



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

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: Amigos Del Valle
600 W. 1st Street
San Juan, Texas 78589
Tuesday, February 22, 2022

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 Finance, Fire Department, Police Department, Municipal Court and Department of Utilities.

- 1. Department of Finance Monthly Report**
- 2. Fire Department Monthly Report.**
- 3. Police Department Monthly Report.**
- 4. Municipal Court Monthly Report**

5. Department of Utilities Monthly Report

B. Update on Hazardous Mitigation Action Plan

VI. PUBLIC HEARING/ORDINANCES

- A.** Hold Public Hearing and Consider an Ordinance for a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property to construct a portion of a new Fire Department Facility and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th' Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.
- B.** Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International, Inc.
- C.** Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.
- D.** Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company, located at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road, as Requested by Miguel Angel Aviles.
- E.** Consider an Ordinance for a Voluntary Annexation Petition for a 13.41-acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, as Requested by AAAR Family, LTD.
- F.** Consider an Ordinance for a Voluntary Annexation Petition of the 24.85-acre tract of land out of Lot 7, Stewart's Addition to the Conway Gardens Subdivision, as per map recorded in Volume 0, Pages 43, Map Records, Hidalgo County, Texas, as Requested by Escon Development.

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

- A. Discussion and Possible Action to Adopt the Emergency Response Plan Required Per Senate Bill 3 and Authorize the City Manager to Execute All Related Documents and Budget Amendments as Needed.
- B. Discussion and Possible Action to Authorize the City Manager to Declare a 2001 Ford Crown Victoria and 2010 Chevrolet Malibu as Surplus and for Final Disposal for Auction.
- C. Consider Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision, located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue, as Requested by Javier Hinojosa Engineering.
- D. Discussion and Possible Action to Authorize the City Manager to Declare a 2006 Ford F150, Unit 260, as Surplus and for Final Disposal at Auction.
- E. Presentation by Hilltop Securities on Public Property Finance Contractual Obligations, Series 2022, Plan of Finance for the Funding of Pumper Fire Truck.

VIII. RESOLUTIONS

- A. Consideration and Approval of a Resolution by the City Commission of the City of San Juan Authorizing Certain Representatives of the City to Move Forward with the Proposed Issuance and Sale of One or More Finance Lease Agreements; Authorizing the Preparation of Any Documents and Agreements Necessary to Effectuate the Issuance and Sale of Such Obligations, and Other Matters in Connection Therewith.
- B. Consideration and Approval of a Resolution Establishing the Intention of the City of San Juan, Texas to Reimburse Itself for the Prior Lawful Expenditure of Funds Relating to Acquiring, Constructing and Equipping Various City Improvements From the Proceeds of One or More Series of Tax-Exempt Obligations to be Issued by the City for Authorized Purposes; Authorizing Other Matters Incident and Related Thereto; and Providing an Effective Date.

IX. CONSENT AGENDA

- A. Consider Second and Final Reading of the Ordinance for a Conditional Use Permit to allow a kettle corn portable food stand at San Juan H-E-B located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.
- B. Consider Second and Final Reading of an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.

- C. Consider Second and Final Reading of Ordinance for a Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19 thru 21, Block 4, Tierra del Sol Inc. No. 2 Subdivision, located at the Northeast corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.

X. EXECUTIVE SESSION

- A. The San Juan City Commission will Convene in Executive Session in Accordance with the Texas Open Meeting Act, Vernon's Texas Statutes and Codes Annotated, Government Code Chapter §551.071 (Consultation with Attorney).
 - 1. Pursuant to Section §551.087 ECONOMIC DEVELOPMENT NEGOTIATIONS; Deliberation Regarding Financial Incentives to the Following Business Prospects:
 - a. Project Tri; and
 - b. Project Stay
 - 2. Pursuant to Section §551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee (Director of Sanitation).
 - 3. Pursuant to Section §551.071 of the Texas Government Code (Consultation with Attorney), Discussion and Possible Action Regarding Case No. AAA-10-21-0002-6837, Arbitration Hearing Regarding Appeal of Indefinite Suspension Concerning Joseph Martinez v. City of San Juan.

XI. RECONVENE

- A. The City Commission will Reconvene in Open Session to Take Necessary Action if any, in Accordance with Chapter 551, Open Meeting Subchapter E, Procedures Relating to Closed Meeting 551, Requirements to Vote or Take Final Action in Open Meeting.
 - 1. Pursuant to Section §551.087 ECONOMIC DEVELOPMENT NEGOTIATIONS; Deliberation Regarding Financial Incentives to the Following Business Prospects:
 - a. Project Tri; and
 - b. Project Stay
 - 2. Pursuant to Section §551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public

Officer or Employee (Director of Sanitation).

3. Pursuant to Section §551.071 of the Texas Government Code (Consultation with Attorney), Discussion and Possible Action Regarding Case No. AAA-10-21-0002-6837, Arbitration Hearing Regarding Appeal of Indefinite Suspension Concerning Joseph Martinez v. City of San Juan.

XII. 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 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551-041 - §551.050).

BRENDA ESCALANTE
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 _____, 2022.

OFFICE OF THE CITY SECRETARY



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Leroy Gonzales, Director of Finance

DATE: 02/14/2022

SUBJECT: Department of Finance Monthly Report

Finance Department

Department Description

Finance Department has the responsibility to safeguard City's financial assets and manage its resources in according with state law, City Charter, and ordinances enacted by the City Commission.

- Process accounts payable and payroll for the City of San Juan and Economic
- Development Corporation.
- Provide monthly financial reports to Departments and City Commission
- Generate financial reporting according to GAAP
- Maintain an adequate level of liquidity and meet financial responsibility of City's
- investments policy prioritizing objective of safety, liquidity and yield

Additional Information

7 STAFF MEMBERS

Maintained 26 funds, assisted 24 departments and posted 577 journal entries, issued 1,121 disbursement checks, 89 Bank Drafts and processed 2,775 payroll checks and direct deposits, through the months of January, 2022.

December Sales Tax 25.73% Increase of \$116,552 Compared to last year.

Audit FY 2020/2021 Awarded the Contract to Garcia and Pena

Reconciled 11 Bank Accounts

Budget Adjustments (9)

Budget Amendments (1)

Manage a 30.2 million budget

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- General Fund Budget of 16.8 million
- Utility & Sanitation Fund 5.4 million
- Stormwater Fund 305 thousand
- Debt Service Fund 1.9 million
- Sanitation Fund 3.5 million
- Other Funds 2.2 million

Utility Billing & Collection Department

Department Description

The Utility Billing Department is responsible for billing and collection of water usage, sanitary sewer, residential garbage collection and responding to customers complaints.

- The City of San Juan collects about 6,993 water and 9,732 sewer accounts.
- North Alamo Water Supply Corporation service 3,269 sewer accounts.

Per Audited Financial Report, in FY ending 9/30/2020, Utility Fund collected 5.8 million and Sanitation Fund 3.6 million with a combined 9.4 million.

- Email Billing (112)

Service Orders

1. Connects	35
2. Meter information	71
3. Disconnect	14
4. Dead Meters Change	21
5. Past Due Notice	1,476
6. Cut Off Register	27
7. Cut List	110

- Payments are made by

65 % paid in person
 1 % juniors
 22 % online
 6 % bank drafts
 6 % other locations

- Staff of 7 Employees

Purchasing Division

Purchasing Description

Purchasing Division is responsible for acquiring goods and services for the City, in accordance with state law, the City's purchasing policies and annual budget.

Activity through the January 2022.

• Purchase Orders Issued	1,198
• Purchase Order Changes/Voids	36
• Bid Openings	4
• Public Auction	1
• Revenue on Auction	\$32,717.50



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Tirso Garza, Fire Chief

DATE: 02/15/2022

SUBJECT: Fire Department Monthly Report.

The San Juan Fire Department had the following activity during the month of January 2022:

Emergency Calls

A total of 64 calls for the month of January 2022. (Please see attached report.)

- A Shift = 21
- B Shift = 26
- C Shift = 17

Med-Care Response

Due to the COVID19 Med-Care, EMS responded along with the Fire Department for a total of 15 calls with three (3) delays for the month of January 2022. The Med-Care report has not been submitted by Med-Care.

County Calls

The San Juan Fire Department had a total of one (1) County Calls for the month of January 2022, which are the following:

- Incident Number – 22- 007 – Outside Brush Fire at 310 E. Moore Road
- Incident Number – 22 -028 – Cooking Fire at 904 San Miguel
- Incident Number – 22 -043 – Grass Fire at 909 San Ignacio

Volunteer Department

The San Juan Volunteer Fire Department was not able to meet for a monthly business meeting due to COVID-19.

Fire Inspections

A total of 27 inspections were conducted in the Month of January 2022, please see attached for

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detailed information about each conducted inspection.

Plan Reviews

The following plans were reviewed for the month of January 2022:

- Christian Estates
- Plantation Heights
- Papa Johns
- HEB

Fuel Utilization

Please note that the total amount of gallons mentioned in this report was submitted by the Fire Chief, Lieutenant, or Firefighter in Charge for the month of January 2022 to the Administration Office.

- A total of 156.6 Gallons of Unleaded
- A total of 723.40 Gallons of Diesel



Jonathan Lopez
A - Shift Driver

**January 2022
Call Volume Monthly Breakdown**

Fire House Code	Incident Type	Total
322	Motor Vehicle Accidents w/Injuries	5
323	Auto-Pedestrian	
324	Motor Vehicle Accidents w/o Injuries	4
311	Medical Call	8
142/143	Grass/Brush Fires	5
131	Vehicle Fires	5
700/750	False Alarms	10
154	Trash Fires	3
550/551	Assist other Agency/Dept.:	6
651	Smoke Scare	7
111	Structure Fires	2
1101	Equipment Fire	
412	Gas Leak	4
480	Attempted burning, Illegal action	2
600	Good Intent Call	
611	Cancelled in Route	
622	Wrong Location/No Incident Found	
541	Bee attack/ Animal Problem	
331	Child Locked in a Vehicle	2
440/1601	Electrical Equipment Problem (Pole)	
1131	Cooking Fire	
100	Fire, Other	1
Grand Total:		64

Call Volume for each shift:

A Shift 21
B Shift 26
C Shift 17

Respectfully Submitted by,


Jonathan Lopez A-shift, Driver



Tirso Garza, Fire Chief
2301 N. Raul Longoria
San Juan, TX 78589
Office: 956-223-2470
Fax: 956-783-3441

Med-Care Response Times

January 2022

Date	Incident #	Location	Dispatched Time	Arrival	Delay Time	Incident Type
01-01-22	22-004	200 W Frontage EB	06:41	06:57	16	MVA
01-02-22	22-010	122 Mesquite		10:55	0	Assist MedCare
01-03-22	22-013	900 N Raul Longoria	11:18	11:23	5	MVA
01-04-22	22-019	200 E Expressway 83 WB	10:33	10:48	15	MVA
01-05-22	22-021	1104 Paloma	12:55	13:02	7	Medical
01-05-22	22-022	Raul & Frontage	18:55	19:09	14	MVA
01-08-22	22-027	205 Calle De Jardin	12:26	12:34	8	Medical
01-16-22	22-040	912 W. 13th	07:03	07:13	10	Structure Fire
01-17-22	22-044	105 Calle De Jardin	20:39	20:43	4	Cardiac Arrest
01-18-22	22-045	612 Mesquite Ave	23:13	23:19	6	Lift assist
01-24-22	22-056	1200 E Expressway 83 WB	06:33	06:51	18	MVA
1-24-22	22-057	Raul Longoria & Amy	08:15	08:24	9	MVA
01-25-22	22-059	700 E Expressway 83 EB	08:38	09:03	25	MVA

01-29-22	22-064	Raul & Frontage	15:47	15:52	5	MVA/Vehicle Fire
01-30-22	22-065	409 Rafael Apt.3	07:30	07:39	9	Lift Assist

Fire Inspection January 2022

	Date	Name of Business	Address	Contact	Inspector	App/Deny
1	1/5/22	Life Span Rehabilitation Center, LLC.	1200 E 83 BUS	Alejandra Briones	J. Salinas	Approved
2	1/5/22	Valley Sounds & Security	1003 N Raul Longoria HWY	Christian Zaragoza	J. Salinas	Approved
3	1/5/22	Children First Academy	1208 El Presidente DR	Socorro Martinez	J. Salinas	Approved
4	1/10/22	Get Inked	200 W 83 Expy, Ste L	Adam Altamirano	J. Salinas	Approved
5	1/10/22	Boys and Girls Club of San Juan	509 E Earling RD	Fernando De La Rosa	J. Salinas	Approved
6	1/10/22	Angel's on Earth Home Care Services	4810 N Raul Longoria HWY, Ste 4	Leticia Gonzalez	J. Salinas	Approved
7	1/10/22	Taqueria Rios	5107 N Raul Longoria HWY	Diamira Rios	J. Salinas	Approved
8	1/10/22	McDonalds	824 W 83 BUS	Adam Rojas	J. Salinas	Approved
9	1/10/22	Cricket	106 E 495, Ste 5	Luis Esparza	J. Salinas	Approved
10	1/10/22	El Pato Mexican Food	1626 N Raul Longoria HWY	Carlos Reyes	J. Salinas	Approved
11	1/11/22	Shears Delight By Sindy	2016 N Raul Longoria HWY	Alexis Quintanilla	J. Salinas	Approved
12	1/11/22	Walgreens	824 N Veterans RD	Cricelda Rodriguez	J. Salinas	Approved
13	1/11/22	Cricket	502 S San Antonio AVE, Ste A	Amaranta Rodriguez	J. Salinas	Approved
14	1/11/22	Prestige Auto Sound and Tint	901 W 495, Ste B	Edson Rosales	J. Salinas	Approved
15	1/12/22	United Migrant Opportunity Service, Inc	202 S San Antonio AVE	Narcisa Mendoza	J. Salinas	Approved
16	1/12/22	Ruben Meat Market	4309 N Raul Longoria HWY	Alondra Garza	J. Salinas	Approved
17	1/12/22	Wingstop	826 W 83 BUS, Ste A	Margie Bustamante	J. Salinas	Approved
18	1/18/22	Little Caesars Pizza	106 E 495	Emilio Perez	J. Salinas	Approved
19	1/18/22	Nutrition Express	602 W 83 BUS, Ste B	Fanny A Solis	J. Salinas	Approved
20	1/18/22	Tortilleria Nvo. Progreso #3	2025 N Raul Longoria HWY, Ste 1	Sonia Hernandez Silva	J. Salinas	Approved
21	1/20/22	Gorditas Dona Tere	3100 N Raul Longoria HWY	Guillermo mendoza	J. Salinas	Approved
22	1/20/22	Pete's Auto Service	3705 N Raul Longoria HWY	Pedro Pestana	J. Salinas	Approved
23	1/21/22	Shops at Chavez	1600 W Interstate 2	Enrique Garza	J. Salinas	Approved
24	1/26/22	Aimee Studio Photography	1618 N Veterans RD, Ste O	Francisca Enedina Martinez	J. Salinas	Approved
25	1/26/22	Wing Barn	707 W Interstate 2, 100	America Velazquez	J. Salinas	Approved
26	1/28/22	Fast Auto Sales	100 W Salazar ST	Arnoldo Cadena	J. Salinas	Approved
27	1/28/22	Magaly's Catering LLC	909 W 495, Ste 6	Adriana Flores	J. Salinas	Approved



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Ruben Morin, Chief of Police

DATE: 02/14/2022

SUBJECT: Police Department Monthly Report.

This memorandum is to keep you all informed on our Monthly operational statistics, and any other significant cases or events that occurred during the month of January 2022.

STATISTICS: POLICE	JANUARY
• Calls for service:	1755
• Incident reports:	183
• Accidents:	141
• 911 Calls:	1579
• Patrol Citations Issued:	170
• Violations:	246
• Patrol & CID Arrests:	38
• CID Issued Warrants:	39

SPECIAL GRANT DETAILS:	JANUARY
• Stone Garden hours:	365
• Vehicle Stops:	710
• Citations:	188
• Border Star hours:	83.25
• Vehicle Stops:	0
• Contacts:	8
• Misdemeanor Arrest:	0
• Felony Arrest:	3
• Cases Investigated:	9
• Citations:	0

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- Tx-Dot STEP-Wave Traffic

Enforcement hours:

Grant not being worked at the time.

TRAFFIC ENFORCMENT:

JANUARY

- Cruiser enforcement (Thursday Nights) traffic stops.
- Citations:
- Arrest:
- Regular patrol city wide.

Not working No cruisers in the areas.
N/A
N/A
170

FEDERAL & STATE ASSET FOREFEITURE PROGRAM:

- Received state forfeiture awards: Nothing to report
- Received federal forfeiture awards: Nothing to report.
- The department is in full compliance with federal and state guidelines (Audits).

CRIME STOPPERS:

- No board meetings were scheduled.

SAN JUAN POLICE PERSONNEL:

Nothing To Report

TELE-COMMUNICATORS:

- No new event to report.

FLEET

- No new event to report.

STATISTICS: ANIMAL CONTROL JANUARY

- Calls for Service: 120
- Citations Issued: 0
 - Violations: 0

COVID-19 OPERATIONS:

- San Juan Police Department followed the guidelines set forth by the Mayor, County Judge and the Governor of Texas.

SPECIAL EVENTS:

- The annual racial profiling report has been reported to TCOLE and a copy of the report is attached.

Respectfully,

Ruben Morin, Chief of Police
San Juan Police Department
"A Commitment to the Future"

2021

*** SAN JUAN POLICE DEPARTMENT ***

01. Total Traffic Stops by San Juan PD	2206	
02. Location of Stop:		
a. City Street	1944	88.12%
b. US Highway	262	11.88%
c. County Road	0	
d. State Highway	0	
e. Private Property or Other	0	
Total	2206	100%
03. Was Race known prior to Stop:		
a. NO	0	
b. YES	2206	100%
Total	2206	100%
04. Race or Ethnicity:		
a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.05%
c. Black	2	0.09%
d. White	11	0.50%
e. Hispanic/Latino	2192	99.36%
Total	2206	100%
05. Gender: Female:		
a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	0	
d. White	2	0.22%
e. Hispanic/Latino	889	99.78%
Total	891	100.00%
Gender: Male:		
a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.08%
c. Black	2	0.15%
d. White	9	0.68%
e. Hispanic/Latino	1303	99.09%
Total	1315	100.00%

06. Reason for stop?

Violation of Law

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	0	
d. White	4	0.57%
e. Hispanic/Latino	703	99.43%
Total	707	100.00%

Preexisting Knowledge

a. Alaska-Native/American-Indian	0
b. Asian/Pacific-Islander	0
c. Black	0
d. White	0
e. Hispanic/Latino	0

Moving Traffic Violation

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.10%
c. Black	2	0.20%
d. White	3	0.30%
e. Hispanic/Latino	1003	99.40%
Total	1009	100.00%

Vehicle Traffic Violation

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	0	
d. White	4	0.82%
e. Hispanic/Latino	486	99.18%
Total	490	100.00%

07. Was a Search Conducted:

1. YES

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	0	
d. White	0	
e. Hispanic/Latino	49	100.00%
Total	49	100%

2. NO

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.05%
c. Black	2	0.09%
d. White	11	0.51%
e. Hispanic/Latino	2143	99.35%
Total	2157	100.00%

08. Reason for Search?

1. Consent	0		
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino			
2. Contraband	0		
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino			
3. Probable Cause	0		
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino			
4. Inventory	0		
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino			
5. Incident to Arrest			
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino	49	100.00%	
Total	49	100%	

09. Was Contraband Discovered:

- 1. YES
 - a. Alaska-Native/American-Indian
 - 1. Finding resaulted in arrest - YES
 - 2. Finding resaulted in arrest - NO
 - b. Asian/Pacific-Islander
 - 1. Finding resaulted in arrest - YES
 - 2. Finding resaulted in arrest - NO
 - c. Black

1. Finding resulted in arrest - YES		
2. Finding resulted in arrest - NO		
d. White		
1. Finding resulted in arrest - YES		
2. Finding resulted in arrest - NO		
e. Hispanic/Latino		
1. Finding resulted in arrest - YES	2	100%
2. Finding resulted in arrest - NO		
Total	2	100%

2. NO		
a. Alaska-Native/American-Indian		
b. Asian/Pacific-Islander		
c. Black		
d. White		
e. Hispanic/Latino	47	100.00%
Total	47	100%

10. Description of Contraband:

1. Drugs		
a. Alaska-Native/American-Indian		
b. Asian/Pacific-Islander		
c. Black		
d. White		
e. Hispanic/Latino	1	50%
2. Currency	0	
3. Weapons	0	
a. Alaska-Native/American-Indian		
b. Asian/Pacific-Islander		
c. Black		
d. White		
e. Hispanic/Latino	1	50%
4. Alcohol	0	
5. Stolen Property	0	
6. Other	0	
Total	2	100%

11. Result of Stop:

1. Verbal Warning	0	
2. Written Warning		
a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.11%
c. Black	1	0.11%
d. White	4	0.44%
e. Hispanic/Latino	909	99.34%
Total	915	100.00%

3. Citation

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	1	0.08%
d. White	7	0.56%
e. Hispanic/Latino	1234	99.36%

Total	1242	100.00%
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4. Written Warning with Arrest

0

5. Citation and Arrest

a. Alaska-Native/American-Indian

0

b. Asian/Pacific-Islander

0

c. Black

0

d. White

0

e. Hispanic/Latino

49

100%

Total

49

6. Arrest

0

Total

2206

100.00%

12. Arrest Based on:

1. Violation of Penal Code

a. Alaska-Native/American-Indian

b. Asian/Pacific-Islander

c. Black

d. White

e. Hispanic/Latino

49

100.00%

2. Violation of Traffic Law

3. Violation of City Ordinance

4. Outstanding Warrant

Total

49

100.00%

13. Was Physical Force Used:

1. NO

a. Alaska-Native/American-Indian

0

b. Asian/Pacific-Islander

1

0.05%

c. Black

2

0.09%

d. White

11

0.50%

e. Hispanic/Latino

2192

99.36%

2. YES

0

14. Total Number of Racial Profiling complaints received

0

1. Resulted in disciplinary action

0

2. Did not result in disciplinary action

0

Report Date Complied: 1/14/2022



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Mary Enriquez, Court Administrator

DATE: 02/14/2022

SUBJECT: Municipal Court Monthly Report

The Municipal Court is responsible for the legal enforcement of City Ordinances and laws. It deposits and prepares daily reports to the Department of Finance.

Amount Collected \$ 15,141.40

Defensive Driving 1

Deferred 0

Pre-Trials 15

Bench Trials 4

Code Enforcement 8

Scofflaw \$ 0

COLLECTIONS 2021 COLLECTIONS 2022

January - \$ 22,434.21 January - \$ 15,141.40

CITATIONS ISSUED 2021 CITATIONS ISSUED 2022

January - 67 January - 170

SCOFFLAW COLLECTIONS 2021 SCOFFLAW COLLECTIONS 2022

January - \$ 3,305.00 January - \$ 0

City Marshal - Warrants and Fines Collected - \$ 2,760.00

Phone calls - 65

Warrants - 16

Total warrants Issued. - 0

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



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: David Salinas, Director of Utilities

DATE: 02/15/2022

SUBJECT: Department of Utilities Monthly Report

Texas Drought Outlook

- 84% of Texas is in a drought (February 7, 2022)
- RGV is Normal (No Change In the watershed)
- Falcon and Amistad are @ 35.85%
- STAGE II IS STILL IN FULL EFFECT

System Outlook

- Water Connections – 7,114
- Sewer Connections – 10,859 (3745 NAWSC)

Water Treatment Facility

- Combined Gallons Treated: 66.234 MG
- Combined Gallons Produced: 68.586 MG

Water Treatment Facility No. 1

- 0.241 MG treated
- 24.971 MG delivered
- 21.937 MG Transferred from WTF No. 2
- 7.92 MG RAW (Reservoir)
- 0.122 MG Backwash
- 0 MG Well

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Water Treatment Facility No. 2

- 65.993 Treated
- 43.615 MG Delivered
- 21.937 MG Transferred to WTF No. 1
- 72.29 MG RAW (Reservoir)
- 1.418 MG Backwash

WTP 3.5 MGD Expansions and Rehab 100%
Operated Water Plant as Efficiently as Possible
Sludge Management Continues to be Critical

Water Distribution System

- Leaks – 0
- Breaks – 12
- Taps – 1

Water Loss

- Reported – 77,000 gals
- Unreported – 20,500 gals

Hydrants

- Flushed – 26
- Repaired/Replaced – 0
- STAGE II WATER CONSERVATION STILL IN EFFECT

Valves

- Worked –
- Repaired/Replaced – 0

Utility Billing

- Work Orders – 5

We Continue Our Hydrant and Valve Maintenance
Two Vacancies

Wastewater Treatment Facility

- Treated – 65.694 MG
- Wetland – 0 MG
- 260 - Cubic Yards of Sludge Hauled to Landfill

Wastewater Collections

Work orders - 40

- Sewer Main Repaired – 0

- Sewer Backups Reported – 12
- Sewer Backups Cleared – 12
- Odor Complaints – 1
- Locates – 9
- Manhole Repaired/replaced – 1
- New Manholes installed – 0
- Unauthorized Discharges - 0

Administration

Financials

- Administration – 78.50%
- Water Treatment – 70.96%
- Distribution: – 93.31%
- Sewer Collection – 77.25%
- Wastewater Treatment – 68.93%

Projects

- WTF No. 2 Pending TWDB Budget Approval
- WWTF Rehab Design – 100% Complete (CHC) Pending Constructability Review
- WTF No. 1 Rehab – 100%, Pending Constructability Review
- LS 13 Design – 100% Complete (CHC) Pending AEP Line Relocation (Bid February 4, 2022)
- LS 6 Capacity Issues CHC working on upgrades

Certification

- Water Treatment - 1
- Distribution – 0
- Sewer Collection - 0
- Wastewater Treatment – 0

Renewals - 0

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Hold Public Hearing and Consider an Ordinance for a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property to construct a portion of a new Fire Department Facility and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th' Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.

STAFF COMMENTS AND RECOMMENDATIONS:

The City of San Juan is requesting a variance to consider the following matters: 1) re-dedicate a 60' x 130' portion of East 7th Street Nebraska Avenue eastward a distance of 130' from a street right of way use to viable city property to construct a portion of a new fire station. 2) the consideration of using this 60' x 130' portion of East 7th Street in such a manner will result in 7th Street being a dead-end street which City Code requires a variance to be considered and awarded. It is noted that this section of 7th Street has no utility lines.

If approved, a re-subdivision of the property shall be filed in order to include this 60' x 130' section of 7th Street as part of the corner lot. In summary, 7th Street shall be a dead-end street in the re-subdivision plat, and the former right-of-way shall be dedicated and recorded as viable property for public facilities.

Staff mailed a notice of this public hearing eleven (11) property owners within a two hundred (200) foot radius and received one comment against the request.

RECOMMENDATION:

Staff recommends approval of the variance request as presented.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/17/2022
CITY COMMISSION – 02/22/2022
DATE PREPARED – 02/15/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	1) Consider a variance to have E. 7 TH result in a dead-end street E. of Nebraska; and 2) dedicate this same street ROW for public facilities (New Fire Station).
APPLICANT:	City of San Juan
SURVEYOR/ENGINEER:	N/A
LOCATION:	7 th Street (from Nebraska Avenue eastward distance of 130')
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Vacant; Neighborhood Commercial District (C-1) <i>South</i> – Fire Station; Open Space District (O) <i>East</i> – Water Plant; Open Space District (O) <i>West</i> – Commercial; Neighborhood Commercial District (C-1)
ACCESS AND CIRCULATION:	Nebraska Avenue and 7 th Street
PUBLIC SERVICES:	N/A
RECOMMENDATION:	Planning recommends approval.

EVALUATION AND CONDITIONS FOR APPROVAL

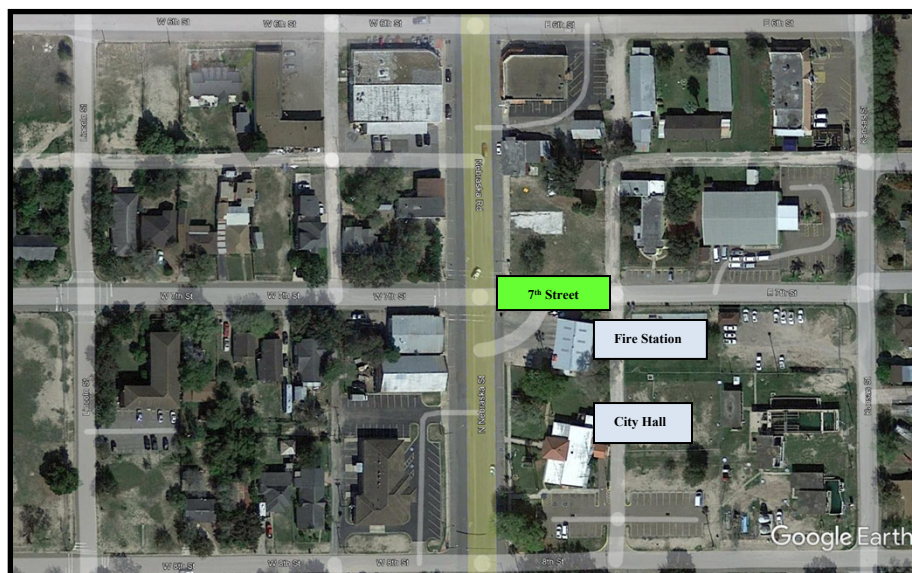
The City of San Juan is requesting a variance to consider the following matters: 1) re-dedicate a 60' x 130' portion of East 7th Street Nebraska Avenue eastward a distance of 130' from a street right of way use to viable city property to construct a portion of a new fire station. 2) the consideration of using this 60' x 130' portion of East 7th Street in such a manner will result in 7th Street being a dead-end street which City Code requires a variance to be considered and awarded. It is noted that this section of 7th Street has no utility lines.

