's Profit on Work Performed by Contractor (15% X Part I)	\$	174.00	
				Part X \$ 174.00

PART XI - GRAND TOTAL CHANGE ORDER PROPOSAL (Sum of Totals: Parts VIII and X)

Grand Total \$ 39,484.60

PART XII - CONTRACT TIME

COMPLETION DATE IS EXTENDED FIVE (0) CALENDAR DAYS AS A RESULT OF THIS PROPOSAL

*The proposal shall remain in full force and effect for a period of 30 calendar days from date of signature.

Proposal Accepted By:

The Vertex Companies
Jack Martin

City of San Juan

Signature _____ Signature _____

Date _____ Date _____

Page 89



**San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD
Plant Project
San Juan, Texas**

Scope Description: Change order for cost impacts associated with RFI #13.								DATE:		5/10/2017
								PCO:		N/A
								RFI:		13
CONTRACTOR COST SUMMARY										
IDENTIFICATION		MAT./EQUIP. SUMMARY				LABOR COST				
ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL MAT./EQ. COST	QTY	UNIT	UNIT COST	TOTAL LABOR COST	
1	Project Manager									
	Obtain subcontractor proposals					2	HR	\$ 145.00	\$ 290.00	
	Prepare Change Order Pricing					4	HR	\$ 145.00	\$ 580.00	
	Resarch					2	HR	\$ 145.00	\$ 290.00	

Exhibit A – RFI #13

REQUEST FOR INFORMATION

RFI # 013

VERTEX

Project Title: 3.5 MGD Water Treatment Plant No. 2

Contract Number: CHC #460

Project Number: 35409.01

Project Owner:

City of San Juan
709 S. Nebraska
San Juan, Texas 78589

To:

Cruz-Hogan Consultants, Inc.
605 E. Violet Ave., Suite 1
McAllen, Texas 78504

REQUESTED BY: The Vertex Companies

DATE REQUESTED: 12/15/2016

RFI SUBJECT: Valves

FEATURE OF WORK: Mechanical Piping

DRAWING / DETAIL: G-11

SPECIFICATION: 15100 - Valves and Appurtenances

INFORMATION REQUESTED:

After reviewing the 16"-WL-C905 tie in to existing 16"-WL-PVC (see attached schematic), it appears there will be no way to isolate the existing clearwell from the new clearwell without added isolation valves.

If this is not the case, please advise.

CONTRACTOR RECOMMENDATION(s):

Add two valves in the indicated approximate locations (see attached).

Potential Impact:

Yes

DESIGNER OF RECORD RESPONSE:

PROPOSED BACKWASH LINE WILL HAVE A VALVE ADJACENT TO CLEARWELL, THEREFORE NOT NECESSARY. PROVIDE COST PROPOSAL BOTH VALVES INDICATED FROM EXISTING CLEARWELL. COST PROPOSALS SHOULD INCLUDE BREAKDOWNS FOR MATERIALS, LABOR, AND OVERHEAD & PROFITS.

M.R.

OWNER RESPONSE:

REQUIRED Response Date: 12/23/2016

Attachments: Drawing Sheet G-11

Exhibit B – Subcontractor Pricing

Change Order at Clearwell Material Costs

Discription	Quantity	Price	Total	Scope
24" MJ NRS Gate Valve	1	\$19,615.00	\$19,615.00	Line 388.00 Change from 16" Gate Valve to 24"
18" MJ NRS Gate Vale	1	\$11,040.00	\$11,040.00	Line 416.04 Change from 16" Gate Valve to 18"
24" MJ Star Grip Pack	6	\$310.05	\$1,860.30	Line 390.00 Change from 16" Wye to 24"x16"
18" MJ Star Grip Pack	2	\$243.00	\$486.00	Change 4-16" Star Grip to 24" Star Grips
24"x16" Wye	1	\$6,154.00	\$6,154.00	Change 2-16" Star Grip to 18" Star Grips
16" Flg BFV	1	\$2,322.00	\$2,322.00	Add 1-16" Flg. BFV
24" MJ 90	1	\$1,069.00	\$1,069.00	Delete 16" Gate Valve
Sub Total			\$42,546.30	Add 24" Gate Valve
Total Credit for Existing			-\$7,012.44	Difference
Total Cost for Material			\$35,533.86	Difference
				Delete 4-16" Star Grip Packs
				Add 4-24" Star Grip Packs
				Difference
				Delete 2-16" Star Grip Packs
				Add 2-18" Star Grip Packs
				Difference
				Delete 16" Wye
				Add 24"x16" Wye
				Difference

From: Leslie Cohen [<mailto:leslie@cohenpipe.com>]
Sent: Wednesday, January 25, 2017 10:04 AM
To: Mark Wright -- Vertex <mwright@vertexeng.com>
Subject: RE: change order Pricing

Yes sir

From: Mark Wright -- Vertex [<mailto:mwright@vertexeng.com>]
Sent: Wednesday, January 25, 2017 9:03 AM
To: Leslie Cohen <leslie@cohenpipe.com>
Cc: Mary Smith <msmith@cohenpipe.com>; Josh Allen -- Vertex <jallen@vertexeng.com>
Subject: FW: change order Pricing

Leslie,

Please see below are these prices still good thanks.

Mark Wright

Project Manager

THE VERTEX COMPANIES, INC.

6012 W. Campus Circle Dr., Ste. 220 | Irving, TX 75063 | USA

OFFICE 214.499.9232 | **MOBILE** 956.221.6265

[Website](#) | [LinkedIn](#)

An employee owned company.

From: Mark Wright -- Vertex
Sent: Tuesday, January 24, 2017 5:10 PM
To: 'Leslie Cohen' <leslie@cohenpipe.com>
Cc: Mary Smith <msmith@cohenpipe.com>; Josh Allen -- Vertex <jallen@vertexeng.com>
Subject: RE: change order

Leslie,

Are these prices still good thanks.

~~~~~

**Mark Wright**

Project Manager

**THE VERTEX COMPANIES, INC.**

6012 W. Campus Circle Dr., Ste. 220 | Irving, TX 75063 | USA

**OFFICE** 214.499.9232 | **MOBILE** 956.221.6265

[Website](#) | [LinkedIn](#)

An employee owned company.

**From:** Leslie Cohen [<mailto:leslie@cohenpipe.com>]

**Sent:** Thursday, August 11, 2016 11:15 AM

**To:** Mark Wright -- Vertex <[mwright@vertexeng.com](mailto:mwright@vertexeng.com)>

**Subject:** RE: change order

I need to look at that

Sent from my Verizon. Samsung Galaxy smartphone

----- Original message -----

**From:** Mark Wright -- Vertex <[mwright@vertexeng.com](mailto:mwright@vertexeng.com)>

**Date:** 8/9/16 1:37 PM (GMT-06:00)

**To:** Leslie Cohen <[leslie@cohenpipe.com](mailto:leslie@cohenpipe.com)>

**Subject:** RE: change order

Line item 390.00 16" wye price per scope is 977.00 and the proposed 24"x16" wye is 6,154.00 that a big price difference.

~~~~~

Mark Wright

Project Manager

THE VERTEX COMPANIES, INC.

6012 W. Campus Circle Dr., Ste. 220 | Irving, TX 75063 | USA

OFFICE 214.499.9232 | **MOBILE** 956.221.6265

[Website](#) | [LinkedIn](#)

An employee owned company.

From: Leslie Cohen [<mailto:leslie@cohenpipe.com>]

Sent: Tuesday, August 09, 2016 10:40 AM

To: Mark Wright -- Vertex <mwright@vertexeng.com>

Subject: change order

1 ea – 24" MJ NRS Gate Valve	19615
1 ea – 18" MJ NRS Gate Valve	11040
1 ea- 16" Flg Butterfly Valve Gear HW	\$ 2322.00
1 ea – 24" x 16" MJ Wye	6154.00
4 ea – 24" MJ Star Grip Pack	310.05
1 ea – 16" MJ Star Grip Pack	200.33
2 ea – 18" MJ Star Grip Pack	243.00

All prices are each

Leslie Cohen
President
Cohen Industrial Supply Co.

Your trusted, go-to source
For process piping, fabrication and solutions

Yes, we do that!

713.467.3300 ext 112
713.467.3397 (f)
leslie@cohenpipe.com

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at info@vertexeng.com, and do not use or disseminate such information.
If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at info@vertexeng.com, and do not use or disseminate such information.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Discussion and Authorization to Ratify Change Order No. 2 to the City of San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project Contract with The Vertex Companies Inc., in an amount of \$5,711.60. (David Salinas, Director of Utilities)

STAFF COMMENTS AND RECOMMENDATIONS:

After review of the SN-89 SCAD submittal, it was determined that changes to two control valves was needed. One for the air scour blowers and the second for the backwash control valve. Staff requested and reviewed a proposal from the project contractor, The Vertex Companies, Inc., in an amount of \$5,711.60. The current Contract Amount is \$8,382,484.60 with a Net Increase of \$5,711.60 for a New Contract Amount of \$8,388,196.20. Staff Recommends Approval and Authorization for the City Manager to Execute any related documents.

RECOMMENDATION:

Staff Recommends Approval.

PREPARED BY:

David Salinas,
Director of Utilities

APPROVED BY:

Benjamin Arjona, City
Manager



San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project
San Juan, Texas

CHANGE ORDER PROPOSAL

Change Order Proposal No.: 002 Date: May 10, 2017	Reference RFI #023 - Valve Requirements
The Vertex Companies, Inc. Contractor	Description: Installation of chemical injection vault as required by RFI #023.
City of San Juan Institution or Agency	
San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project	
Contract No. CHC #460	
Project No. / Name	

PART I - WORK PERFORMED BY CONTRACTOR

Line 1.	Direct Labor Costs	\$	1,160.00		
Line 2.	Labor Overhead (Direct Labor Burdens) (<u>31%</u> X Line 1)	\$	-		
Line 3.	Total Contractor's Labor Costs (Lines 1 & 2)			\$	1,160.00
Line 4.	Direct Materials Cost	\$	-		
Line 5.	Materials Overhead (Delivery costs) (<u>10%</u> X Line 4)	\$	-		
Line 6.	Total Materials Cost (Lines 4 & 5)			\$	-
Line 7.	Total Equipment Costs			\$	-
Line 8.	PART I - TOTAL CONTRACTOR'S L, M & E COSTS (Lines 3, 6 and 7)			Part I	\$ 1,160.00

PART II - WORK PERFORMED BY SUBCONTRACTOR

Line 9.	Subcontractor Costs - See Attached	\$	4,000.00		
Line 10.	PART II TOTAL SUBCONTRACTOR's Costs (Line 9)			Part II	\$ 4,000.00

PART III - CONTRACTOR'S OVERHEAD

Line 11.	Contractor's Home Office Overhead (10% X Part I Total)	\$	-		
Line 12.	Contractor's Field Office Overhead (6% X Part I Total)	\$	69.60		
Line 13.	PART III - TOTAL CONTRACTOR OVERHEAD & PROFIT (Lines 11 and 12)			Part III	\$ 69.60

PART IV - CONTRACTOR'S OVERHEAD ON SUBCONTRACTOR

Line 14.	Contractor's Overhead on Subcontractor (5% X Part II Total)	\$	200.00		
Line 15.	PART IV - TOTAL CONTRACTOR OVERHEAD ON SUBCONTRACTOR (Lines 14 and 15)			Part IV	\$ 200.00

PART V - SUBTOTAL C.O. PROPOSAL (Parts I and II and III and IV)

Part V (Subtotal) \$ 5,429.60

PART VI - CONTRACTOR'S BOND COST (1% X Part V)

Part VI \$ -

PART VII - CONTRACTOR'S GENERAL LIABILITY INSURANCE (1% X Part V)

Part VII \$ 54.00

PART VIII - CONTRACTOR'S BUILDERS RISK INSURANCE COST (1% X Part V)

Part VIII \$ 54.00

PART VIII - SUBTOTAL (Parts V, VI, VII, and VIII)

Part VIII \$ 5,537.60

Part X - CONTRACTORS PROFIT

Line 16.	Contractor's Profit on Work Performed by Contractor (15% X Part I)	\$	174.00		
				Part X	\$ 174.00

PART XI - GRAND TOTAL CHANGE ORDER PROPOSAL (Sum of Totals: Parts VIII and X)

Grand Total \$ 5,711.60

PART XII - CONTRACT TIME

COMPLETION DATE IS EXTENDED FIVE (0) CALENDAR DAYS AS A RESULT OF THIS PROPOSAL

*The proposal shall remain in full force and effect for a period of 30 calendar days from date of signature.

Proposal Accepted By:

The Vertex Companies
Jack Martin

City of San Juan

Signature _____ Signature _____

Date _____ Date _____



San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project

San Juan, Texas

Scope Description: Installation of chemical injection vault as required by RFI #023.				DATE:	5/10/2017
				PCO:	N/A
				RFI:	23
SUBCONTRACTOR COST SUMMARY					
IDENTIFICATION		COST OF WORK			
ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL LABOR COST
1	Cost from JMJ Constructors to install additional vault box.	1	LS	\$ 4,000	\$ 4,000
Total:					\$ 4,000



San Juan 3.5 MGD Water Treatment Plant No. 2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project
San Juan, Texas

[illegible]

Exhibit A – RFI #23

REQUEST FOR INFORMATION

RFI # 23

VERTEX

Project Title: 3.5 MGD Water Treatment Plant No.2

Contract Number: CHC #460

Project Number: 35409.01

Project Owner:

City of San Juan
709 S. Nebraska
San Juan, TX 78589

To:

Cruz-Hogan Consultants, Inc.
605 E. Violet Ave., Ste 1
McAllen, Texas 78504

REQUESTED BY: The Vertex Companies, Inc.

DATE REQUESTED: 2/28/2017

RFI SUBJECT: Valve Requirements

FEATURE OF WORK: Mechanical

DRAWING / DETAIL: E-12, E-23

SPECIFICATION: 15100

INFORMATION REQUESTED:

Per the returned SN-89 SCADA submittal, as received 2/20/2017, comments on the Submittal Review sheets call for two changes on control valves: 1) Air scour blowers are to have one common flow control valve. Please provide specifications for which valve will be required and updated drawings showing the location of the valve. 2) Backwash control valve is to be relocated to the main backwash line. Please provide specifications for which valve and which vault will be required and an updated drawing showing proposed relocation of the control valve.

CONTRACTOR RECOMMENDATION(s):

Please advise.

Potential Impact:

Yes - Cost TBD

DESIGNER OF RECORD RESPONSE:

AIR SCOUR VALVE - 10" PRATT BUTTERFLY w/ K-TORK ACTUATOR (4-20 mA); LOCATION AS PER PLAN SHEET G-06. (SAME AS PREVIOUSLY APPROVED SN-49A)

BACKWASH VALVE - 16" CLA-VAL SERIES 131 ELECTRONIC CONTROL VALVE, VC-22D Controller, 4-20 mA; SEE ATTACHED SHEET G-11 FOR VALVE LOCATION. AS STATED IN PREVIOUS CORRESPONDENCE, THE INTENT WOULD BE TO UTILIZE DELIVERED VAULTS FOR THIS APPLICATION AND MAKE CHANGES TO CHEMICAL INJECTION VAULT REQUIREMENTS.

