



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, June 14, 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 the Acceptance of the Book Donation to Desarrollo Integral de la Familia (DIF) in Tamaulipas.
- B.** Presentation on Food Distribution for a Healthy Heart Drive -Thru Event with WELLMED.
- C.** Presentation on the United with Uvalde Fill the Helmet Fundraiser Event.
- D.** Presentation on Departmental Reports: Department of Planning and Zoning, Department of Parks and Recreation, Department of Sanitation and San Juan Memorial Library.

1. Planning and Zoning Monthly Report.
2. Parks and Recreation Monthly Report.
3. Sanitation Monthly Report.
4. San Juan Memorial Library Monthly Report.

VI. PUBLIC HEARING/ORDINANCES

- A. Hold a Public Hearing for the Voluntary Annexation Petition (Giants Subdivision) being a 3.00 acre tract of land out of Lot 6, Block 27, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Hall Acres Road, as Requested by Jose Luis Hernandez.
- B. Hold a Public Hearing and Consider Ordinance Regarding a Rezoning Request from Manufactured Home District (R-MH) to Light Industrial District (L-I) of the property legally described as 4.74 acre tract of land out of the West 436.4 feet of the South 509.59 feet excluding the East 75 feet of the South 150 feet of Lot 15, Block 6, John Closner Subdivision, as Requested by Bonnie Abbott.
- C. Hold a Public Hearing and Consider an Ordinance Regarding Amending the Code of Ordinances Appendix "A", Unified Development Code, Chapter 2 - Zoning Regulations, Section 11: Expressway Corridor District by Amending such Section to Authorize the Use of Retail Establishments primarily.
- D. Hold a Public Hearing and Consider an Ordinance Regarding Amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, to update the Various Technical Building related Codes, including the International Building Code, International Residential Code, International Energy Conservation Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Property Maintenance Code and National Electrical Code and to update and codify the International Swimming Pool and Spa Code into the City's Code of Ordinances; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for Codification; Providing for Severability Clause; and Providing for a Repealer Clause.

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

- A. Consider Authorizing the City Manager to Declare Various Items as Salvage and Surplus Property.

VIII. CONSENT AGENDA

- A. City Commission Meeting Minutes:
 - January 11, 2022
- B. Consider Second and Final Reading of the Ordinance Regarding a Conditional Use Permit to Allow an Event Center (The Orchid) located at 905 W. 1st Street, Suites A and B, legally described as Lot 2, B.T. No. 1 Subdivision, as Requested by Yesenia Juarez.

IX. 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 §551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee (City Manager).

X. 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 §551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee (City Manager).

XI. 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).

CITY COMMISSION MEETING AGENDA

JUNE 14, 2022

PAGE 4

BRENDA ESCALANTE

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 _____ of _____, 2022.

OFFICE OF THE CITY SECRETARY



Mayor: Mario Garza
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Commissioners: Adina “Dina” Santillan
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Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Daniel Tijerina, Planning Director

DATE: 06/02/2022

SUBJECT: Planning and Zoning Monthly Report.

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

- 101 building permits were issued during the month of May with a 7,189,462.00 in total valuation.
- 175 garage sale permits were issued \$2,625.00 in total valuation.
- Provide customer service and support to 1,086 people and handled approximately 2,380 calls.
- The building inspectors made approximately 608 inspections.
- Eight (8) building permits were issued for new houses \$1,260,000.00 in total valuation.
- Three (3) building permits were issued for commercial \$3,735,000.00 in total valuation.

HEALTH DEPARTMENT

City Inspectors continue visiting all the businesses to check if occupational license and health permits were up to date. A total of twenty-four (24) yearly letters were sent out to existing businesses to renew their licenses. A total of twenty (20) business permits were renewed with \$1,000.00 in total valuation and fifteen (15) health inspections were issued during the month of May with \$1,600.00 in total valuation.