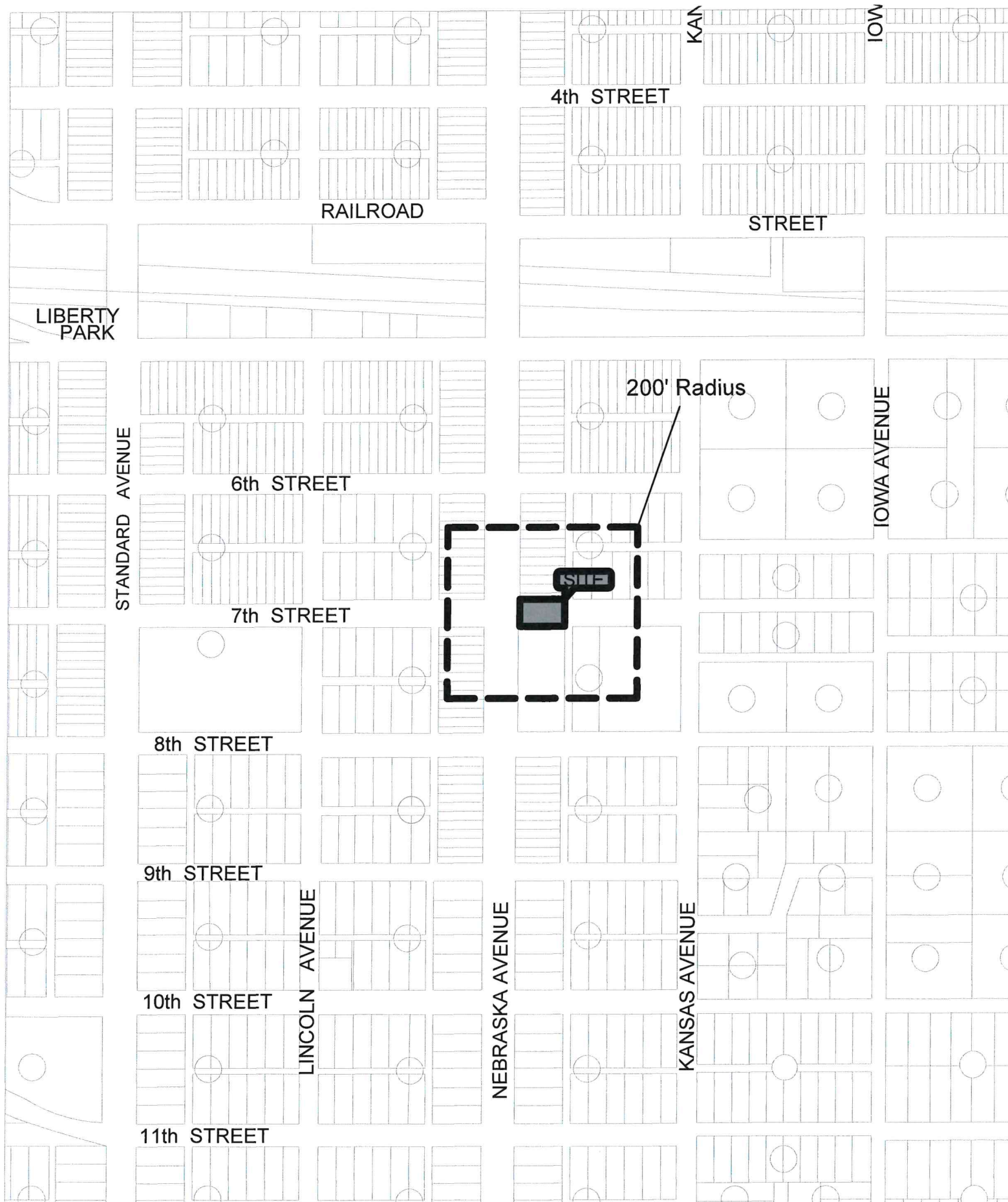
If approved, a re-subdivision of the property shall be filed in order to include this 60' x 130' section of 7th Street as part of the corner lot. In summary, 7th Street shall be a dead-end street in the re-subdivision plat, and the former right-of-way shall be dedicated and recorded as viable property for public facilities.

Staff mailed a notice of this public hearing eleven (11) property owners within a two hundred (200) foot radius and received one comment against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter in opposition
Survey
Site Plan
List of neighboring property owners receiving notice





Legend

- CITY LIMITS
- Proposed area

Consider a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property to construct a portion of a new Fire Department Facility and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.





Legend

- CITY LIMITS
- Proposed area

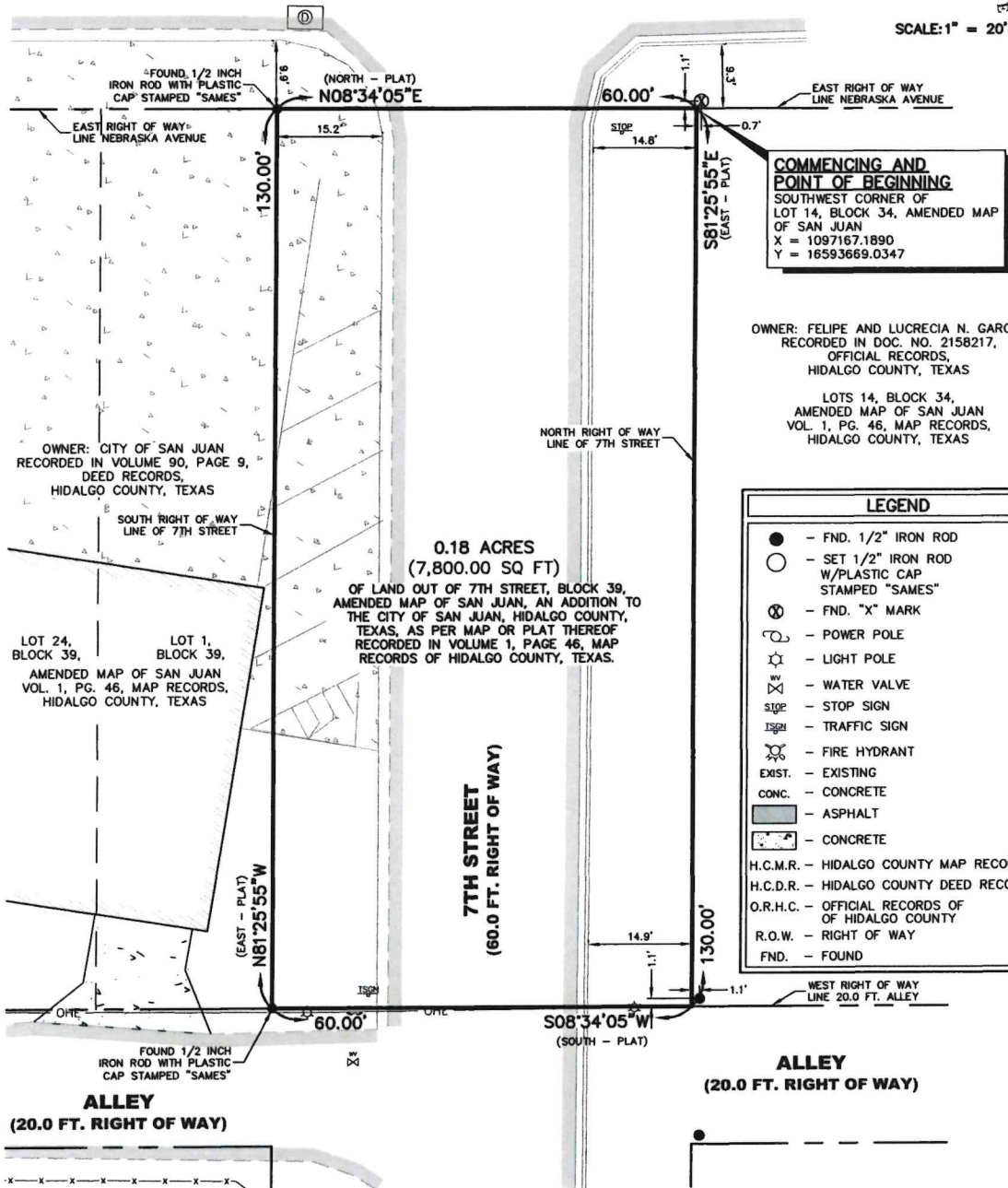
Consider a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property to construct a portion of a new Fire Department Facility and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.



NEBRASKA AVENUE
(90.0 FT. RIGHT OF WAY)



SCALE: 1" = 20'



COMMENCING AND POINT OF BEGINNING
SOUTHWEST CORNER OF
LOT 14, BLOCK 34, AMENDED MAP
OF SAN JUAN
X = 1097167.1890
Y = 16593669.0347

OWNER: FELIPE AND LUCRECIA N. GARCIA,
RECORDED IN DOC. NO. 2158217,
OFFICIAL RECORDS,
HIDALGO COUNTY, TEXAS

LOTS 14, BLOCK 34,
AMENDED MAP OF SAN JUAN
VOL. 1, PG. 46, MAP RECORDS,
HIDALGO COUNTY, TEXAS

LEGEND	
●	- FND. 1/2" IRON ROD
○	- SET 1/2" IRON ROD W/PLASTIC CAP STAMPED "SAMES"
⊗	- FND. "X" MARK
⊕	- POWER POLE
⊙	- LIGHT POLE
⊕	- WATER VALVE
stop	- STOP SIGN
sign	- TRAFFIC SIGN
⊕	- FIRE HYDRANT
EXIST.	- EXISTING
CONC.	- CONCRETE
ASPH.	- ASPHALT
CONC.	- CONCRETE
H.C.M.R.	- HIDALGO COUNTY MAP RECORDS
H.C.D.R.	- HIDALGO COUNTY DEED RECORDS
O.R.H.C.	- OFFICIAL RECORDS OF HIDALGO COUNTY
R.O.W.	- RIGHT OF WAY
FND.	- FOUND

GENERAL NOTES

ADDRESS: 7TH STREET, SAN JUAN, TEXAS
SURVEYED: SEPTEMBER 28, 2021
REQUESTED BY: DANIEL THERINA, PLANNING DIRECTOR,
CITY OF SAN JUAN, TEXAS

FOR: CITY OF SAN JUAN

I, OSCAR HERNANDEZ, R.P.L.S., CERTIFY THAT THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND AT THE TIME OF SURVEY AND THAT THERE ARE NO VISIBLE OR APPARENT EASEMENTS, DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR OVERLAPPING OF IMPROVEMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN ON THIS PLAT. NO SUBSURFACE UTILITIES OR SERVICE CONNECTIONS ARE SHOWN. © COPYRIGHT 2018 SAM ENGINEERING & SURVEYING. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE BORROWER NAMED HEREON, IN CONJUNCTION WITH THE ORIGINAL TRANSACTION WHICH SHALL TAKE PLACE WITHIN 6 MONTHS AFTER THE SURVEY WAS PROVIDED. NO LICENSE HAS BEEN CREATED OR IMPLIED COPY THIS SURVEY. SURVEY VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE.

OSCAR HERNANDEZ, R.P.L.S. DATE 1-13-2022
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5005

JOB NUMBER	DRAWN BY	RVMD. BY	DATE
SUR 22.026	E.S.	O.H.	1/13/2022

SHEET 1 OF 1: SURVEY PLAT

SURVEY NOTES:

1. BASIS OF BEARING AS PER THE NORTH RIGHT OF WAY LINE OF EIGHTH STREET, BLOCK 39, AMENDED MAP OF SAN JUAN, AN ADDITION TO THE CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 46, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

2. ALL COORDINATES, BEARINGS, AND DISTANCES, ARE BASED ON THE TEXAS COORDINATE SYSTEM, (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, US SURVEY FEET, GRID. BEARINGS AND DISTANCES SHOWN IN PARENTHESIS ARE BASED ON RECORDED DOCUMENT.

3. ALL HORIZONTAL CONTROL ON THIS PROJECT WAS ESTABLISHED UTILIZING RTK GPS METHODS.

4. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS THAT ARE NOT SHOWN.

THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

5. SUBJECT TO THE SUBDIVISION RULES AND REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION OF SAID PROPERTY.

PLAT SHOWING

RIGHT OF WAY ABANDONMENT

0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND OUT OF 7TH STREET, BLOCK 39, AMENDED MAP OF SAN JUAN, AN ADDITION TO THE CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 46, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

SAMES
200 S. 10TH STREET, SUITE 1500 TEL: (956) 702-0880
MCALLEN, TEXAS 78501 FAX: (956) 702-8883

SAM Engineering & Surveying
SURVEY FIRM REG. No. 101418-00

SAM Engineering and Surveying



Engineering Firm Reg # 10602 Surveying Firm Reg # 101416-00
200 S. 10TH St. Suite 1500, McAllen, Texas 78501 Phone: (956) 702-8880 Fax: (956) 702-8883

JANUARY 13, 2022

METES AND BOUNDS DESCRIPTION RIGHT OF WAY ABANDONMENT

0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND OUT OF 7TH STREET, BLOCKS 34 AND 39, AMENDED MAP OF SAN JUAN, AN ADDITION TO THE CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 46, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

BEING 0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND OUT OF 7TH STREET, BLOCKS 34 AND 39, AMENDED MAP OF SAN JUAN, AN ADDITION TO THE CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 46, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF LOT 14, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN, CONVEYED TO FELIPE AND LUCRECIA N. GARCIA, RECORDED IN DOCUMENT NUMBER 2158217, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND THE EAST RIGHT OF WAY LINE OF NEBRASKA AVENUE, (HAVING A 90.0 FT. OF RIGHT OF WAY) AND THE NORTH RIGHT OF WAY OF 7TH STREET (HAVING A 60.0 FT. OF RIGHT OF WAY) FROM WHICH A FOUND "X" MARK BEARS NORTH 47 DEG. 14 MIN. 58 SEC. WEST A DISTANCE OF 1.27 FEET FOR THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THE TRACT HEREIN DESCRIBED; (HAVING A STATE PLANE COORDINATE OF X=1097167.1890, Y=16593669.0347)

- 1) **THENCE, SOUTH 81 DEG. 25 MIN. 55 SEC. EAST, (EAST – PLAT) ALONG THE SOUTH LINE OF LOT 14, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN, CONVEYED TO FELIPE AND LUCRECIA N. GARCIA, AND THE NORTH RIGHT OF WAY LINE OF SAID 7TH STREET, A DISTANCE OF 130.00 FEET TO A POINT, ON THE WEST RIGHT OF WAY LINE OF A 20.0 FT. ALLEY, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN, FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS NORTH 37 DEG. 04 MIN. 54 SEC. WEST A DISTANCE OF 1.60 FEET FOR THE SOUTHEAST CORNER OF LOT 14, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN AND FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;**
- 2) **THENCE, SOUTH 08 DEG. 34 MIN. 05 SEC. WEST, (SOUTH – PLAT) LEAVING THE NORTH RIGHT OF WAY LINE OF SAID 7TH AND THE WEST RIGHT OF WAY LINE OF SAID 20.0 FT. ALLEY, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN STREET, A DISTANCE OF 60.00 FEET TO A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "SAMES" AT THE NORTHEAST CORNER OF LOT 1, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN, CONVEYED TO CITY OF SAN JUAN RECORDED IN VOLUME 90, PAGE 9, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND THE SOUTH RIGHT OF WAY LINE OF SAID 7TH STREET, AND THE WEST LINE OF THE WEST RIGHT OF WAY LINE OF A 20.0 FT. ALLEY, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN FOR THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;**
- 3) **THENCE, NORTH 81 DEG. 25 MIN. 55 SEC. WEST, (WEST – PLAT) ALONG THE NORTH LINE OF LOT 1, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN, CONVEYED TO CITY OF SAN JUAN, AND ALONG THE SOUTH RIGHT OF WAY LINE OF SAID 7TH STREET, A DISTANCE OF 130.00 FEET TO A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "SAMES" FOR THE NORTHWEST CORNER OF LOT 1, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN, AND THE EAST RIGHT OF WAY LINE OF NEBRASKA AVENUE, FOR THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;**
- 4) **THENCE, NORTH 08 DEG. 34 MIN. 05 SEC. EAST, (NORTH – PLAT) LEAVING THE NORTH LINE OF LOT 1, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN, ALONG THE PROJECTED EAST RIGHT OF WAY LINE OF NEBRASKA AVENUE, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND WITHIN THIS METES AND BOUNDS DESCRIPTION.**

ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS COORDINATE SYSTEM (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, U.S. SURVEY FEET, GRID. BEARINGS AND DISTANCES IN PARENTHESIS ARE BASED ON RECORDED PLAT OR DOCUMENT.

I, OSCAR HERNANDEZ, R.P.L.S. CERTIFY THAT THE ABOVE METES AND BOUNDS ARE TRUE AND IS THE RESULT OF AN ACTUAL SURVEY PERFORMED UNDER MY DIRECTION.

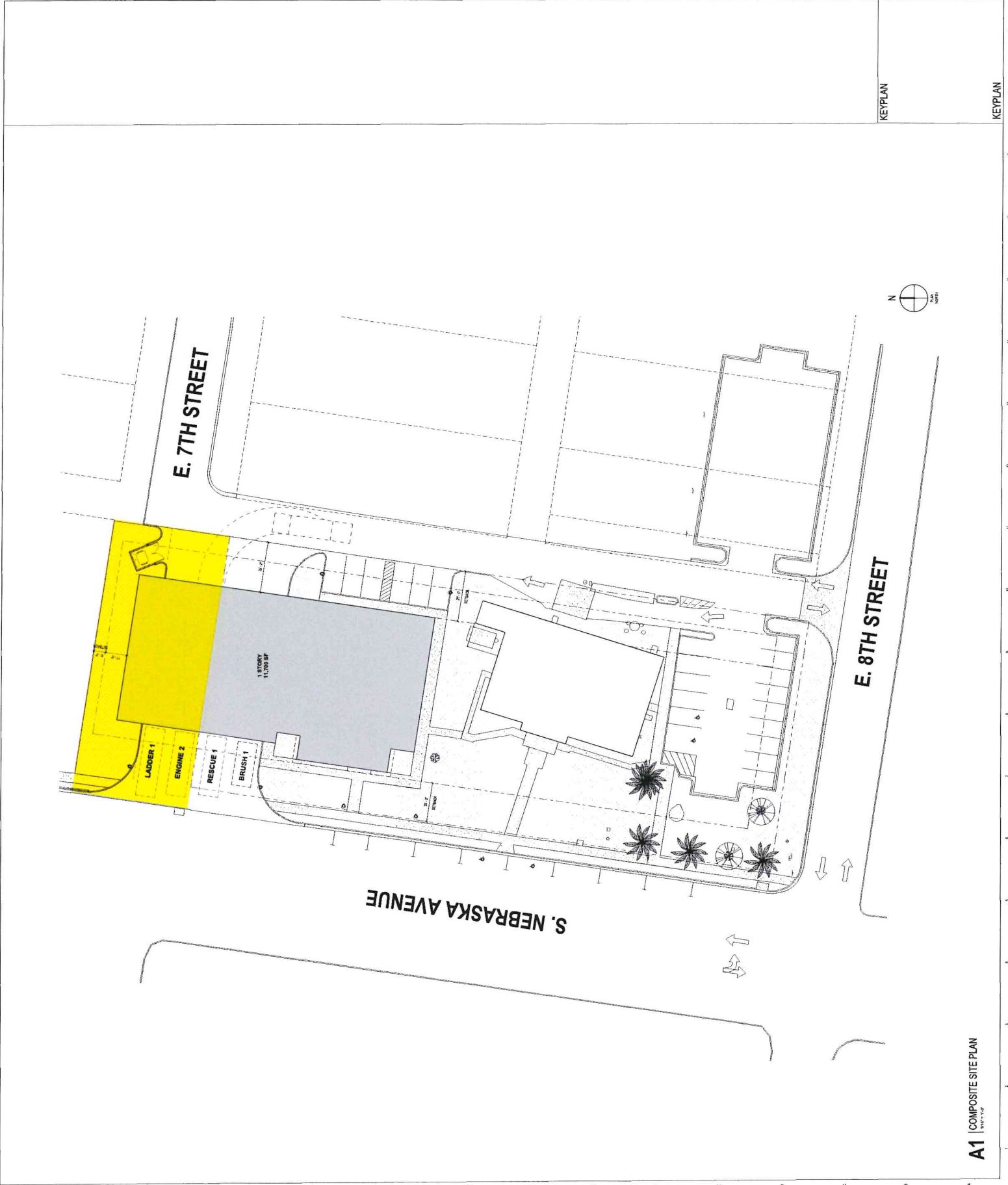
OSCAR HERNANDEZ, R.P.L.S.

DATE 1.13.2022

REGISTERED PROFESSIONAL LAND SURVEYOR No. 5005



Sheet 2 of 2 Metes & Bounds
Job Number: Sur 22.026



A1 COMPOSITE SITE PLAN

SECTION 1.03 STREETS AND PUBLIC PROPERTY; STREET DEVELOPMENT AND IMPROVEMENT:

(A.) The City shall have exclusive dominion, control, and jurisdiction in, upon, over, and under the public squares, and public ways within the corporate limits of the City, and in, upon, over, and under all public property of the City. With respect to each and every public street, sidewalk, alley, highway, public square, or other public way within the corporate limits of the City, the City shall have the power to establish, maintain, alter, abandon, or vacate the same; to regulate, establish, or change the grade thereof; to control and regulate the use, thereof; and to abate and remove in a summary manner any encroachment thereon.

(B.) The City shall have the power to develop and improve, or cause to be developed and improved, any and all public streets, sidewalks, alleys, highways, and other public ways within the corporate limits of the City by laying out, opening, narrowing, widening, straightening, extending, and establishing building lines along the same; by purchasing, condemning, and taking property therefor; by filling, grading, raising, lowering, paving, repaving, and repairing, in a permanent manner, the same; and by constructing, altering, repairing, and realigning curbs, gutters, drains, sidewalks, culverts, and other appurtenances and incidentals in connection with such developments. The City may make or cause to be made any one or more of the kinds of classes of development and improvement authorized hereinabove, or any combination or parts thereof. The cost of such development and improvement shall be paid by the City, or partly by the City and partly by assessments levied against the property abutting thereon and the owners thereof, and such assessments may be levied in any amounts and under any procedure now or hereafter permitted by State law. The City Commission shall have the power to assess a special tax on street railways for improvement of area occupied by said railways in accordance with governing State law. As an alternate and cumulative method of developing, improving, and paving any and all public streets[,] sidewalks, alleys, highways, and other Public ways within the corporate limits, the City shall have the power and authority to proceed in accordance with governing State laws. The City shall likewise have the power to make any such development, improvement or paving with its own forces if, in the opinion of the City Commission, the work can be done more expeditiously or economically, and in such event the City shall have the power to reimburse itself for the cost of such improvement in the same amount and in the same manner as if the work had been performed by a successful bidding contractor.

State law references—Street improvements and assessments in cities having more than 1,000 inhabitants, V.T.C.A., Transportation Code, ch. 313; authority of municipality over and under public highways, streets and alleys, V.T.C.A., Transportation Code, sec. 311.001; authority over sidewalks, V.T.C.A., Transportation Code, sec. 311.004.

Consider a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.

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

Americo, M. Baca Fam Lmt'd
P.O. Box 4285
McAllen, TX 78502

C A T Enterprises
P.O. Box 2691
San Juan, TX 78589

Garza, Jason
808 E. 15th Street
San Juan, TX 78589

Garcia, Felipe and Lucrecia N.
P.O. Box 356
Hidalgo, TX 78557

Maldonado, Paula A.
601 N. 8th Street
Edinburg, TX 78541

Garcia, Felipe and Lucrecia
700 S. Bridge St. Suite 1
Hidalgo, TX 78557

Jaso, Virginia and Jose A.
505 Star Avenue
Pharr, TX 78589

Rosas, Antonio Jr.
620 S. Nebraska Avenue
San Juan, TX 78589

Glick and B ET AL
1208 N. Main
Paris, IL 61944-5709

Cortez, Juan E.
606 S. Nebraska Avenue
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International, Inc.

STAFF COMMENTS AND RECOMMENDATIONS:

Brinker International Inc. is applying for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed "Chili's" Restaurant, to be located just West of Denny's Restaurant.

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed operation hours are Sunday through Thursday from 11:00 a.m. to 11:00 p.m., Friday and Saturday from 11:00 a.m. to 12:00 a.m.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to three (3) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

Staff recommends approval subject to compliance with the requirements outlined in the attached report.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/17/2022
CITY COMMISSION – 02/22/2022
DATE PREPARED – 02/15/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit for the Sale and On-Premise Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant.
APPLICANT:	Brinker International Inc.
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 3, Plaza San Juan Subdivision
LOCATION:	1411 E. IH 2
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Commercial; Expressway Corridor District (EC) <i>South</i> – Commercial; Expressway Corridor District (EC) <i>East</i> – Commercial; Expressway Corridor District (EC) <i>West</i> – Commercial; Expressway Corridor District (EC)
ACCESS AND CIRCULATION:	This property has access onto Frontage Road.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval subject to compliance with the requirements outlined in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Brinker International Inc. is applying for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed “Chili’s” Restaurant, to be located just West of Denny’s Restaurant.

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed operation hours are Sunday through Thursday from 11:00 a.m. to 11:00 p.m., Friday and Saturday from 11:00 a.m. to 12:00 a.m.

Building area	4,694 square feet
Seats/Dining	208 seats
Parking spaces	60 spaces

The following is the list of requirements:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site form a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;

**CONDITIONAL USE PERMIT
“CHILI’S RESTAURANT”
FEBRUARY 22, 2022**

PAGE 3

7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city’s noise ordinance.
10. The business must comply with the City’s Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to three (3) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter from Brinker International, Inc.
Subdivision Plat
Site Plan
List of neighboring property owners receiving notice
Ordinance



Proposed Site



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE SALE AND ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES (WINE AND BEER) AT THE PROPOSED "CHILI'S RESTAURANT" TO BE LOCATED AT 1411 E. IH 2, LEGALLY DESCRIBED AS LOT 3, PLAZA SAN JUAN 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, Brinker International, Inc. has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan for the Sale and On-Site Consumption of Alcoholic Beverages (Wine and Beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2.

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 Brinker International, Inc. has applied for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages at the proposed Chili's Restaurant to be located at 1411 E. IH 2 subject to the following conditions:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;

6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city's noise ordinance.
10. The business must comply with the City's Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise 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 the after said date of publication.

PASSED and APPROVED on first reading on the 22nd day of February, 2022.

PASSED and APPROVED on second and final reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

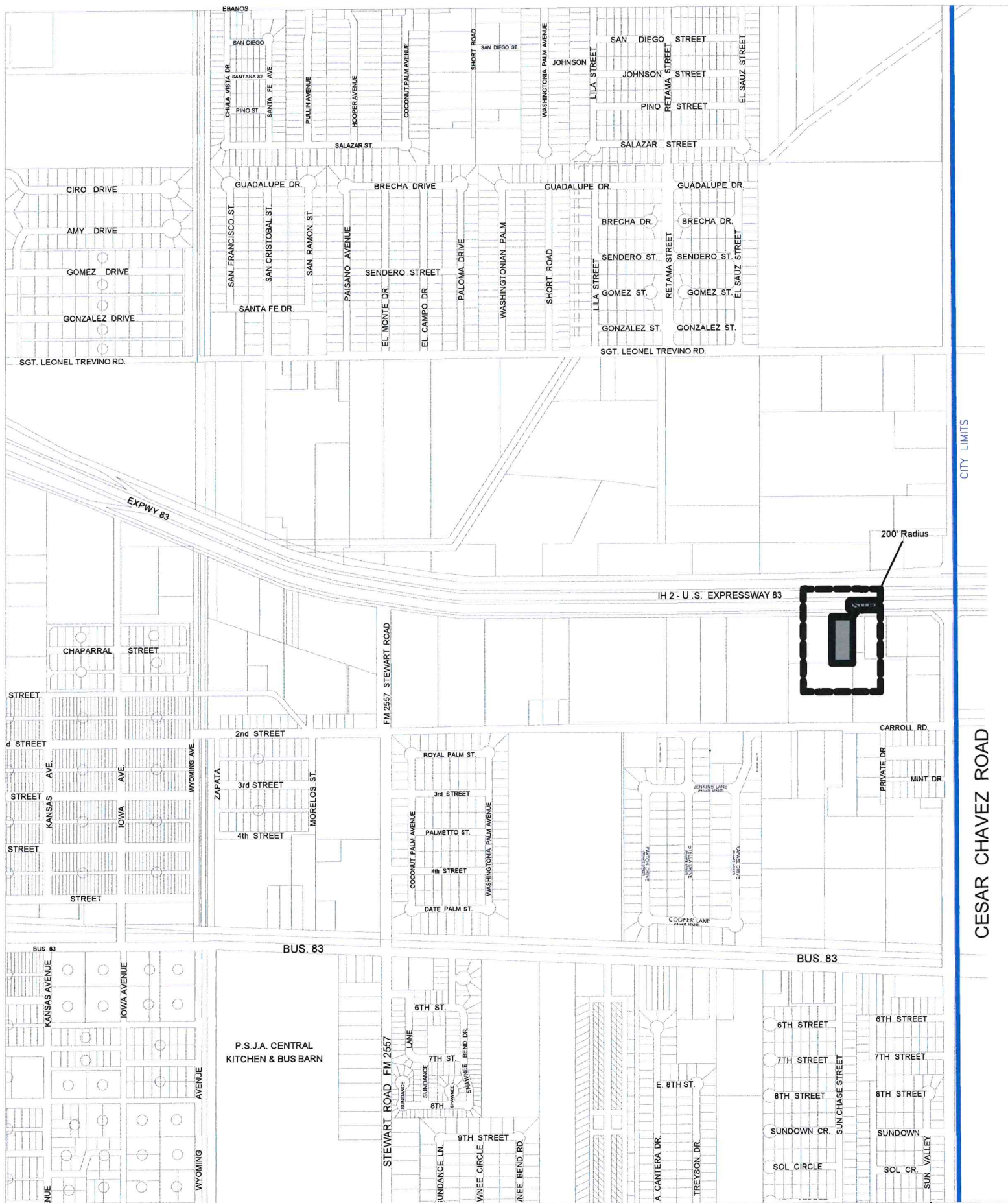
ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY



Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International Inc.