OWNER RESPONSE:

REQUIRED Response Date: 3/3/2017

Attachments: 2

Exhibit B – Subcontractor Pricing

JMJ Constructors

5517 S 29th St.

McAllen, Texas 78503

jmjconstructors@gmail.com

March 13, 2017

Quote # 3813_1

The Vertex Companies

6012 W. Campus Circle Dr., Ste. 220

Irving, Texas 75063

RE: 6' x 6' Injection vault w/ hatch

We have been requested to quote the pour for a 6' x 6' injection vault and install hatch. That hatch will be a Halliday Hatch model C1R52.

Item	Description	Cost
1	Hatch	\$1,004.00
2	7 CY @ \$428.00	\$2,996.00
Total		\$4,000.00

Total price for this work will be: \$4,000.00.

Thank you.

Giovanni Diaz

JMJ Constructors

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Consider the Renewal of an Interlocal Agreement between the City of San Juan and the University of Texas Rio Grande Valley (UTRGV) to Continue to Participate in the Stormwater Task Force. (Xavier Cervantes, Director of Planning)

STAFF COMMENTS AND RECOMMENDATIONS:

The primary goal of the Stormwater Taskforce is to implement a Regional Stormwater Management Program mandated by the Texas Commission on Environmental Quality (TCEQ) who regulates the local governments on stormwater management and approves the cities' stormwater plans to address broader water quality and watershed issues. In addition this collaboration has enabled the participating communities and UTRGV to successfully secure over \$14.8 million of grant funding since its inception. The UTRGV and Task Force partnership includes expanding partnerships with local school districts including PSJA ISD. In 2003, fourteen (14) cities, including the City of San Juan, entered into interlocal agreements with TAMUK and now UTRGV authorizing the development of a Small Municipal Separate Storm Sewer System (MS4) program in compliance with TCEQ requirements. Today membership includes nineteen (19) local governments, and the development of a regional stormwater management plan, the first in the State.

Annual membership fees authorizes UTRGV to utilize fees to leverage grant funds, conference planning, travel expenses, staff training and for sponsorships of environmental and educational events. These funds also provide the City access to interns, technical support, grant opportunities and vital assistance with submission of reports related to stormwater management to State agencies such as the TCEQ and the Environmental Protection Agency (EPA). Consequently, the City has remained in compliance with state and federal mandates since the program's inception.

Funding is budgeted in the 2016-2017 Fiscal Year Budget for this program.

RECOMMENDATION:

Authorize the Interlocal Agreement between the City of San Juan and UTRGV to continue to participate in the Stormwater Taskforce.

PREPARED BY:

Xavier Cervantes,
Director of Planning

APPROVED BY:

Benjamin Arjona, City
Manager

and Zoning

INTERLOCAL AGREEMENT
by and between
CITY OF SAN JUAN
and
THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY
for Representative Appointment to Regional Task Force
Agreement #CE-2017-012

This Interlocal Agreement (hereafter termed "Agreement") is made pursuant to Chapter 791, Texas Government Code, *Interlocal Cooperation Contract*, and is entered into by and between the **CITY OF SAN JUAN** (hereafter referred to as "**CITY**"), a **home-rule municipality** and **THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY** (hereafter referred to as "**UTRGV**"), a member of The University of Texas System, an entity of the State of Texas.

SECTION 1
PURPOSE

- 1.01** **CITY** and **UTRGV** agree to enter into this Agreement as a manner by which **CITY** and **UTRGV** can actively participate in a Regional Task Force ("Task Force") formed to respond and aid compliance with the *Texas Commission on Environmental Quality Phase II Stormwater Rules* ("Rules") and other pertinent issues as needed.
- 1.02** **CITY** and **UTRGV** desire to accomplish the goals of responding and complying with the Rules through the formation of a Regional Task Force, established and managed by **UTRGV**.
- 1.03** **UTRGV** desires to participate in the establishment and management of the Regional Task Force, since such participation will provide **UTRGV** with an avenue for students to:
- A. Gain knowledge and experience in the process and procedures of governmental environmental regulation, rule making, and committee process;
 - B. Gain supervisory, organizational, and executive skills through the creation of the Task Force body, the implementation of the Task Force by-laws and policies, creation and submission of Task Force agenda and minutes, and budget creation; and,
 - C. Gain experience about the interfacing, communication, and interaction between state agencies and local governments; thus, aiding the students in being at ease publicly speaking, presenting issues, and expounding opinions.

SECTION 2
TERM

- 2.01** *Fixed Term:* This Agreement commences on **6/26/17**, will be effective for exactly one

(1) calendar year, and will terminate **06/25/18**, unless extended according to section 2.02 of this Agreement.

2.02 *Extension:* Upon written, mutual consent of **CITY** and **UTRGV**, this Agreement may be extended for a maximum of one (1) calendar year, after the date of expiration of the Fixed Term.

2.03 *Cancellation:* This Agreement may be cancelled prior to the expiration of the Fixed Term of any Extension Term, upon thirty (30) calendar days written notice to the other party, sent to the address indicated in Section 5.01 of this Agreement.

SECTION 3 CONSIDERATION

3.01 *Fee:* **CITY** agrees to pay to **UTRGV** a Task Force membership contribution of **\$14,332.00**. Payment of contribution is due in one single payment, tendered by check or wired transfer, payable to **UTRGV** and delivered to the address indicated in Section 5.01 of this Agreement. Payment must be made within fourteen (14) days after execution of this Agreement. Failure of **CITY** to make such payment within the subscribed time, and without a written extension from **UTRGV**, may result in this Agreement terminating.

SECTION 4 RIGHTS AND DUTIES

4.01 The following rights and duties will be held or performed by **CITY**:

- A. **CITY** will provide one representative to the Task Force. Such representative must be chosen by majority vote of the City Council, as evidenced by an adopted resolution or other evidence of the appointment acceptable to **UTRGV**.
- B. The **CITY**'s representative will serve a term not to exceed one (1) calendar year or past December 31st, whichever occurs first, but may be reappointed by the **CITY** through written notification for an additional one (1) year term.
- C. The **CITY**'s representative will be subject to the bylaws, policies, rules and procedures of the Task Force. Any breach or violation of such bylaws, etc., may result in expulsion of the representative from the Task Force. If expulsion occurs, the **CITY** will appoint another representative no later than thirty (30) calendar days after notice of the expulsion.
- D. The **CITY**'s representative will act as the liaison between the **CITY** and the Task Force, apprising each entity of the other's objectives. The representative will brief the City Council, or other municipal entity responsible for Task Force participation, a minimum of once quarterly.
- E. Each **CITY** having representation on the Task Force will be responsible for

paying a membership fee as detailed in Section 3.01 of this Agreement.

- F. The **CITY** may make recommendations to the Regional Task Force regarding the fee assessment, expenditures, or other financial matters; however, the Task Force is not bound by such recommendations.

4.02 The following rights and duties will be held or performed by **UTRGV**:

- A. **UTRGV** will assign representation to the Task Force.
- B. **UTRGV** will formulate and facilitate the bylaws, policies, rules and procedures by which the Task Force will be governed. **UTRGV** will provide **CITY** with a copy of such bylaws, policies, rules and procedures, as warranted.
- C. **UTRGV** will formulate and propose to the Task Force, methods and approaches for compliance with the *Texas Commission on Environmental Quality Phase II Stormwater Rules*. For each method or approach proposed, **UTRGV** will assist with educational outreach, training, and information to facilitate compliance.
- D. **UTRGV** will provide assistance with research and educational services and technical support to the Task Force, and for any adopted methods and approaches for compliance. **UTRGV** will not participate in the implementation of the **CITY**'s stormwater management program (SWMP) unless otherwise specified in **Section 4.03**.
- E. **UTRGV** will manage the Task Force administration, including meetings, and efforts pertaining to the methods and approaches for assisting in complying with the *Texas Commission on Environmental Quality Phase II Stormwater Rules*.
- F. The Task Force will oversee the establishment and operation of all financial policies, requirements, and expenditures. As overseer of the Task Force, **UTRGV** will assist with the financial management and policy of the Task Force.
- G. **UTRGV** will assist the Task Force with the management of any funding acquired by the Task Force. This does not apply to the funding provided by this interlocal agreement. The management of Task Force funding will adhere to the by laws of the organization.
- H. Membership fees paid to **UTRGV** will be earmarked in a separate **UTRGV** account for use only by **UTRGV** for the Task Force. Any unappropriated funds will be carried over.
- I. Membership fees paid to **UTRGV** will be utilized by **UTRGV** for costs associated with but not necessarily limited to staffing, travel, training, equipment and materials, recruiting, scholarships, meal and food expenses associated with meetings and events, and communication related expenses.

- J. **UTRGV** is authorized to utilize membership fees to leverage grant funds, for conference planning, travel expenses, staff training, and professional memberships, to support outreach events, and for sponsorships for environmental and educational events.
- K. **UTRGV** is authorized to utilize membership fees to accomplish tasks included in **Section 4.03**, if any.
- L. **UTRGV** is authorized to provide funding to the Arroyo Colorado Watershed Partnership, the Laguna Madre Estuary Program, or similar organizations on behalf of **CITY**. This funding, if any, shall be provided at the discretion of **UTRGV**.

4.03 *SWMP Implementation:* **UTRGV** will support the **CITY** in implementing a portion of its SWMP by providing assistance with research and educational services and technical support with specific Best Management Practices (BMPs). The overall completion of the BMPs is the sole responsibility of the **CITY**.

SECTION 5 MISCELLANEOUS

5.01 *Addresses:* Fee payment or notices required under this Agreement may be sent by United States Postal Service regular surface mail, certified mail, registered mail, overnight delivery, or hand delivery. Written notice delivery is deemed made when the notice is deposited into a USPS mail receptacle, or deposited with an overnight carrier, or hand delivered. **CITY** and/or **UTRGV** can change the notice address by sending to the other party written indication of the new address. Notices should be addressed as follows:

CITY: City of San Juan
Xavier Cervantes
709 S. Nebraska
San Juan, TX 78589

UTRGV: The University of Texas Rio Grande Valley
College of Engineering & Computer Science
Civil Engineering Department
Javier Guerrero, E.I.T, MS
Director of Water Studies
1201 W. University Dr.
Edinburg, TX 78539
Javier.Guerrero@utrgv.edu
(956) 665-3510 – office
(956) 929-7189 - cell

5.02 *Force Majeure:* Any and all duties, obligations, and covenants of this Agreement will be suspended during time of natural disaster, war, acts of terrorism, or other “Acts of God”,

which prevent a party from fulfilling any and all duties, obligations, and/or covenants of this Agreement. If a party is prevented from fulfilling a duty, obligation, and/or covenant of this Agreement, due to Force Majeure, the party prevented from fulfilling will notify the other party in writing, sent pursuant to Section 5.01 Agreement, within fourteen (14) calendar business days of the Force Majeure event.

- 5.03 Parties Relationship:** Nothing in the Agreement should be construed as creating a partnership, joint venture, agency relationship, or any other relationship other than, between **CITY** and **UTRGV**.
- 5.04 Applicable Law:** This Agreement is construed under and in accordance with the laws of the State of Texas.
- 5.05 Cumulative Rights:** All rights, options, and remedies contained in this Agreement and held by **CITY** and **UTRGV** are cumulative and the exercising of one will not exclude exercising another. **CITY** and **UTRGV** each have the right to pursue any remedy or relief which may be provided by law, in equity, or by the stipulations of this Agreement.
- 5.06 Non-waiver:** A waiver by either **CITY** or **UTRGV**, or both, of any obligation, duty, or covenant of this Agreement will not constitute a waiver of any other breach of any obligation, duty, or covenant of this Agreement.
- 5.07 Counterparts:** This Agreement can be executed in multiple counterparts, each of which is declared an original.
- 5.08 Severability:** If any clause or provision of this Agreement is illegal, invalid or unenforceable under present or future law, **CITY** and **UTRGV** intend that the remaining clauses or provisions of this Agreement will not be affected and will remain in full force and effect.
- 5.09 Entire Agreement:** This Agreement contains the final and entire agreement between **CITY** and **UTRGV**, and will not be amended, explained, or superceded by any oral or written communications; unless done so in a subsequent, written, and mutually agreed upon amendment.
- 5.10 Successors and Assigns:** All the obligations, duties, covenants, and rights contained in this Agreement and performable by **CITY** will be applicable and binding upon respective successors and assigns, including any successor by merger or consolidation; however, nothing in this provision shall be construed to be consent of Assignment of this Agreement.
- 5.11 Nondiscrimination:** **CITY** and **UTRGV**, and their agents or employees, are prohibited from discriminating on the basis of race, color, sex, age, religion, national origin, or handicap, in the performance of the terms, conditions, covenants and obligations of this Agreement.

5.12 Dispute Resolution: Any dispute between **CITY** and **UTRGV** regarding this Agreement will be governed by Texas Government Code, Chapter 2009, *Alternative Dispute Resolution for Use by Governmental Bodies*, and any applicable Model Rules promulgated by the Office of the Attorney General, the State of Texas. Any notice of dispute tendered by **CITY** should be addressed to **Havidán Rodríguez, PhD**, Provost and Executive Vice President for Academic Affairs, **UTRGV**.

EXECUTED the _____ day of _____, 2017, by **CITY**, by its duly authorized agent, as evidenced by the approval of the City Council.

“CITY”
CITY OF SAN JUAN

By: _____
Name
Mayor

ATTEST:

By: _____
Name
City Secretary

EXECUTED the _____ day of _____, 2017, by **UTRGV**, by its duly authorized officer.

“UTRGV”
UNIVERSITY OF TEXAS RIO GRANDE VALLEY

By: _____
Havidán Rodríguez, PhD
Provost and Executive Vice President for Academic Affairs

RECOMMEND APPROVAL:

Javier Guerrero, E.I.T, MS
Principal Investigator
Director of Water Studies
Civil Engineering Department

ACKNOWLEDGMENT

STATE OF TEXAS

§

§

COUNTY OF HIDALGO

§

BEFORE ME, the undersigned authority a Notary Public for the State of Texas, on this day personally appeared **Dr. Havidán Rodríguez**, Provost and Executive Vice President for Academic Affairs, **UTRGV**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed it for the purposes and consideration therein expressed, and in the capacity state in such instrument.

GIVE UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2017.

Notary Public, State of Texas

My Commission Expires: _____

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Consider an Ordinance in Second Reading Amending the code of Ordinances at Appendix "A". Unified Development Code, Chapter 2 - Zoning Regulations, Article II - Establishment of Districts and Boundaries for the Expressway Corridor District, Article IV, Expressway Corridor District Including Use and Area Regulations, Area and Heights Requirements, Definitions, Uses, Additional Requirements for Parking Driveway, Landscaping and Architectural Standards. (Xavier Cervantes, Director of Planning)

STAFF COMMENTS AND RECOMMENDATIONS:

During the City Commission meeting of May 23, 2017, the City Commission approved the first reading of the ordinance as presented by staff.

Previously staff provided the following information:

The Expressway Corridor Master Plan was adopted by the City Commission on February 14, 2017 giving the City a new vision for future development and redevelopment along the San Juan expressway corridor. To help staff and the Planning and Zoning Commission implement the vision plan enclosed please find a proposed amendment to the zoning ordinance with a map creating a new zoning category to the San Juan Code of Ordinances named "Expressway Corridor District".