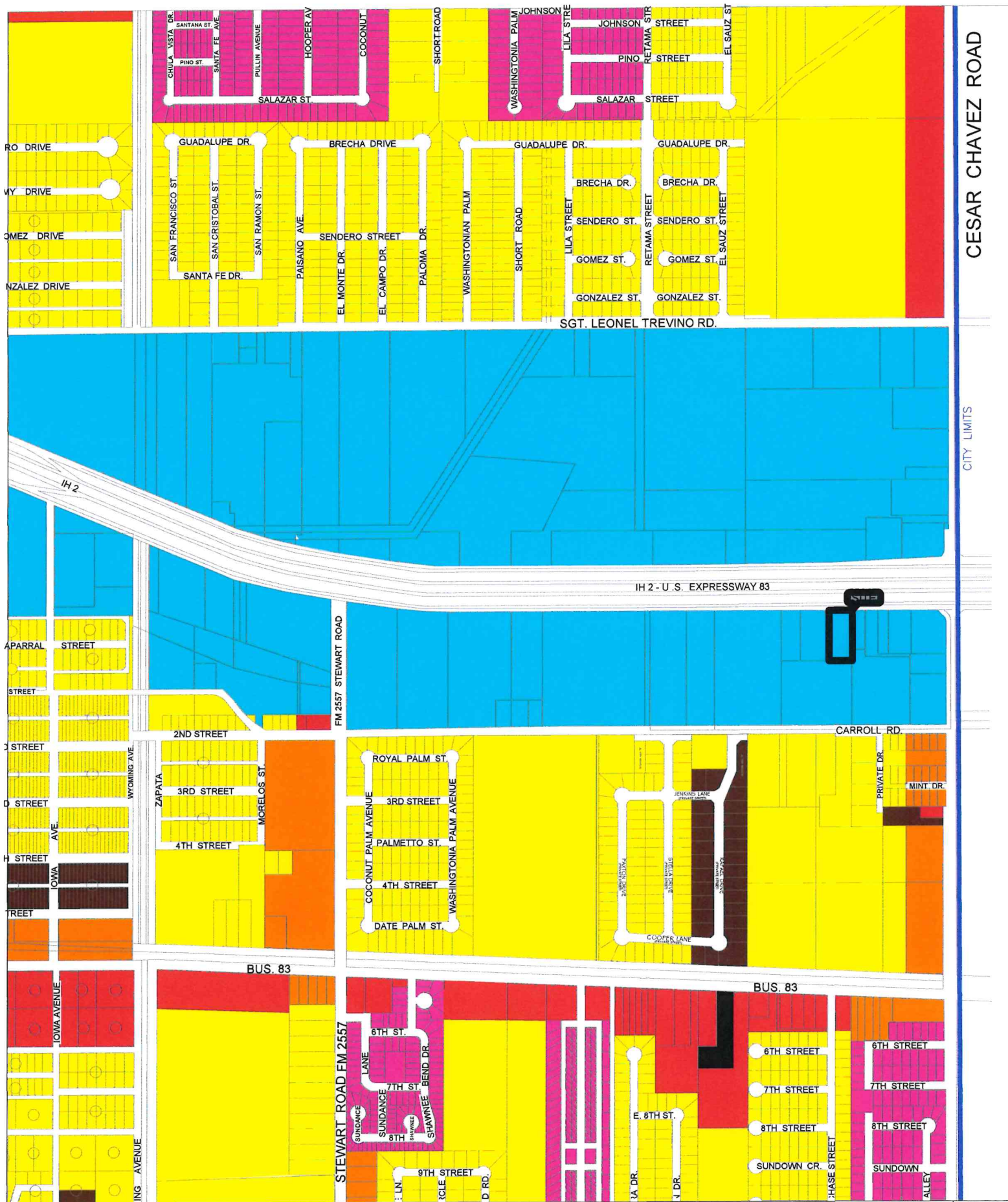


Legend

-  CITY LIMITS
-  Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International Inc.





CITY LIMITS

CESAR CHAVEZ ROAD





Brinker International, Inc
3000 Olympus Blvd.
Dallas, TX 75019
10/08/2021

City of San Juan
Planning and Commission
709 S. Nebraska Ave.
San Juan, Texas 78589

Dear City of San Juan:

Brinker Texas, Inc., a VA Corporation is applying for an Alcohol Sales Permit with Texas Alcoholic Beverage Commission. The hours of operation for this Chili's Restaurant are Sunday thru Thursday from 11AM-11PM, Friday and Saturday 11AM-12AM. We currently have 13-15 Employees per Shift during these hours. The Restaurant will be located at the Plaza San Juan Subdivision, Lot 3 off Eastbound I-2 Frontage west of Cesar Chavez Blvd., City of San Juan situated in Hidalgo County, TX.

At your Service,

A handwritten signature in black ink, appearing to read 'Ernesto Campos'.

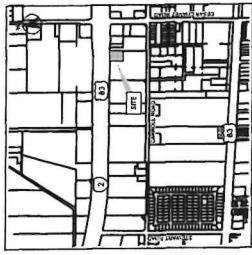
Ernesto Campos | Architecture & Real Estate

Property Development Manager

Brinker International

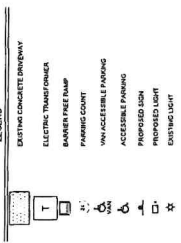
O: 972.770.1785 | F: 972-628-8790

www.brinker.com



VICINITY MAP
NOT TO SCALE

LEGEND



SITE DATA SUMMARY TABLE	
SITE AREA	1,073 AC (81.4M S.F.)
BUILDING AREA	4,716 S.F.
PARKING PROVIDED	34 SPACES (IN ACCESSIBLE)
ADULTS	100% OF SEATING OR 13 MAX OCCUPANTS
ZONING	T1111
INTERIOR COVER	64,182 S.F.
OUTLINE PROPOSED	4,239 S.F.

PROFESSIONAL ENGINEER: HOFFER

- [illegible]

- NOTES**
- REFER TO SHEET C002 FOR GENERAL CONSTRUCTION NOTES.
 - REFER TO SHEET C501 FOR SITE PLAN DETAILS.

SITE PLAN

CITY OF SAN JUAN PROJECT NO. XXXXX
PLAZA SAN JUAN SUBDIVISION
LOT 3
1.473 ACRES
LOCATED IN THE
CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS
OCTOBER 15, 2021

ENGINEER/PREPARER:
KFM ENGINEERING & DESIGN, LLC
3501 OLYMPUS BLVD.
SUITE 100
DALLAS, TEXAS 75019
CONTACT: JEFFREY BARAN, P.E.
PHONE: (469) 895-0536

OWNER:
SCC SLP, LLC
1512 W. 5TH STREET
AUSTIN, TEXAS 78703
CONTACT: STEVE HILBLE
PHONE: XXX-XXX-XXXX
EMAIL: ???????

SURVEYOR:
C.V.O. LAND SURVEYORS L.L.C.
517 BEAUMONT AVENUE
MCALLEN, TEXAS 78504
CONTACT: CARLOS VASQUEZ, R.P.L.S.
PHONE: (956) 618-1551

DEVELOPER:
BRINKER TEXAS INC.
3000 OLYMPUS BOULEVARD
DALLAS, TEXAS 75019
CONTACT: JJ JAMADAR
PHONE: (972) 770-4378
EMAIL: JJ.JAMADAR@BRINKER.COM

SEATING CAPACITIES			
TYPES	PAIRS	SPOTS	% OF PAIRDS
BAR SEATING	0	16	0
2 TOP BOOTH	0	7	0
4 TOP BOOTH	0	14	0
6 TOP BOOTH	0	21	0
8 TOP BOOTH	0	28	0
10 TOP BOOTH	0	35	0
12 TOP BOOTH	0	42	0
14 TOP BOOTH	0	49	0
16 TOP BOOTH	0	56	0
18 TOP BOOTH	0	63	0
20 TOP BOOTH	0	70	0
22 TOP BOOTH	0	77	0
24 TOP BOOTH	0	84	0
26 TOP BOOTH	0	91	0
28 TOP BOOTH	0	98	0
30 TOP BOOTH	0	105	0
32 TOP BOOTH	0	112	0
34 TOP BOOTH	0	119	0
36 TOP BOOTH	0	126	0
38 TOP BOOTH	0	133	0
40 TOP BOOTH	0	140	0
42 TOP BOOTH	0	147	0
44 TOP BOOTH	0	154	0
46 TOP BOOTH	0	161	0
48 TOP BOOTH	0	168	0
50 TOP BOOTH	0	175	0
52 TOP BOOTH	0	182	0
54 TOP BOOTH	0	189	0
56 TOP BOOTH	0	196	0
58 TOP BOOTH	0	203	0
60 TOP BOOTH	0	210	0
62 TOP BOOTH	0	217	0
64 TOP BOOTH	0	224	0
66 TOP BOOTH	0	231	0
68 TOP BOOTH	0	238	0
70 TOP BOOTH	0	245	0
72 TOP BOOTH	0	252	0
74 TOP BOOTH	0	259	0
76 TOP BOOTH	0	266	0
78 TOP BOOTH	0	273	0
80 TOP BOOTH	0	280	0
82 TOP BOOTH	0	287	0
84 TOP BOOTH	0	294	0
86 TOP BOOTH	0	301	0
88 TOP BOOTH	0	308	0
90 TOP BOOTH	0	315	0
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94 TOP BOOTH	0	329	0
96 TOP BOOTH	0	336	0
98 TOP BOOTH	0	343	0
100 TOP BOOTH	0	350	0
102 TOP BOOTH	0	357	0
104 TOP BOOTH	0	364	0
106 TOP BOOTH	0	371	0
108 TOP BOOTH	0	378	0
110 TOP BOOTH	0	385	0
112 TOP BOOTH	0	392	0
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136 TOP BOOTH	0	476	0
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142 TOP BOOTH	0	497	0
144 TOP BOOTH	0	504	0
146 TOP BOOTH	0	511	0
148 TOP BOOTH	0	518	0
150 TOP BOOTH	0	525	0
152 TOP BOOTH	0	532	0
154 TOP BOOTH	0	539	0
156 TOP BOOTH	0	546	0
158 TOP BOOTH	0	553	0
160 TOP BOOTH	0	560	0
162 TOP BOOTH	0	567	0
164 TOP BOOTH	0	574	0
166 TOP BOOTH	0	581	0
168 TOP BOOTH	0	588	0
170 TOP BOOTH	0	595	0
172 TOP BOOTH	0	602	0
174 TOP BOOTH	0	609	0
176 TOP BOOTH	0	616	0
178 TOP BOOTH	0	623	0
180 TOP BOOTH	0	630	0
182 TOP BOOTH	0	637	0
184 TOP BOOTH	0	644	0
186 TOP BOOTH	0	651	0
188 TOP BOOTH	0	658	0
190 TOP BOOTH	0	665	0
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196 TOP BOOTH	0	686	0
198 TOP BOOTH	0	693	0
200 TOP BOOTH	0	700	0
202 TOP BOOTH	0	707	0
204 TOP BOOTH	0	714	0
206 TOP BOOTH	0	721	0
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210 TOP BOOTH	0	735	0
212 TOP BOOTH	0	742	0
214 TOP BOOTH	0	749	0
216 TOP BOOTH	0	756	0
218 TOP BOOTH	0	763	0
220 TOP BOOTH	0	770	0
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226 TOP BOOTH	0	791	0
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232 TOP BOOTH	0	812	0
234 TOP BOOTH	0	819	0
236 TOP BOOTH	0	826	0
238 TOP BOOTH	0	833	0
240 TOP BOOTH	0	840	0
242 TOP BOOTH	0	847	0
244 TOP BOOTH	0	854	0
246 TOP BOOTH	0	861	0
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250 TOP BOOTH	0	875	0
252 TOP BOOTH	0	882	0
254 TOP BOOTH	0	889	0
256 TOP BOOTH	0	896	0
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260 TOP BOOTH	0	910	0
262 TOP BOOTH	0	917	0
264 TOP BOOTH	0	924	0
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268 TOP BOOTH	0	938	0
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272 TOP BOOTH	0	952	0
274 TOP BOOTH	0	959	0
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284 TOP BOOTH	0	994	0
286 TOP BOOTH	0	1001	0
288 TOP BOOTH	0	1008	0
290 TOP BOOTH	0	1015	0
292 TOP BOOTH	0	1022	0
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302 TOP BOOTH	0	1057	0
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458 TOP BOOTH	0	1603	0
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462 TOP BOOTH	0	1617	0
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468 TOP BOOTH	0	1638	0
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474 TOP BOOTH	0	1659	0
476 TOP BOOTH	0	1666	0
478 TOP BOOTH	0	1673	0
480 TOP BOOTH	0	1680	0
482 TOP BOOTH	0	1687	0
484 TOP BOOTH	0	1694	0
486 TOP BOOTH	0	1701	0
488 TOP BOOTH	0	1708	0
490 TOP BOOTH	0	1715	0
492 TOP BOOTH	0	1722	0
494 TOP BOOTH	0	1729	0
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498 TOP BOOTH	0	1743	0
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510 TOP BOOTH	0	1785	0
512 TOP BOOTH	0	1792	0
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532 TOP BOOTH	0	1862	0
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536 TOP BOOTH	0	1876	0
538 TOP BOOTH	0	1883	0
540 TOP BOOTH	0	1890	0
542 TOP BOOTH	0	1897	0
544 TOP BOOTH	0	1904	0
546 TOP BOOTH	0	1911	0
548 TOP BOOTH	0	1918	0
550 TOP BOOTH	0	1925	0
552 TOP BOOTH	0	1932	0
554 TOP BOOTH	0	1939	0
556 TOP BOOTH	0	1946	0
558 TOP BOOTH	0	1953	0
560 TOP BOOTH	0	1960	0
562 TOP BOOTH	0	1967	0
564 TOP BOOTH	0	1974	0
566 TOP BOOTH	0	1981	0
568 TOP BOOTH	0	1988	0
570 TOP BOOTH	0	1995	0
572 TOP BOOTH	0	2002	0
574 TOP BOOTH	0	2009	0
576 TOP BOOTH	0	2016	0
578 TOP BOOTH	0	2023	0
580 TOP BOOTH	0	2030	0
582 TOP BOOTH	0	2037	0
584 TOP BOOTH	0	2044	0
586 TOP BOOTH	0	2051	0
588 TOP BOOTH	0	2058	0
590 TOP BOOTH	0	2065	0
592 TOP BOOTH	0	2072	0
594 TOP BOOTH	0	2079	0
596 TOP BOOTH	0	2086	0
598 TOP BOOTH	0	2093	0
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604 TOP BOOTH	0	2114	0
606 TOP BOOTH	0	2121	0
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620 TOP BOOTH	0	2170	0
622 TOP BOOTH	0	2177	0
624 TOP BOOTH	0	2184	0
626 TOP BOOTH	0	2191	0
628 TOP BOOTH	0	2198	0
630 TOP BOOTH	0	2205	0
632 TOP BOOTH	0	2212	0
634 TOP BOOTH	0	2219	0
636 TOP BOOTH	0	2226	0
638 TOP BOOTH	0	2233	0
640 TOP BOOTH	0	2240	0
642 TOP BOOTH	0	2247	0
644 TOP BOOTH	0	2254	0
646 TOP BOOTH	0	2261	0
648 TOP BOOTH	0	2268	0
650 TOP BOOTH	0	2275	0
652 TOP BOOTH	0	2282	0
654 TOP BOOTH	0	2289	0
656 TOP BOOTH	0		

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International, Inc.

Campos, Ernesto
Brinker International
3000 Olympus Blvd.
Dallas, TX 78019

SCC SJP, LLC.
301 Camp Craft Rd. Suite 100
Austin, TX 78746

DJP III LLC.
Attn. Ronald Heller
312 Pearl Parkway #4113
San Antonio, TX 78215

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.

STAFF COMMENTS AND RECOMMENDATIONS:

Mr. Lozano is taking over the Mariscos Estrella del Mar Restaurant located at the Northeast corner of Raul Longoria and Sgt. Leonel Trevino Road, next to Melrose Store. The restaurant was opened back in 2014 and an alcohol permit was granted at that time. The applicant is requesting a Conditional Use Permit for On-Site Consumption of Alcoholic Beverages (wine and beer).

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed days and hours of operation are Monday to Sunday from 11:00 a.m. to 9:00 p.m. He is proposing to use a drive-thru window to sell food as well.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-two (22) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

Staff recommends approval subject to compliance with the conditions outlined on the attached report.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/17/2022
CITY COMMISSION – 02/22/2022
DATE PREPARED – 02/15/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION: Conditional Use Permit for the Sale and On-Premise Consumption of Alcoholic Beverages at “Don Marisco” Restaurant.

APPLICANT: Ernesto Lozano

AGENT: N/A

LEGAL: Pecan Estates, Block 2

LOCATION: 901 N. Raul Longoria Road, Suite 1

LOT/TRACT SIZE: 250 feet by 300 feet (approximately 78,000 square feet)

PROPOSED USE OF PROPERTY: Restaurant

ADJACENT LAND USE AND ZONING: *North* – Commercial; General Business District (C-2)
South – Commercial; Expressway Corridor District (EC)
East – Residential; Multi-Family Residence District (R-MF)
West – Commercial; Expressway Corridor District (EC)

ACCESS AND CIRCULATION: This property has access onto Raul Longoria Road and Sgt. Leonel Treviño Road.

PUBLIC SERVICES: Water and sewer services are provided by the City of San Juan.

RECOMMENDATION: Staff recommends approval subject to compliance with the conditions outlined on the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Lozano is taking over the Mariscos Estrella del Mar Restaurant located at the Northeast corner of Raul Longoria and Sgt. Leonel Trevino Road, next to Melrose Store. The restaurant was opened back in 2014 and an alcohol permit was granted at that time. The applicant is requesting a Conditional Use Permit for On-Site Consumption of Alcoholic Beverages (wine and beer).

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed days and hours of operation are Monday to Sunday from 11:00 a.m. to 9:00 p.m. He is proposing to use a drive-thru window to sell food as well.

The following is the list of requirements:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;

**CONDITIONAL USE PERMIT
“DON MARISCO RESTAURANT”
FEBRUARY 22, 2022**

PAGE 3

7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city’s noise ordinance.
10. The business must comply with the City’s Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-two (22) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
List of neighboring property owners receiving notice
Ordinance



Proposed Site



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE SALE AND ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES (WINE AND BEER) AT DON MARISCO RESTAURANT LOCATED AT 901 N. RAUL LONGORIA ROAD, LEGALLY DESCRIBED AS PECAN ESTATES, BLOCK 2, 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, Ernesto Lozano has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan for the Sale and On-Site Consumption of Alcoholic Beverages (Wine and Beer) at Don Marisco Restaurant at 901 N. Raul Longoria Road.

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 Brinker International, Inc. has applied for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages at the proposed Chili's Restaurant to be located at 901 N. Raul Longoria Road subject to the following conditions:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;

6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city's noise ordinance.
10. The business must comply with the City's Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise 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 the after said date of publication.

PASSED and **APPROVED** on first reading on the 22nd day of February, 2022.

PASSED and **APPROVED** on second and final reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

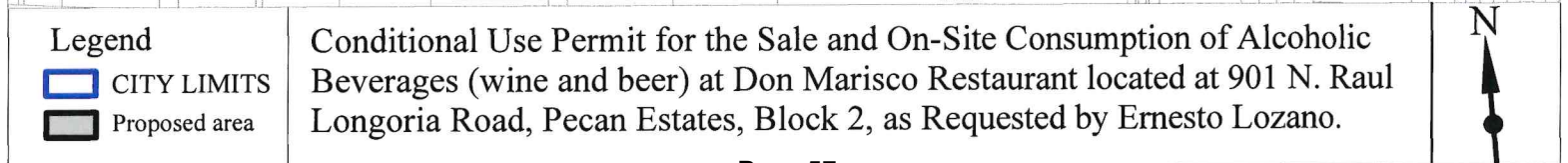
ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY



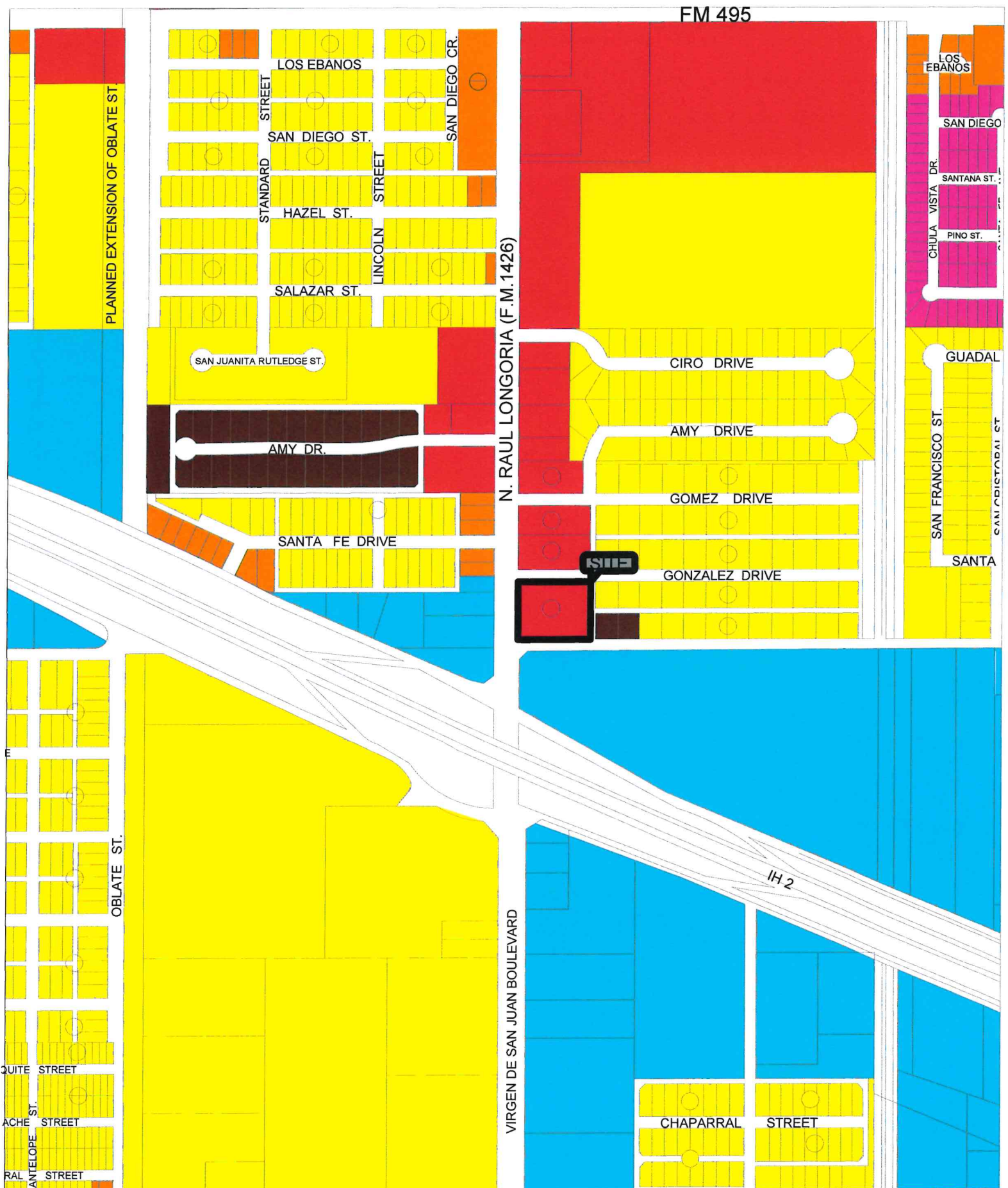


Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located at 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.





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

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located at 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.



Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.

Lozano, Ernesto
214 S. 17th Street
McAllen, TX 78501

Suarez, Francisca
103 Gonzalez Dr.
San Juan, TX 78589

Jack in the Box
9357 Spectrum Center Blvd.
San Diego, CA 92123

McAllen Ventures, LLC.
19 Palm Blvd.
Missouri City, TX 77459

Garza, Celso and Lorena E. Hdz.
101 Gonzalez Dr.
San Juan, TX 78589

De Mange, Robert C.
P.O. Box 296
San Juan, TX 78589

2019 San Juan/83 LLC.
5300 Camp Bowie Blvd.
Fort Worth, TX 76107

Quintanilla, Ramiro and Raquel
99 Gonzalez Dr.
San Juan, TX 78589

Zacarias, Jose Cruz and Maria A.
101 E. Sgt. Leonel Trevino Rd.
San Juan, TX 78589

Valencia, M.L. Family LP.
1103 N. Raul Longoria Road
San Juan, TX 78589

Tijerina, Christian
2705 Quamasia Avenue
McAllen, TX 78504

Villarreal, Maria Elena
4716 N. 30th Street
McAllen, TX 78504

Estrada, Jose Isabel
8707 Chukar St.
Edinburg, TX 78542

Suarez, Irene S.
203 E. Gomez Dr.
San Juan, TX 78589

Devora, Oralia F.
104 Gonzalez Dr.
San Juan, TX 78589

Garza, Tomasita
202 E. Gomez Dr.
San Juan, TX 78589

Gonzalez, John J. and Gloria
102 W. Gonzalez Dr.
San Juan, TX 78589

Gomez, Carlos and Carmen
P.O. Box 406
San Juan, TX 78589

Guevara, Jesus U. and Maria
2711 Ponciana St.
Roma, TX 78584

Guajardo, Ramon Jr. and Elizabeth
100 Garfield Avenue
San Juan, TX 78589

Alaniz, Adalgisa
P.O. Box 261
Pharr, TX 78577

Palacios Bros Investments, Inc.
2919 N. Kenyon Rd.
Edinburg, TX 78542

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company, located at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road, as Requested by Miguel Angel Aviles.

STAFF COMMENTS AND RECOMMENDATIONS:

Mr. Aviles is requesting a conditional use permit to allow a detail shop at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road. A residence and two commercial buildings were located in the same property. All three (3) structures were built in 1970's when property was located outside the city limits of San Juan. Property was incorporated to the City in 1985 and it is zoned as General Business District (C-2).

The applicant is proposing a detail shop to repair windshields, buff cars and fix dents. He is proposing to have five (5) employees and operation hours are Monday thru Sunday from 8:00 a.m. to 6:00 p.m.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to eight (8) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

RECOMMENDATION:

Staff recommends approval subject to compliance with the list of requirements outlined in the report.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/17/2022
CITY COMMISSION – 02/22/2022
DATE PREPARED –02/15/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit to Allow Detail Shop at 1310 Sgt. Leonel Trevino Road
APPLICANT:	Miguel Angel Aviles
SURVEYOR/ENGINEER:	N/A
LEGAL:	5.0-acre tract of land out of the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company's Subdivision
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Vacant; General Business District (C-2) <i>South</i> – Vacant; Expressway Corridor District (EC) <i>East</i> – Outside City Limits <i>West</i> – Residential; Single-Family Residence District (R-S)
ACCESS AND CIRCULATION:	This property has access along Cesar Chavez and Sgt. Leonel Trevino Roads.
PUBLIC SERVICES:	Water service is provided by the North Alamo Water Supply Corporation.
RECOMMENDATION:	Staff recommends approval subject to compliance with the list of requirements outlined in to the report.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Aviles is requesting a conditional use permit to allow a detail shop at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road. A residence and two commercial buildings were located in the same property. All three (3) structures were built in 1970's when property was located outside the city limits of San Juan. Property was incorporated to the City in 1985 and it is zoned as General Business District (C-2).

The applicant is proposing a detail shop to repair windshields, buff cars and fix dents. He is proposing to have five (5) employees and operation hours are Monday thru Sunday from 8:00 a.m. to 6:00 p.m.

The following is a list of requirements:

- a) All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
- b) There shall be no outside storage of materials;
- c) The building where the proposed work is to take place shall be at least one hundred (100) feet from the nearest residence;
- d) A six-foot wall or opaque fence buffering the proposed use from any residential use of residentially zoned area may be required;
- e) All new buildings and all conversions of existing buildings to such uses shall meet current building and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.
- f) Owner agrees to pay an annual fee to the City of San Juan to maintain conditional and occupational use permit.
- g) The business must comply with the city's noise ordinance.

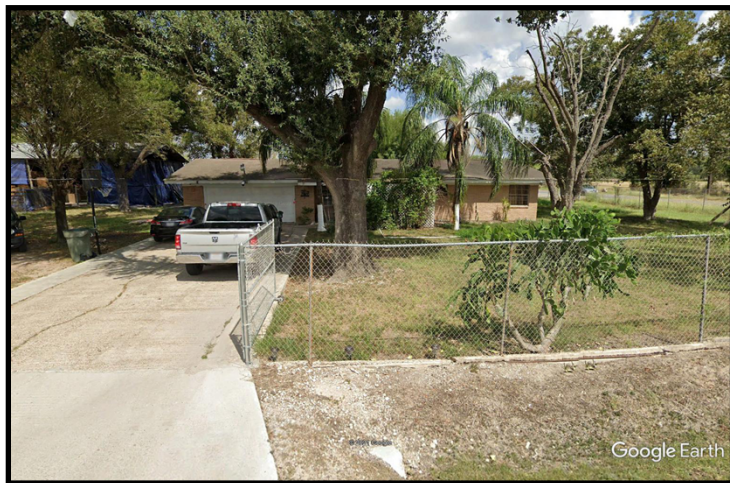
Staff mailed a notice of the public hearing before the Planning and Zoning Commission to eight (8) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Section of the Ordinance
List of neighboring property owners receiving notice
Ordinance



Proposed Detail Shop along Sgt. Leonel Trevino Road



Existing House along Sgt. Leonel Trevino Road



Amaro's Mechanic Shop along Cesar Chavez Road



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW DETAIL SHOP AT 1310 E. SGT. LEONEL TREVINO ROAD, LEGALLY DESCRIBED AS 1.50-ACRE TRACT OF LAND OUT OF THE EAST 300 FEET OF THE SOUTH 218.20 FEET OF LOT 13, BLOCK 39, ALAMO LAND AND SUGAR COMPANY 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, Miguel Angel Aviles has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance to allow a Detail Shop at 1310 E. Sgt. Leonel Trevino Road.

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 Miguel Angel Aviles has applied for a Conditional Use Permit to allow a Detail Shop at commercial property.

The following is a list of requirements:

1. All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
2. There shall be no outside storage of materials;
3. The building where the proposed work is to take place shall be at least one hundred (100) feet from the nearest residence;
4. A six-foot wall or opaque fence buffering the proposed use from any residential use of residentially zoned area may be required;
5. All new buildings and all conversions of existing buildings to such uses shall meet current building and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.
6. Owner agrees to pay an annual fee to the City of San Juan to maintain conditional and occupational use permit.
7. The business must comply with the city's noise ordinance.

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 22nd day of February, 2022.

PASSED and **APPROVED** on second and final reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

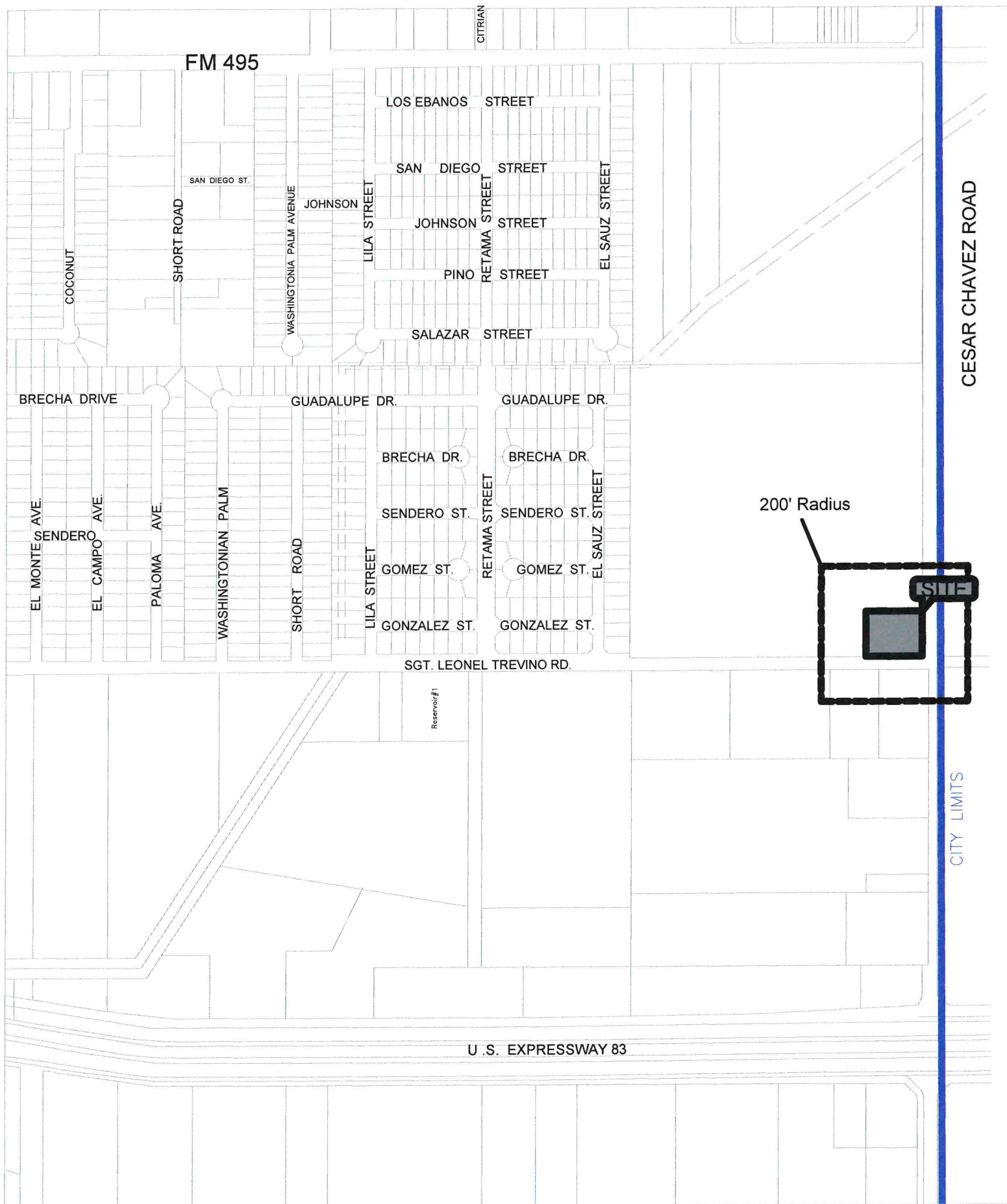
ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

**BRENDA ESCALANTE
INTERIM CITY SECRETARY**

CITY ATTORNEY



Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit to Allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as 1.50 acre tract of land out of the East 300 feet of the South 218.20 feet of Lot 13, Block 39, Alamo Land and Sugar Company Subdivision, as Requested by Miguel Angel Aviles.



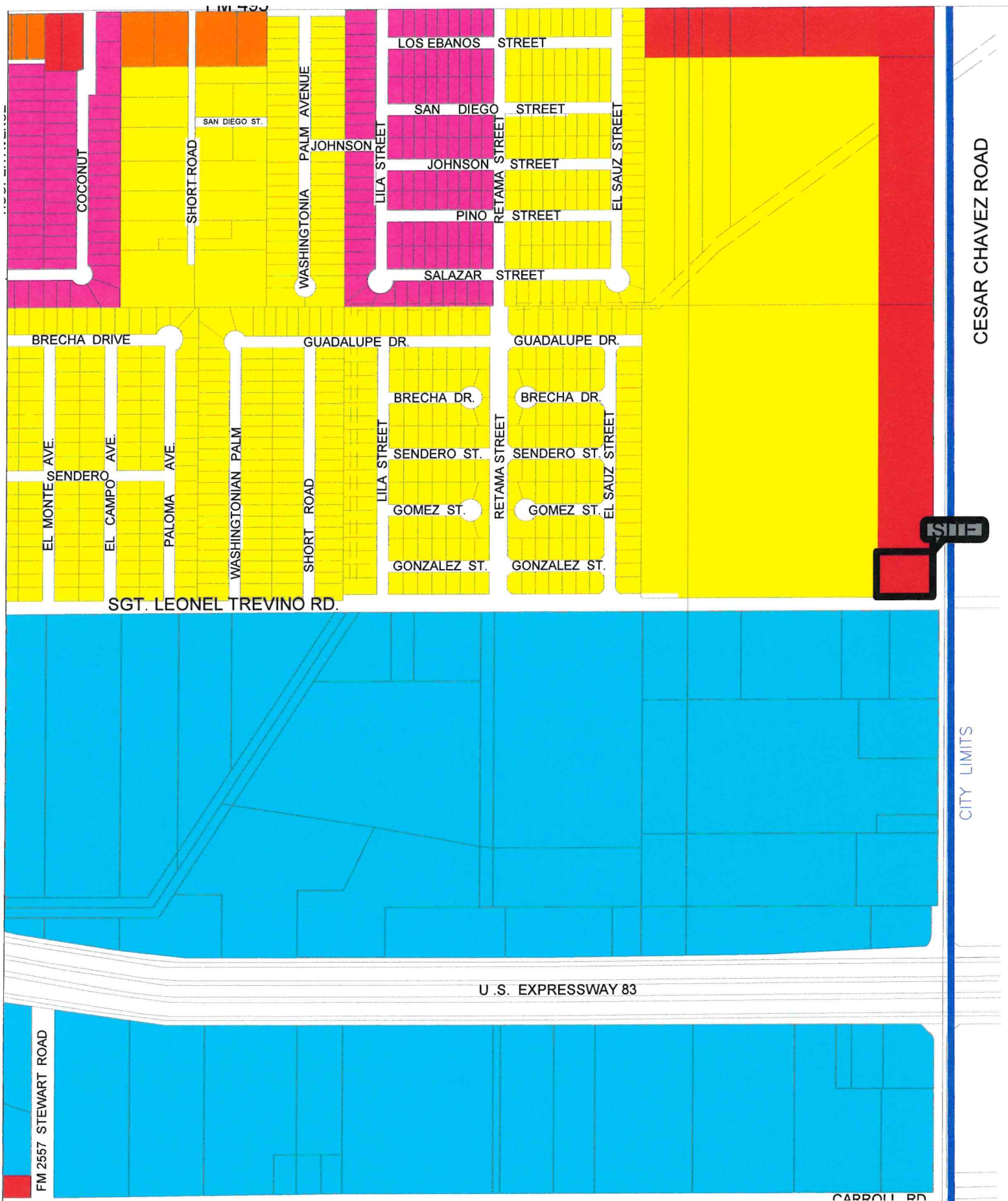


Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit to Allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as 1.50 acre tract of land out of the East 300 feet of the South 218.20 feet of Lot 13, Block 39, Alamo Land and Sugar Company Subdivision, as Requested by Miguel Angel Aviles

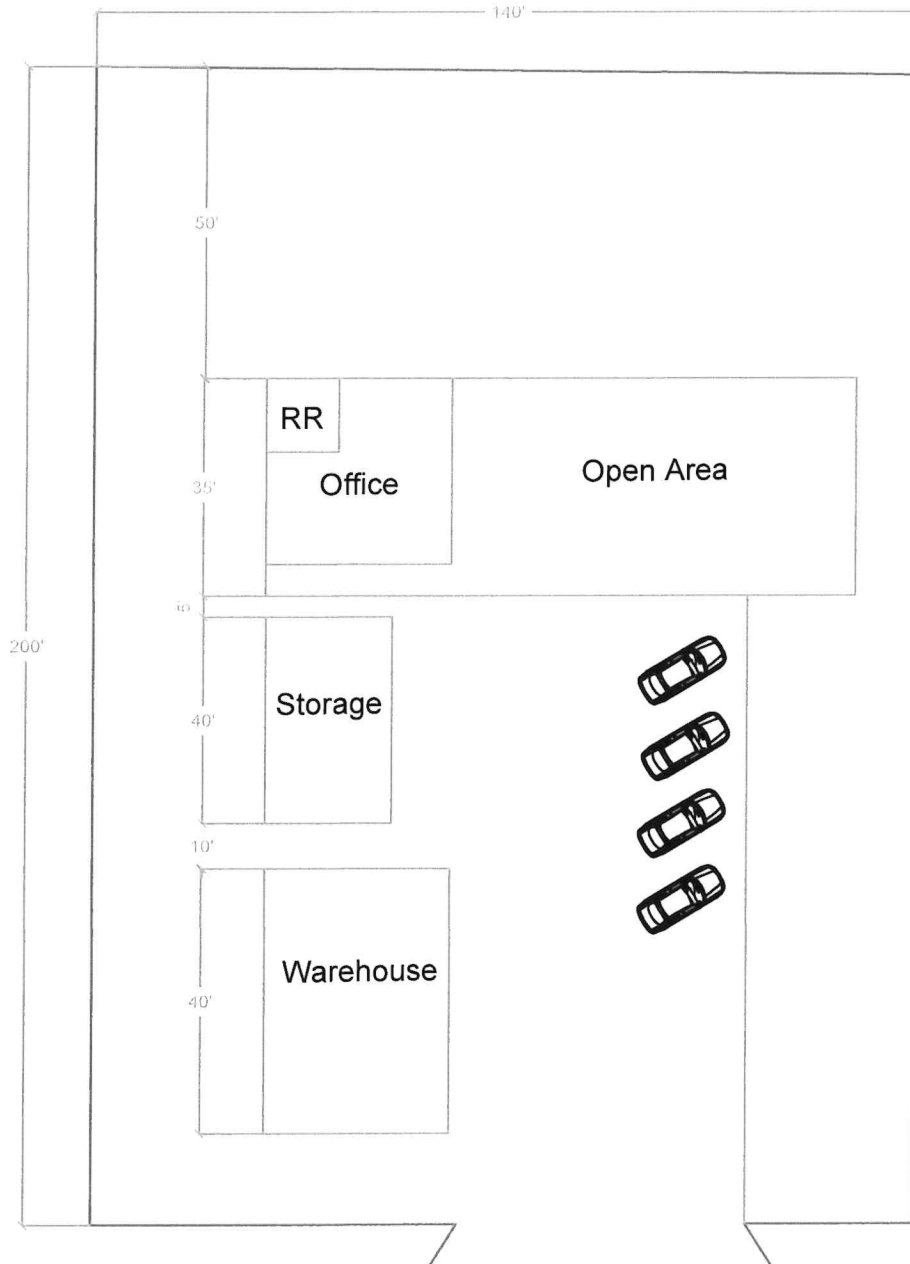




Zoning Districts	
 Single Family Residential (R-S)	 Heavy Commercial (C-3)
 Manufactured Home (R-MH)	 Light Industrial (I-1)
 Multi-Family Residential (R-MF)	 Heavy Industrial (I-2)
 Neighborhood Commercial (C-1)	 Open Space (O)
 General Business (C-2)	 Exp. Corridor (EC)

Conditional Use Permit to Allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as 1.50 acre tract of land out of the East 300 feet of the South 218.20 feet of Lot 13, Block 39, Alamo Land and Sugar Company Subdivision, as Requested by Miguel Angel Aviles.

Miguel Angel Aviles
Site Plan
1310 Sgt. Leonel Trevino Road



Sgt. Leonel Trevino Road

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](#).

Conditional Use Permit to allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company, located at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road, as Requested by Miguel Angel Aviles.

Aviles, Miguel Angel Mendoza
309 Sandy Street
San Juan, TX 78589

Hernandez, Alma M.
32710 Altas Cedar Dr.
Waller, TX 77484

Tovar, Sanjuana
8921 Heartwood Dr.
Keller, TX 76244

Garcia, Juan Jesus and Fermina
1210 E. Sgt. Leonel Trevino Road
San Juan, TX 78589

Hernandez, Andres and Alma M.
30611 Waller Spring Creek
Waller, TX 77484

Unico Enterprises LP.
817 S. Alamo Rd.
Alamo, TX 78516

Briones, Benvento & Benbenuto Jr.
1714 E. Alberta Rd.
Edinburg, TX 78542

La Palabra Viviente Ministries
171 N. Deanna Dr.
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Consider an Ordinance for a Voluntary Annexation Petition for a 13.41-acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, as Requested by AAAR Family, LTD.

STAFF COMMENTS AND RECOMMENDATIONS:

The Planning Department is processing La Paloma Subdivision, a residential subdivision, located approximately half of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue. Part of the subdivision is outside the city limits but within the City of San Juan Extraterritorial Jurisdiction (ETJ). It is the City's policy to annex subdivisions processed and approved within the city's ETJ. On November 9, 2021, the City Commission approved Resolution 21-27 accepting petition for voluntary annexation and setting dates and times for public hearings.

The property owner of the subject property has submitted a petition for a voluntary annexation to the City of San Juan. Upon annexation, recording of the subdivision plat, building permits and inspections will be processed by City for proposed residences. Annexation of this property is being undertaken in accordance with the provisions of the Texas Local Government Code, Chapter 43, Municipal Annexation, Section 43.028 and the City Charter.

RECOMMENDATION:

Staff recommends approval of the First Reading of the Ordinance.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager



ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE EXTENSION ON CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN JUAN, TEXAS; AND THE VOLUNTARY ANNEXATION OF A 13.41-ACRE TRACT OF LAND OUT OF LOT 14, BLOCK 47, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, AS PER VOLUME 1, PAGES 24-26, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2486644, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

WHEREAS, Section 43.067 of the Texas Local Government Code provides for an alternate to the standard annexation proceedings where the property owner petitions for annexation; and

WHEREAS, the City Commission of the City of San Juan has decided to extend the corporate limits to include tracts of land adjacent to our present corporate limits as shown in **Exhibit "A"**; and

WHEREAS, the hereinafter described territory lies within the extraterritorial of the City of San Juan, Texas; and

WHEREAS, the territory hereinafter described contains approximately **13.41** acres of land; and

WHEREAS, a notice of the City of San Juan proposed annexation was published in a newspaper having general circulation in the City of San Juan, Texas on December 29, 2021 and January 26, 2021 and was published between 11th day and 20th day before the public hearing dates; and

WHEREAS, the first public hearing was held at 6:00 pm on January 11, 2022 at the San Juan Memorial Library, located at 1010 S. Standard Avenue, in San Juan, Texas and second public hearing was held at 6:00 pm on February 8, 2022 at San Juan Memorial Library, located at 1010 S. Standard Avenue, in San Juan, Texas so that all interested parties were provided the opportunity to be heard regarding the proposed annexation of those tracts hereinafter described; and

WHEREAS, the enclosed municipal service plan for the proposed annexation was available for public inspection and explained in response to questions asked; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JUAN, THAT;

Exhibit "B"

SECTION I: The following described in **Exhibit "B"** land and territory adjacent to and adjoining the City of San Juan, Texas is hereby added and annexed to the City of San Juan, Texas, and the property herein described is altered and amended so as to include such areas within the corporate limits of the City of San Juan. The description of the property to be annexed is as follows:

A 13.41 acre tract of land, more or less, being out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas according to the map or plat thereof recorded in Volume 1 Pages 24-26 Map Records, Hidalgo County, Texas, and said 13.41 acres being more particularly described as follow:

COMMENCING for reference at the southeast corner of said Lot 14, THENCE N 08°25'08" E, along the East line of said Lot 14, a distance of 500.00 feet to the North line of the existing city limits of THE CITY OF SAN JUAN, TEXAS, as per ORDINANCE NO. 94-029, THENCE N 81°25'08" W, along the existing North line of said CITY OF SAN JUAN, TEXAS, city limits a distance of 114.42 feet to the West line of Hidalgo County Irrigation District Number 2 right-of-way, recorded in Volume 25, Page 312, Deed Records, Hidalgo County, Texas for the POINT OF BEGINNING and the southeast corner of this tract;

THENCE N 81°25'08" W continuing along the existing North line of said CITY OF SAN JUAN, TEXAS, city limits a distance of 709.49 feet, to the East line of a tract of land deeded to Juan Maldonado, recorded in Document Number 625572, Deed Records, Hidalgo County, Texas for the southwest corner hereof;

THENCE N 08°33'16" E, along the East line of said Maldonado tract, a distance of 820.42 feet to the North line of said Lot 14, for the northwest corner hereof;

THENCE S 81°26'12" E, along the North line of said Lot 14, a distance of 714.25 feet to the West line of said Hidalgo County Irrigation District Number 2 right-of-way, for the northeast corner hereof;

THENCE S 08°51'59" W, along the West right-of-way line of said Hidalgo County Irrigation District Number 2 right-of-way, a distance of 820.61 feet to the POINT OF BEGINNING, containing 13.41 acres of land, more or less.

SECTION II: The service plan attached to this ordinance as **Exhibit “C”** and being the same service plan presented at the public hearing held regarding this annexation, is hereby approved by the City Commission of the City of San Juan, Texas provided that’s such service plan may be amended or repealed in accordance with Section 43.0672 of the Local Government Code, when in the opinion of the City Commission, changed conditions or subsequent occurrences make the plan unworkable or obsolete.

SECTION III: The herein above described property and the area so annexed shall be a part of the City of San Juan, Texas and the property so added hereby shall bear its pro rata share of taxes levied by the City of San Juan, Texas, and inhabitants thereof shall be entitled to all of the rights and privileges of the citizens of San Juan, Texas, in areas having similar characteristics of topography, land utilization and population density, and shall be bound by the acts ordinances, resolutions and regulations of the City of San Juan, Texas.

SECTION IV: The zoning of the property shall be classified as Single-Family Residence District (R-S).

SECTION V: Upon annexation of the herein above described property, the acreage within the city limits of San Juan after annexation will be increased in an amount which does not exceed the statutory limitation as set out in Chapter 43 of the Texas Local Government Code.

SECTION VI: Upon the approval of the second and final reading hereof, the City Secretary of the City of San Juan is hereby authorized and directed to cause a true and correct copy of the caption of this ordinance, including the general description of the property annexed to be published in a newspaper of general circulation in San Juan, Texas.

SECTION VII: If any part, phrase or sentence of this Ordinance is held void or unconstitutional by a Court or competent jurisdiction, or if any tract of land or portion of any tract of land hereby annexed shall be held to be ineligible for annexation or wrongfully annexed, the remaining portions of this Ordinance and the remaining tracts so annexed shall be considered severable and shall remain in full force and effect.

SECTION VIII: In accomplishing the annexation of the territory annexed by this Ordinance, the City of San Juan has strictly followed the provisions of State Law and the cases as they apply to annexations and any possible deviation from special provisions was unintentional and not material to the accomplishment of this annexation.

PASSED and **APPROVED** on first reading on the 22nd day of February, 2022.

PASSED and **APPROVED** on second reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

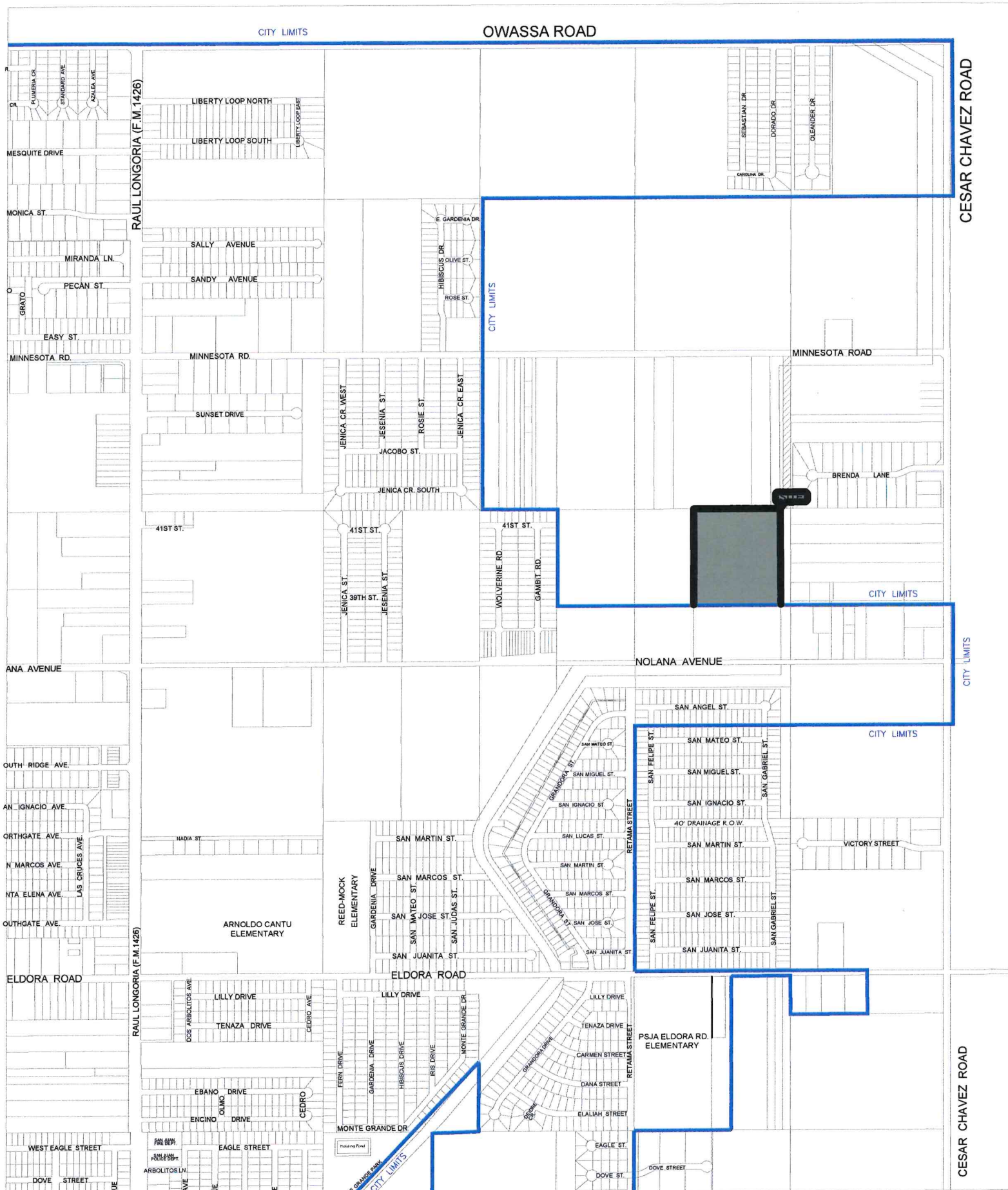
MARIO GARZA, Mayor

ATTEST:

APPROVED BY:
Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE,
Interim City Secretary

City Attorney



Legend

 CITY LIMITS
 Proposed area

Voluntary Annexation Petition of the 13.41-acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision, as per map recorded in Volume 1, Page 24-25, Map Records, Hidalgo County, Texas, as Requested by AAA Family, LTD.



**LOT 11, BLOCK 47
ALAMO LAND AND SUGAR
COMPANY'S SUBDIVISION**
(VOL. 1, PGS. 24-26, H.C.M.R.)

APPARENT CENTER LINE
OF GAS LINE
AS PER GAS MARKERS
REI GAS COMPANY, LLC
(DOCUMENT No. 1039880, H.C.D.R.)

S 81°26'12" E 714.25'

N.E. CORNER
LOT 14

50.0' MAGIC VALLEY
ELECTRIC COOP. INC. EASEMENT
(DOCUMENT No. 706163, H.C.D.R.)



SCALE: 1" = 200.0'

N 08°33'16" E 820.42'

FLOOD ZONE 'B'

13.41 ACRES

H.C.I.D. No. 2
CANAL & DRAINAGE DITCH R.O.W.
(VOL. 25, PG. 312, H.C.M.R.)
(25.0' FROM TOP OF BANK)

JUAN MALDONADO
DOCUMENT No. 625572, H.C.D.R.

**LOT 13, BLOCK 47
ALAMO LAND AND SUGAR
COMPANY'S SUBDIVISION**
(VOL. 1, PGS. 24-26, H.C.M.R.)

P.O.B.

**N 81°25'08" W
114.42'**

N 81°25'08" W 709.49'

**LOT 14, BLOCK 47
ALAMO LAND AND SUGAR
COMPANY'S SUBDIVISION**
(VOL. 1, PGS. 24-26, H.C.M.R.)

EXISTING
CITY LIMITS

500.0'

CONCRETE
HEADWALL

P.O.C.

**S.E. COR.
LOT 14**

NORTH
R.O.W.
LINE

E. EARLING ROAD (NOLANA LOOP)

(R.D.W. VARIES - 22.9' E-E)
(DOCUMENT No. 1242707, H.C.D.R.)
(DOCUMENT No. 1242708, H.C.D.R.)

LEGEND

- Z = COMMON OWNER
- L = LOT LINE
- HP = HIGH VOLTAGE OVERHEAD POWER LINE
- G = GAS LINE
- X = HOG WIRE FENCE
- E-E = EDGE OF PAVEMENT TO
EDGE OF PAVEMENT DISTANCE
- R.O.W. = RIGHT OF WAY
- H.C.D.R. = HIDALGO COUNTY DEED RECORDS
- H.C.M.R. = HIDALGO COUNTY MAP RECORDS
- H.C.I.D. = HIDALGO COUNTY IRRIGATION DISTRICT
- EOP = EDGE OF PAVEMENT
- BFE = BASE FLOOD ELEVATION
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING

**13.41 ACRES
OUT OF LOT 14, BLOCK 47,
ALAMO LAND AND SUGAR
COMPANY'S SUBDIVISION**

PROJECT INFORMATION

JOB NO.: 191011
DRAWN BY: GTG
CHECKED BY: C.V.
REVISIONS:

JH JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
444 E. 10th Street, Suite 1000
Irving, Texas 75039
(956) 618-1551



517 BEAUMONT AVE.
McALLEN, TEXAS 78501
Ph. (956) 618-1551
FAX (956) 618-1547
www.cvgllc.com
TBPES FIRM No. 10119600

**METES AND BOUNDS DESCRIPTION
13.41 ACRES OF LAND
ALAMO LAND AND SUGAR
COMPANY SUBDIVISION
HIDALGO COUNTY, TEXAS**



(Proposed Annexation)

A 13.41 acre tract of land, more or less, being out of **LOT 14, BLOCK 47, ALAMO LAND AND SUGAR COMPANY SUBDIVISION**, Hidalgo County, Texas according to the map or plat thereof recorded in Volume 1 Pages 24-26 Map Records, Hidalgo County, Texas, and said 13.41 acres being more particularly describe as follows:

COMMENCING for reference at the southeast corner of said Lot 14, **THENCE** N 08° 34' 52" E, along the East line of said Lot 14, a distance of 500.00 feet to the North line of the existing city limits of **THE CITY OF SAN JUAN, TEXAS**, as per **ORDINANCE NO. 94-029**, **THENCE** N 81° 25' 08" W, along the existing North line of said **CITY OF SAN JUAN, TEXAS**, city limits a distance of 114.42 feet to the West line of Hidalgo County Irrigation District Number 2 right-of-way, recorded in Volume 25, Page 312, Deed Records, Hidalgo County, Texas for the **POINT OF BEGINNING** and the southeast corner of this tract;

THENCE N 81° 25' 08" W continuing along the existing North line of said **CITY OF SAN JUAN, TEXAS**, city limits a distance of 709.49 feet, to the East line of a tract of land deeded to Juan Maldonado, recorded in Document Number 625572, Deed Records, Hidalgo County, Texas for the southwest corner hereof;

THENCE N 08°33'16" E, along the East line of said Maldonado tract, a distance of 820.42 feet to the North line of said Lot 14, for the northwest corner hereof;

THENCE S 81° 26' 12" E, along the North line of said Lot 14, a distance of 714.25 feet to the West line of said Hidalgo County Irrigation District Number 2 right-of-way, for the northeast corner hereof;

THENCE S 08°51'59" W, along the West right-of-way line of said Hidalgo County Irrigation District Number 2 right-of-way, a distance of 820.61 feet to the **POINT OF BEGINNING**, containing 13.41 acres of land, more or less.

Bearing basis as per TEXAS STATE PLANE COORDINATES SYSTEM NAD 1983, South Zone.