The proposed new zoning category has specific language on what uses will be allowed by right and what uses will be allowed with a conditional use permit. The ordinance reduces front setback requirements and depicts additional requirements for parking, driveways, landscaping and architectural standards.

The Planning and Zoning Commission held a public hearing and staff handled many phone calls after 478 letters were mailed-out. no one spoke in opposition to the proposed ordinance amendment during the Commission's public hearing.

RECOMMENDATION:

The Planning and Zoning Commission unanimously recommended approval of the ordinance amendment during their April 6 meeting.

PREPARED BY:

Xavier Cervantes,

APPROVED BY:

Benjamin Arjona, City

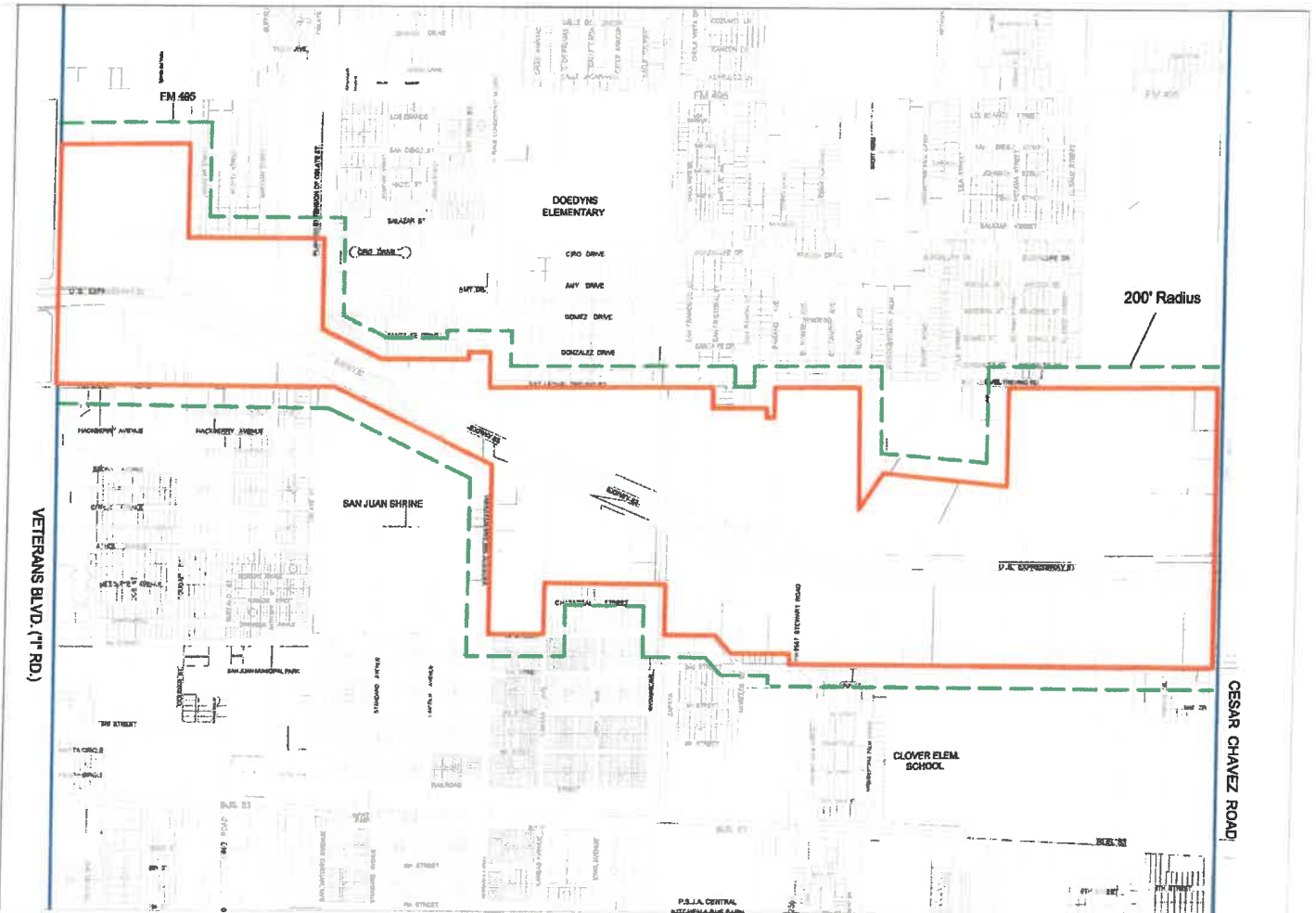
Director of Planning
and Zoning

Manager



Corridor Study

Scale: 1/64" = 10'



FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 04/06/17 Commissioner Alaniz made a motion to approve the adoption of the amendment to the Code of Ordinance of the City of San Juan, Appendix A, Unified Development Code, Chapter 2, Article IV to create a new special purpose zoning district, the Expressway Corridor Zoning District as recommended by staff. Commissioner Gonzalez seconded the motion. The motion passed unanimously with a (7-0) vote.

Ms. Bagley, consultant, addressed the Committee and went over a few proposed changes to the proposed ordinance in regards to the parking SECTION so that it is more clear.

Lydia Carlin, Enedina Cantu Nava, Alberto Trevino and David Pena, all residents within the two hundred (200) foot radius of the proposed Expressway Corridor District asked if their properties were going to change zoning also. Mr. Cervantes explained that all of them were not affected since they are within the notification area.

Mr. David Cantu said that the Community had concerns and needed clarification as some residents did not receive the notification letters mailed out and did not understand what would be or not be allowed in this new zone. Mr. Cervantes said that the entire ordinance was posted in the City's website and that the letters mailed-out contained the website link that had the entire ordinance available for review. Mr. Cervantes added that notices were mailed to all the property owners within the proposed district and within two hundred (200) feet and that the mail-out is based from the latest tax roll. Commissioner Alaniz said that that the P&Z Committee could only recommend to the City Commission and they, the City Commission, would have the final approval.

Commissioner Alaniz asked that the record reflect that Commissioner Guajardo arrived at 5:34pm, Chairwoman Castillo at 5:36pm and Commissioner Zambrano at 5:43pm.

Mr. Cervantes invited those in attendance and anyone else that needed more information to meet with Ms. Bagley at 9:00 am the following day at the Library.

Commissioner Magallan asked if fire walls would be required as on page 27, C-1, states that the side interior setback is zero (0). Ms. Bagley said yes, that the building code would require them.

Commissioner Magallan also asked if the sign height would be sixty (60) feet in height. Ms. Bagley said that the current sign ordinance allows that height along the expressway and that would remain the same.

AN ORDINANCE OF THE CITY OF SAN JUAN, TEXAS AMENDING THE CODE OF ORDINANCES AT APPENDIX “A”, UNIFIED DEVELOPMENT CODE, CHAPTER 2 – ZONING REGULATIONS, ARTICLE II – ESTABLISHMENT OF DISTRICTS AND BOUNDARIES FOR THE EXPRESSWAY CORRIDOR DISTRICT, ARTICLE IV (11) EXPRESSWAY CORRIDOR DISTRICT INCLUDING USE AND AREA REGULATIONS, AREA AND HEIGHT REQUIREMENTS, DEFINITIONS, USES, ADDITIONAL REQUIREMENTS FOR PARKING, DRIVEWAYS, LANDSCAPING AND ARCHITECTURAL STANDARDS, RENAMING SECTION 11: SPECIAL USE REGULATIONS TO SECTION 12 WITH ALL PROHIBITIONS; EXCEPTIONS, ENFORCEMENT; PUNISHMENT; PENALTIES AT LAW AND EQUITY; INCLUSION IN THE SAN JUAN CODE OF ORDINANCES; INCORPORATION OF OTHER ORDINANCES; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE.

WHEREAS, an Expressway Corridor Study was performed and recommendations made to create a new special purpose district to encourage new and redevelopment of the properties along US 83/IH2 frontages; and

WHEREAS, The City of San Juan desires to create more economic development opportunities along the freeway corridor; and

WHEREAS, the Planning and Zoning Commission and the San Juan Economic Development Corporation held a joint workshop; and

WHEREAS, after a public hearing and discussion, the Planning and Zoning Commission recommends the creation of the new zoning district.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS, THAT:

SECTION 1. The Code of Ordinance of the City of San Juan, Texas, be amended at Appendix “A”, Unified Development Code, Chapter 2 – Zoning Regulations as follows:

CHAPTER 2 – ZONING REGULATIONS

ARTICLE II - ESTABLISHMENT OF DISTRICTS AND BOUNDARIES

SECTION 1.00 HISTORY OF ZONING DISTRICTS.

(a) The original zoning ordinance of the City and the amendments thereto divided the City into five districts:

- (1) Single-Family;
- (2) Multifamily;
- (3) Commercial;
- (4) Industrial; and
- (5) Open Space.

(b) For the purpose of this Article, the City is now hereby divided into ~~ten (10)~~ eleven (11) districts as follows:

- (1) R-S Single-family Residential district;
- (2) R-MF Multifamily Residential district;
- (3) R-MH Manufactured Home Residential district;
- (4) C-1 Office Building district;
- (5) C-2 Neighborhood Commercial district;
- (6) C-3 ~~Commercial-Industrial~~ Heavy Commercial district;
- (7) I-1 Light Industrial district;
- (8) I-2 Heavy Industrial district;
- (9) O Undeveloped -open space district;
- (10) IN Institutional district; and
- (11) EC Expressway Corridor district.

These shall be known as the Base Zone Classifications.

SECTION 1.01: INTERPRETATION OF DISTRICT BOUNDARIES:

Where uncertainty exists with respect to:

- (a) The boundaries of any of the aforesaid districts as shown on the Zoning map; or
- (b) The location of zoning district boundaries on the official zoning map, the following rules shall apply:

(1) Boundary Lines - Where district boundaries are indicated as approximately following lot lines, alley, street or highway right-of-way lines, or extensions of such lines, such lines shall be construed to be boundary lines;

(2) Parallel Line Rule - Where district boundaries are so indicated that they are approximately parallel to the centerlines of street lines of streets, or the centerlines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map;

(3) Unsubdivided Property - On unsubdivided property, the district boundary lines on the Zoning Map shall be determined by use of the scale appearing on the Map unless the boundary lines are extensions of lines on neighboring developed tracts;

(4) Vacation of Property - Whenever any street, alley or other public way is vacated by official action of the City Commission, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all regulations of the extended districts;

(5) Intent and Purpose Rule - When the street layout on the ground varies from that shown on the map, the designations shown upon the mapped streets shall be applied in such a way as to carry out the intent and purpose of the plan for the particular area in question.

ARTICLE III - COMPLIANCE WITH THE REGULATIONS

Except as hereinafter provided no building or structure shall be erected, reconstructed, or structurally altered and no premises shall be used except in conformity with the regulations prescribed for the district.

ARTICLE IV - DISTRICT USE AND AREA REGULATIONS

SECTION 1.00: “R-S” SINGLE-FAMILY RESIDENTIAL DISTRICT

Use Regulations: A building or premise shall be used only for the following purposes:

- (a) One-Family Dwelling;
- (b) Churches;
- (c) Public parks, including playgrounds;
- (d) Farming, truck gardening, citrus orchards, nursery and greenhouses;

- (e) Accessory building or use, including a private garage customarily incident to the above uses, but not involving the conduct of a business;
- (f) Country club or golf course, not less than 40 acres in area, except a golf course or miniature course or practice driving tee operated for commercial purposes;
- (g) Home occupation incidental to a permitted use provided such occupations are conducted in the main building and only by a person resident of such building. A nameplate not to exceed one square foot in area containing the name and occupation of the resident may be displayed;
- (h) A temporary sign appertaining to the lease, hire or sale of a building or premise, which sign or bulletin board shall not exceed twelve (12) square feet in area;
- (i) Any other sign:
 - (1) remaining on the property for no more than 45 days; and
 - (2) not exceeding twelve (12) feet in area; or
- (j) A non-enclosed metal carport bolted to concrete shall be allowed within the front setback along residential streets in subdivisions recorded before 1990. The carport shall not be bigger than 18 feet in length and 18 feet in width.

SECTION 1.01: HEIGHT AND AREA REGULATIONS:

The height and area regulations set forth in Article VI shall be observed.

SECTION 1.02: PARKING REGULATIONS:

Off-street parking space shall be provided in accordance with the requirements for specific uses set forth in Chapter 6, Off-Street Parking Regulations, but under no circumstances shall:

- (a) the paved parking area be less than 400 square feet; nor
- (b) the driveway entrance width exceed 15 feet.

SECTION 2.00: “R-MF” MULTIFAMILY RESIDENCE DISTRICT:

A building or premise shall be used only for the following purposes:

- (a) Duplex, Triplex, and Fourplex family dwelling and more intense multifamily uses;
- (b) Private club, fraternity, sorority or lodge, excepting one of the chief activity of which is a service customarily carried on as a business;

- (c) Accessory building or use customarily incidental to any of the above uses, including a storage garage on a lot occupied by a multiple dwelling, hospital or institution;
- (d) Parking spaces, laundry room, etc., if covered are to be considered as part of the area of the main building; or
- (e) Day nurseries.

[SECTION 2.01: RESERVED]

SECTION 2.02: HEIGHT AND AREA REGULATIONS:

The height and area regulations set forth in Article VI shall be observed.

SECTION 2.03: PARKING REGULATIONS:

Off-Street parking spaces shall be provided in accordance with the requirements for specific uses set forth in the Off-Street Parking Regulation, Chapter 6.

SECTION 3.00: (R-MH) MANUFACTURED & MODULAR HOME DISTRICT-PERMITTED USES:

- (a) Manufactured homes on spaces approved for manufactured homes;
- (b) Recreational vehicles;
- (c) Modular homes on spaces approved for modular homes;
- (d) Accessory buildings;
- (e) Recreational and commercial facilities designed for exclusive use of the subdivision's occupants;
- (f) On-premise signs including illuminated or animated signs, in accordance with adopted City regulations; or
- (g) Storage buildings;

SECTION 3.01: CONDITIONAL USES (REQUIRE "CONDITIONAL" USE PERMITS):

- (a) Home occupations that meet applicable conditions (see Article VIII, Section 8.00);
- (b) Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, or tents or other temporary structures used for temporary purposes in accordance with all applicable City regulations;

- (c) Facilities for railroads or those utilities holding a franchise under the City;
- (d) The owner's or manager's home on a six thousand two hundred fifty (6,250) square foot lot or larger;
- (e) Portable buildings;
- (f) Parking facilities for nonresidential uses that meet applicable requirements of the Off-Street Parking Regulation.

SECTION 3.02: PROHIBITED USES:

- (a) Any building or land used for other than one or more of the preceding specified uses;
- (b) No more than one manufactured home or recreational vehicle may occupy any approved space;
- (c) Off-premise signs;
- (d) Any use of property that does not meet:
 - (1) the required minimum lot size;
 - (2) front, side and rear yard dimension; and/or
 - (3) lot width; or
 - (4) exceeds the maximum heights, building coverage or density per gross acre as required in Article VI;

SECTION 3.03: REQUIRED CONDITIONS:

- (a) A development designed as a manufactured home, modular home or recreational vehicle park shall meet all requirements of:
 - (1) the manufactured home and recreational vehicle park regulation of the City; and
 - (2) and any applicable sections of the City subdivision regulation.
- (b) Said facility shall be for the purpose of:
 - (1) renting; or
 - (2) leasing of manufactured home sites.
- (c) Said facility shall not be construed to permit the sale of such lots.