EXHIBIT C

ANNEXATION MUNICIPAL SERVICE PLAN AGREEMENT

POLICE

Existing Services: None by the City of San Juan

Services to be provided: Currently, the area is under the jurisdiction of the Hidalgo County Sheriff's Office. However, upon annexation, the City of San Juan Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

FIRE PROTECTION & AMBULANCE SERVICE

Existing Services: None by the City of San Juan

Services to be provided: Fire protection will be available to the area upon annexation. Primary fire response will be provided by the San Juan Fire Department staff and personnel located at 709 S. Nebraska Avenue, San Juan, Texas and 2301 N. Raul Longoria Road, San Juan, Texas. Adequate fire protection activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Inspector's office as needed. Ambulance service will be provided with response to all dispatched calls and request for service on assistance within the newly annexed areas.

BUILDING INSPECTION & CODE ENFORCEMENT DIVISION

Existing Services: None by the City of San Juan

Services to be provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permit for any new construction and remodeling, and enforcing all other applicable codes with regulated building construction within the City of San Juan.

PLANNING AND ZONING

Existing Services: None by the City of San Juan

Services to be provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of San Juan Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Juan Subdivision Ordinance. These services can be provided within the department's current budget.

LIBRARY

Existing Services: Areas are currently being serviced by the City of San Juan.

Services to be provided: Library use privileges are currently available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

The San Juan Memorial Library serves as a community resource to the citizens of San Juan and surrounding communities. The library has a collection of over 34,000 books along with a variety of DVD movies available for check out. We also provide fifty personal computers with internet access as well as MS Office and four children's computers with many fun and educational programs.

STREET

Existing Services: County Street Maintenance

Services to be provided: Maintenance to the street facilities will be provided by the City of San Juan upon the effective date of the annexation. This service can be provided within the current budget appropriation. For streets that will require major improvements the service plan will address those concerns within two and a half (2 ½) years and complete the work within four and a half (4 ½) years.

STORM WATER MANAGEMENT

Existing Services: None by the City of San Juan

Services to be provided: For new areas to be developed, developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completions. The City of San Juan will then maintain the drainage upon approval. For existing development the City will conduct public awareness and education activities on **Storm Water Management Plan** (MS4 Permit) and the **Clean Water Act**.

STREET LIGHTING

Existing Services: None by the City of San Juan

Services to be provided: The City of San Juan will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy. The city will be installing additional street lighting in areas that are below standards.

TRAFFIC ENGINEERING

Existing Services: None by the City of San Juan

Services to be provided: The City Engineer will work with Texas Department of Transportation (TxDOT) to provide, after the effective date of annexation, any additional traffic control devices, such as traffic lights and stop signs to improve the safety of traffic in the area.

WATER SERVICE

Existing Services: Areas are currently being serviced by the North Alamo Water Supply Corporation.

Services to be provided: Water service is currently provided to the area in accordance with the applicable codes and department policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinance. Extension of service shall comply with City codes and ordinances.

SANITARY SEWER SERVICES

Existing Services: Sewer services currently being provided by on site sewer facilities (OSSF).

Service to be provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICE

Existing Services: None

Service to be provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures. Such Service will be required no later than expiration of any current contract citizen has in effect at the time of annexation.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of San Juan established policies governing extension of municipal services to newly annexed areas.

Furthermore, the City of San Juan, Texas, finds and determines the rural nature of the area is characteristically different from other more highly developed areas within the corporate limits of the City of San Juan, Texas. Consequently, because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from series provided in other areas of the City of San Juan, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of San Juan, Texas, will undertake to perform consistent with the contract so as to provide this newly annexed area the same type, kind and quality of service presently enjoyed by the citizens of the City of San Juan, Texas, who reside in areas of similar topography, land utilization and population.

Legal Description: Being a 13.41-acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Subdivision, as per Volume 1, Page 24-26, Map Records of Hidalgo County, Texas.

EXECUTED this 13 day of December A.D. 2021.



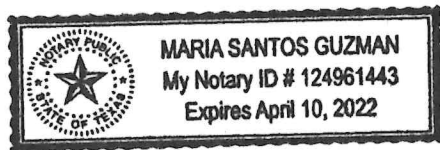
AAA Family, LTD.
Alberto Treviño
901 West 13th Street
San Juan, TX 78589

Acknowledgment

STATE OF TEXAS §

COUNTY OF HIDALGO §

This instrument was acknowledged before me on the 13 day of December, 2021.

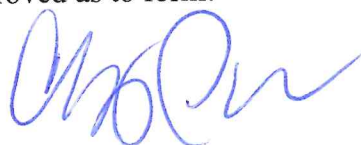

Notary Public – State of Texas

Accepted by:

CITY OF SAN JUAN

By: Ben Arjona
Benjamin Arjona, City Manager

Approved as to form:


By: _____
City Attorney

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Consider an Ordinance for a Voluntary Annexation Petition of the 24.85-acre tract of land out of Lot 7, Stewart's Addition to the Conway Gardens Subdivision, as per map recorded in Volume 0, Pages 43, Map Records, Hidalgo County, Texas, as Requested by Escon Development.

STAFF COMMENTS AND RECOMMENDATIONS:

The Planning Department is processing The Orchards of San Juan, a residential subdivision, located at the Southwest corner of Stewart and Moore Road. Part of the subdivision is outside the city limits but within the City of San Juan Extraterritorial Jurisdiction (ETJ). It is the City's policy to annex subdivisions processed and approved within the city's ETJ. In November 23, 2021, the City Commission approved a Resolution 21-29 accepting petition for voluntary annexation and setting dates and times for public hearings.

The property owner of the subject property has submitted a petition of a voluntary annexation to the City of San Juan. Upon annexation, recording of the subdivision plat, building permits and inspections will be processed by City for proposed residences. Annexation of this property is being undertaken in accordance with the provisions of the Texas Local Government Code, Chapter 43, Municipal Annexation, Section 43.028 and the City Charter.

RECOMMENDATION:

Staff recommends approval of the First Reading of the Ordinance as presented.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager



ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE EXTENSION ON CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN JUAN, TEXAS; AND THE VOLUNTARY ANNEXATION OF A 24.85-ACRE TRACT OF LAND OUT OF LOT 7, STEWARTS ADDITION TO CONWAY GARDENS SUBDIVISION, AS PER VOLUME 0, PAGES 43, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 3231259, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

WHEREAS, Section 43.067 of the Texas Local Government Code provides for an alternate to the standard annexation proceedings where the property owner petitions for annexation; and

WHEREAS, the City Commission of the City of San Juan has decided to extend the corporate limits to include tracts of land adjacent to our present corporate limits as shown in **Exhibit "A"**; and

WHEREAS, the hereinafter described territory lies within the extraterritorial of the City of San Juan, Texas; and

WHEREAS, the territory hereinafter described contains approximately **24.85** acres of land; and

WHEREAS, a notice of the City of San Juan proposed annexation was published in a newspaper having general circulation in the City of San Juan, Texas on December 29, 2021 and January 25, 2021 and was published between 11th day and 20th day before the public hearing dates; and

WHEREAS, the first public hearing was held at 6:00 pm on January 11, 2022 at the San Juan Memorial Library, located at 1010 S. Standard Avenue, in San Juan, Texas and second public hearing was held at 6:00 pm on February 8, 2022 at San Juan Memorial Library, located at 1010 S. Standard Avenue, in San Juan, Texas so that all interested parties were provided the opportunity to be heard regarding the proposed annexation of those tracts hereinafter described; and

WHEREAS, the enclosed municipal service plan for the proposed annexation was available for public inspection and explained in response to questions asked; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JUAN, THAT;

Exhibit "B"

SECTION I: The following described in **Exhibit "B"** land and territory adjacent to and adjoining the City of San Juan, Texas is hereby added and annexed to the City of San Juan, Texas, and the property herein described is altered and amended so as to include such areas within the corporate limits of the City of San Juan. The description of the property to be annexed is as follows:

Being 24.85 acres of land situated in Hidalgo County, Texas, and being out of Lot 7, Stewart's Addition to Conway Gardens Subdivision, per map recorded in Volume 0, Page 43, Hidalgo County Map Records, and said 24.85 acre tract being more particularly described by metes and bounds as follows;

BEGINNING at a nail found for the northwest corner of said Lot 7 and the northwest corner of said tract herein described;

THENCE, South 81°26'18" East, 820.00 feet, with the north line of said Lot 7, the south line of Lot 6, and the centerline of Moore Road to point for the northeast corner of said tract herein described.

THENCE, South 8°36'24" West, with a line a that is parallel to the east line of said Lot 7, at a distance of 20.00 feet pass the south right of way line of said Moore Road and continuing for a total distance of 1319.84 feet to a point for the southeast corner of said tract herein described;

THENCE, North 81°26'12" West, 820.06 feet, with the south line of said Lot 7, the north line of Castillo Subdivision as per map recorded in Volume 40, Page 114, Hidalgo county Map Records to a 1/2-inch iron rod found for the southwest corner of said Lot 7 and the southwest corner of said tract herein described;

THENCE, North 8°36'24" East, with the west line of said Lot 7, at a distance of 1299.82 feet pass a 1/2-inch iron rod with a plastic cap found for reference on the south right of way line of said Moore Road and continuing for a total distance of 1319.82 feet (map 1320.00 feet) to the POINT OF BEGINNING and containing 24.85 acres of land more or less.

SECTION II: The service plan attached to this ordinance as **Exhibit "C"** and being the same service plan presented at the public hearing held regarding this annexation, is hereby approved by the City Commission of the City of San Juan, Texas provided that's such service plan may be amended or repealed in accordance with Section 43.0672 of the Local Government Code, when in the opinion of the City Commission, changed conditions or subsequent occurrences make the plan unworkable or obsolete.

SECTION III: The herein above described property and the area so annexed shall be a part of the City of San Juan, Texas and the property so added hereby shall bear its pro rata share of taxes levied by the City of San Juan, Texas, and inhabitants thereof shall be entitled to all of the rights and privileges of the citizens of San Juan, Texas, in areas having similar characteristics of topography, land utilization and population density, and shall be bound by the acts ordinances, resolutions and regulations of the City of San Juan, Texas.

SECTION IV: The zoning of the property shall be classified as Single-Family Residence District (R-S).

SECTION V: Upon annexation of the herein above described property, the acreage within the city limits of San Juan after annexation will be increased in an amount which does not exceed the statutory limitation as set out in Chapter 43 of the Texas Local Government Code.

SECTION VI: Upon the approval of the second and final reading hereof, the City Secretary of the City of San Juan is hereby authorized and directed to cause a true and correct copy of the caption of this ordinance, including the general description of the property annexed to be published in a newspaper of general circulation in San Juan, Texas.

SECTION VII: If any part, phrase or sentence of this Ordinance is held void or unconstitutional by a Court or competent jurisdiction, or if any tract of land or portion of any tract of land hereby annexed shall be held to be ineligible for annexation or wrongfully annexed, the remaining portions of this Ordinance and the remaining tracts so annexed shall be considered severable and shall remain in full force and effect.

SECTION VIII: In accomplishing the annexation of the territory annexed by this Ordinance, the City of San Juan has strictly followed the provisions of State Law and the cases as they apply to annexations and any possible deviation from special provisions was unintentional and not material to the accomplishment of this annexation.

PASSED and APPROVED on first reading on the 22nd day of February, 2022.

PASSED and APPROVED on second reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, Mayor

ATTEST:

APPROVED BY:
Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE,
Interim City Secretary

City Attorney

P.O. BOX 476

WESLACO, TEXAS 78599-0476

PHONE (956) 968 - 2422

FAX (956) 969 - 2011

DESCRIPTION OF 24.85 ACRES OF LAND
OUT OF LOT 7, STEWART'S ADDITION TO CONWAY GARDENS SUBDIVISION
HIDALGO COUNTY, TEXAS

Being 24.85 acres of land situated in Hidalgo County, Texas, and being out of Lot 7, Stewart's Addition to Conway Gardens Subdivision, per map recorded in Volume 0, Page 43, Hidalgo County Map Records, and said 24.85 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a nail found for the northwest corner of said Lot 7 and the northwest corner of said tract herein described;

THENCE, South 81°26'18" East, 820.06 feet, with the north line of said Lot 7, the south line of Lot 6, and the centerline of Moore Road to a point for the northeast corner of said tract herein described;

THENCE, South 8°36'24" West, with a line that is parallel to the east line of said Lot 7, at a distance of 20.00 feet pass the south right of way line of said Moore Road and continuing for a total distance of 1319.84 feet to a point for the southeast corner of said tract herein described;

THENCE, North 81°26'12" West, 820.06 feet, with the south line of said Lot 7, the north line of Castillo Subdivision as per map recorded in Volume 40, Page 114, Hidalgo County Map Records to a ½-inch iron rod found for the southwest corner of said Lot 7 and the southwest corner of said tract herein described;

THENCE, North 8°36'24" East, with the west line of said Lot 7, at a distance of 1299.82 feet pass a ½-inch iron rod with a plastic cap found for reference on the south right of way line of said Moore Road and continuing for a total distance of 1319.82 feet (map 1320.00 feet) to the POINT OF BEGINNING and containing 24.85 acres of land more or less.

Surveyed: July 27, 2021

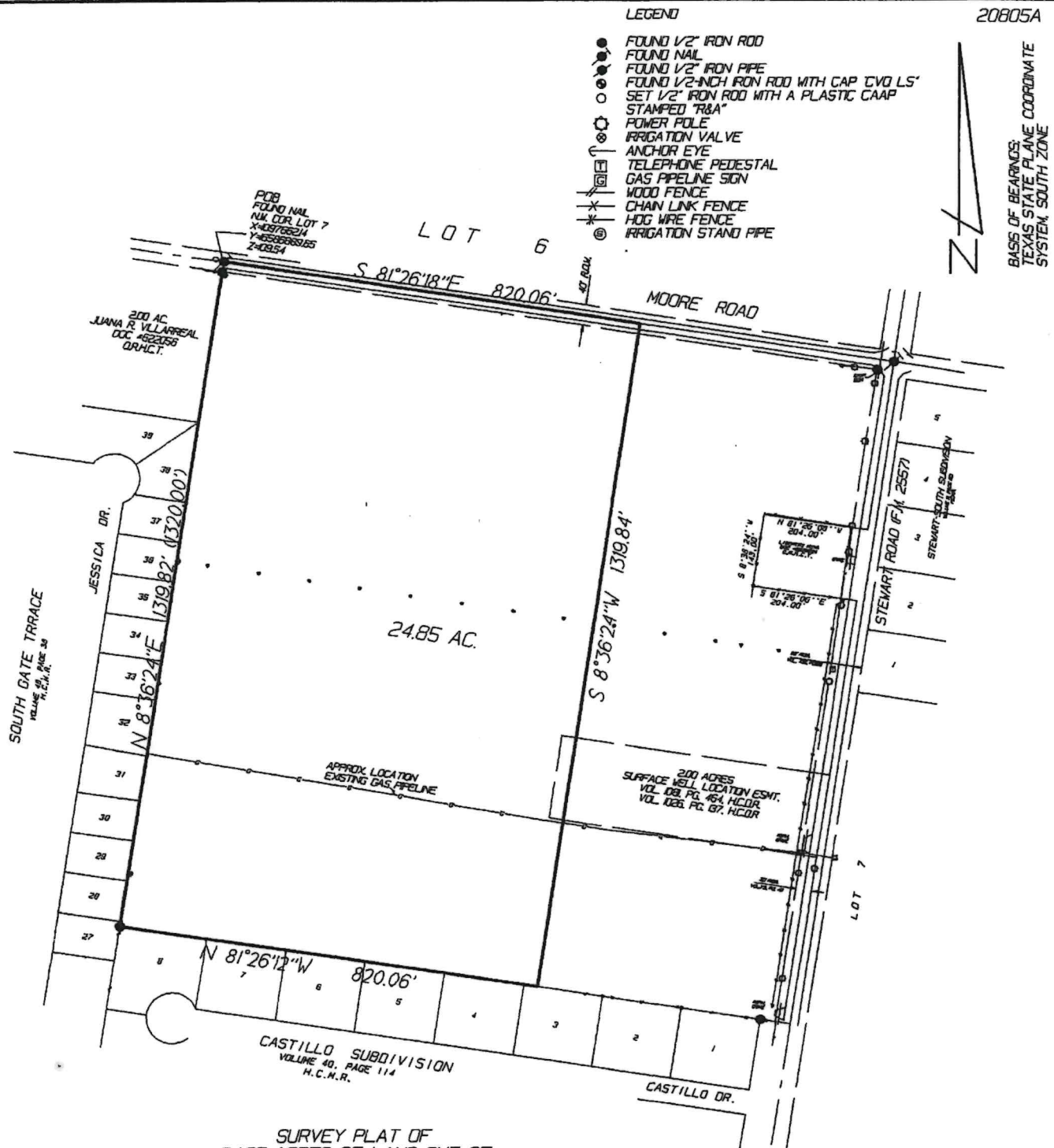
Basis of bearings: Texas State Plane Coordinate System, South Zone

20805A
11/02/2021




Reynaldo Robles, R.P.L.S. #4032

THIS SURVEY WAS PREPARED WITH THE USE OF A TITLE COMMITMENT PREPARED BY OTHERS ROBLES & ASSOCIATES, NOR THE SURVEYOR OF RECORD RESEARCHED OR PREPARED A TITLE REPORT OR ABSTRACT OF TITLE ON THE ABOVE PROPERTY.



SURVEY PLAT OF
24.85 ACRES OF LAND OUT OF
LOT 7, STEWART'S ADDITION TO CONWAY GARDENS SUBDIVISION
HIDALGO COUNTY, TEXAS
PER MAP RECORDED IN VOLUME 0, PAGE 43, H.C.M.R.

I, REYNALDO ROBLES, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A SURVEY AS MADE ON THE GROUND UNDER MY SUPERVISION, THAT THERE ARE NO VISIBLE ENCROACHMENTS, NOR VISIBLE AND APPARENT EASEMENTS AT THE TIME OF SURVEY EXCEPT AS SHOWN AND BY GRAPHIC PLOTTING ONLY THIS PROPERTY LIES IN FLOOD ZONE "B" (AREAS BETWEEN LIMITS OF THE 100 YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASEFLOOD OF FIRM COMMUNITY PANEL No. 480334 0425 C, DATED NOVEMBER 16, 1992.

Reynaldo Robles
REYNALDO ROBLES, R.P.L.S. #4032

PREPARED FOR: CRUZ-HOGAN

RA ROBLES &
ASSOCIATES, PLLC

PROFESSIONAL LAND SURVEYORS

P.O. BOX 476
107 W. HUISACHE ST.
WESLACO, TEXAS 78596

PHONE (956) 969-2422
FAX (956) 969-2011
FIRM No. 10096700

SURVEYED: 7-27-2021

DRAWN BY: RR/8-05-2021

SCALE: 1"=300'

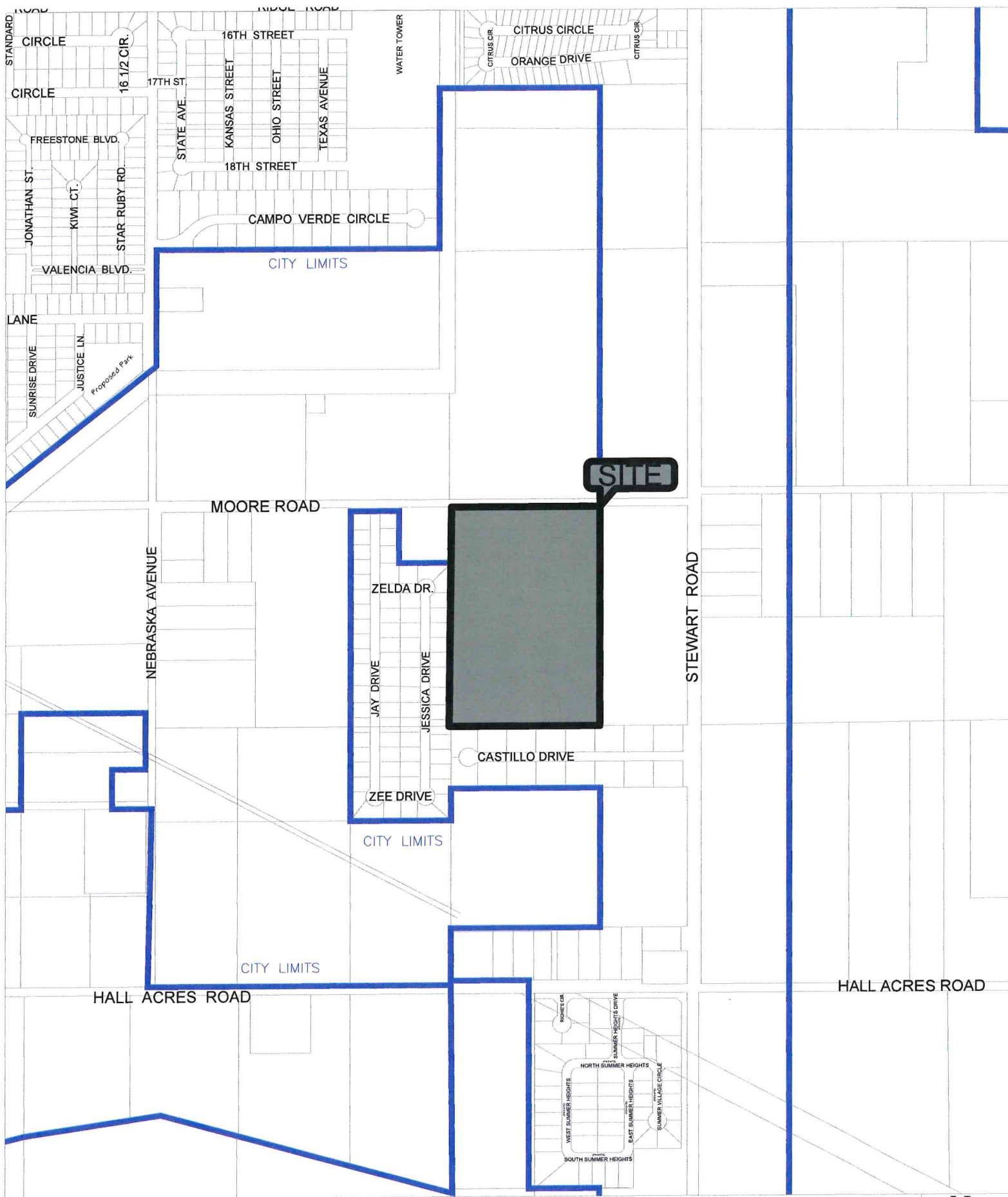
JOB No. 20805A

TITLE COMMITMENT No. 2009872

REVISED:

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL EMBOSSED SEAL OF SURVEYOR OF RECORD.

COPYRIGHT 2021



Legend

- CITY LIMITS
- Proposed area

Voluntary Annexation Petition of the 24.85-acre tract of land out of Lot 7, Stewart's Addition to the Conway Gardens, as per map recorded in Volume 0, Page 43, Map Records, Hidalgo County, Texas, as Requested by Escon Development.



EXHIBIT C

ANNEXATION MUNICIPAL SERVICE PLAN AGREEMENT

POLICE

Existing Services: None by the City of San Juan

Services to be provided: Currently, the area is under the jurisdiction of the Hidalgo County Sheriff's Office. However, upon annexation, the City of San Juan Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

FIRE PROTECTION & AMBULANCE SERVICE

Existing Services: None by the City of San Juan

Services to be provided: Fire protection will be available to the area upon annexation. Primary fire response will be provided by the San Juan Fire Department staff and personnel located at 709 S. Nebraska Avenue, San Juan, Texas and 2301 N. Raul Longoria Road, San Juan, Texas. Adequate fire protection activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Inspector's office as needed. Ambulance service will be provided with response to all dispatched calls and request for service on assistance within the newly annexed areas.

BUILDING INSPECTION & CODE ENFORCEMENT DIVISION

Existing Services: None by the City of San Juan

Services to be provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permit for any new construction and remodeling, and enforcing all other applicable codes with regulated building construction within the City of San Juan.

PLANNING AND ZONING

Existing Services: None by the City of San Juan

Services to be provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of San Juan Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Juan Subdivision Ordinance. These services can be provided within the department's current budget.

LIBRARY

Existing Services: Areas are currently being serviced by the City of San Juan.

Services to be provided: Library use privileges are currently available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

The San Juan Memorial Library serves as a community resource to the citizens of San Juan and surrounding communities. The library has a collection of over 34,000 books along with a variety of DVD movies available for check out. We also provide fifty personal computers with internet access as well as MS Office and four children's computers with many fun and educational programs.

STREET

Existing Services: County Street Maintenance

Services to be provided: Maintenance to the street facilities will be provided by the City of San Juan upon the effective date of the annexation. This service can be provided within the current budget appropriation. For streets that will require major improvements the service plan will address those concerns within two and a half (2 ½) years and complete the work within four and a half (4 ½) years.

STORM WATER MANAGEMENT

Existing Services: None by the City of San Juan

Services to be provided: For new areas to be developed, developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completions. The City of San Juan will then maintain the drainage upon approval. For existing development the City will conduct public awareness and education activities on **Storm Water Management Plan** (MS4 Permit) and the **Clean Water Act**.

STREET LIGHTING

Existing Services: None by the City of San Juan

Services to be provided: The City of San Juan will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy. The city will be installing additional street lighting in areas that are below standards.

TRAFFIC ENGINEERING

Existing Services: None by the City of San Juan

Services to be provided: The City Engineer will work with Texas Department of Transportation (TxDOT) to provide, after the effective date of annexation, any additional traffic control devices, such as traffic lights and stop signs to improve the safety of traffic in the area.

WATER SERVICE

Existing Services: Areas are currently being serviced by the Military Highway Water Supply Corporation.

Services to be provided: Water service is currently provided to the area in accordance with the applicable codes and department policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinance. Extension of service shall comply with City codes and ordinances.

SANITARY SEWER SERVICES

Existing Services: Sewer services currently being provided by on site sewer facilities (OSSF).

Service to be provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICE

Existing Services: None

Service to be provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures. Such Service will be required no later than expiration of any current contract citizen has in effect at the time of annexation.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of San Juan established policies governing extension of municipal services to newly annexed areas.

Furthermore, the City of San Juan, Texas, finds and determines the rural nature of the area is characteristically different from other more highly developed areas within the corporate limits of the City of San Juan, Texas. Consequently, because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from series provided in other areas of the City of San Juan, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of San Juan, Texas, will undertake to perform consistent with the contract so as to provide this newly annexed area the same type, kind and quality of service presently enjoyed by the citizens of the City of San Juan, Texas, who reside in areas of similar topography, land utilization and population.

Legal Description: Being a 24.85-acre tract of land out of Lot 7, Stewart's Addition to the Conway Gardens Subdivision, as per Volume 0, Page 43, Map Records of Hidalgo County, Texas.

EXECUTED this _____ day of _____, A.D. 2021.

ESCON Development
Jonathan Arthur
5319 S. McColl Road
Edinburg, TX 78539

Acknowledgment

STATE OF TEXAS §

COUNTY OF HIDALGO §

This instrument was acknowledged before me on the _____ day of _____, 2021.

Notary Public – State of Texas

Accepted by:

CITY OF SAN JUAN

By: _____
Benjamin Arjona, City Manager

Approved as to form:

By: _____
City Attorney

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Discussion and Possible Action to Adopt the Emergency Response Plan Required Per Senate Bill 3 and Authorize the City Manager to Execute All Related Documents and Budget Amendments as Needed.

STAFF COMMENTS AND RECOMMENDATIONS:

The 87 Legislature Passed Senate Bill 3 that Requires All Affected Utilities to Develop and Adopt an Emergency Preparedness Plan by March 1, 2022 and Implement it by July 1, 2022.

RECOMMENDATION:

Approve as Presented

PREPARED BY:

David Salinas,
Director of Utilities

APPROVED BY:

Benjamin Arjona, City
Manager

UTILI-FACTS

Project 52299 Senate Bill 3, 87th Legislature, Regular Session Compliance Guidance - Texas Water Code (TWC) § 13.1396

By **November 1, 2021**, “affected utilities” must file specific information with the Public Utility Commission of Texas (PUCT) in Project 52299. This information must also be filed with each transmission and distribution service provider, each retail electric provider, and the office of emergency management of each county where the utility has water or sewer facilities that qualify for critical load status.

Q: Am I an “affected utility”?

A: TWC § 13.1394 defines an “affected utility” as a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that:

- Furnishes water service to more than one customer; and
- Is not an affected utility under Section 13.1395.

TWC § 13.1395 defines an “affected utility” as a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that furnishes water service to more than one customer:

- In a county with a population of 3.3 million or more; or
- In a county with a population of 550,000 or more adjacent to a county with a population of 3.3 million or more.

Q: Who is required to file this information with the PUCT?

A: All entities that meet one or both of the definitions for an “affected utility” are required to file this information with the PUCT.

Q: What information must be filed to meet this requirement?

A: You must file a letter identifying the name of your water or sewer utility. Please also include the names of any affiliates and assumed names, if any. In addition, include a list of all the public water systems and sewer systems owned by your utility for which you are filing the information.

- Identify the location and provide a written, general description of all water and sewer facilities that qualify for critical load status (may include maps if this would help you identify the location of your facilities); and

- Emergency contact information for the affected utility, including:
 - The name of the person who will serve as a point of contact and the person’s telephone number;
 - The person who will serve as an alternative point of contact and the person’s telephone number; and
 - The affected utility’s mailing address.

Q: Where must this information be filed?

A: This information must be filed with each of the following:

- 1) the PUCT,
- 2) each electric utility that provides transmission and distribution services to you. Your transmission and distribution utility is known as your TDU. A TDU is the company that distributes electricity from power generation to homes and businesses in Texas. To find out who your TDU is, please review the map at: <https://www.puc.texas.gov/industry/maps/maps/tdumap.pdf>,
- 3) each retail electric provider that sells electric power to you,
- 4) the office of emergency management of each county in which the utility has water and wastewater facilities that qualify for critical load status, and
- 5) the division of emergency management of the governor at: Texas Division of Emergency Management, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0220.

Please file this information in Central Records, Project 52299. You may request that the information be filed confidentially if you feel that publicly filing facility location and possibly maps will make your water or wastewater utilities more vulnerable. For instructions on the PUCT’s filing requirements and on how to file with the PUCT, please click on the link below. Instructions on how to file confidentially are also located at this link.

<https://www.puc.texas.gov/industry/filings/FilingProceed.aspx>

For instructions on how to file with your electric providers and the office of emergency management of each county in which you have water or wastewater facilities, please contact them directly.

Q: Is there a deadline?

A: Yes, the deadline to comply with this new requirement is November 1, 2021.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Discussion and Possible Action to Authorize the City Manager to Declare a 2001 Ford Crown Victoria and 2010 Chevrolet Malibu as Surplus and for Final Disposal for Auction.

STAFF COMMENTS AND RECOMMENDATIONS:

Staff is recommending the following fixed assets in the Department to be declared Suplus/Salvage for Final Disposal at Auction or Salvage.

- Unit #132 - 2001 Ford LTD Crown Victoria 2FAFP71W91X122009
- Unit #148 - 2010 Chevrolet Malibu 1G1ZB5EB4AF159278

RECOMMENDATION:

Staff recommends approval.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

ASSESTS ADDED/DELETED/TRANSFER TO INSURANCE

PLANNING
AUTOMOBILE

											UPDATED 1/11/22	
DEPARTMENT	EFFECTIVE DATE	ADD	DELETE	TRANSFER	TRANSFER TO	YEAR	MAKE	MODEL	VIN NUMBER	TAG ID	COST	TML ID#
Community Development						2005	Ford	F150 1/2T	1FTRF12W25NA96205	Null		Auto - ID#13
Community Development						2001	Ford	LTD Crown Victoria	2FAFP71W91X122009	Null		Auto - ID#132
Community Development Association						2001	Ford	F150 1/2T	1FTPF17W12NA68075	Insp. Dept.		Auto - ID#4
Community Development						2005	Ford	Ranger 1/2T	1FTYR10U25PA87190	Null		Auto - ID#18
Planning	11/19/2020	X				2021	Chevrolet	Silverado 2WD Crew Cab	1GCPWAEH9MZ101346	5216	\$24,811.20	Auto - ID#221
Planning	11/19/2020	X				2021	Chevrolet	Silverado 2WD Crew Cab	1GCPWAEH6MZ103751	5217	\$24,811.20	Auto - ID#222
Planning						2010	Chevrolet	Malibu	1G1ZB5EB4AF159278	Null		Auto - ID#148
Planning						2014	Chevrolet	Sonic	1G1JC5SH7E4206307	Null		Auto - ID#117
Planning						2012	Chevrolet	Cruze	1G1PC5SH8C7188583	Null		Auto - ID#118
Inspection						2055	Ford	Ranger 1/2T	1FTYR10U75PA58560	Null		Auto - ID#17

MOBILE EQUIPMENT

DEPARTMENT	ADD	DELETE	YEAR	MAKE/MODEL	DESCRIPTION	SERIAL/VIN NUMBER	TAG ID	TML ID #

REAL & PERSONAL PROPERTY

													UPDATED 1/11/2022
DEPARTMENT	ADDRESS	EFFECTIVE DATE	BUILDING VALUE	CONTENT VALUE	ADD	DELETE	TML ID#	TAG NUMBER	SQUARE FT.	YEAR	DESCRIPTION	SERIAL NUMBER	MANUFACTURER

**Planning & Zoning/Animal Control
Inventory of Vehicle**

Unit #	License Plates	Vin# Number	Manufacturer	Model	Milage	Old Unit#	
CE 500	887756	1FTRF12W25NA96205	Ford	Ranger	121920	82	
CE 501	898005	1FTYR10U25PA87190	Ford	F-150	131574	80	
CE 507	1386481	1G1JC5SH7E4206307	Chevy	Sonic	93050		
CE 508	1387992	1G1PC5SH8C7188583	Chevy	Cruze	18683		
CE 509	1428791	1GCPWAEH6MZ103751	Chevy	Silverado-1500	12617		
CE 510	1428793	1GCPWAEH9MZ101346	Chevy	Silverado-1500	12690		
CE 504	1061987	2FAP71W91X122009	Ford	Crown Victoria		85	
CE 503	888694	1FTYR10U75PA58560	Ford	Ranger		83	
CE 502	1276	1FTRF17W12NA6805	Ford	F-150		81	

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Consider Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision, located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue, as Requested by Javier Hinojosa Engineering.

STAFF COMMENTS AND RECOMMENDATIONS:

The developer is proposing to subdivide 20.83 acres located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue. He is proposing an eighty-seven (87) lot subdivision with six (6) internal streets. The subdivision will have two access existing onto Nolana Avenue. The seven (7) lots facing Nolana Avenue will be for commercial use and the rest of the properties for residential use. The flood zone for this subdivision is "AH", which is considered a flood zone, according to the FEMA Map.

It is noted, that part of the subdivision is located outside the city limits of San Juan, but in the ETJ. A voluntary annexation petition was submitted to the city and staff has initiated the annexation process.

Additional right-of-way shall be dedicated as per city's comprehensive plan, 120 feet of right-of-way along Nolana Avenue.

Water service will be provided by the North Alamo Water Supply Corporation; sewer will be provided by the City of San Juan. Additional fire hydrants shall be located every 300 feet of the existing fire hydrant. Water line shall be looped to the 8-inch water line as per San Juan Fire Department requirements. All entrances/exits must be 26 feet wide.

The project engineer is requesting the following variances:

1. To not comply with the required setbacks, they are proposing 5' side setback for interior lots, 15' rear setback for all lots and 15' front setback for curl de sac lots.
2. To not comply with the 65 feet minimum width lot requirements for corner lots. They are proposing 64 feet.
3. To not comply with the 15 foot utility easement on the rear of all properties. They are proposing a 10 foot.
4. To not comply with the Park Fee. They are requesting to pay 50% during the subdivision phase and 50% at the building permit stage.
5. To not comply with the commercial lot sizes for Lots 1, 2, 41 and 42

RECOMMENDATION:

Staff recommends approval subject to compliance with the list of requirements in the attached report and denial of all variances requested.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/03/2022
CITY COMMISSION – 02/22/2022
DATE PREPARED – 02/10/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION: Preliminary and Final Plat Approval of La Paloma Subdivision

APPLICANT: AAAR Family, Ltd.

AGENT: Javier Hinojosa Engineering

LEGAL: Being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision

LOCATION: The property is located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue

LOT/TRACT SIZE: 20.83 acre tract

CURRENT USE OF PROPERTY: Vacant

**EXISTING LAND USE/
ADJACENT ZONING:** North – Outside City Limits
South – Residential; Single-Family Residence District (R-S)
East – Residential; Single-Family Residence District (R-S)
West – Vacant; General Business District (C-2)

PUBLIC SERVICES: Water service will be provided by the North Alamo Water Supply Corporation and sewer by the City of San Juan.

VARIANCE REQUEST: The applicant is requesting the following variances (see enclosed letter):

1. To not comply with the required setbacks, they are proposing 5' side setback for interior lots, 15' rear setback for all lots and 15' front setback for curl de sac lots.
2. To not comply with the 65 feet minimum width lot requirements for corner lots. They are proposing 64 feet.
3. To not comply with the 15 foot utility easement on the rear of all properties. They are proposing a 10 foot.
4. To not comply with the Park Fee. They are requesting to pay 50% during subdivision process and 50% at building permit stage.
5. To not comply with the commercial lot sizes for Lots 1, 2, 41 and 42.

RECOMMENDATION: Staff recommends approval subject to comply with the list of requirements in the attached report and denial of all variances requested.

EVALUATION AND CONDITIONS FOR APPROVAL

The developer is proposing to subdivide 20.83 acres located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue. He is proposing an eighty-seven (87) lot subdivision with six (6) internal streets. The subdivision will have two access roads along Nolana Avenue. The seven (7) lots facing Nolana Avenue will be for commercial use and the rest of the properties for residential use. The flood zone for this subdivision is “AH”, which is considered a flood zone, according to the FEMA Map.

It is noted, that part of the subdivision is located outside the city limits of San Juan, but in the ETJ. A voluntary annexation petition was submitted to the city and staff has initiated the annexation process.

Additional right-of-way shall be dedicated as per city’s comprehensive plan, 120 feet of right-of-way along Nolana Avenue.

Water service will be provided by the North Alamo Water Supply Corporation; sewer will be provided by the City of San Juan. Additional fire hydrants shall be located every 300 feet of the existing fire hydrant. Water line shall be looped to the 8-inch water line as per San Juan Fire Department requirements. All entrance/exit must be a 26 feet wide.

The project engineer is requesting the following variances:

1. To not comply with the required setbacks, they are proposing 5’ side setback for interior lots, 15’ rear setback for all lots and 15’ front setback for curl de sac lots.
2. To not comply with the 65 feet minimum width lot requirements for corner lots. They are proposing 64 feet.
3. To not comply with the 15 foot utility easement on the rear of all properties. They are proposing a 10 foot.
4. To not comply with the Park Fee. They are requesting to pay 50% during subdivision process and 50% at building permit stage.
5. To not comply with the commercial lot sizes for Lots 1, 2, 41 and 42.

Park Fees:

1. \$700.00 per lot being platted for single-family residential purposes.

Additional Fees:

1. \$106.00 Recording Fee
2. \$250.00 Hidalgo County Drainage District Fee
3. 4% Inspection Fee based on cost estimate submitted by project engineer

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Variance Request Letter
Comments from City Engineer, Fire and Utilities Departments
Subdivision Plat

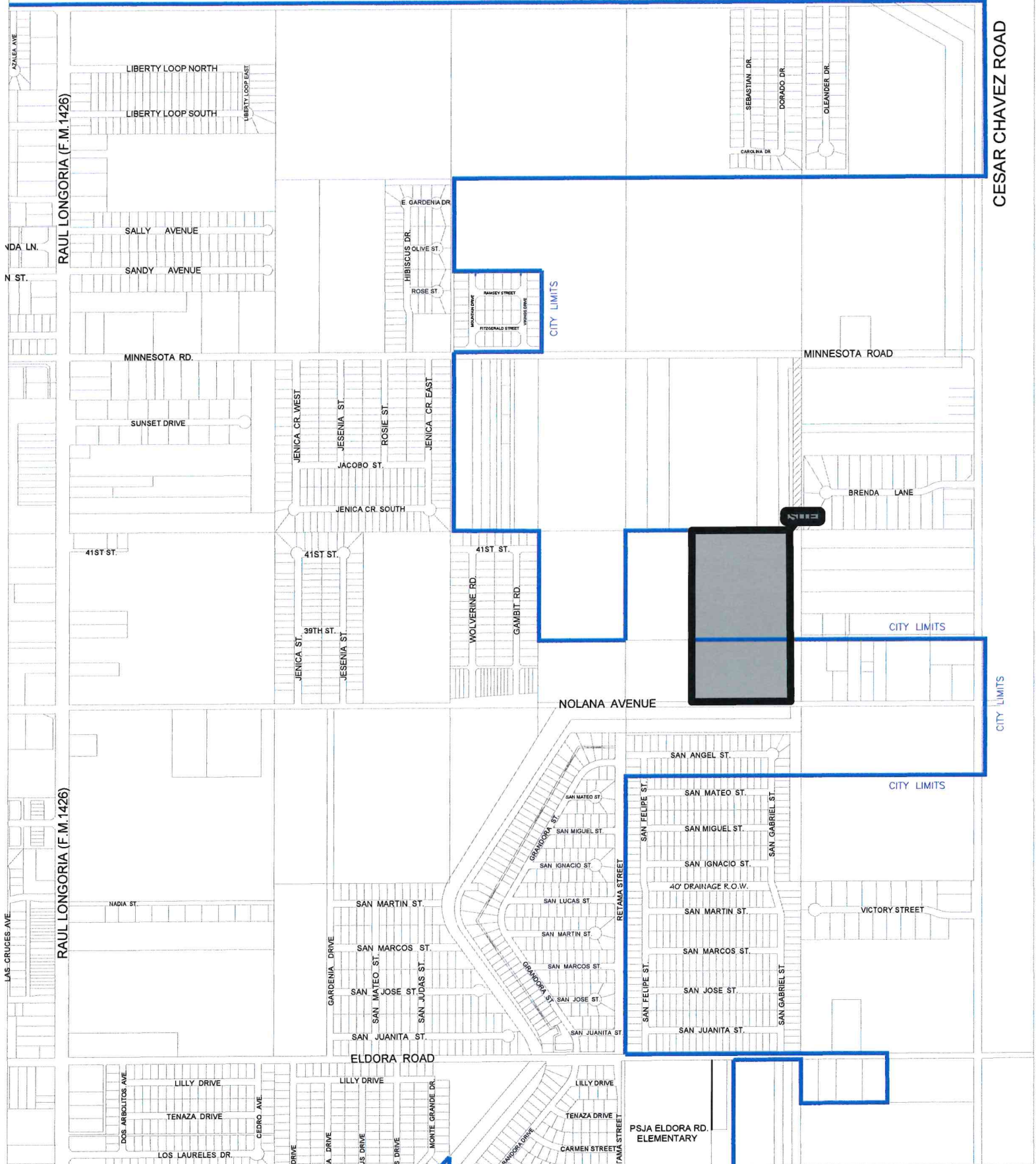


Proposed Site

CITY LIMITS

OWASSA ROAD

CESAR CHAVEZ ROAD



Legend

- CITY LIMITS
- Proposed area

Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company, as Requested by Javier Hinojosa Engineering.

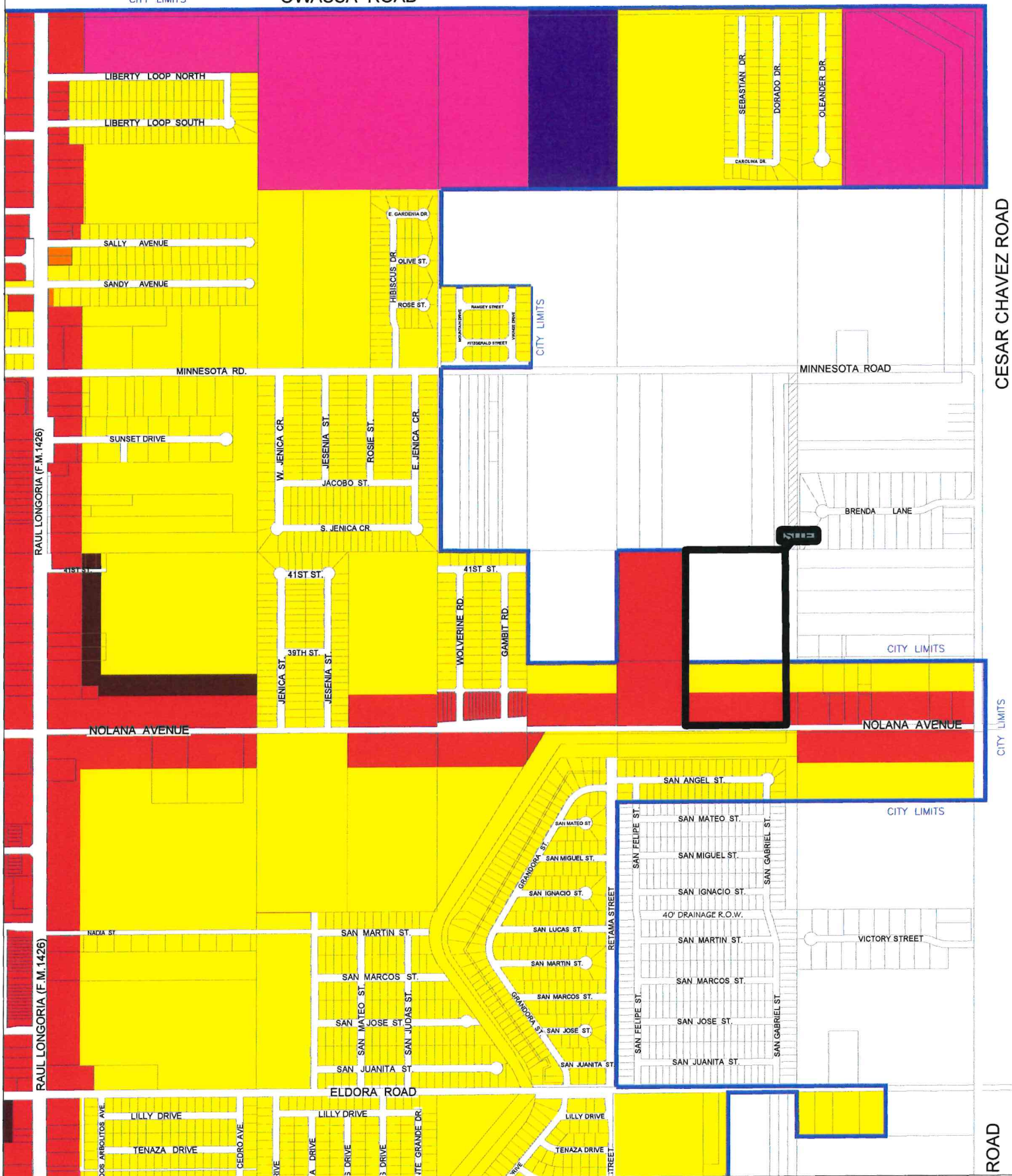




- Legend
-  CITY LIMITS
 -  Proposed area

Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company, as Requested by Javier Hinojosa Engineering.





CESAR CHAVEZ ROAD

CITY LIMITS

ROAD



Zoning Districts

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

Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company, as Requested by Javier Hinojosa Engineering.

JAVIER HINOJOSA ENGINEERING/Consulting Engineers

416 E. Dove Avenue • McAllen, Texas 78504

Tel: (956) 668-1588

javier@javierhinojosaeng.com

TBPELS FIRM NO. F-1295

December 13, 2021

Ms. Monica Gomez, Planner II
City of San Juan
709 S. Nebraska Ave.
San Juan, TX 78589

Re: La Paloma Subdivision

Dear Ms. Gomez,

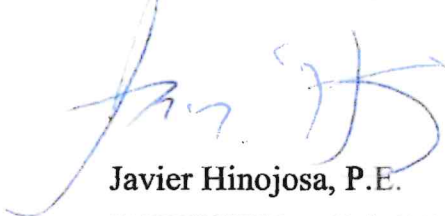
Please accept this letter as our request on behalf of the Developer of the La Paloma Subdivision for the following variance requests:

1. Requesting a 5' side interior setback for all interior lots, 15' rear setback for all lots and a 15' front setback for cul de sac lots.
2. Requesting a variance to the minimum width sizes for the corner lots.
Requesting a lot width of 64' in lieu of 65'.
3. Requesting a 10' utility easements on the rear for all lots.
4. Requesting 50% payment of park fees during subdivision process by Developer and 50% payment at building permit stage.
5. Requesting a variance for commercial lot sizes for Lots 1, 2, 41 and 42.

Please process this variance request as part of the subdivision approval at your earliest convenience. Your assistance in this matter is greatly appreciated. If you have any questions, please feel free to contact me at your convenience.

Sincerely,

JAVIER HINOJOSA ENGINEERING



Javier Hinojosa, P.E.

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SAM Engineering and Surveying



Engineering Firm Reg # 10602 Surveying Firm Reg # 101416-00
200 S. 10th Street, Suite 1500, McAllen, Texas 78501 Phone: (956) 702-8880 Fax: (956) 702-8883

December 1, 2021

To: City of San Juan Planning Dept.
Attn: Monica Gomez, Planner II
709 S. Nebraska
San Juan, Texas 78589

Re: La Paloma Subdivision (Preliminary) Review

Ms. Gomez,

We are in receipt of the Subdivision Plat submittals for the La Paloma Subdivision. SAM Engineering & Surveying, in its capacity acting as the City's Engineer for this project, has reviewed the subdivision plat, proposed water and sewer plan, proposed offsite sanitary sewer plan, and paving and drainage for the referenced project. The following are our comments and will need to be addressed before we can recommend approval of this subdivision:

Subdivision Plat

1. Missing name of owner on adjacent tract southwest of property with doc #A1800-00-047-0014-01 (Sec.2.00(a)(5))
2. Adjacent zoning missing on property to west (Sec.2.00(a)(11))
3. Verify that no trees are over eight (8") inches in diameter (Sec.2.00(a)(13))
4. Missing block numbers (Sec.2.00(a)(6)(B))
5. Is this subdivision wholly or partially within the City limits? If partially, please show city limits boundary.
6. Corner lots are shown as 64' wide. Minimum corner lot width for R-S is 65' (Sec.3.00(c)(10))
7. Address park dedication or fees-in-lieu-of requirements as per Sec.3.00(i)
8. Plat certifications are not word for word as noted on Sec.2.00(d)(9) and (10). Verify with city staff if this is acceptable.
9. All corner lots at street intersections shall be corner clipped as per Sec.3.00(c)(10)
10. Note #16 states that no curb cuts, access are permitted along E. Earling Rd. Will there be an access agreement then?
11. As per city's major thoroughfare plan, Nolana is considered a principal arterial roadway with 120' ROW. Verify with city staff if additional right of way dedication is required.
12. Lot #63 is noted twice.
13. Street names will need to be approved by City prior to final approval of plat.
14. As per Sec.3.00(f)(1) and (3), utility easements must be 15 ft. wide.
15. Drainage report not provided to SAMES, Inc., therefore, note #5 could not be verified.

Proposed Water & Sewer Plan (Sheet 3)

1. Lot #17 is missing a water service
2. Easements are not labeled
3. The increased flow demand to be created upon 25 percent, 50 percent, 75 percent and full development of the subdivision required (Sec.2.00(b)(1)). Not provided to SAMES.

Proposed Offsite San. Sewer Plan (Sheet 4)

1. Provide property owner information adjacent to offsite easement.
2. Will off-site easement be obtained by separate instrument?

Proposed Paving and Drainage Plan (Sheet 5)

1. Typical cross-sections of streets need to be provided. (Sec.2.00(a)(8))
2. Show proposed sidewalks

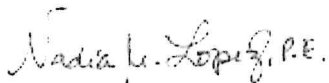
Additional Comments:

1. Street signs, traffic control and street lighting plan required (Sec.2.00(a)(17) and Sec.3.00(n)). Not provided to SAMES
2. Letter stipulating any proposed protective and/or restrictive covenants, conditions and limitations whereby the subdivision proposed to regulate land use in the subdivision (Sec.2.00(a)(15)), not provided to SAMES

Please be advised that additional comments may be generated upon reviewal of updated information provided.

Should you have any questions, please do not hesitate to call our office.

Respectfully,



Nadia M. Lopez, P.E.
Project Manager
SAMÉS, Inc.



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo "Lenny" Sanchez
Commissioners: Adina "Dina" Santillan
Ernesto "Neto" Guajardo
Marco "Markie" Villegas

MEMORANDUM

TO: Monica Gomez, Interim Planning & Zoning Director
FROM: David Salinas, Director of Utilities *ds*
DATE: December 2, 2021
SUBJECT: La Paloma - Review #1

Water Distribution

- All domestic water systems shall be designed in conformance with the most current revision of TCEQ's Drinking Water Rules (30 TAC Chapter 290) and the **City of San Juan Standard Details and Specifications**. The most stringent requirements shall apply where the standards conflict.
- NAWSC Service Area
- **Set of Construction Plans and specifications must be submitted to the City for review and approval prior to construction.**
- Additional Comments will be provided at the time of construction plan review

Wastewater Collection System

- All sanitary sewers shall be designed in conformance with the most current revision of TCEQ's Design Criteria for Sewerage Systems (30 TAC Chapter 217) and the City of San Juan standards. The most stringent requirements shall apply where the standards conflict.
- **Additional Connections to Sewer are on Hold**
- Sewer must be extended west along Earling Road
- No Service connection to manholes
- All lots must have single service (lots 41 and 42)
- Minimum 15" UE
- Water & Sewer Plans and Specifications require TCEQ submittal and approval prior to construction.
- Additional comments will be provided at the time of construction plan review.
- **Set of Construction plans and specifications must be submitted to the City for review and approval prior to construction.**

The Fire Department and City Engineers May Have Additional Comments.

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



Tirso Garza,
Fire Chief

Carlos Alaniz,
Assistant Chief

Jose J. Salinas,
Fire Inspector

Sandra Guajardo,
Adm. Assistant

Station #1
707 S. Nebraska
San Juan, TX 78589

Station #2
2301 N. Raul Longoria Rd.
San Juan, TX 78589

Ph: (956) 223-2470
Fax: (956) 783-3441

BUILDING PLAN REVIEW COMMENTS

Building Plan Name: La Paloma Subdivision

Address: _____

Date Reviewed: 12/16/2021

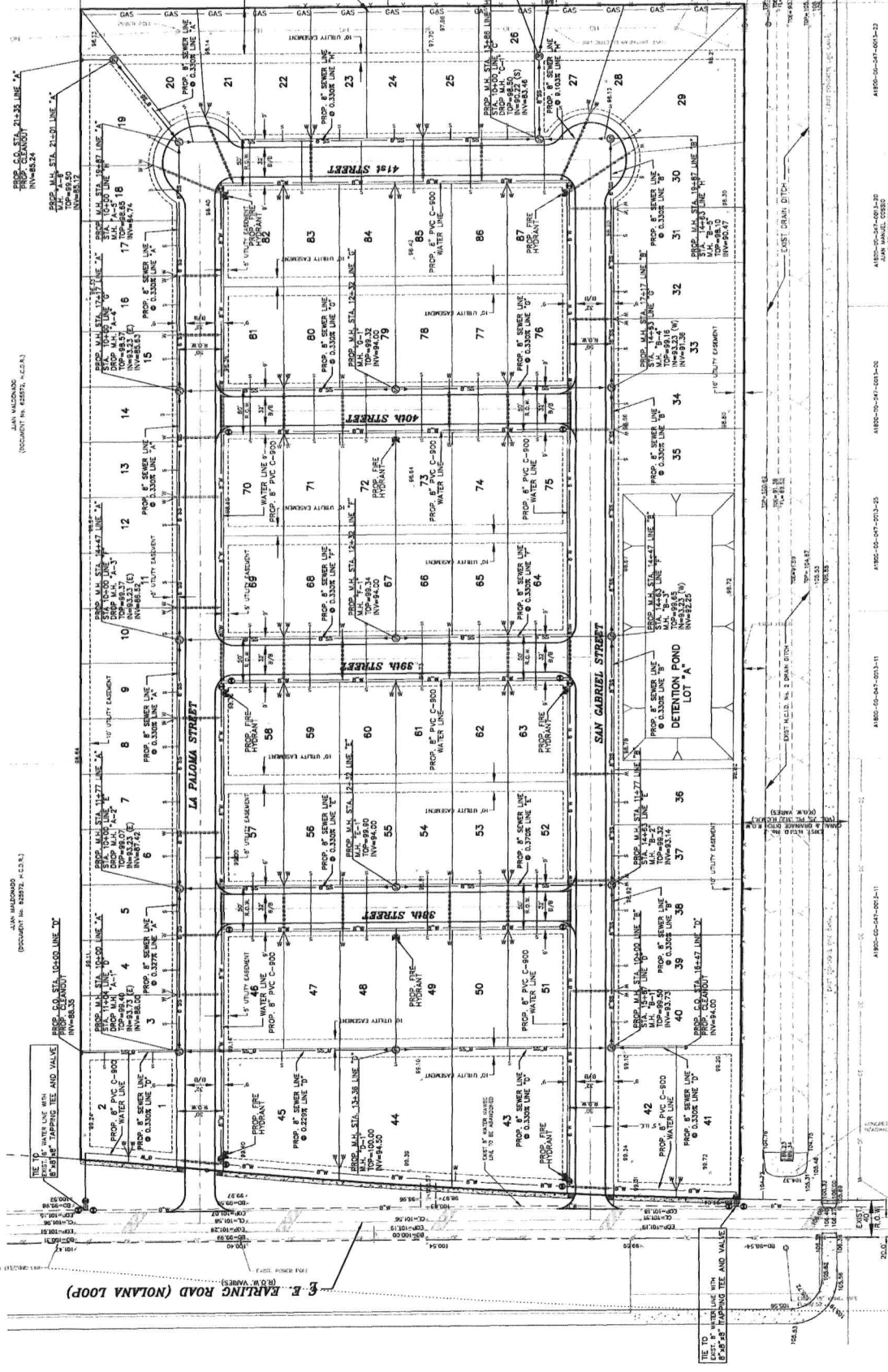
After reviewing plans the following requirements shall be needed as per the Fire Protection System per IFC 2012:

1. The hydrant shall be looped to the 8" waterline. (Recommended Mueller Safety Yellow Barrel without the anti-theft device.)
2. The Developer shall install reflective blue markers in front of all hydrants.
3. Curb shall be painted RED with WHITE lettering reading NO PARKING 30 feet from the center of hydrant and 15 feet to each side.
4. A fire hydrant must be placed within 500 feet of existing fire hydrant.
5. All entrance and exits must be 26 feet.