- (d) A development designed as a:
 - (1) manufactured home;
 - (2) modular home; or
 - (3) recreational vehicle subdivision shall meet all requirements of:
 - (A) the City subdivision regulation, and
 - (B) any applicable sections of the City manufactured home and recreational vehicle park regulation.
- (e) Such subdivision shall have as its major purpose:
 - (1) the sale and conveyance of property rights, and
 - (2) ownership of individual lots to consumers.
- (f) At no time may an existing manufactured home, modular home or recreational vehicle park be converted to:
 - (1) a manufactured home;
 - (2) modular home; or
 - (3) recreational vehicle subdivision without first meeting all the requirements of the City subdivision regulation and receiving approval by the City Commission.

SECTION 4.00: (C-1) NEIGHBORHOOD COMMERCIAL DISTRICT:

- (a) Generally recognized retail businesses which supply commodities on the premises primarily for persons residing in adjacent residential areas, such as groceries, meats, dairy products, baked goods, clothing and notions, or hardware and similar uses;
- (b) Personal services establishments which perform services on the premises such as repair shops (watches, radios, T.V., shoes, etc.), tailor shops, beauty parlors or barbershops, photographic studios and self-service laundries; and similar uses but not including automotive or other repair services and armature repair services;
- (c) Dry-cleaning establishments or pickup stations dealing directly with the consumers. Central dry-cleaning plants servicing more than one retail outlet are not permitted;
- (d) Business establishments which perform services on the premises such as banks, loan companies, insurance and real estate offices;

- (e) Personal services including the following: Outpatient medical clinics, offices of doctors, dentists, osteopaths and similar or allied professions;
- (f) On-premise signs, including those that are animated or illuminated;
- (g) Commercial parking lots; or
- (h) Other uses similar to the above.

SECTION 4.01: CONDITIONAL USES (REQUIRE “CONDITIONAL” USE PERMITS):

- (a) All R-MF uses including conditional uses, except manufactured homes;
- (b) Gasoline service stations or retail outlets where gasoline products are sold;
- (c) Drive-in business establishments serving nearby residences which are so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles, rather than within a building or structure, including drive-in restaurants;
- (d) Restaurants or bars in accordance with the adopted policies of the City, provided the site is not larger than four acres and that access be provided from a collector or larger street;
- (e) Planned neighborhood convenience centers, including any or all of the above permitted or conditional uses, provided the site is not larger than four (4.0) acres and that access to such center be from a designated collector or larger street;
- (f) Accessory structures and uses customarily incidental to the above permitted uses;
- (g) Portable buildings that meet applicable conditions (See Art. VIII Section 8.00(c))

SECTION 4.02: REQUIRED CONDITIONS:

- (a) All business establishments shall be retail service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail prices on premises where produced;
- (b) All businesses, servicing or processing shall be conducted within a completely enclosed building (except for off-street parking or loading) excluding drive-in businesses or gasoline service stations or retail outlets where gasoline products are sold;
- (c) Gasoline service stations or retail outlets where gasoline products are sold at retail prices, are limited in their activity to the sale of gasoline, oil and minor accessories only, and incidental service. Repair work, steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstery, auto glasswork and such other activities whose external effects could adversely extend beyond the property line are not permitted;

- (d) The curb cut, or ingress and egress to gasoline service stations, retail outlets for gasoline products and/or drive-in businesses shall not be permitted at locations where it will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than thirty (30) feet from any street intersection (measured from right-of-way);
- (e) A front setback of sixty (60) feet from the right-of-way of any existing or proposed street shall be maintained by gas service stations or retail outlets where gasoline products are sold unless otherwise approved by the Planning and Zoning Commission. Gas pumps or driveway covers may be placed within the setbacks.
- (f) All lighting shall be shielded from adjacent residential districts;
- (g) A six-foot-high, completely obscuring wall shall be provided by all gasoline service stations, retail outlets where gasoline products are sold, or drive-in businesses, when abutting or adjacent to districts zoned for any residential use;
- (h) The minimum lot area for a gas service station or a retail outlet where gasoline products are sold should be twenty thousand (20,000) square feet and so arranged that ample space is available for motor vehicles which are required to wait, except that gasoline service stations intended solely for the purpose of selling gasoline, oil and minor accessories and having no facilities for repair or servicing automobiles may be permitted on lots of less than twenty thousand (20,000) square feet subject to all other provisions required;
- (i) Veterinary hospitals or clinics are subject to the limitation that all activities be conducted within a totally enclosed building with no open-air impoundment and no external effects such as noise or odor which could adversely extend beyond the property lines; and
- (j) The City may require a building line along any streets.

SECTION 4.03: PROHIBITED USES:

- (a) Any building erected or land used for other than one or more of the preceding specified uses;
- (b) Off-premise signs;
- (c) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required in Article VI.

SECTION 5.00: (C-2) GENERAL BUSINESS DISTRICT.

SECTION 5.01: PERMITTED USES:

- (a) All uses listed as permitted uses in C-1 districts;

- (b) Any retail business, personal services, business services except the following: Lumberyards or contractor yards, farm equipment or other heavy equipment sales or service, farm products warehousing and storage or stockyards, general warehousing and storage. Household goods warehousing and storage in individually rented storage units is permitted;
- (c) Hotel, motel and/or eating places;
- (d) Printing, publishing and allied products manufacturing;
- (e) Rail and motor vehicle transportation passenger terminals;
- (f) Telephone, telegraphs, television, radio or similar media stations, centers, studios, but not including public microwave, radio and television towers;
- (g) Any wholesale trade or wholesale trade accessory to any permitted retail operation except the following: Raw cotton, grain, hide, skins and raw furs, tobacco, wool or mohair, livestock, commercial or industrial machinery or supplies, metals and minerals, petroleum bulk stations and terminals, scrap or junk waste materials;
- (h) Signs in accordance with adopted ordinances; or
- (i) Automotive repair as an accessory use to a permitted retail use, such as retail sale of automobiles or retail sale of automotive parts.

SECTION 5.02: CONDITIONAL USES (REQUIRE USE PERMITS):

- (a) Gasoline service stations or retail outlets where gasoline products are sold;
- (b) Drive-in businesses;
- (c) Planned shopping centers;
- (d) Bars, nightclubs and social event centers in accordance with adopted policies;
- (e) Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, or tents or other temporary structures used for temporary purposes, in accordance with all applicable City regulations and ordinances;
- (f) Portable buildings;
- (g) Owner-occupied residence in compliance with the setback requirements of this zoning district;
- (h) Automotive repair and service as a primary use, including auto paint and body work as a primary use, subject to required conditions. (See conditions listed in Section 5.04 hereof).(1)

1. All establishments engaged in automotive repair, services, maintenance, or paint and body work that are under construction or in existence and located in C-2 zone as of the date of adoption of this subsection shall hereby be classified as conforming uses and shall not be denied the right to expand, repair or rebuild such establishments.

SECTION 5.03: REQUIRED CONDITIONS:

Gasoline service stations or retail outlets where gasoline products are sold, drive-in businesses, and veterinary hospitals shall be subject to the same limitations as set forth in the C-1 district for these types of uses. Access lane shall be clearly designated on subdivision plat.

SECTION 5.04: REQUIRED CONDITIONS FOR AUTOMOTIVE REPAIR AS A PRIMARY USE:

- (a) Such establishments shall be located on a lot or tract of land of sufficient size to accommodate the proposed use. In no case shall the building site be less than twenty thousand (20,000) square feet;
- (b) All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
- (c) There shall be no outside storage of materials;
- (d) The building where the proposed work is to take place shall be at least one hundred (100) feet from the nearest residence;
- (e) A six-foot wall or opaque fence buffering the proposed use from any residential use of residentially zoned area may be required; and
- (f) All new buildings and all conversions of existing buildings to such uses shall meet current building code and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.

SECTION 5.05: PROHIBITED USES:

- (a) Any building erected or land used for other than one or more of the preceding specified uses; or
- (b) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required in Article VI.

SECTION 6.00: (C-3) HEAVY COMMERCIAL DISTRICT.

SECTION 6.01: PERMITTED USES:

- (a) All uses listed as permitted uses in the C-2 district;
- (b) Drive-in business;
- (c) Gasoline service stations, automotive and other repair services or retail outlets where gasoline products are sold;
- (d) Lumberyards or contractor yards, farm equipment or other heavy equipment sales and service, farm products warehousing and storage, general warehousing and storage;
- (e) Motor vehicle transportation freight terminals;
- (f) Any wholesale trades or wholesale trade accessory to any permitted retail operation including raw cotton, grain, hides, skins and raw furs, tobacco, wool or mohair, commercial or industrial machinery or synthetics, metals and minerals, petroleum bulk stations and terminals;
- (g) Those uses of a commercial retail or wholesale nature requiring large outdoor loading areas, generating heavy truck or rail traffic and requiring access to major transportation channels and/or creating influences not acceptable in the C-2 district;
- (h) Accessory structures and uses customarily incident to the above permitted uses, including the residence for night watchman or caretaker employed on the premises;
- (i) Other uses of similar character; and
- (j) Signs in accordance with adopted regulations and ordinances;

SECTION 6.02: CONDITIONAL USES (REQUIRE USE PERMITS):

- (a) Planned shopping center;
- (b) Amusement parks, circus or carnival grounds, commercial amusement or recreation development or tents or other temporary structures used for temporary purposes, in accordance with all applicable City regulations and ordinances;
- (c) Facilities for railroads or those utilities holding a franchise under the City; or
- (d) Owner-occupied residence in compliance with the setback requirements of this zoning district.

SECTION 6.03: REQUIRED CONDITIONS:

All -

- (a) Gasoline service stations;
- (b) Retail outlets where gasoline products are sold;
- (c) Drive-in businesses; and
- (d) Veterinary hospitals -

shall be subject to the same limitations as set forth in subparagraphs (c), (d), (e), (f),(g), and (h) of Article IV section 4.02 herein.

No permit shall be issued unless an access lane has been clearly designated on the subdivision plat.

SECTION 6.04: PROHIBITED USES:

- (a) Any building erected or land used for other than one or more of the preceding specified uses.
- (b) Any use of property that does not meet:
 - (1) the required minimum lot size;
 - (2) front, side and rear yard dimension; and/or
 - (3) lot width; or
 - (4) exceeds the maximum height, building coverage or density per gross acre as required in Article VI.

SECTION 7.00: (I-1) LIGHT INDUSTRIAL DISTRICT.

SECTION 7.01: PERMITTED USES:

- (a) Any of the following uses when the manufacturing, compounding or processing is conducted wholly within a completely enclosed building. That portion of the land used for open storage facilities for materials or equipment used in the manufacturing, compounding or processing shall be totally obscured by a wall on those sides abutting a residential district and C-1 and C-2 districts.

- (1) The manufacturing, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, pharmaceutical, toiletries, food products, hardware and cutlery;
 - (2) The manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: Bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheetmetal (excluding saw and planing mills) and yarns;
 - (3) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas;
 - (4) Manufacture of musical instruments, toys, novelties, and metal or rubber stamps, or other small molded rubber products;
 - (5) Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs;
 - (6) Laboratories - Experimental, film or testing;
 - (7) Manufacture and repair of electric or neon signs, sheetmetal products, including heating and ventilating equipment, cornices, eaves and the like;
 - (8) Tool, die, gauge and machine shops;
 - (9) All public utilities, including buildings, necessary structures, storage yards and other related uses;
 - (10) Any use listed as permitted in C-4.
- (b) Accessory structures and uses customarily incidental to the above permitted uses.
- (c) Other uses of a similar and no more objectionable character to those principal uses permitted subject to any and all provisions of regulations relating to the use of property within the City.

SECTION 7.02: CONDITIONAL USES (REQUIRE USE PERMITS):

- [(a)] Planned shopping centers;
- (b) Planned industrial parks;
- (c) The residence of a watchman or caretaker employed on the premises;

- (d) Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, or tents or other temporary structures used for temporary purposes, in accordance with all applicable City regulations;
- (e) Facilities for railroads or those utilities holding a franchise under the City;
- (f) Portable buildings other than storage buildings; or
- (g) Owner-occupied residence in compliance with the setback requirements of this zoning district

SECTION 7.03: REQUIRED CONDITIONS:

Gasoline service stations or retail outlets where gasoline products are sold, drive-in businesses, and veterinary hospitals shall be subject to the same limitations as set forth in Article IV sections 4.02 (c), (d), (e), (f), (g), and (h) herein. No permit shall be issued unless an access lane has been clearly designated on the subdivision plot.

SECTION 7.04: PROHIBITED USES:

- (a) Any building erected or land used for other than one or more of the preceding specified uses.
- (b) Any use of property that does not meet the:
 - (1) required minimum lot size;
 - (2) front, side and rear yard dimension; and/or
 - (3) lot width; or
 - (4) exceeds the maximum height, building coverage or density per gross acre as required in Article VI.

SECTION 8.00: (I-2) HEAVY INDUSTRIAL DISTRICT.

Permitted uses:

- (a) All uses listed as permitted in the I-1 district, provided that the manufacturing, compounding or processing is conducted wholly within a completely enclosed building and that the portion of land used for open storage facilities for materials or

equipment used in manufacturing, compounding or processing be totally obscured by a wall on those sides abutting RS, RMF, RMH, C-1 and C-2 districts; or

(b) Any use not previously listed subject to any and all provisions of all regulations relating to the use of property within the City.

SECTION 8.01: CONDITIONAL USES (REQUIRE USE PERMITS):

- (a) Planned shopping center;
- (b) Planned industrial park;
- (c) Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, or tents or other temporary structures used for temporary purposes, in accordance with all applicable City regulations;
- (d) Facilities for railroads or those utilities holding a franchise under the City;
- (e) The residence of a watchman or caretaker employed on the premises;
- (f) Owner-occupied residence in compliance with the setback requirements of this zoning district;

SECTION 8.02: REQUIRED CONDITIONS:

Gasoline service stations or retail outlets where gasoline products are sold, drive-in businesses and veterinary hospitals shall be subject to the same limitations as set forth in Article IV, Section 4.02 (c), (d), (e), (f), (g), and (h) herein. No permit shall be issued unless an access lane has been clearly designated on the subdivision plat.

SECTION 8.03: PROHIBITED USES:

- (a) Those uses, which in the opinion of the Planning and Zoning Commission and/or City commission, would be detrimental to the health, safety or general welfare of the citizens or to adjacent development; or
- (b) Any use of property that does not meet:
 - (1) the required minimum lot size;
 - (2) front, side and rear yard dimension;
 - (3) and/or lot width; or
 - (4) exceeds the maximum height, building coverage or density per gross acre as required in Article VI.

SECTION 9.00: “O” UNDEVELOPED - OPEN SPACE DISTRICT:

Land use activities shall be allowed only for the following purposes:

- (a) Public parks and playgrounds; or
- (b) Agricultural uses provided that any structure of [or] enclosure for the shelter of livestock and poultry shall be located not less than 200 feet from any street of [or] lot line.