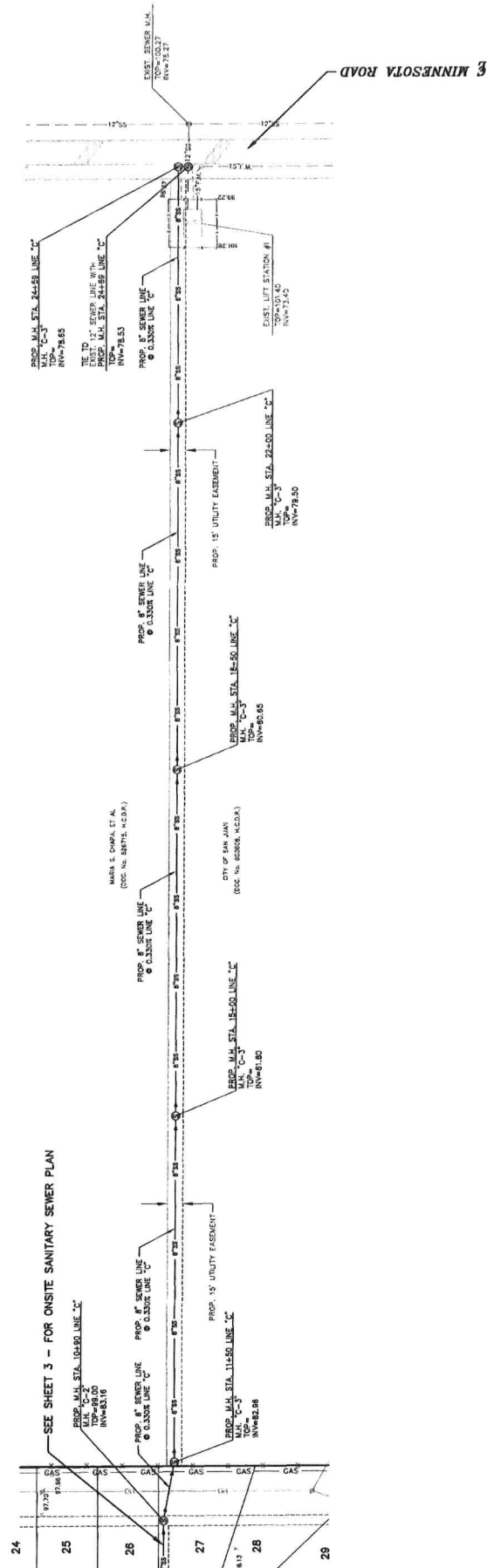
SCALE: 1" = 50'

FRANCOIS DAPLA
(REG. ME. NO. 10,000)



REVISIONS		JAVIER HINOJOSA ENGINEERING CONSULTING ENGINEERS 418 E. DOWE AVENUE, AUSTIN, TEXAS 78704 PHONE (512) 444-1144 FAX (512) 444-1145 WWW.JHE-ENG.COM		PROPOSED WATER AND SEWER PLAN LA PALOMA SUBDIVISION SAN JUAN, TEXAS		SHEET 3 OF 23 SHEETS	
NO.	DESCRIPTION	DATE	BY	CHECKED	DATE	BY	CHECKED
1	ISSUED FOR PERMIT	11/18/2021	JH	MD	11/18/2021	JH	MD
2	FOR CONSTRUCTION	12/09/2021	JH	MD	12/09/2021	JH	MD

\\s3021\lan\proj\210002\LA Paloma Subdivision\Bldg\210002.dwg, 12/09/2021 11:52:21 PM, Javier H



SCALE: 1" = 50'

PROPOSED OFFSITE SANITARY SEWER PLAN
LA PALOMA SUBDIVISION
SAN JUAN, TEXAS

JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
416 E. DOVE AVENUE McALLEN, TEXAS 78504
PHONE (855) 808-1268
javier@javierhinojosaeng.com
TOWELS FROM No. F-1263

JEH

211002
PROJECT NO.
NOVEMBER, 2021
DATE
G.T. & A.G.
DRAWN BY
J.H.
CHK. BY

[illegible]

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Discussion and Possible Action to Authorize the City Manager to Declare a 2006 Ford F150, Unit 260, as Surplus and for Final Disposal at Auction.

STAFF COMMENTS AND RECOMMENDATIONS:

Unit 260 Was Inadvertently Left Out of the Last Surplus List of Items.

RECOMMENDATION:

Approved as Presented

PREPARED BY:

David Salinas,
Director of Utilities

APPROVED BY:

Benjamin Arjona, City
Manager

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Presentation by Hilltop Securities on Public Property Finance Contractual Obligations, Series 2022, Plan of Finance for the Funding of Pumper Fire Truck.

STAFF COMMENTS AND RECOMMENDATIONS:

Presentation by Hilltop Securities on Public Property Finance Contractual Obligations, Series 2022, Plan of Finance for the Funding of Pumper Fire Truck.

RECOMMENDATION:

Staff Recommends Approval of Plan of Finance.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager



Contact

Cris Vela
Senior Vice President
100 East Nolana Loop
Pharr, TX 78577
956.686.0991
Cris.Vela@hilltopsecurities.com

Andre Ayala
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717 N. Harwood Street, Suite 3400
Dallas, Texas 75201
214.953.4184
Andre.Ayala@hilltopsecurities.com

Jorge Delgado
Vice President
717 N. Harwood Street, Suite 3400
Dallas, Texas 75201
214.859.1714
Jorge.Delgado@hilltopsecurities.com

Public Property Finance Contractual Obligations, Serie 2022
Funding of Pumper Fire Truck
City of San Juan, Texas

February 22, 2022



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Preliminary Cash Flows and Sources & Uses.....Slide 3

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Questions and Discussion.....Slide 5



Plan of Finance

- The City of San Juan (the “City”) intends to issue Public Property Finance Contractual Obligations, Series 2022 (the “Obligations”) to fund a Pumper Fire Truck
- Total Project Cost = \$545,000
- New debt capacity obtained through:
 - Growth in taxable assessed valuation and use of existing debt service funds on hand
- The Obligations will be issued as Bank Qualified for lower interest rates (fixed interest rates)
 - City’s total tax-exempt debt issuance of less than \$10 million for calendar year 2022
- Competitive Private Placement Transaction
- The Obligations would not be rated or insured
 - However, the City’s investment grade rating of “A” would allow the City to attract investors thus fostering competition for the lowest interest rate possible
- The Obligations would be amortized over a 10-year period with a level debt service structure



Preliminary Cash Flows and Sources & Uses of Funds

For Year Ended 9/30	\$579,000 Public Property Finance Contractual Obligations, Series 2022 <i>Budgeted Interest Rate = 2.00% ⁽¹⁾</i>		
	Principal	Interest	Total D/S
	2022	\$ -	\$ -
	2023	49,000	15,433
2024	54,000	10,060	64,060
2025	55,000	8,970	63,970
2026	57,000	7,850	64,850
2027	58,000	6,700	64,700
2028	59,000	5,530	64,530
2029	60,000	4,340	64,340
2030	61,000	3,130	64,130
2031	62,000	1,900	63,900
2032	64,000	640	64,640
	\$ 579,000	\$ 64,553	\$ 643,553

SOURCES OF FUNDS	
Par Amount	\$579,000
Total Sources of Funds	\$579,000

USES OF FUNDS	
Project Fund Deposit	\$545,000
Budgeted Financing Costs	\$34,000
Total Uses of Funds	\$579,000

Notes:

(1) Budgeted; for purposes of discussion only. Subject to change at any time.



Tentative Schedule of Events

DATE	EVENTS
February 22, 2022	<u>Regular Scheduled Comission Meeting</u> 1) Presentation of Plan of Finance to City Commission 2) City Commission directs Staff and Consultants to implement Plan of Finance
March 8, 2022	<u>Regular Scheduled Commission Meeting</u> 1) City Commission approves Ordinance authorizing the issuance of Public Property Finance Contractual Obligations, Series 2022 Attorney General review and approval of debt issuance
March 30, 2022	Closing debt issuance and delivery of funds to the City
Formal actions to be taken by City Commission	



Questions, Discussion and Next Steps



AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Consideration and Approval of a Resolution by the City Commission of the City of San Juan Authorizing Certain Representatives of the City to Move Forward with the Proposed Issuance and Sale of One or More Finance Lease Agreements; Authorizing the Preparation of Any Documents and Agreements Necessary to Effectuate the Issuance and Sale of Such Obligations, and Other Matters in Connection Therewith.

STAFF COMMENTS AND RECOMMENDATIONS:

Consideration and Approval of a Resolution by the City Commission of the City of San Juan Authorizing Certain Representatives of the City to Move Forward with the Proposed Issuance and Sale of One or More Finance Lease Agreements; Authorizing the Preparation of Any Documents and Agreements Necessary to Effectuate the Issuance and Sale of Such Obligations, and Other Matters in Connection Therewith.

RECOMMENDATION:

Approve a Plan of Finance Resolution.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

RESOLUTION NO.

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS AUTHORIZING CERTAIN REPRESENTATIVES OF THE CITY TO MOVE FORWARD WITH THE PROPOSED ISSUANCE AND SALE OF ONE OR MORE FINANCE LEASE AGREEMENTS; AUTHORIZING THE PREPARATION OF ANY DOCUMENTS AND AGREEMENTS NECESSARY TO EFFECTUATE THE ISSUANCE AND SALE OF SUCH OBLIGATIONS; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Commission (the *City Commission*) of the City of San Juan, Texas (the *City*) intends to enter into one or more finance lease agreements (the *Obligations*), pursuant to Subchapter A, Chapter 271, Texas Local Government Code, as amended, to acquire public safety equipment, including a fire truck; and

WHEREAS, the City Commission will approve the Obligations by the adoption of an ordinance authorizing the issuance of such Obligations at one or more subsequent meetings of the City Commission; and

WHEREAS, in order to accomplish the most efficient financing for the City, the City Commission now deems it advisable to authorize Hilltop Securities Inc., Pharr, Texas, as financial advisor (the *Financial Advisor*) to the City, and Locke Lord LLP, Austin, Texas, as bond counsel (*Bond Counsel*) to the City, to proceed with the planning, developing and implementing a program to issue the Obligations; and

WHEREAS, the City Commission desires further to authorize the Mayor, the City Secretary, and the City Manager, as appropriate, or their designees, to consult and assist the Financial Advisor and Bond Counsel in the preparation of the required financing documents; and

WHEREAS, the City Commission hereby finds and determines that these actions are in the best interests of the City; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS THAT:

SECTION 1. The Financial Advisor and Bond Counsel are hereby confirmed as the financial advisor and bond Counsel for the City, respectively, and are hereby authorized to take preliminary action with respect to the issuance of the Obligations.

SECTION 2. The Financial Advisor and the Bond Counsel will assist the City in the preparation of the required financing documents, legal documents necessary for a negotiated sale, a bank private placement, or lease finance, and coordinate the sale of the Obligations with the national rating services and bond insurance companies, if any, and will otherwise coordinate the financial aspects relating to this transaction to ensure that the City receives the lowest possible

interest rate on the Obligations from the underwriters and to comply with all regulations and rules promulgated by the Municipal Securities Rule Making Board.

SECTION 3. The Mayor, City Secretary, City Manager, and Finance Director, as appropriate, are authorized to consult and assist the Financial Advisor and the Bond Counsel in the preparation of the required financing documents, including an ordinance authorizing the Obligations, which documents shall be formally approved at a future meeting of the City Commission.

SECTION 4. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Commission.

SECTION 5. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 6. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Commission hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

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PASSED, ADOPTED AND APPROVED on this the 22nd day of February, 2022.

CITY OF SAN JUAN, TEXAS

Mayor

ATTEST:

Secretary

(CITY SEAL)

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Consideration and Approval of a Resolution Establishing the Intention of the City of San Juan, Texas to Reimburse Itself for the Prior Lawful Expenditure of Funds Relating to Acquiring, Constructing and Equipping Various City Improvements From the Proceeds of One or More Series of Tax-Exempt Obligations to be Issued by the City for Authorized Purposes; Authorizing Other Matters Incident and Related Thereto; and Providing and Effective Date.

STAFF COMMENTS AND RECOMMENDATIONS:

Consideration and Approval of a Resolution Establishing the Intention of the City of San Juan, Texas to Reimburse Itself for the Prior Lawful Expenditure of Funds Relating to Acquiring, Constructing and Equipping Various City Improvements From the Proceeds of One or More Series of Tax-Exempt Obligations to be Issued by the City for Authorized Purposes; Authorizing Other Matters Incident and Related Thereto; and Providing and Effective Date.

RECOMMENDATION:

Adopt a Reimbursement Resolution.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

RESOLUTION NO.

A RESOLUTION ESTABLISHING THE INTENTION OF THE CITY OF SAN JUAN, TEXAS TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO ACQUIRING, CONSTRUCTING AND EQUIPPING VARIOUS CITY IMPROVEMENTS FROM THE PROCEEDS OF ONE OR MORE SERIES OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission (the *Governing Body*) of the City of San Juan, Texas (the *Issuer*) has entered into or will enter into various contracts pertaining to the expenditure of lawfully available funds of the Issuer to finance the costs associated with (i) acquiring public safety equipment, including a fire truck (the *Construction Costs*), (ii) the payment of various engineering costs, including design testing, design engineering, and construction inspection related to the Construction Costs (the *Engineering Costs*), (iii) the payment of various architectural costs, including preparation of plans and specifications and various other plans and drawings related to the Construction Costs (the *Architectural Costs*), and (iv) the payment of various administrative costs, including the fees of bond counsel, financial advisor, project manager, project consultant, other professionals, and printer (the *Administrative Costs*) [the Construction Costs, Engineering Costs, Architectural Costs, and Administrative Costs collectively constitute costs of the project that are the subject of this Resolution (the *Project*)]; and

WHEREAS, the provisions of Section 1201.042, as amended, Texas Government Code (*Section 1201.042*) provide that the proceeds from the sale of obligations issued to finance the acquisition, construction, equipping, or furnishing of any project or facilities, such as the Project, may be used to reimburse the Issuer, for costs attributable to such project or facilities paid or incurred before the date of issuance of such obligations; and

WHEREAS, the United States Department of Treasury (the *Department*) released Regulation Section 1.150-2 (the *Regulations*) which establishes when the proceeds of obligations are spent and therefore are no longer subject to various federal income tax restrictions contained in the Internal Revenue Code of 1986, as amended (the *Code*); and

WHEREAS, the Issuer intends to reimburse itself, within eighteen months from the later of the date of expenditure or the date the property financed is placed in service (but in no event more than three years after the original expenditures are paid), for the prior lawful capital expenditure of funds from the proceeds of one or more series of ad valorem tax-supported bonds issued as tax-exempt obligations (the *Obligations*) that the Issuer currently contemplates issuing in an amount not to exceed \$600,000 to finance a portion of the costs of the Project; and

WHEREAS, under the Regulations, to fund such reimbursement with proceeds of the Obligations, the Issuer must declare its expectation ultimately to make such reimbursement before making the expenditures; and

WHEREAS, the Issuer hereby finds and determines that the reimbursement for the prior expenditure of funds of the Issuer is not inconsistent with the Issuer's budgetary and financial circumstances; and

WHEREAS, the Governing Body hereby finds and determines that the adoption of this Resolution is in the best interests of the citizens of the Issuer; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS THAT:

SECTION 1: This Resolution is a declaration of intent to establish the Issuer's reasonable, official intent under section 1.150-2 of the Regulations and Section 1201.042 to reimburse itself from certain of the proceeds of the Obligations for any capital expenditures previously incurred (not more than 60 days prior to the date hereof) or to be incurred with respect to the Project from the lawfully-available general funds or other funds of the Issuer.

SECTION 2: The Issuer intends to issue the Obligations and allocate within 30 days after the date of issuance of the Obligations the proceeds therefrom to reimburse the Issuer for prior lawful expenditures with respect to the Project in a manner to comply with the Regulations.

SECTION 3: The reimbursed expenditure will be a type properly chargeable to a capital account (or would be so chargeable with a proper election) under general federal income tax principles.

SECTION 4: The Issuer intends to otherwise comply, in addition to those matters addressed within this Resolution, with all the requirements contained in the Regulations.

SECTION 5: This Resolution may be relied upon by the appropriate officials at the Office of the Attorney General for the State of Texas and establishes compliance by the Issuer with the requirements of Texas law and the Regulations.

SECTION 6: With respect to the proceeds of the Obligations allocated to reimburse the Issuer for prior expenditures, the Issuer shall not employ an abusive device under Treasury Regulation Section 1.148-10, including using within one year of the reimbursement allocation, the funds corresponding to the proceeds of the Obligations in a manner that results in the creation of replacement proceeds, as defined in Treasury Regulation Section 1.148-1, of the Obligations or another issue of tax-exempt obligations or refundable tax credit obligations.

SECTION 7: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Governing Body.

SECTION 8: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 9: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 10: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of

such provision to other persons and circumstances shall nevertheless be valid, and the Governing Body hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 11: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 12: This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

* * * *

PASSED, ADOPTED AND APPROVED on this the 22nd day of February, 2022.

CITY OF SAN JUAN, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)

(Signature Page to City of San Juan, Texas Reimbursement Resolution)

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Consider Second and Final Reading of the Ordinance for a Conditional Use Permit to allow a kettle corn portable food stand at San Juan H-E-B located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on February 8, 2022, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background.

Ms. Martinez is applying for a conditional use permit to allow a kettle corn portable food stand (8' x 20') outside of the San Juan H-E-B. A letter from an H-E-B representative is attached to the packet giving permission. It grants Ms. Martinez, her customers, and her staff permission to use the restrooms.

The following are the list of requirements:

1. Cannot be located in a residentially zoned area;
2. Stand must be inspected by the building inspections department and meet applicable building and fire codes;
3. Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
4. If it is a portable building or trailer it must be anchored to the ground properly;
5. Must meet setback requirements of zoning district in which it is located; and
6. Water and sewage disposal facilities must be available and may be required;
7. Health Department permit required.
8. Owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.

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

RECOMMENDATION:

Staff recommends approval of the conditional use permit as presented.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/03/2022
CITY COMMISSION – 02/22/2022
DATE PREPARED – 02/15/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit to allow a kettle corn portable food stand at the San Juan H-E-B
APPLICANT:	Melissa Martinez
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 2, H-E-B San Juan Unit 2 Subdivision
LOCATION:	901 W. IH 2
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Commercial; Expressway Corridor District (EC) <i>South</i> – Commercial; General Business District (C-2) / Multi-Family Residence District (R-MF) <i>East</i> – Commercial; Expressway Corridor District (EC) <i>West</i> – Outside City Limits
ACCESS AND CIRCULATION:	This property has access along Frontage Road and Veterans Boulevard.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval subject to compliance with the requirements outlined in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Ms. Martinez is applying for a conditional use permit to allow a kettle corn portable food stand (8' x 20') outside of the San Juan H-E-B. A letter from an H-E-B representative is attached to the packet giving permission. It grants Ms. Martinez, her customers, and her staff permission to use the restrooms.

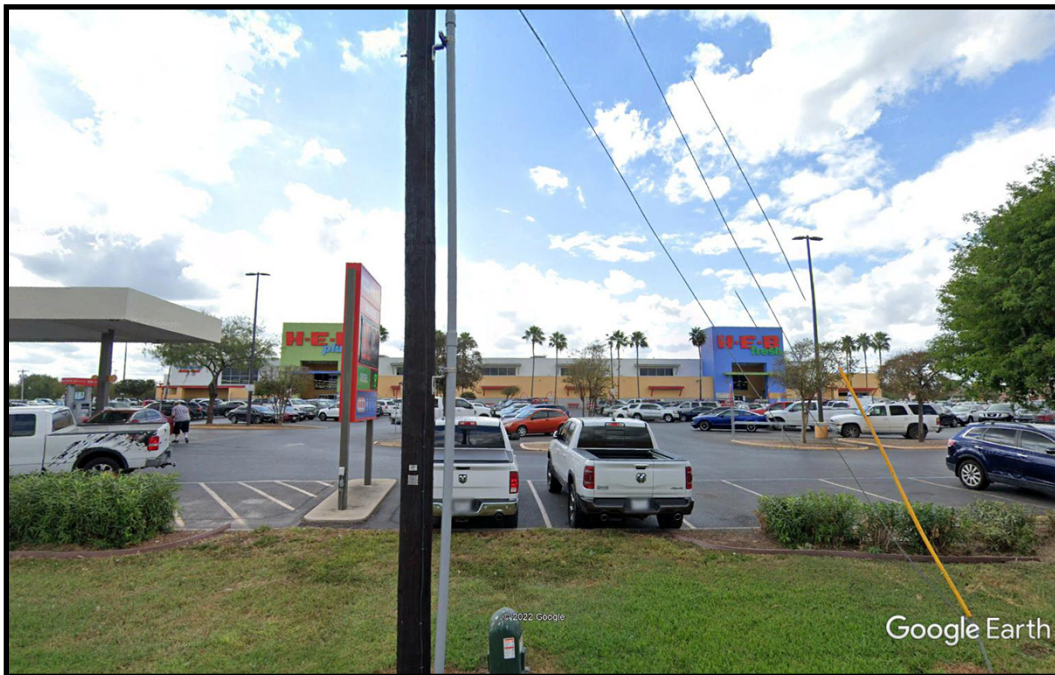
The following are the list of requirements:

1. Cannot be located in a residentially zoned area;
2. Stand must be inspected by the building inspections department and meet applicable building and fire codes;
3. Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
4. If it is a portable building or trailer it must be anchored to the ground properly;
5. Must meet setback requirements of zoning district in which it is located; and
6. Water and sewage disposal facilities must be available and may be required;
7. Health Department permit required.
8. Owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.

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

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter from H-E-B
Subdivision Plat
Site Plan
Section of Ordinance
List of neighboring property owners receiving notice
Ordinance





ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW A KETTLE CORN PORTABLE FOOD STAND AT THE SAN JUAN H-E-B LOCATED AT 901 W. IH 2, LEGALLY DESCRIBED AS LOT 2, H-E-B SAN JUAN UNIT 2 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, Melissa Martinez has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan to allow a kettle corn portable food stand at the San Juan H-E-B located at 901 W. IH 2.

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 Melissa Martinez has applied for a Conditional Use Permit to allow a portable food stand at San Juan H-E-B located at 901 W. IH 2, subject to the following conditions:

1. Cannot be located in a residentially zoned area;
2. Stand must be inspected by the building inspections department and meet applicable building and fire codes;
3. Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
4. If it is a portable building or trailer it must be anchored to the ground properly;
5. Must meet setback requirements of zoning district in which it is located; and
6. Water and sewage disposal facilities must be available and may be required;
7. Health Department permit required.
8. Owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.

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 8th day of February, 2022.

PASSED and **APPROVED** on second and final reading on the 22nd day of February, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY

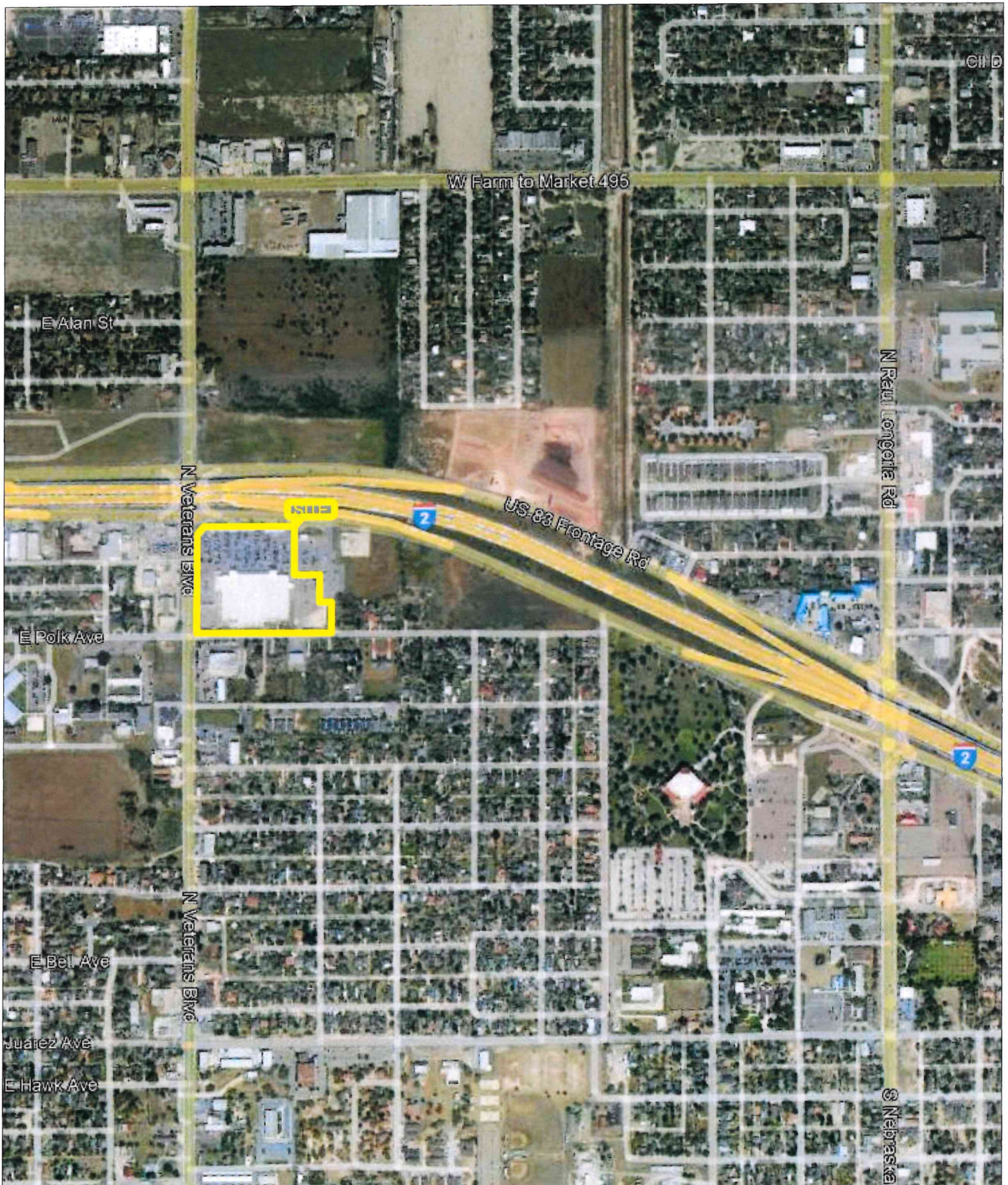


Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit to allow a kettle corn portable food stand at the San Juan HEB located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.



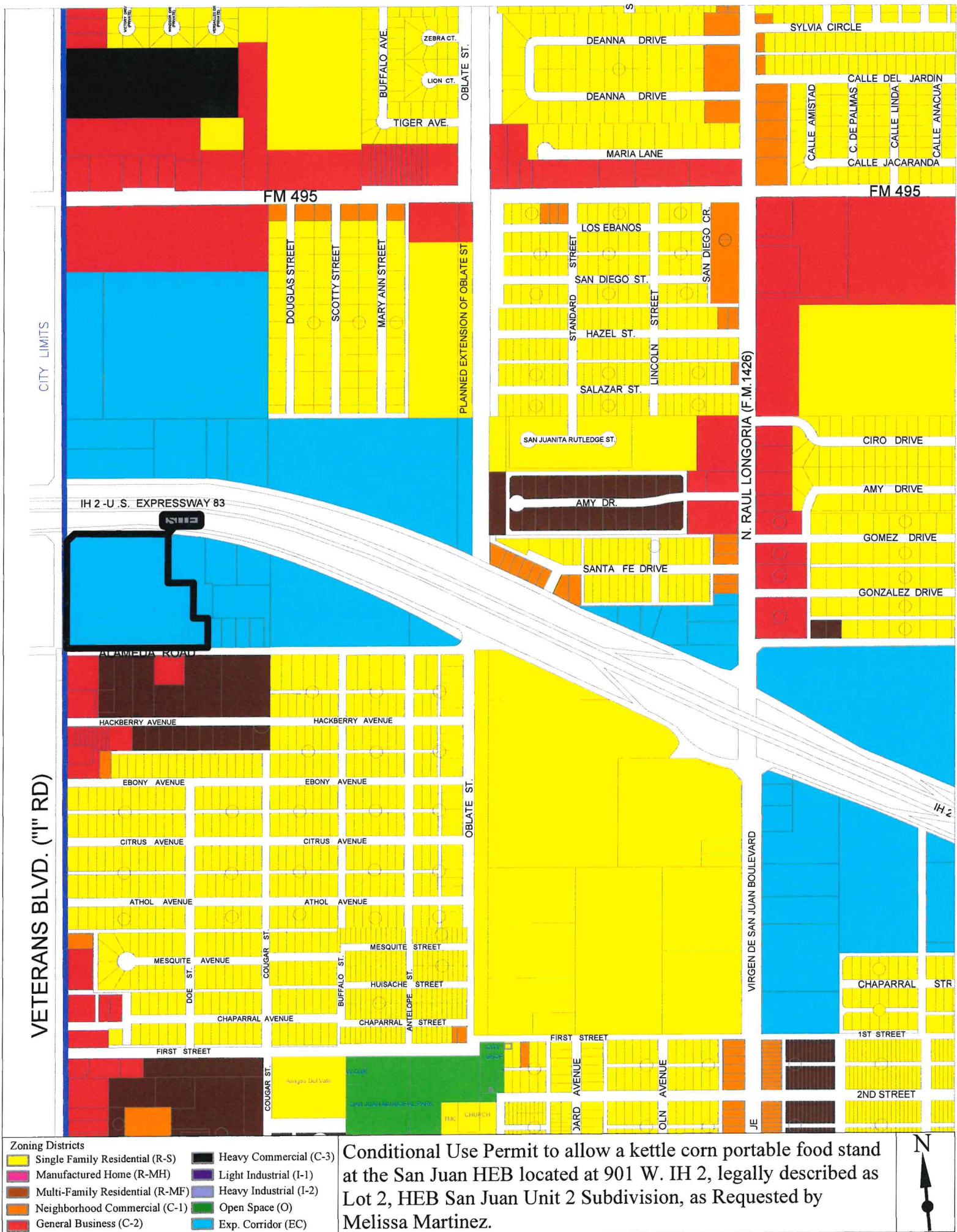


Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit to allow a kettle corn portable food stand at the San Juan HEB located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.







December 22, 2021

To Whom It May Concern:

The parking lot vendor, E&M Kettlecorn Company, is permitted to operate this business between January 15, 2022 and December 31, 2022 at the following H-E-B location:

H-E-B San Juan (038)
901 W. Expressway 83
San Juan, TX 78589

The employees and customers of E&M Kettlecorn have permission to use this store's restroom facilities.

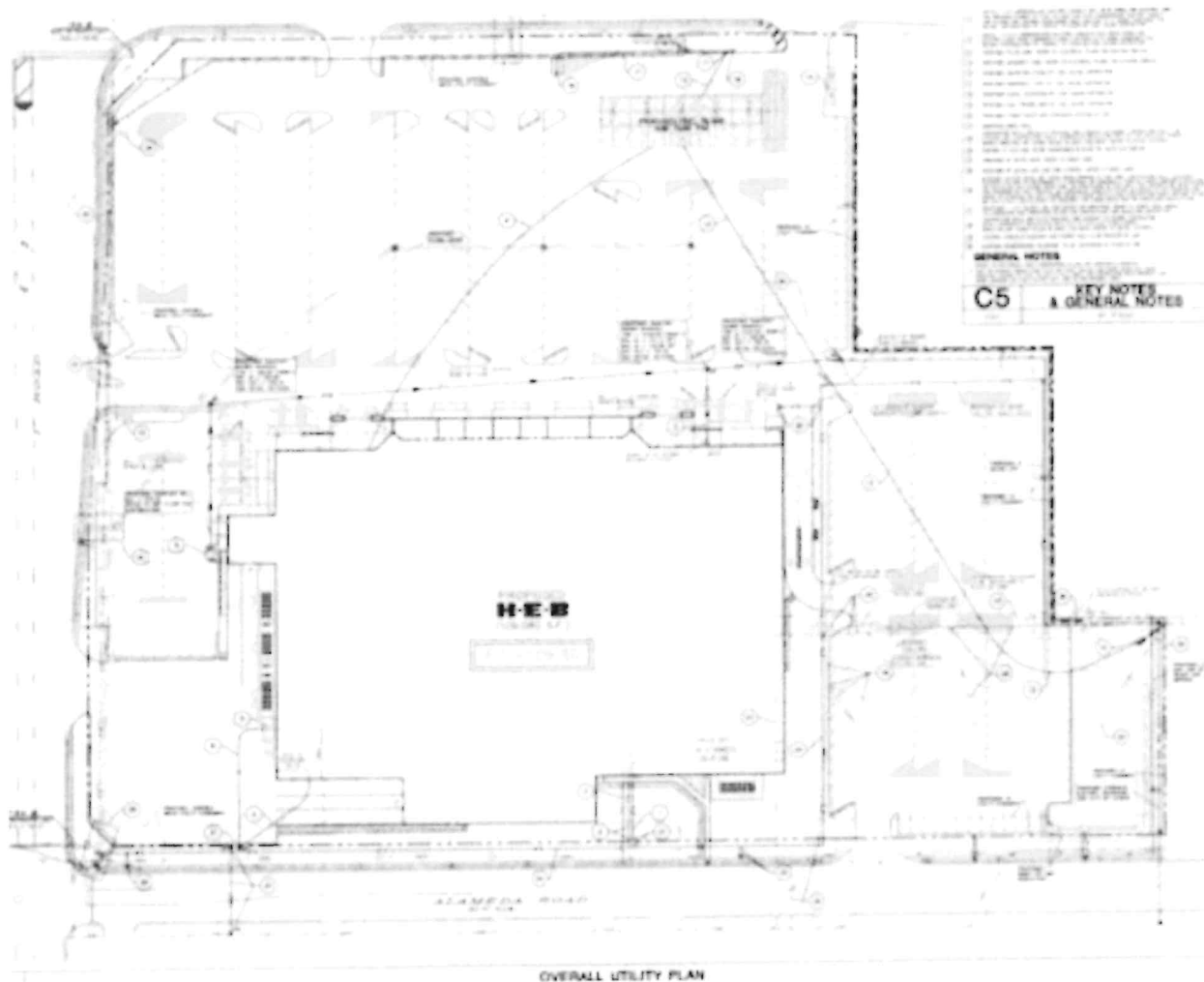
If you have any questions, please call me at 210.938.7490.

Thanks,

A handwritten signature in cursive script that reads "Ginny Salinas".

Ginny Salinas
In Store Leasing Manager
HEB Shopping Center Development

EXHIBIT A **Property and Location**



Licensee Location to be designated by Store Management.

(i) Portable and/or temporary food concession or snow cone stands - Applicable conditions for portable and/or temporary food concession stands shall include but are not limited to:

- (1) Cannot be located in a residentially zoned area;
- (2) Stand must be inspected by the building inspections department and meet applicable building and fire codes;
- (3) Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
- (4) If it is a portable building or trailer it must be anchored to the ground properly;
- (5) Must meet setback requirements of zoning district in which it is located; and
- (6) Water and sewage disposal facilities must be available and may be required;
- (7) Health Department permit.

Conditional Use Permit to allow a kettle corn portable food stand at San Juan H-E-B located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.

Martinez, Melissa
2111 East Davis Rd.
Edinburg, TX 78542

Cedillo, Norma
1204 E. Bell Ave.
Pharr, TX 78577

HEB Grocery Co.
Property Tax Department
P.O. Box 839999
San Antonio, TX 78283-3999

Guerrero, Jose R. Jr. and Raquel D.
709 Alameda St.
San Juan, TX 78589

Hawkes, John Michael and Kristen
Rye Trustees
Hawkes Family Trust
433 Calle Las Caleras
Santa Barbara, CA 93109

Hernandez, Enrique and Cayetana
707 Alameda St.
San Juan, TX 78589

Shops at San Juan LLC.
105 Sequoia
San Antonio, TX 78232

Morin, Ruben and Maria Elena
705 Alameda Rd.
San Juan, TX 78589

Gutierrez, Veronica
5500 N. Bentsen Rd.
McAllen, TX 78504

Martinez, Olivia
701 Alameda St.
San Juan, TX 78589

Gonzalez, Octaviano
704 Alameda St.
San Juan, TX 78589

Gonzalez, Blanca Estela
Marcelo Gonzalez III
702 Alameda St.
San Juan, TX 78589

Waltrust Properties, Inc.
P.O. Box 1159
Deerfield, IL 60015-6002

Alvarez, Martha & Daryna E.
Lopez
803 Alameda St.
San Juan, TX 78589

Lizcano, Roel
100 N. Sugar Rd.
Pharr, TX 78577

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Consider Second and Final Reading of an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on February 8, 2022, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background.

Olive Garden Holdings, LLC. is applying for a Conditional Use Permit for the Sale of Alcoholic Beverages (wine and beer) for On-Premise Consumption at the proposed “Olive Garden” Restaurant, to be located just West of Denny’s Restaurant.

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed operation hours are Sunday through Thursday from 11:00 a.m. to 10:00 p.m., Friday and Saturday from 11:00 am to 11:00 p.m.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to three (3) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

Staff recommends approval of the conditional use permit as presented.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/03/2022
CITY COMMISSION – 02/22/2022
DATE PREPARED – 02/15/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit for the Sale of Alcoholic Beverages for On-Premise Consumption at the proposed “Olive Garden” Restaurant.
APPLICANT:	Olive Garden Holding, LLC.
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 2, Plaza San Juan Subdivision
LOCATION:	1403 E. IH 2
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Commercial; Expressway Corridor District (EC) <i>South</i> – Commercial; Expressway Corridor District (EC) <i>East</i> – Commercial; Expressway Corridor District (EC) <i>West</i> – Commercial; Expressway Corridor District (EC)
ACCESS AND CIRCULATION:	This property has access onto Frontage Road.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval subject to compliance with the requirements outlined in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Olive Garden Holdings, LLC. is applying for a Conditional Use Permit for the Sale of Alcoholic Beverages (wine and beer) for On-Premise Consumption at the proposed “Olive Garden” Restaurant, to be located just West of Denny’s Restaurant.

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed operation hours are Sunday through Thursday from 11:00 a.m. to 10:00 p.m., Friday and Saturday from 11:00 am to 11:00 p.m.

Building area	7,834 square feet
Seats/Dining	255 seats
Parking spaces	55 parking

The following is the list of requirements:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site form a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;

CONDITIONAL USE PERMIT
“OLIVE GARDEN”
FEBRUARY 22, 2022

PAGE 3

7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city’s noise ordinance.
10. The business must comply with the City’s Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to three (3) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter from CDS
Subdivision Plat
Site Plan
List of neighboring property owners receiving notice
Ordinance



Proposed Site



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE SALE AND ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES (WINE AND BEER) AT THE PROPOSED “OLIVE GARDEN” RESTAURANT TO BE LOCATED AT 1403 E. IH 2, LEGALLY DESCRIBED AS LOT 2, PLAZA SAN JUAN 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, Olive Garden Holdings, LLC. has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan for the Sale and On-Site Consumption of Alcoholic Beverages (Wine and Beer) at the proposed “Olive Garden” Restaurant to be located at 1403 E. IH 2.

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 Olive Garden Holdings, LLC. for a Conditional Use Permit for the Sale and On-Site Consumption at the proposed “Olive Garden” Restaurant to be located at 1403 E. IH 2, subject to the following conditions:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.

5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city's noise ordinance.
10. The business must comply with the City's Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise 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 the after said date of publication.

PASSED and APPROVED on first reading on the 8th day of February, 2022.

PASSED and APPROVED on second and final reading on the 22nd day of February, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

APPROVED BY:
Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

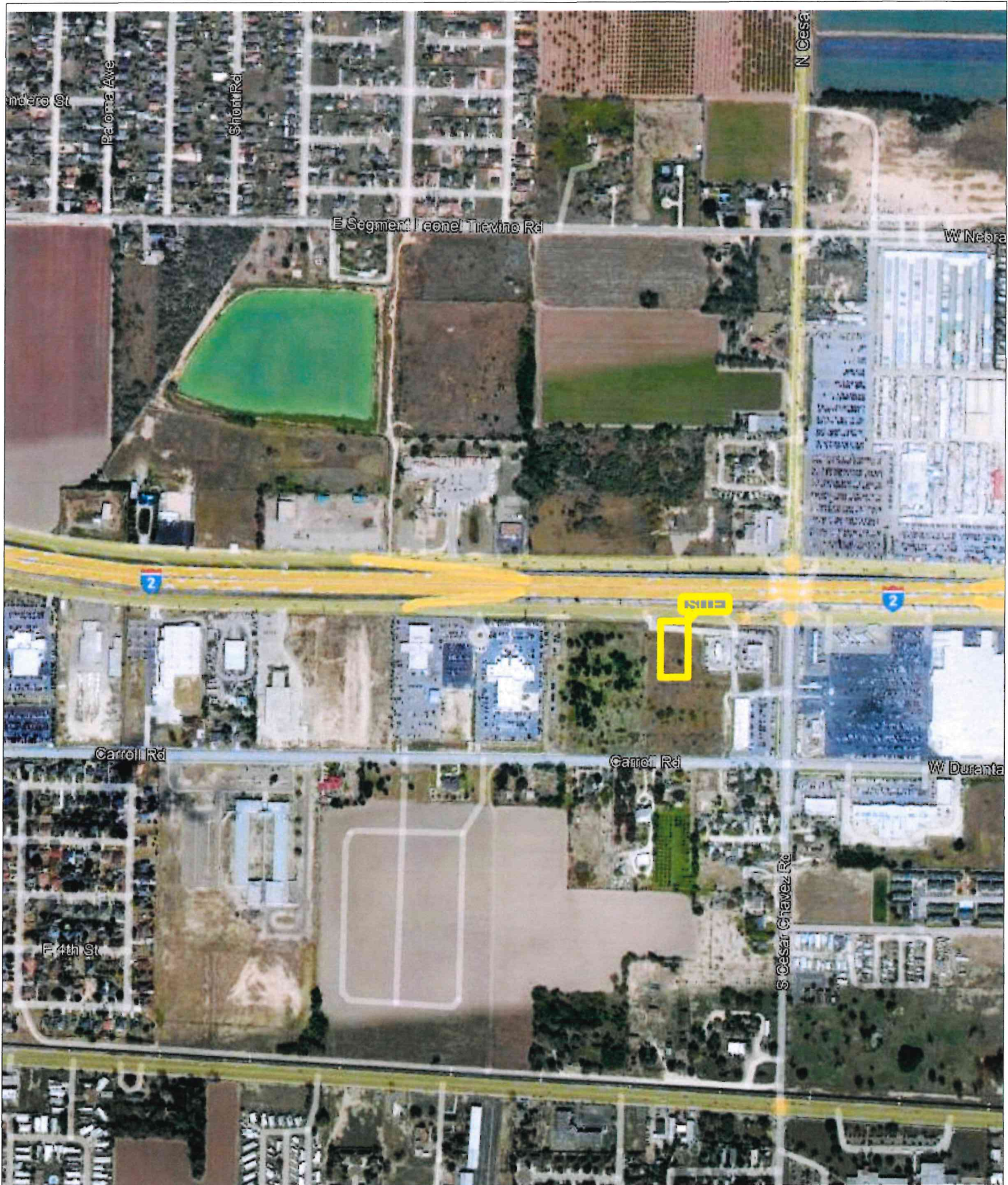
CITY ATTORNEY



- Legend**
- CITY LIMITS
 - Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.





Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.





Zoning Districts

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

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.



January 12, 2022

City of Meridian – Building Services
33 E Broadway Avenue, Suite 102
Meridian, ID 83642
Kegan Aman, Building Plans Examiner
208-887-2211 | kaman@kaman@meridiancity.org

Project Narrative – Olive Garden Italian Restaurant

Dear Building Services Representatives:

They said it couldn't be done: matching a dinner-house concept against the independently-owned restaurants that were the mainstay of Italian dining. But Darden's homegrown concept, Olive Garden, proved the skeptics wrong.

Olive Garden exceeded \$500 million in sales only five years after the decision was made to expand. Just three years later, in 1994, sales had doubled to more than \$1 billion. Today, Olive Garden is the largest company of casual, full-service Italian restaurants in the world.

At the heart of Olive Garden's success is its unique Hospitaliano! culture. Much more than a slogan, Hospitaliano! expresses the Olive Garden team's passion for offering guests more than they expect and being committed to doing it right the first time. "When you're here, you're family!"

Olive Garden restaurants are full-service, casual dining serving both lunch and dinner. Emphasizing high quality, Olive Garden appeals to all guests with its distinctive combination of attentive personalized service and flavorful entrees served in an inviting, comfortable atmosphere.

Subject to State and City of San Juan approvals, Darden Restaurants plans to construct a new building with code compliant parking and landscape amenities to be located at 1403 E. IH-2, San Juan, TX 78589.

The project data is as follows:

- The proposed project is new construction of an Olive Garden Italian Restaurant in the new Linder Village development.
- Total Building Area: 7,834 sq. ft.
- Number of Seats/Dining: 255 seats
- Hours of Operation: Normal hours are 11am-10pm Sunday through Thursday, and 11am-11pm on Friday and Saturday.
- Number of Employees: $\pm$ 35 maximum per shift, with three often overlapping shifts which is $\pm$ 100 total employees (Full and Part-time).
- Parking: there are currently 55 parking stalls proposed.
- Dumpster Enclosure: Olive Garden typically has two (2) trash bins and recycles cardboard; pick up is approximately 4 times per week before 10:00 am.
- All deliveries are coordinated before 10:00 am.

Please contact me if you require additional information.

Sincerely,



Christie Schachter, Property Development Manager

CONSOLIDATED DEVELOPMENT SERVICES

Cell: 214.538.3086

Email: cschachter@cdsdevelopment.com

GENERAL NOTES:

1. ALL AREAS SHALL BE LANDSCAPED WITH PLANTS AND TREES.
2. SEE CIVIL DRAWINGS FOR ADDITIONAL INFORMATION AND DETAILS.
3. SEE TO PROVIDE AND INSTALL (1) THREE (2) INCHES OF ASPHALT PAVING OVER THE EXISTING GRADE.

KEY NOTES:

1. LANDSCAPE AREA - SEE LANDSCAPE PLAN
2. CONCRETE WALKWAY - SEE CIVIL PLAN FOR DETAIL
3. CONCRETE WALKWAY EXPANSION JOINTS - SEE CIVIL PLAN FOR DETAIL
4. LANDSCAPE PAVING SIGN - SEE CIVIL PLAN
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PROJECT SITE DATA:

BUILDING FLOOR AREA: 1375 SF
TOTAL PAVING: 1375 SF

LEGEND:

- NEW LANDSCAPE AREA
- NEW CONCRETE WALKWAY
- NEW 4" CONCRETE CURB
- NEW 4" CONCRETE CURB
- OLIVE GARDEN LOTTS OF CONSTRUCTION
- LOT BOUNDARY
- SETBACK LINE
- DIRECTIONAL PAVING MARKING
- NUMBER OF PAVING SPOTS



SITE PLAN

SCALE: 1" = 20'-0"

GRAPHIC SCALE
(1" = 20' FT)
1" = 20' FT

INTERSTATE 2

123.49'

194.82'

329.40'

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.

Olive Garden Holdings, LLC.
14901 Quorum Drive, Suite 310
Dallas, TX 75254

SCC SJP, LLC.
301 Camp Craft Rd. Suite 100
Austin, TX 78746

DJP III LLC.
Attn. Ronald Heller
312 Pearl Parkway #4113
San Antonio, TX 78215

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
FEBRUARY 22, 2022

Consider Second and Final Reading of Ordinance for a Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19 thru 21, Block 4, Tierra del Sol Inc. No. 2 Subdivision, located at the Northeast corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on February 8, 2022, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background.

Ms. Castillo is applying to rezone a property into General Business District (C-2). The property is located at the corner of 7th Street and Veterans Boulevard, next to Popeye's Snow Cone Stand. The property is zoned as Neighborhood Commercial District (C-1) which only allows retail businesses which supply the adjacent residential areas. If approved, the building would need to comply with the city's requirements, as applicable.

The surrounding properties consist of mixture of residential, multi-family and commercial uses and Veterans Boulevard is conducive of commercial traffic.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to fifty-three (53) property owners within a two hundred (200) foot radius and received four comments against the request.

RECOMMENDATION:

Staff recommends approval of the rezoning request as presented.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 10/21/2021
CITY COMMISSION – 02/22/2022
DATE PREPARED – 02/15/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2)
APPLICANT:	Perla Castillo
AGENT:	N/A
LEGAL:	Lots 19 thru 21, Block 4, Tierra del Sol Subdivision
LOCATION:	The property is located at the Northeast corner of 7 th Street and Veterans Boulevard
LOT SIZE:	25 feet by 155 feet (each lot) 75 feet by 155 feet = 230 square feet total
CURRENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Retail/Commercial
EXISTING ZONING:	Neighborhood Commercial District (C-1)
PROPOSED ZONING:	General Business District (C-2)
EXISTING LAND USE/ ADJACENT ZONING:	<u>North</u> – Commercial; Neighborhood Commercial District (C-1) <u>South</u> – Residential; General Business District (C-2) <u>East</u> – Residential; Single-Family Residence District (R-S) <u>West</u> – Outside city limits
ACCESS AND CIRCULATION:	This property has access onto Veterans Boulevard and 7 th Street.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval based on that area is considered as commercial use.

EVALUATION AND CONDITIONS FOR APPROVAL

Ms. Castillo is applying to rezone a property into General Business District (C-2). The property is located at the corner of 7th Street and Veterans Boulevard, next to Popeye's Snow Cone Stand. The property is zoned as Neighborhood Commercial District (C-1) which only allows retail businesses which supply the adjacent residential areas. If approved, the building would need to comply with the city's requirements, as applicable.

The surrounding properties consist of mixture of residential, multi-family and commercial uses and Veterans Boulevard is conducive of commercial traffic.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to fifty-three (53) property owners within a two hundred (200) foot radius and received four comments against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Subdivision Plat
Section of Ordinance – Neighborhood Commercial District
Section of Ordinance – General Business District
List of neighboring property owners receiving notice
Ordinance





FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 10/21/2021 Commissioner Cardenas made a motion to approve the rezoning request as presented by staff. Commissioner Magallan seconded the motion. The motion passed unanimously with a (4-0) vote.

Ms. Gomez explained the board that Ms. Castillo is applying for the rezoning to General Business District at property located at corner of 7th and Veterans Boulevard, next to Popeye's Snow Cone. The property is zoned as Neighborhood Commercial District, which is a light commercial. The surrounding properties consist of mixture of residential and commercial uses. The advertisement was in the newspaper and letters were mailed out to the surrounding property owners within the 200 foot radius and three comments were received against the request. Staff recommends approval of the rezoning request since Veterans Boulevard is conducive of commercial traffic.



ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 98-006, THE ZONING ORDINANCE OF THE CITY OF SAN JUAN, TO CHANGE THE ZONING DISTRICT FROM NEIGHBORHOOD COMMERCIAL DISTRICT (C-1) TO GENERAL BUSINESS DISTRICT (C-2) FOR A PROPERTY LEGALLY DESCRIBED AS LOTS 19 THRU 21, BLOCK 4, TIERRA DEL SOL INC. NO. 2 SUBDIVISION, LOCATED AT THE NORTHEAST CORNER OF 7TH STREET AND VETERANS BOUELVARD, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS:

Consistent with the City's land use plan as set-forth in the land use map that is a part of the City's Zoning Ordinance, and consistent with the City's intentions of allowing and encouraging general business district development that generates property taxes, water and sewer revenues and sales tax revenues.

The zoning district of the property legally described as Lots 19 thru 21, Block 4, Tierra del Sol Inc. No. 2 Subdivision, located at the Northeast corner of 7th Street and Veterans Boulevard, shall be changed to General Business District (C-2) and the zoning map shall be amended accordingly.

PASSED and **APPROVED** on first reading on the 8th day of February, 2022.

PASSED and **APPROVED** on second and final reading on the 22nd day of February, 2022.

CITY OF SAN JUAN

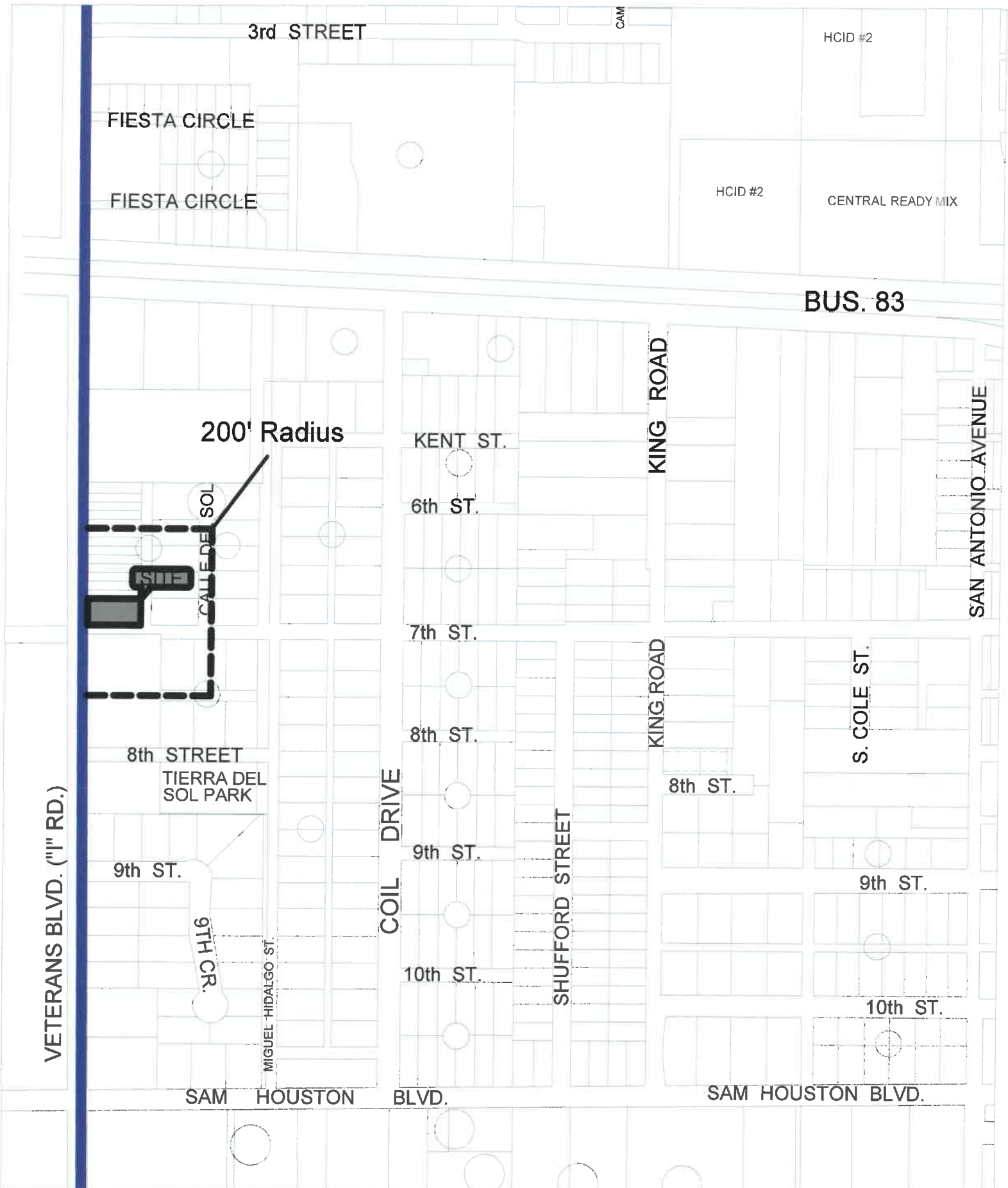
MARIO GARZA
MAYOR

ATTEST:

APPROVED BY:
Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY



Legend

-  CITY LIMITS
-  Proposed area

Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19-21, Block, Tierra del Sol Inc. No. 2 Subdivision, located at the Northwest corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.



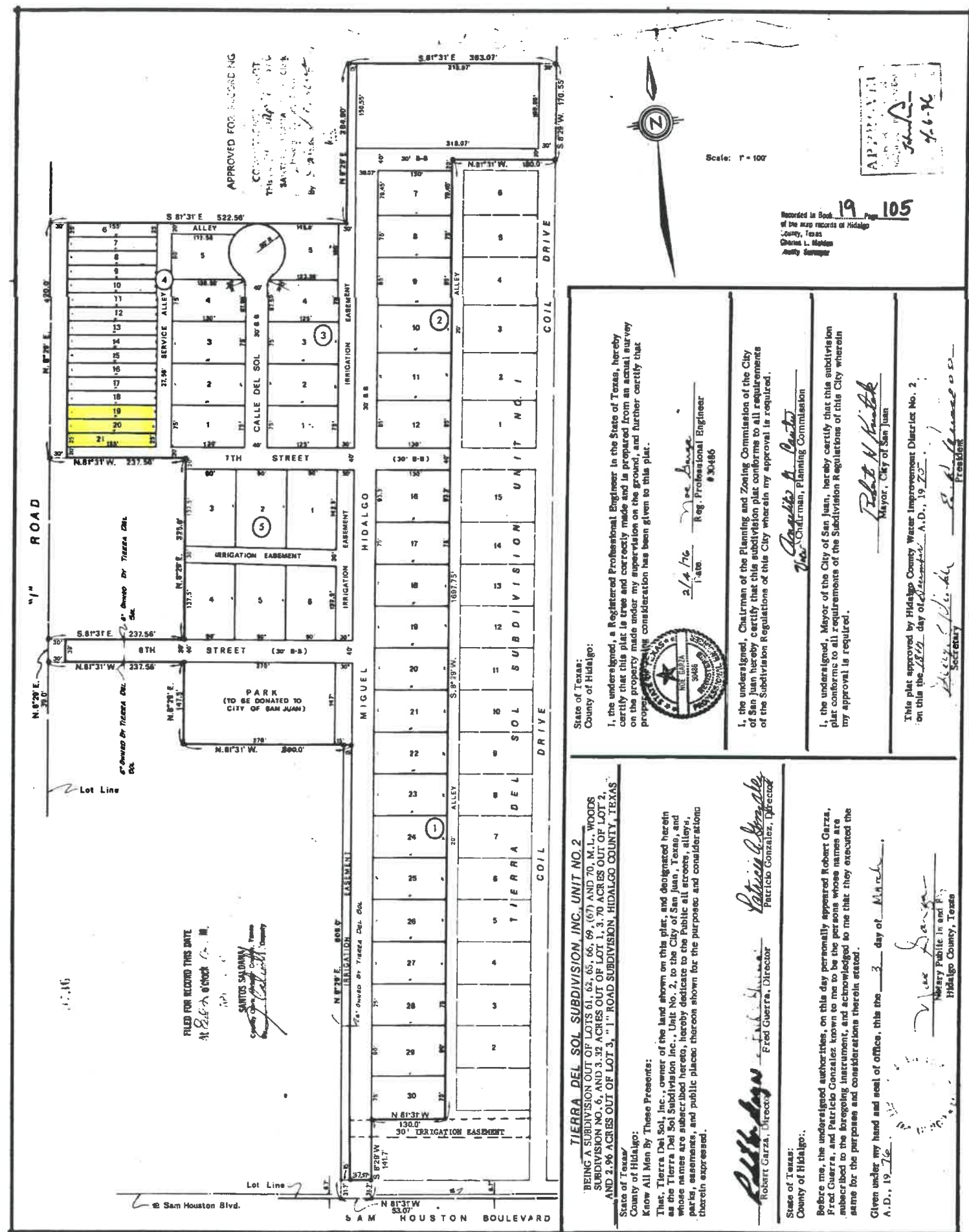


Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19-21, Block, Tierra del Sol Inc. No. 2 Subdivision, located at the Northwest corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.





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-premises 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-premises 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 subsections (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](#).

Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19 thru 21, Block 4, Tierra del Sol Inc. No. 2 Subdivision, located at the Northeast corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.

Garza, Virginia
619 S. Veterans Blvd.
San Juan, TX 78589

Hernandez, Rigoberto
701 S Veterans Blvd.
San Juan, TX 78589

Alvarado, Edelmira and Juventino
825 W 7th Street
San Juan, TX 78589

Garcia, Manuel Jr.
823 W. 7th Street
San Juan, TX 78589

Popeye's Snow Cone LLC.
1302 S Ebony St.
Pharr, TX 78577

Acosta, Graciela Cantu
Db a The Learning Express
2006 S Cesar Chavez
San Juan, TX 78589

RJ Mask LLC.
1305 E. Nolana Avenue Suite A
McAllen, TX 785004

De la Cerda Reynaldo Jr. and
Sylvia
607 Calle del Sol
San Juan, TX 78589

Garza, Ernesto and Elva
605 Calle del Sol
San Juan, TX 78589

Alaniz, Corina L.
601 Calle del Sol
San Juan, TX 78589