SECTION 10.00 “IN” INSTITUTIONAL DISTRICT

Land use activities shall be allowed only for the following purposes:

- (a) Public and private schools;
- (b) Community or other civic buildings including museums;
- (c) Libraries and auditoriums;
- (d) Institutions of educational, charitable or philanthropic nature, but not a penal or mental institution;
- (e) Nursing or convalescent home; and

SECTION 11.00: EXPRESSWAY CORRIDOR DISTRICT

SECTION 11.01: PURPOSE

The Expressway Corridor District (ECD) is a *special purpose* district created to identify uses and regulations for properties adjacent to and in the proximity of the US 83/IH2. These regulations are intended to encourage new and appropriate uses and design, and to protect existing uses that will benefit the City of San Juan. This district is intended to support businesses that complement each other and to be a destination in the Rio Grande Valley for shopping, entertainment, and employment.

Except as hereinafter provided no building or structure shall be erected, reconstructed, or structurally altered and no premises shall be used except in conformity with the regulations prescribed for the district.

The following district regulations replace the current uses as a distinct new district. Where there is any ambiguity, the Planning and Zoning Commission, upon the recommendation of Staff, will be the deciding body, and if appropriate, a recommendation will be forwarded to the City Commission.

SECTION 11.02 DISTRICT USES

- a. Uses Permitted By Right - The uses as shown in the following Zoning Use Chart are permitted by right and are subject to the restrictions of this district. In general, definitions are defined by terms in general use or in Appendix A, Unified Development Chapter 1, Article III. Definitions of uses specific to this District are found in Section 11.03 of Appendix A, Unified Development Code.
- b. Conditional Uses - As identified in the Zoning Use Chart, some uses may be considered when it is shown that such a use in a specified location will comply with all the conditions and standards for the location or operation for the use. The conditions shall be specified and recommended by the Planning and Zoning Commission and approved by the City Commission. Appendix A, Chapter 2, Article VIII, Conditional Use defines the process in for conditional uses that are listed in the following Zoning Use Chart.
- c. Nonconforming Uses - With the creation of the new Expressway Corridor District (ECD) some current land and building uses may become existing nonconforming uses. They will not be required to close or relocate, however they become subject to the requirements and regulations in Appendix A, Chapter 2, Article VII, Nonconforming Uses.

SECTION 11.03: DEFINITIONS

In addition to the definitions in Appendix A, Unified Development Code, Chapter I, Article III, Definitions, the following definitions apply specifically to this district.

The following definitions are to be used in the application of this district. They are terms that are accepted in standard planning and zoning usage. If a word or term is not defined herein, a definition from a dictionary in general usage shall be applied.

Automobile Sales: The use of land and buildings primarily for the display, sale, lease, and rental of new or pre-owned automobiles (may include utility vehicles, light trucks and vans) and including vehicle preparation, warranty and repair work as an accessory use. Vehicles that are wrecked or require additional repair work shall be screened from view.

Antique shop: An establishment offering for sale articles such as glass, china, furniture or similar furnishing or decorations which have value and significance as a result of age, design or sentiment.

Bakery or confectionery shop (retail): A place for baking or selling baked goods, or a place for preparing, cooking, making or selling candy or other sweets.

Bank or Credit Union: A facility which has as its primary purpose the custody, loan, exchange or issue of money, the extension of credit and the transmission of funds, including drive-in facilities and automatic teller machines.

Bar, lounge or tavern: An establishment, the primary activity of which is the sale and consumption on the premises of beer, wine or other alcoholic beverages, and where any food service is secondary alcoholic beverages and where the sale of said beverages constitute more than fifty (50%) of the business income of that establishment.

Barber or beauty shop: A facility licensed by the state where hair cutting, hair dressing, shaving, trimming beards, facials, manicures, tanning or related services are performed.

Buffer: A permanent natural or landscaped area serving to separate two (2) different land uses or developments. It may be in the form of a strip of land lying parallel and adjacent to a property line common to a dissimilar use of a more restrictive nature. The purpose of this buffer is to provide for minimum livability and maximum required visual screening and physical separation of uses of a dissimilar nature.

Day Spa: a facility for personal services including hair care, manicure, pedicure, waxing, and tanning. If the spa services include massages, the use must comply with the following definition.

Massage establishment: Any place of business in which massage therapy is practiced by a massage therapist, as defined by Texas Law. "Massage therapy", as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes, but is not limited to, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics, either by hand or with mechanical or electrical apparatus for the purpose of body massage. Massage therapy may include the use of oil, salt glows, heat lamps, hot and cold packs, tub shower, or cabinet baths. Equivalent terms for massage therapy are massage, therapeutic massage, massage technology, myotherapy, or any derivation of those terms. The terms "therapy" and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law. Also see definition of Health Studio.

Florist flower or plant shop: A facility for the retail sale of cut or uncut flowers and ornamental plants and accessory items. Enclosure of use required.

Furniture store: A retail facility displaying and selling new furniture, and may include appliances such as radios, televisions, stereos, refrigerators, and stoves.

Hardware store: A retail facility for selling cutlery, tools, utensils, screws, nails and similar items.

Health studio or Fitness center: An indoor facility operating for a profit to promote physical fitness or weight control.

Hobby shop: An establishment for the retail sale of hobby supplies such as model kits, art equipment and materials.

Home center: A facility which retails appliances, fixtures, building materials and other similar items for the maintenance and improvement of residential structures.

Hospital: An institution licensed by the state that provides health services primarily for human inpatient, medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are an integral part of the facilities.

Hotel: A building or a group of buildings under one ownership containing six (6) or more sleeping rooms occupied, intended or designed to be occupied as the temporary abiding place for persons who are lodged with or without meals for compensation, but not including a hospital or recreational vehicle camping area.

Jewelry store: A facility which retails watches, rings, bracelets, necklaces and similar items.

Landscape service: A facility for the design and implementation of design of residential and business landscaping. This facility does not include the storage of landscape materials in bulk form as well as the required machinery or equipment for installation.

Library, art gallery or studio, museum: An establishment for the loan or display of books, or objects of art or science which is sponsored by a public or quasi-public agency and which institution is open and available to the general public.

Live-Work: A dwelling unit that is a combination of the residence and place of commercial business or studio and may be found in mixed-use developments.

Microbrewery: a limited-production brewery, typically producing specialty beers and often selling its products only locally.

Mixed-use development: Development projects that combine residential with nonresidential uses in the same building or building site area as a means to create an active street life, enhance the vitality of businesses, and reduce the need for automobile travel; provide a meaningful blend of residential and non-residential uses that enhances and builds upon the city's commercial base; provide additional housing options for people, including but not limited to, young professionals and older people, who want to live near their workplace and/or near retail and other non-residential uses; and encourages consolidation of small parcels into viable, block-size mixed use development in designated areas; while ensuring on-site compatibility of residential and non-residential uses. There are two generally recognized types of mixed use:

Vertical Mixed-Use Building: Combines different uses in the same building. Lower floors should have more public uses with more private uses on the upper floors. For example, the ground floor could have retail, second floor and up having professional offices, and uppermost floors being some form of residential, such as flats or a hotel. In more urban areas, an entire block or neighborhood may be composed of vertical mixed-use buildings.

Horizontal Mixed-Use Blocks: Combines single-use buildings on distinct parcels in a range of land uses within one block. In more urban areas, this approach avoids the financing and coding complexities of vertical layered uses while achieving the goal of placemaking that is made possible by bringing together complementary uses in one place. In less urban areas, horizontal mixed-use offers the advantage of sharing utilities and amenities while providing an easier to build and entitle mix of uses within a walkable block circumscribed by thoroughfares.

Mortuary or funeral service: A facility where deceased bodies are prepared for burial and kept until burial, and where funeral services may be conducted. A crematorium may be part of the services provided by a full service funeral home operation with a conditional use permit.

Newspaper, magazine, book or stationery store: A facility for the sale of books, pamphlets, paper, pens, ink and associated items; not involving wholesale distribution.

Nonconformance: A lawful condition of a structure or land which does not conform to the regulations of the zoning district in which it is situated. This may include but is not limited to a failure to conform to use, height, area, coverage, or off-street parking requirements established prior to the adoption of the Zoning ordinance or annexation into the city.

Nonconforming Use: A use, activity, structure or a parcel of land occupied by a land use activity that was lawful prior to the adoption, revision or amendment of the Zoning Ordinance, but fails to conform to the regulations of this Zoning Ordinance and the district in which it is situated and which has been identified as a nonconforming use.

Office equipment sales and service: A facility for the display, sales, service or repair of equipment, machines or computers typically utilized in daily activities of offices.

Office, general or professional: A place for the regular transaction of business, but not to include the occupation by retail sales, transfer of manufactured goods or storage of commodities.

Office, showroom and warehouse: A facility for mixed use with the following characteristics:

- i. A showroom for display of product lines including items for user purchase,
- ii. Storage or warehouse facilities and occupies not more than sixty (60) percent of the gross floor area of the structure(s).
- iii. A principal office of the business;
- iv. Sales to contractors or other businesses installing or delivering to consumer and user.
- v. A facility, combining office and warehouse functions in a single structure.

Offsite: Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant.

On premises: Inside a building or on the area of land that it is on.

Open Space: Any parcel or area of land or water essentially unimproved and set aside, dedicated or reserved for resource protection, public or private use and enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Open space shall not include land occupied by non-recreational structures, roads, street rights-of-way, parking lots, land reserved for future parking, or any portion of required minimum lot areas as required by this Ordinance.

Open storage: The storage of any equipment, machinery, commodities, raw semi-finished or finished materials, and building materials, which is visible from any public street.

Optical shop: A facility for a dealer in optical items or for correcting vision.

Paint and wallpaper store: A facility for selling paints, painting equipment and wallpaper.

Parking, commercial lot or garage: A facility for temporary storage of motorized or wheeled vehicles.

Parking space: A paved area, enclosed or unenclosed, sufficient in size to store one automobile together with a paved driveway connecting the parking space with a street or alley and permitting ingress or egress of an automobile.

Personal services: Establishments primarily engaged in providing services the care of a person's personal needs and include laundry, dry cleaning, beauty shops, barbershops, shoe repair, reducing salon, health clubs, and clothing rental services.

Pet shop: A facility for the display and sale of small animals, fish and birds and pets, such as dogs, cats, parakeets, goldfish, tropical fish or canaries, without involving commercial boarding or treating of any animal, fish or bird.

Pet supply and pet grooming: an indoor facility that sells pet food and supplies and may include grooming area.

Pharmacy or drugstore: A facility for preparing, preserving, compounding and dispensing drugs and medicines; and may include the display and sale of other merchandise such as cosmetics, notions, fountain services and similar items.

Photography studio: A facility for taking and processing pictures, not a bulk processing plant.

Plant nursery: A facility for the sale or rental of plants and other landscaping or gardening supplies and the equipment used in the installation of maintenance thereof.

Pharmacy or drugstore: A facility for preparing, preserving, compounding and dispensing drugs and medicines; and may include the display and sale of other merchandise such as cosmetics, notions, fountain services and similar items.

Photography studio: A facility for taking and processing pictures, not a bulk processing plant.

Restaurant or cafe with drive-in/thru service: An establishment which by design of physical facilities or by the type of service and packaging permits or encourages the purchase of prepared, ready-to-eat foods for consumption on or off the premises and which does permit consumption on the premises in motor vehicles. A conditional use may be required for the drive thru to ensure adequate stacking and speaker location.

Restaurant or cafe without drive-in/thru service: An establishment where food is available to the general public primarily for consumption within a structure on the premises or which by design of physical facilities or by type of service and packaging permits or encourages the purchase of prepared, ready-to-eat foods intended for consumption off the premises, and where the consumption of food in motor vehicles on the premises is neither permitted nor encouraged. May include covered or uncovered patio seating.

Retail: An establishment engaged in the selling or rental of goods or merchandise to the general public for personal use or household consumption.

Seasonal and temporary sales, outside: An activity conducted involving sales of merchandise customarily sold within the principal structure and those sales by transient users permitted in the district. This activity shall be deemed to be an extension of the principal use of the land and subject to bulk, area and parking regulations. Displays may be located within approved temporary structures or as open display.

Shopping center: A group of unified commercial establishments built on a site which is planned, developed, owned, and managed as an operating unit related in its location, size, and type of shops to the trade area that the unit serves with customer and employee parking provided on-site.

Sporting goods store: A retail establishment selling athletic uniforms, sport clothing and sporting equipment.

Studio (art, music, speech, drama, dance or other artistic endeavors): A facility for instruction, counseling or coaching in the arts, and for the development of person skills or talents. This includes but is not limited to graphic, performing and literary arts limited to instruction, counseling or coaching.

Tailor: A shop to alter, repair, fabricate or fashion garments.

Technology sales and service: A retail shop which sells and services digital devices including computers, cell phones, video equipment.

Theater, not drive-in type: A facility for presenting movies and live performances to an audience inside an enclosed structure.

Travel agency: A business engaged in selling or arranging transportation, trips or tours for individuals or groups.

Veterinary clinic: a medical facility where animals are given medical care. Long term boarding is not allowed in this district, but short term or overnight stays related to medical procedures is permitted. No breeding or laboratory uses are permitted.

Wine Bar: is a tavern-like business focusing on only selling *wine*, rather than liquor or beer. A typical feature of many *wine bars* is a wide selection of *wines* available by the glass and small portion food service.

SECTION 11.04 ZONING USE CHART		
<u>Uses</u>	<u>Permitted by Right P</u>	<u>Conditional Use C</u>
<u>Automotive</u>		
Automobile, new and preowned sales		<u>C</u>
Automobile, preowned sales		<u>C</u>
Automotive supply		<u>C</u>
Automobile service center		<u>C</u>
New Tire sales and service		<u>C</u>
Vehicle rental		<u>C</u>
<u>Retail (free standing or in center)</u>		
Antique shop	<u>P</u>	
Bakery, ice cream, or confectionery shop	<u>P</u>	
Cellphone/computer/technology sales and service	<u>P</u>	
Clothing store (men's, ladies', and children's including shoes and other apparel)	<u>P</u>	
Convenience store	<u>P</u>	
Convenience store fuel islands		<u>C</u>
Florist shop	<u>P</u>	
Home furnishings/Furniture store	<u>P</u>	
Hardware store	<u>P</u>	
Hobby shop	<u>P</u>	
Jewelry store	<u>P</u>	
Office equipment sales/service	<u>P</u>	
Paint and wallpaper store	<u>P</u>	
Pharmacy or drugstore	<u>P</u>	
Sporting goods store	<u>P</u>	
Shopping center up to and including 30,000 square feet	<u>P</u>	
Shopping center 30,000 to 75,000 square feet	<u>P</u>	
Shopping center greater than 75,000 square feet		<u>C</u>
Grocery store		<u>C</u>
Big box including grocery and home improvement (over 100,000 square feet)		<u>C</u>
<u>Eating and Drinking Establishments</u>		
Restaurant or cafe without drive-in service, with covered patio	<u>P</u>	
Restaurant or cafe drive-in/thru service		<u>C</u>
Bar, Lounge, Tavern or Cantina		<u>C</u>
Coffee shop	<u>P</u>	
Delicatessen/ Specialty foods	<u>P</u>	
Microbrewery		<u>C</u>
Wine bar		<u>C</u>
<u>Personal Services</u>		
Day Spa	<u>P</u>	
Fitness Center/Health Club	<u>P</u>	
Dry cleaning/Laundry (drop off and pick-up only)	<u>P</u>	

SECTION 11.04 ZONING USE CHART		
<u>Uses</u>	<u>Permitted by Right P</u>	<u>Conditional Use C</u>
Barber or beauty shop	<u>P</u>	
Nail salon	<u>P</u>	
Shoe repair	<u>P</u>	
Alterations and Tailor	<u>P</u>	
<u>Medical and Care facilities</u>		
Clinic: medical, dental, optical, chiropractor, health care services	<u>P</u>	
Emergency/medical ambulatory care facility (limited overnight stays)	<u>P</u>	
Hospital	<u>P</u>	
Optician, Optical shop	<u>P</u>	
Pharmacy or drugstore	<u>P</u>	
<u>Lodging*</u>		
Hotel	<u>P</u>	
Live/work		<u>C</u>
Multifamily - apartments and condominiums		<u>C</u>
Assisted Living		<u>C</u>
Nursing Home (licensed)		<u>C</u>
<u>Mixed Use Development*</u>		
Retail/Residential		<u>C</u>
Retail/ Live-Work/Residential		<u>C</u>
Residential/Retail/Office		<u>C</u>
*Planned Unit Development encouraged		
<u>Office, Professional</u>		
Office building	<u>P</u>	
Attorney, Engineer, Architect, Landscape architect, Insurance, Financial advisor, Travel agent	<u>P</u>	
Bank or credit union	<u>P</u>	
<u>Pet</u>		
Veterinary office without boarding except for medical need, no outside runs	<u>P</u>	
Veterinary Clinic with boarding and outside runs		<u>C</u>
Pet Supplies	<u>P</u>	
Pet Grooming (no boarding)	<u>P</u>	
<u>Outdoor Equipment and Supplies</u>		
Plant nursery		<u>C</u>
Landscape and garden supplies		<u>C</u>
Seasonal/temporary sales		<u>C</u>
Lawn, garden, and play structures		<u>C</u>
<u>Miscellaneous</u>		
Office/showroom/warehouse	<u>P</u>	
Light Manufacturing in conjunction with Office/showroom/warehouse		<u>C</u>

SECTION 11.04 ZONING USE CHART		
<u>Uses</u>	<u>Permitted by Right P</u>	<u>Conditional Use C</u>
Mortuary		<u>C</u>
Open space/Plaza	<u>P</u>	
Library, art gallery, studio, museum	<u>P</u>	
Theater	<u>P</u>	
Bike Racks	<u>P</u>	
Automobile charging station		<u>C</u>
ATM (free standing)		<u>C</u>
Public and Private Utilities		
City infrastructure (water, waste water, drainage, fire, police)	<u>P</u>	
Government offices	<u>P</u>	
Private Utilities (telephone, cable)	<u>P</u>	
Cell and telecommunications towers		<u>C</u>

SECTION 11.05: AREA AND HEIGHT REQUIREMENTS

- a. **Building height**
 - (1) 12 stories or 160 feet (may exceed if recommended by Planning Director to Board of Adjustment with input from the Fire Marshal). See note below
 - (2) 1 story if building setback is less than 60 feet
- b. **Building Front setback**
 - (1) 60 feet from the right of way of the frontage road
 - (2) 25 feet if parking is on the side are in the rear of one story building
 - (3) 100 feet for hotel, multifamily (apartments and condominiums), assisted living, and nursing homes
- c. **Side and Rear setback**
 - (1) Side Interior: 0 unless adjacent to residential, then 15 with landscaping buffer
 - (2) Side Exterior: 15 feet
 - (3) Rear: 10 feet unless adjacent to residential then a setback of a minimum of 20 ft. with landscaping buffer
- d. **Lot width: 100 feet minimum**
- e. **Lot depth: 200 feet minimum**
- f. **Lot coverage: 75 percent of total area and incorporates low impact development criteria**

A building may exceed ten stories or 160 feet if set back one (1) foot for every two (2) feet of height above 125 feet but in no case shall the height of a building exceed the total of the street width on which it faces plus the depth of the front yard and when it is adjacent to a residential use.

SECTION 11.06: PARKING AND LOADING REGULATIONS

Parking requirements shall be in accordance with Appendix A, Unified Development Code, Chapter 6 - Off-Street Parking Regulations with the following additions or exceptions.

- a. Parking lot location is encouraged to be on the side and rear except for automobile sales, grocery and large scale retail development. For properties with 25-foot to 60-foot front setbacks, the parking shall be on the side or rear of the building.
- b. Angle parking is allowed.
- c. Landscaping shall be provided where large expanses of concrete or asphalt occur. Parking Lots with 150 or more spaces shall be divided by landscaped areas including walkways and/or landscaped areas.
- d. The areas between rows of parking can be design in either raised medians or bio-swales. Raised medians shall have a concrete curb edging. See Appendix A, Unified Development Code, Chapter 6 - Off-Street Parking Regulations Section 8 – Interior Parking Lot Landscaping
- e. Plants shall be low-maintenance, water-wise selected from the list provided in Appendix A, Unified Development Code, Chapter 5 – Landscaping Regulation, Section 11, Table A.
- f. Shade trees may be planted in the median or landscape areas when there is adequate room for the root ball and irrigation is provided. Otherwise, trees should be planted on the perimeter of the development or in groups in open space or around detention facilities.
- g. Bio-swales shall be designed to support vegetation and handle sheet flow drainage in the parking lot. Plants in the bio-swales should be appropriate to handle temporary excess water as well as drought conditions.
- h. No loading docks shall back onto the frontage or arterial roads.
- i. Loading docks shall be to the side or rear of the building, except loading docks shall not back to residential areas unless there is landscaping or buffering.

SECTION 11.07: DRIVEWAYS

- a. All driveways connecting with the US83/IH2 frontage road are subject to Texas Department of Transportation requirements and regulations for location and spacing.
- b. Shared driveways are encouraged for coordinated access to and from the frontage roads.
- c. All driveways shall be paved.

No separate direct access from a frontage road shall be permitted to any property whose frontage on the frontage road is less than three hundred feet (200'). Unless it would be unreasonable to impose this requirement, a public street more or less perpendicular to the frontage road and Access Lanes shall be required in all cases to provide access to properties along the frontage road.

- d. If required for development access, a paved access drive shall be provided more or less reasonably parallel to the frontage road. Said access lane shall conform to the following requirements:
- (1) may be located in the front building setback if approved by the Planning Director;
 - (2) shall be designed and constructed to permit two-way traffic and to allow access to tracts along the frontage road;
 - (3) shall be paved;
 - (4) shall be set aside by curbs, landscaping or otherwise marked as approved by the Planning and Zoning Commission;
 - (5) shall be designed and constructed to intersect (at 90 degrees) with a public street; and
 - (6) shall be provided with directional signs and traffic-control signs or devices.

SECTION 11.08: LANDSCAPING

Landscaping for new construction and site redevelopment shall follow Appendix A, Unified Development Code, Chapter 5 - Landscaping Regulations with the following additions.

- a. Underground automatic sprinkler systems shall be required for all multifamily, commercial and office projects. When 100 percent native drought-tolerant landscaping is proposed, temporary irrigation for plant establishment, of not less than two years, may be installed in place of a permanent sprinkler system as approved by the city.
- b. Landscape plans for multifamily, lodging, commercial, and office development shall incorporate common open space or park areas as required with trails, interior courtyards and recreation facilities suitable for the benefit of the project's anticipated residents.
- c. Foundation Planting
 - (1) For all commercial buildings, foundation plantings shall be provided around all areas of the base of the building not directly abutting a sidewalk, plaza, service, or loading area. Foundation plantings shall be scaled according to the nature of the wall area, limited at primary building facades and around features such as windows, entries, and architectural elements, and increased for areas of blank walls and utilities.
 - (2) For all office buildings, an average depth of 15 feet from the face of the building shall

- be provided around the building; provided, that pedestrian facilities, such as sidewalks, may be located within this 15 feet area and shall count as landscaping; and provided further, that building loading areas shall not be subject to this requirement.
- (3) For all mixed-use, lodging and multifamily buildings, foundation plantings shall be provided to soften the overall impact and scale of the buildings. Foundation plantings shall be provided around each individual building, at the base of the building.
 - (4) Trees and plant materials shall be in accordance with Chapter 5, Table A.
 - (5) Required trees may be planted on the perimeter of the development, in groupings in open space areas, and on the perimeter of stormwater detention areas in lieu of planting in parking lot medians.

SECTION 11.09: ARCHITECTURAL DESIGN STANDARDS

The purpose of the following architectural standards is to ensure that new construction and additions to existing buildings are well designed, detailed, and crafted to embody high standards of architectural design that will promote the long-term viability on both side of US 83/IH 2. By encouraging new buildings to be designed with plazas and situated perpendicular to the roadway, future development will not only take advantage of the tract depths, but provide the opportunity for more visual interest. The designs, including colors, shall be of such as to express the vitality of the area and take advantage of the City's heritage, growing international culture, and climate, thereby making San Juan's highway frontage a unique destination in the Rio Grande Valley.

The following standards shall apply to all development. For the purposes of this section, the Planning Director, in coordination with other applicable city departments, shall be authorized to review and make decisions on the following architectural standards.

b. Building Materials

- (1) Exteriors shall be constructed of stone, brick, stucco, fiber cement or a combination of these materials, EFIS (synthetic stucco) is not allowed.
- (2) No metal siding is allowed except for architectural details less than 20% of the building façade, however a standing seam metal roof is allowed if it is in keeping with the design of the building.

c. Ornamentation

- (1) Building recesses and protrusions are strongly encouraged on larger buildings to break long uninterrupted building walls.
- (2) All visible elevations should include decorative features such as cornices, pilasters, and friezes.

d. Façade Massing

- (1) Front façades 60 feet wide or wider shall incorporate wall offsets of at least two feet

in depth (projections or recesses) a minimum of every 40 feet. Each required offset shall have a minimum width of 20 feet.

- (2) The following alternatives can be used in place of the required front façade offsets:
 - a) Façade color changes following the same dimensional standards as the offset requirements;
 - b) Pilasters having a minimum depth of one foot, a minimum width of one foot, and a minimum height of 80 percent of the façade's height; and/or changes;
 - c) Roofline changes when coupled with correspondingly aligned façade changes.

e. Roof Line Changes

- (1) Roofline changes may include changes in roof planes or changes in the top of a parapet wall, such as extending the top of pilasters above the parapet wall.
- (2) When roofline changes are included on a façade that incorporates wall offsets or material or color changes, roof line changes shall be vertically aligned with the corresponding wall offset or material or color changes.

f. Roofs

- (1) There are a variety of types of roofs: gable, gambrel, hip, mansard, shed, flat etc. or a combination of types. The roof design and construction should be appropriate for the local climate.
- (2) Asymmetric or dynamic roof forms are allowed to provide variety and flexibility in nonresidential building design, and allow for unique buildings. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings as an alternative to flat roofs.
- (3) Mechanical equipment shall not be visible from the ground within 1,000 feet from the building, and shall be screened in accordance with the following: roof-mounted mechanical or other equipment shall be screened by roofing and/or by parapet walls. Ground-mounted equipment within view of a roadway or driveway used by the general public shall be screened by masonry walls. Ground-mounted equipment, not within view of a roadway or driveway used by the general public, shall be screened by landscaping, at a minimum.

g. Customer Entrances

- (1) Each side of a building facing a public street shall include at least one customer entrance, except that no building shall be required to provide entrances on more than two sides of the structure that face public streets.
- (2) Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features:
 - i. Canopies/porticos above the entrance;
 - ii. roof overhangs above the entrance;

- iii. entry recesses/projections,
- iv. arcades that are physically integrated with the entrance,
- v. raised corniced parapets above the entrance,
- vi. gabled roof forms or arches above the entrance,
- vii. outdoor plaza adjacent to the entrance having seating and a minimum depth of 20 feet,
- viii. display windows that are directly adjacent to the entrance,
- ix. architectural details, such as tile work and moldings, that are integrated into the building structure design and are above and/or directly adjacent to the entrance, and
- x. planters or wing walls that incorporate landscaped areas or seating areas. (A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.)

The Planning Director has the authority to review and enforce the provisions of this section during the zoning application and/or building permitting processes.

h. Loading docks and delivery areas

- (1) Loading docks and delivery areas shall be located to the side or rear of the building.
- (2) Outside loading docks and delivery areas that are within view of a roadway, driveway, or residential areas, shall be screened from view by masonry walls or landscaping buffer of not less than six (6) feet in height.

i. Awnings

- (1) Awnings are an appropriate feature in the Valley climate. Awnings may be constructed and maintained in accordance with this subsection.
- (2) An awning may be located over a storefront, a window, or a building entry. An awning may extend over the framing of a window or the framing of a building entry.
- (3) An awning shall not visually dominate the building to which such awning is attached and shall complement the character and design of the building.
- (4) A single awning shall not extend beyond the frame of a window or a building entry. If an awning is located over a storefront, such awning shall not extend beyond the lesser of: the outermost frame of a window located within one foot of a building entry or 30 feet.
- (5) The bottom of an awning shall not be higher than the top frame of a storefront building entry or window, a building entry, or a window of the building to which such awning is attached and shall be no higher than 12 feet from the finished floor as determined by measuring 12 feet from the finished floor specified in the permitted building plans of the business establishment using such awning to the top of the awning.

- (6) An awning shall be constructed of fabric, metal, or glass. An awning should complement the overall color scheme of the building facade.

SECTION 11.10: ADDITIONAL STANDARDS FOR CONDOMINIUM OR MULTIFAMILY/APARTMENT DEVELOPMENT

- a. For condominium or multifamily/apartment development, the additional standards shall apply:
- (1) Dwelling-unit buildings shall be located and oriented to screen all parking areas from view of adjoining uses, including roadways.
 - (2) Dwelling-unit buildings shall transition in height from lower to higher from the perimeter to the interior of the development. The taller buildings in the development shall be located in the interior part of the development.
 - (3) Buildings with up to two-story dwelling units may be located around the perimeters of the development, except that three-story buildings will be allowed around perimeters if they are part of buildings that include both two and three stories.
 - (4) Long uninterrupted expanses of building facades are prohibited. Articulation is required through the use of jogs, projections or retreats in the building walls, windows, balconies, entryways and bays.
 - (5) All building entries adjacent to a street shall be pedestrian-scaled and shall include two or more of the following architectural treatments:
 - i. distinctive doorways;
 - ii. distinctive entry canopies or awnings;
 - iii. projected or recessed entry bays; porches;
 - iv. changes in paving material, texture, or color;
 - v. landscaping providing entry focal points;
 - vi. fountains;
 - vii. decorative benches;
 - viii. ornamental glazing,
 - ix. railings,
 - x. and balustrades.
 - (6) Stairs, hallways, and elevators shall be located within buildings and structures and not on the exterior of buildings and structures. No more than 25 percent of front doors to units shall be located on the exterior of the buildings.
 - (7) Garages may be attached, detached, the first floor of a multistory residence or multistory freestanding structures. If freestanding parking structures are used, such structures shall be located so as to be easily accessible to the buildings in which the dwelling units they service are located.
 - (8) The exteriors of freestanding multistory parking structures shall have

architecturally-designed masonry panels.

- (9) Garage doors of attached garages shall not comprise more than 60 percent of the total length of a building's frontage, with no more than six such garage doors in succession on a building.
- (10) No more than four detached garages shall be located side by side.
- (11) Any carport section shall be limited to housing no more than six vehicles, up to a maximum of 120 feet in length, including enclosed storage areas.
- (12) At least one garage with square footage sufficient to house a minimum of two seven-foot by 18-foot automobiles in addition to normal yard maintenance equipment shall be provided for each condominium unit.
- (13) The square footage for garages for a multifamily development shall be of adequate square footage to house a minimum of one seven-foot by 18-foot automobile.
- (14) At least 50 percent of the required total number of parking spaces shall be provided within covered parking such as garages or carports.

SECTION 11.11: ADDITIONAL STANDARDS FOR HOTEL DEVELOPMENT

The following additional standards shall apply to hotel development:

- a. Long uninterrupted expanses of building facades are prohibited. Articulation is required through the use of jogs, projections or retreats in the building walls, windows, balconies, entry ways and bays.
 - (1) All building entries adjacent to a street shall be pedestrian-scaled and shall include two or more of the following architectural treatments:
 - i. distinctive doorways;
 - ii. distinctive entry canopies or awnings;
 - iii. projected or recessed entry bays; porches;
 - iv. changes in paving material, texture, or color;
 - v. landscaping providing entry focal points;
 - vi. fountains;
 - vii. decorative benches;
 - viii. ornamental glazing;
 - ix. railings;
 - x. and balustrades.
 - (2) Stairs, hallways, and elevators shall be located within buildings and structures and not on the exterior of buildings and structures.
 - (3) Guestrooms may be accessible only through interior corridors.

- (4) Excluding windows and doors, a minimum of 50 percent of the exterior of buildings shall consist of architectural approved building materials in this zoning district ordinance
- (5) If freestanding parking structures are used, such structures shall be located so as to be easily accessible to the buildings in which the guestrooms they service are located.
- (6) The exteriors of freestanding multistory parking structures shall have architecturally-designed masonry panels.
- (7) Outdoor delivery or service areas within view of any right-of-way or residential area shall be screened from view by masonry walls.
- (8) Outdoor recreational space within view of any right-of-way or residential area shall be screened from view by a combination of fencing and landscaping. The use of chain link fencing materials shall not satisfy the requirements for screening outdoor recreational space.

SECTION 11.12: SIGNS

- a. Additions to San Juan Code of Ordinances, Chapter 3 Building Regulations, Article 3, Signs specific to the proposed Expressway Corridor District (ECD)
 - (1) Signs in the Expressway Corridor District shall be in accordance with San Juan Code of Ordinances, Chapter 3 Building Regulations, Article 3, Signs.
 - (2) Signs shall not obscure the visibility of the windows of commercial structures. No more than 50 per cent of window may be used for sign lettering.
 - (3) For new developments or redevelopment a Sign Master Plan shall be submitted in accordance with Sec. 3.05.010, Master Sign Plan.
 - (4) For new digital billboard signs or conversion from static to digital signs, another sign(s) under the same ownership of equivalent square footage shall be removed.

SECTION ~~11.00~~ 12.00: SPECIAL USE REGULATIONS:

Any person or entity may make application to the City Commission for a special use permit for special use described below.

SECTION ~~11.01~~ 12.01: APPLICATION FEE:

Said application must be accompanied by an application fee.

SECTION ~~11.02~~ 12.02: SPECIAL USE PERMIT:

(a) The City Commission by an affirmative two-thirds vote may grant a special use permit for the following special uses in any district as qualified for which they are otherwise prohibited by this Code; and may impose appropriate conditions and safeguards, including a specified period of time for the permit. The City Commission shall have great discretion.

- (1) Airport, landing field, or landing strip for aircraft;
- (2) Amusement park, but not within 300 feet of any “R” District;
- (3) Circus or carnival grounds, but not within 300 feet of any “R” District;
- (4) Commercial, recreational, or amusement development for temporary, seasonal or other limited periods but not within 300 feet of any “R” District;
- (5) Hospital, clinic or institution;
- (6) Office building or a civic, religious or charitable organization, conducting activities primarily by mail and not handling merchandise or rendering services on site.
- (7) Privately operated community building or recreation field;
- (8) Any public or government building, including public or denominational schools;
- (9) Radio or television broadcasting tower or station;
- (10) In accordance with the Texas Alcoholic Beverage Code on-premise consumption of alcoholic beverages, including beer;
- (11) Drive-in theaters;
- (12) Neighborhood grocery stores, provided they are located on a corner lot, with total floor area not to exceed two thousand five hundred (2,500) square feet, display signs not to exceed the height of the average roof line of the neighborhood and to be switched on no earlier than 6:00 a.m. and switched off no later than 11:00 p.m.; or

(13) Planned Unit Development.

(b) The owner shall file with the Planning and Zoning Commission a proposed site plan and detailed description of the structures to be erected, the other facilities of the project and the land uses involved. In addition, the applicant shall furnish such other information as the Planning and Zoning Commission may reasonably require. In acting upon the application, the Planning and Zoning Commission may alter setback requirements, height limits, building size limits, off-street parking regulations, landscaping rules and density and intensity limits. It may also recommend to the City Commission uses not permitted in the district where the lot is located, providing such uses are desirable or convenient for users of the lot as developed or the immediate neighborhood, and provided that such uses are planned so as to assure that they will not materially alter the existing character of the neighborhood.

(c) A special permit granted by the City Commission under the provisions above shall be considered as an amendment to the zoning regulation as applicable to such property. In granting such permit the City Commission may impose conditions which shall be complied with by the applicant before any final public utility connection may be made with such building or property, and such conditions shall not be construed as conditions precedent to the granting of the special permit or the change in zoning of said property, but shall be considered a precedent of such final public utility connections.

(d) Before authorization of any of the above special uses, the request shall be referred to the Planning and Zoning Commission for study and a written report concerning:

(1) the conformance of the proposed use to the overall objectives of the Comprehensive Plan; and

(2) the character and development of the neighborhood.

SECTION ~~11.03~~ 12.03: HEARINGS:

Public hearings shall be held before the Planning and Zoning Commission and the City Commission. Notices and publications of the time and place for which shall conform to the procedure prescribed in Article VIII

SECTION ~~11.04~~ 12.04: TEMPORARY BUILDINGS:

Temporary buildings used only in connection with construction work may be permitted in any district during the period that the construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work.

SECTION ~~11.05~~ 12.05: RAILROADS AND UTILITIES:

Existing railroads and utilities including telephone service may continue to be operated and maintained in dwelling and commercial districts but no new railroad or utility structure other

than the usual poles, wires and underground utilities shall be established in such districts except when so authorized by the Zoning Board of Adjustments.

SECTION ~~11.06~~ 12.06: LEGAL NONCONFORMING STRUCTURE:

On any lot of record on which there is a conforming structure which is considered “legal nonconforming” due to the nonconformity of other structures on, or adjacent to this lot, the otherwise conforming structure may be altered or enlarged, provided such alteration or enlargement does not in itself create a nonconforming use or increase any hazardous condition.

SECTION II. REPEALER CLAUSE. This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION III. SAVINGS CLAUSE. If any section, part, or provision of this ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Commission in passing this ordinance that its parts shall be severable and all other parts of this ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION IV. CODIFICATION CLAUSE. The provisions of Section I of this Ordinance are to be published in the location indicated in the Code of Ordinances of the City of San Juan, Texas, as soon as practicable.

SECTION V. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED on first reading at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon’s Texas Codes Ann., Government Code, Section 551.041, on the 25th day of April, 2017.

READ, CONSIDERED, PASSED AND APPROVED on second and final reading at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon’s Texas Codes Ann., Government Code, Section 551.041, on the 13th day of June, 2017.

CITY OF SAN JUAN

San Juanita Sanchez, Mayor

ATTEST:

Palmira Cepeda, Interim City Secretary

APPROVED AT TO FORM:

Javier Villalobos, City Attorney

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 13, 2017

Consider an Ordinance in Second Reading for a Conditional Use Permit for the operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Aziz Quick Stop" proposed for construction at the Northeast corner of Raul Longoria and Eldora Roads, legally described as a 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision, as Requested by Aziz Quick Sotp, LLC. (Xavier Cervantes, Director of Planning)

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission meeting of May 23, 2017, the City Commission approved the first reading of the ordinance as presented by staff.

Previously staff provided the following information:

Mr. Trevino is applying for a conditional use permit for the operation of a Gasoline Service Station and for the sale of alcoholic beverages (wine and beer) for off-premise consumption at the Aziz Quick Stop proposed for construction at the Northeast corner of Raul Longoria and Eldora Roads.

The applicant is proposing to open the store 24 hours, 7 days a week. The proposed hours for the sale of alcohol are Monday to Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.

Staff mailed a notice of the public hearing to nineteen (19) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

The project will generate additional property and sales taxes and jobs for the community.

RECOMMENDATION:

The Planning and Zoning Commission recommended approval of the conditional use permit with a 6 to 1 vote during their April 6 meeting.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 04/06/2017
CITY COMMISSION – 05/23/2017
DATE PREPARED – 05/16/2017

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION: Conditional Use Permit for the operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Aziz Quick Stop"

APPLICANT: Aziz Quick Stop, LLC.

SURVEYOR/ENGINEER: N/A

LEGAL: A 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision

LOCATION: Northeast corner of Raul Longoria and Eldora Road

LOT/TRACT SIZE: 1.78-acres

CURRENT USE OF PROPERTY: Vacant

EXISTING LAND USE AND ZONING: North – Institutional; Single-Family Residence District (R-S) / General Business District (C-2)
South – Commercial / Residential; General Business District (C-2) / Single-Family Residence District (R-S)
West – Vacant; General Business District (C-2)
East – Vacant; Single-Family Residence District (R-S)

ACCESS AND CIRCULATION: This property has access onto Raul Longoria and Eldora Roads.

PUBLIC SERVICES: * Water service is provided by the North Alamo Water Supply Corporation; sewer is provided by the City of San Juan.

RECOMMENDATION: Staff recommends approval of the conditional use permit and the Sale of Alcoholic Beverages for Off-Premise Consumption with conditions as listed in the packet.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Treviño, who owns Aziz Quick Stop, LLC. is applying for a conditional use permit for the operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages (wine and beer) for Off- Premise Consumption at the proposed Aziz Quick Stop at the Northeast corner of Raul Longoria Road and Eldora Roads.

The applicant is proposing to open the store 24 hours, 7 days a week. The proposed hours for the sale of alcohol are Monday to Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to nineteen (19) property owners within a two hundred (200) feet radius and received no comments in favor or against this request.

Staff recommends approval subject to the following conditions:

1. The applicant must install security cameras as per the City's *Security Cameras Ordinance*.
2. The proposed alcohol sale hours are Monday to Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.
3. The applicant must agree to update the alcohol license with the city every year.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Site Plan
Operation Hours Letter
Article 4.08 – Alcoholic Beverage Ordinance
List of neighboring property owners receiving notice
Photos
Ordinance

FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 04/06/17 Commissioner Magallan made a motion to approve the conditional use permit as recommended by staff with the additional condition. Commissioner Alaniz seconded the motion. The motion passed with a (6-1) vote with Commissioner Zambrano voting nay.

Mr. Darrel Diener, member of the Good News Mennonite Church located next to the proposed Aziz Quick Stop, said the members had concerns about the sale of alcohol bordering Cantu Elementary and the church and that per TABC it was not allowed. Mr. Cervantes stated that he consulted with an official from the Texas Alcoholic Beverage Commission who told him alcohol sales would be allowed if the City Commission approves the conditional use permit.

Mr. Diener said that there were concerns on the size of the gas station, the number of gas pumps and environmental concerns. Commissioner Alaniz said that all those concerns must meet state standards or the City would not allow the project. He said that the alcohol sales is strictly for off-premise consumption and that it would be similar to a grocery store selling beer and not to be consumed on site.

Mr. Diener asked what type of fence would be installed between the proposed Aziz and the church and school. Mr. Cervantes said it would be an eight (8) foot opaque buffer fence that would be required during the construction. Commissioner Alaniz said that the Committee is very strict on the buffer fencing.

Mr. Diener also questioned the water drainage, the entrance & exits and signage height. Mr. Raul Garcia, Project Engineer, said that the drainage would be detained with underground systems that would bleed into the TXDOT system that is along Raul Longoria Road. Mr. Cervantes said that they were proposing one entrance off Raul Longoria Road and two entrances off Eldora Road and that the sign ordinance limits the signs to thirty (30) feet in height.

Chairwoman Castillo asked if it was going to be a recorded subdivision. Mr. Cervantes said that because subdivision plats are very expensive the applicant did not want to start the subdivision process until they get the conditional use permit. He added that if the City Commission grants the conditional use permit the engineer will start working on the subdivision plat right away.

Chairwoman Castillo said that her concern was the width of Eldora Road as there is a lot of traffic with the schools being there. Mr. Cervantes said that the thoroughfare plan calls for eighty (80) feet of right-of-way total and they will be dedicating twenty (20) feet along Eldora Road in addition to paying escrows for their share of the widening of the road. Mr. Garcia said that the dedication would be reflected on the plat.

Chairwoman Castillo asked if there would be loading and unloading of merchandise taking place within the property. Mr. Garcia said that typically a 2-way lane is twenty-four (24) feet plus there is an additional six (6) feet paved that will be used for a loading zone towards the East end of the property. Chairwoman Castillo asked if they could still add the loading and unloading not allowed along Raul Longoria or Eldora Roads to the list of conditions. Mr. Cervantes said yes, it could be added to the list of conditions, which it will be in the ordinance that will go before the City Commission.



Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Aziz Quick Stop" located at the Northeast corner of Raul Longoria and Eldora Roads, legally described as a 1.78-acre tract of land out of Lot 14, Block 8, John Closer Subdivision, as Requested by Aziz Quick Stop, LLC.



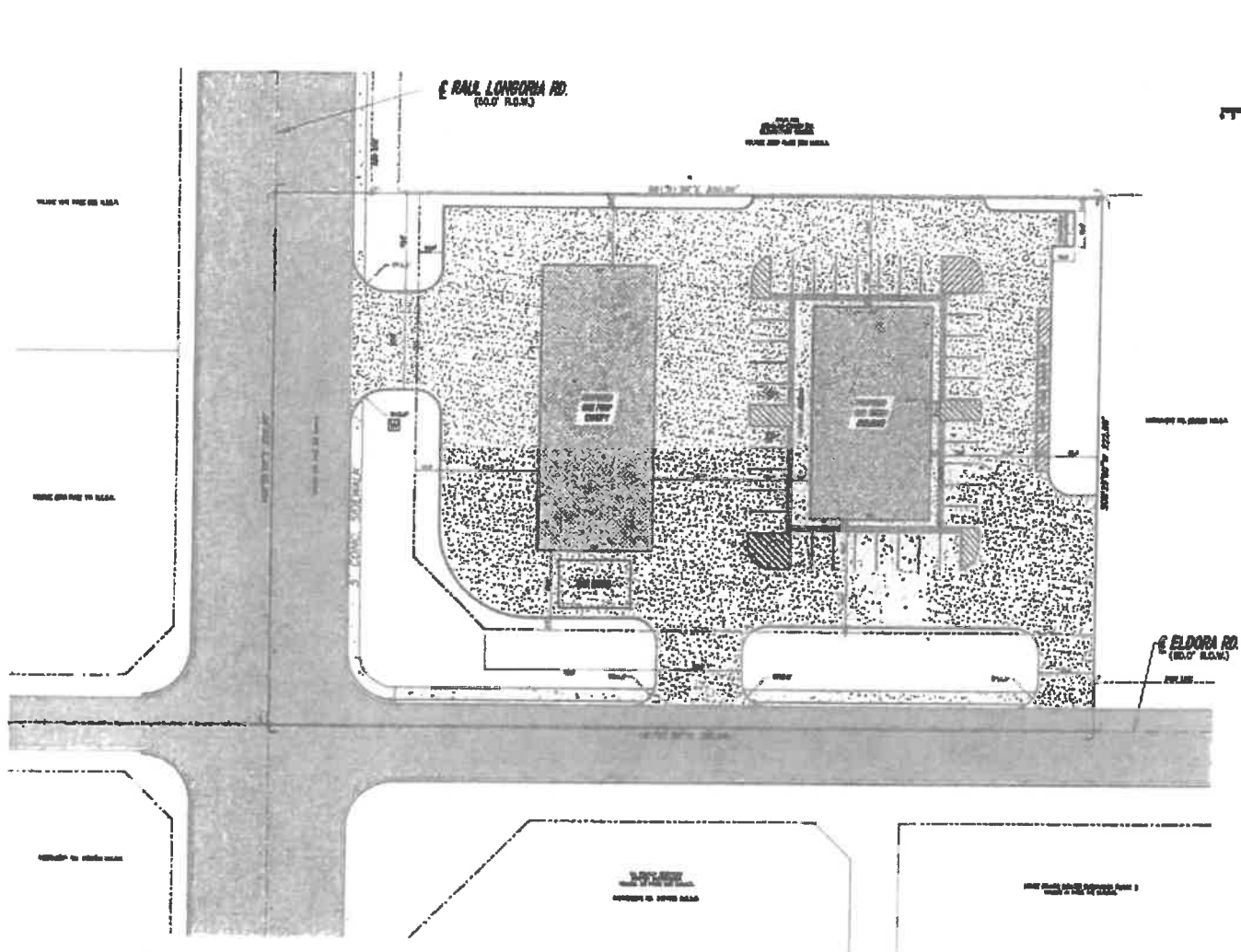


Zoning Districts

- | | |
|--|--|
| Single Family Residential (R-S) | General Business (C-2) |
| Manufactured Home (R-MH) | Heavy Commercial (C-3) |
| Multi-Family Residential (R-MF) | Light Industrial (I-1) |
| Neighborhood Commercial (C-1) | Heavy Industrial (I-2) |
| | Open Space (O) |

Conditional Use Permit for a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Aziz Quick Stop" located at the Northeast corner of Raul Longoria and Eldora Roads, legally described as 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision, as Requested by Aziz Quick Stop, LLC.





00/00	DATE: 10/10/2011 DRAWN BY: R.E. Garcia CHECKED BY: R.E. Garcia PROJECT: 101111	SITE PLAN AZIZ QUICK STOP SAN JUAN, TEXAS	R.E. Garcia Associates	R. E. GARCIA & ASSOCIATES ENGINEERS, SURVEYORS, PLANNERS 1118 NORTH 12TH AVE. DALLAS, TEXAS 75201 (214) 801-1061 EMAIL: RE@RAGC.COM
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AFFIDAVIT

April 5, 2017

To whom it may concern:

I, Dagoberto Trevino dba Aziz Quick Stop, LLC. am requesting a Conditional Use Permit for the operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed Aziz Quick Stop located at 2803 N. Raul Longoria Road, legally described as the 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision. The operation hours for the store will be 24 hours, 7 days a week.

The sale of alcohol will be

Monday from 7:00 a.m. to 12:00 a.m.

Tuesday from 7:00 a.m. to 12:00 a.m.

Wednesday from 7:00 a.m. to 12:00 a.m.

Thursday from 7:00 a.m. to 12:00 a.m.

Friday from 7:00 a.m. to 12:00 a.m.

Saturday from 7:00 a.m. to 1:00 a.m.

Sunday from 12:00 p.m. to 12:00 a.m.

Signature:

Notary Public



ARTICLE 4.08 ALCOHOLIC BEVERAGES

Sec. 4.08.001 Permit requirements

(a) No person, corporation or association shall sell alcoholic beverages within the city without first having applied for and been granted a valid permit issued by the city to sell alcoholic beverages. Upon the exhibition of a license or permit duly issued by the state to the applicant, the building inspection department shall, in the name of the city, issue and deliver to the applicant a permit to engage in the business in the city of the character described in and authorized by the license or permit from the state held by the applicant. The license or permit so issued in the name of the city shall authorize the conduct of such business upon the premises described in a license or permit from the state and shall remain in force only so long as the license or permit from the state remains in forces.

(b) Inspection of premises. It is hereby required that there be performed an inspection and approval, by the city inspector under the Unsafe Buildings Code, and the fire marshal under the Life Safety Code or Fire Prevention Code, of the place for which the permit is being sought, prior to the issuance of a license or within a one-month period after the license is issued.

(c) Secretary to attest on state license application. Prior to the issuance of a wine and beer license, the city secretary must attest, in the application for wine and beer permit issued by the state alcoholic beverage commission that the location for which the license being requested is within a proper zoning area or has received proper zoning permits.

(Ordinance 09-07, sec. 1, adopted 6/9/09)

Sec. 4.08.002 Licenses and fees

(a) Relation to state fees. In accordance with the provisions of the Texas Alcoholic Beverage Code, section 1.01 et seq., the city shall, from and after the effective date hereof, charge to all holders of permits under the Texas Alcoholic Beverage Code who do business within the city limits a fee of an amount equal to one-half (1/2) the fee charged by the state for such permits.

(b) Fees enumerated. The following are the most common fees to be charged for permits within the city but this is not an exclusive or complete list of the fees to be charged:

Retail dealer's on-premises late hours license	\$125.00
Beer retailer's off-premises permit	\$30.00

Wine and beer retailer's off-premises permit	\$30.00
Beer retailer's on-premises permit	\$75.00
Wine and beer retailer's permit	\$87.50
Wine only package store permit	\$37.50
Package store permit	\$150.00

(c) Payment of fees. Such fees shall be payable on an annual basis to the city at city hall, thirty (30) days prior to expiration of the license.

(Ordinance 09-07, sec. 2, adopted 6/9/09)

Sec. 4.08.003 Location near schools, churches and hospitals

(a) The provisions of section 109.33 of Vernon's Annotated Texas Alcoholic Beverage Code are hereby adopted and, from and after the effective date hereof, it shall be prohibited for any dealer whose place of business is within three hundred feet (300') of a church, public school, city-owned building or park of the city or public hospital, to sell alcoholic beverages for on-premises consumption from such place of business, except a permit will be allowed if less than fifty percent (50%) of the gross receipts is from the sale or service of alcoholic beverages of a business that is within the three hundred feet (300') of city-owned buildings, property or parks.

(b) The sale of beer is prohibited at any location in the city that is within a residential zoning district or an identified portion of a planned development district restricted to residential uses, except as may otherwise be allowed by the comprehensive zoning ordinance. The sale of alcoholic beverage shall not be permitted on the premises of a restaurant with drive-through or curbside service. The sale of alcoholic beverages within 300 feet of any church, public or private school or public hospital is prohibited.

(c) The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be in a direct line from the property line of the public school to property line of the place of business, and in a direct line across intersections.

(d) If at the time an original alcoholic beverage permit or license is granted by the state alcoholic beverage commission for a premises, the premises satisfies the requirements regarding distance from schools, churches, and other types of premises set forth in this article, the premises shall be deemed to satisfy the distance requirements for all subsequent renewals of the license or permit. On the sale or transfer of the premises or the business or the premises in which a new original license or permit is required for the premises, the premises shall be deemed to satisfy any distance requirements as if the issuance of the new original permit or license were a renewal of a previously held permit or license. This subsection does not apply to the satisfaction of the distance requirement prescribed by this section for a public school, except that on the death of a permit or license holder or a person having an interest in a permit or license this subsection does apply to the holder's surviving spouse or child of the holder or person if the spouse or child qualifies as a successor in interest to the permit or license.

(e) The city commission may, upon application, approve and grant a variance from the requirements of subsection (b) of this section if the commission determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the commission, after consideration of the health, safety, and welfare of the public and equities of situation, determines is in the best interest of the community.

(f) A violation of this section is an offense punishable by a fine not exceeding \$2,000.00, and each violation shall be a distinct and separate offense and punishable as such.

(Ordinance 09-07, sec. 3, adopted 6/9/09)

Sec. 4.08.004 Telephone requirements

(a) Required for on-premises business. It shall be unlawful for any person owning a business establishment engaged in selling beer, wine or any type of alcoholic beverage for on-premises consumption within the city limits to fail to have a telephone, in working order, located on the premises of such business establishment.

(b) Violation. Any person or corporation engaging in the sale of beer, wine or any type of alcoholic beverage for on-premises consumption within the city limits without having a telephone in working order on the premises of such business establishment shall be guilty of a violation under this section.

(c) Penalties. Any person who shall violate any of the provisions of this section shall have their on-premises alcoholic beverage retailer's license suspended until such time as the provisions of this section are complied with and shall be subject to penalty of this code. Each day of violation shall constitute a separate offense.

(Ordinance 09-07, sec. 4, adopted 6/9/09)

Sec. 4.08.005 Sale, possession and consumption of alcoholic beverages during extended hours

(a) It shall be lawful for the holder of a mixed beverage permit within the corporate limits of the city to acquire a mixed beverage late hours permit, and under such mixed beverage late hours permit, sell or offer for sale any alcoholic beverages during the extended hours allowed by the Texas Alcoholic Beverage Code on the premises of the mixed beverage permit holder.

(b) Any violation of this section is punishable by a fine of not to exceed five hundred dollars (\$500.00) per violation. The penalty to be provided for in this subsection shall not be construed as exclusive, and the city hereby provides that any other remedy available to it in the enforcement of this section, in law or in equity, is not intended to be, is not to be, and is not foreclosed by the provision of such penalty.

(Ordinance 09-07, sec. 4, adopted 6/9/09)

Sec. 4.08.006 Sale, possession and consumption of alcoholic beverages during extended hours for restaurants

(a) It shall be lawful for a business that holds a permit as a restaurant and that processes, prepares, and serves food on the premises and is a holder of a beer or wine retailer's permit within the city to sell or offer to sell and deliver beer or wine during extended hours as provided in Texas Alcoholic Beverage Code section 105.04 for consumption on the premises of the permitted.

(b) Any violation of this section is punishable by a fine not to exceed five hundred dollars (\$500.00) per violation. The penalty to be provided for in this subsection shall not be construed as exclusive, and the city hereby provides that any other remedy available to it in the enforcement of this section, in law or in equity, is not intended to be, is not to be, and is not foreclosed by the provision of such penalty.

(Ordinance 09-07, sec. 5, adopted 6/9/09)

Conditional Use Permit for a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Aziz Quick Stop" located at the Northeast corner of Raul Longoria and Eldora Roads, legally described as a 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision, as Requested by Aziz Quick Stop, LLC.

Aziz Quick Stop, LLC
4513 N. 4th Street
McAllen, TX 78504

Chapa, Carlos A.
Maria V. Miranda
8631 Backcove Ct.
Houston, TX 77064-8895

Diener Darrel D. and Leona M.
Diener Family Revocable Trust
5427 N. 5th Street
McAllen, TX 78504-2706

Arias, Leonardo
2710 N. Raul Longoria Road
San Juan, TX 78589

PSJA School District
P.O. Box Y
Pharr, TX 78577

Garcia, Juan J. and Yolanda
501 Sam Houston Blvd.
San Juan, TX 78589

South Central Mennonite
Conference Inc.
P.O. Box 448
North Newton, KS 67117-0448

Ramirez, Guadalupe
P.O. Box 1034
San Juan, TX 78589

Alejandro's Tortilla Factory and
Bakery LLC.
P.O. Box 789
McAllen, TX 78505-0789

Cano, Manuel Jr. and Ofelia
P.O. Box 3153
San Juan, TX 78589

Sanchez, Elias
2506 Iris Drive
San Juan, TX 78589-4086

Sepulveda, Emeldo and Marilinda
1211 Canadian Dr.
Pharr, TX 78577

Quiroz, Eliseo and Maria D.
2707 N. Dos Arbolitos Avenue
San Juan, TX 78589-4962

Munoz, Juan and Rosa
P.O. Box 623
San Juan, TX 78589

Sanchez, Gilbert and Imelda
8112 N. Expressway 281
Edinburg, TX 78542-7645

Garcia, Paula
2806 N. Raul Longoria Road
San Juan, TX 78589

Guzman, Jose and Veronica
2406 E. Granjeno Avenue
Edinburg, TX 78542-8395

Sanchez, Elias and Rosalinda
Gonzalez
2506 Iris Dr.
San Juan, TX 78589

Salinas, Baldemar and Ruthdalia
202 Lilly Dr.
San Juan, TX 78589-4942

Conditional Use Permit for the operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Aziz Quick Stop" proposed for construction at the Northeast corner of Raul Longoria and Eldora Roads, legally described as a 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision, as Requested by Aziz Quick Stop, LLC.



View from Raul Longoria Road



View from Eldora Road

ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A GASOLINE SERVICE STATION AND FOR THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION AT THE PROPOSED "AZIZ QUICK STOP" LOCATED AT THE NORTHEAST CORNER OF RAUL LONGORIA AND ELDORA ROADS, LEGALLY DESCRIBED AS A 1.78-ACRE TRACT OF LAND OUT OF LOT 14, BLOCK 8, JOHN CLOSER SUBDIVISION, AS PROVIDED IN ARTICLE IV, OF THE ZONING ORDINANCE, CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; PROVIDING FOR A CODE DISPOSITION.

WHEREAS, Aziz Quick Stop, LLC. has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan for the Operation of a Gasoline Service and for the Sale of Alcoholic Beverages (wine and beer) for Off-Premise Consumption at the proposed " Aziz Quick Stop" retail store.

WHEREAS, this type of activity is prohibited by said Zoning Ordinance unless a Conditional Use Permit is granted; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS, AS FOLLOWS:

SECTION I. That a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan, Texas, be granted to Aziz Quick Stop, LLC. has applied for a Conditional Use Permit for the Operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Aziz Quick Stop, LLC." located at the Northeast corner of Raul Longoria and Eldora Roads subject to the following conditions:

1. The applicant must install security cameras as per the City's *Security Cameras Ordinance*.
2. The proposed alcohol sale hours are Monday to Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.
3. The applicant must agree to update the alcohol license with the city every year.
4. No loading or unloading of merchandise along a public street.

SECTION II. PUBLICATION AND EFFECTIVE DATE CLAUSE. This Ordinance shall be published in the official newspaper of the City of San Juan, Texas, as provided by law, and shall be and remain in full force and effect from the after said date of publication.

PASSED and APPROVED on first reading on the 23th day of May, 2017.

PASSED and APPROVED on second and final reading on the 13th day of June, 2017.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

PALMIRA CEPEDA
INTERIM CITY SECRETARY

APPROVED BY:

JAVIER VILLALOBOS
CITY ATTORNEY