NEW BUSINESSES OPENING IN THE CITY DURING THIS MONTH

- 2603 Terraza at 2603 N. Veterans Boulevard
- El Primo de China at 514 S. Standard Avenue
- Hair by Pris at 909 W. FM 495
- Papa Johns at 105 S. Cesar Chavez Road
- Mix Fit Nutrition at 901 W. 1st Street
- Sandy Salads at 2211 S. Veterans Boulevard
- V-Imagen Beauty at 2604 N. Raul Longoria Road
- Valley Sounds and Security at 1003 N. Raul Longoria Road

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CODE ENFORCEMENT

Code Enforcement Inspectors issued six (6) illegal dumping, nineteen (19) work orders, four (4) junk vehicles, eight (8) garage sale without a permit, four (4) rubbish, ten (10) people building without a permit, twenty-three (23) certified letters were sent out, two (2) court cases were filed in Court, one (1) street vendor conducting business without a permit.

SUBDIVISIONS IN PROCESS

- Black Hills Subdivision
- Twin Subdivision
- Giants Subdivision
- Mosa Multi-Family Subdivision
- Oakland Properties
- Westview IV Subdivision
- Plantation Heights
- Oakridge Estates
- La Paloma Subdivision
- The Orchards of San Juan – Phase 1
- Gutierrez-Duncan
- San Juan City Hall
- Cantu Subdivision
- Christian Estates
- Arguello Subdivision
- Hinojosa Subdivision
- Meadows on Ridge
- Starlite Subdivision
- Uresti Subdivision
- Black Hills Estates Subdivision
- Hacienda San Fernando Subdivision

PLATS RECORDED IN MAY:

1. The R.G. Complex Subdivision
2. Valley Ranch Phase 2
3. Re-plat of the Texas National Subdivision

PLANNING AND ZONING MEETINGS

No meetings were held during the month of May

MEETINGS ATTENDED IN MAY

1. Final Walkthrough for Valley Ranch No. 2 Subdivision
2. East Nolana Loop Project Parcel 36
3. Fire Station Meeting with ERO Architects and SAMES Engineering
4. Plantation Heights Meeting with City of Pharr
5. United with Uvalde Meeting



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Patrick Willingham, Director of Parks and Recreation

DATE: 06/07/2022

SUBJECT: Parks and Recreation Monthly Report.

For the month of May 2022, we have the following to report:

Parks Division/Events Division, staff continues to maintain our city parks and landscape areas as needed. This past month staff worked on the following areas.

- Staff has been maintaining our athletic fields, watering, and grooming them in preparation for the All-Star Tournaments that the city will be hosting.
- Currently staff is checking and testing all sprinkler heads to make sure they are properly functioning for the summer season.
- Parks are being treated for ants and weed control is being applied where necessary.
- Assisted with PSJA ISD to prepare Municipal Park for a field day for the middle school special needs division.
- Staff also assisted PSJA North High School with putting up and taking down the tent for their senior field day.

Recreation Division,

PONY BASEBALL/SOFTBALL- PONY Baseball/Softball there is a total of 26 baseball teams with 330 players and 11 softball teams with 146 players in the City of San Juan Parks & Recreation Dept. PONY Baseball/Softball League. We are interlocking all softball leagues, 4U baseball and 14U baseball with Alamo and Pharr. In baseball, Alamo will be interlocking with us for 6U, 8U, 10U and 12U divisions.

Two Mid-Season Tournaments were played at Municipal Park for age groups 10U and 12U baseball

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the week of May 2-6. Our local San Juan teams won the Championship for 10U Red Sox and 12U Nationals.

All-Star Teams coaches and players were selected. There are 6 All-Star Teams in baseball and 5 All-Star Teams in softball each age division has one team. Team have been practicing the last two weeks of May and All-Star uniforms have been ordered. Christine Soto, Alex Lopez and I have created All-Star binders for each team that is required for each team to have.

- **SUMMER PROGRAM GUIDE-** On May 2 & 3, 2022, Staff delivered the Summer Program Guides and summer registration forms to all PSJA ISD Elementary School, Middle School and High School plus IDEA and Vanguard for the upcoming summer programs.

- **NATIONAL DAY OF PRAYER-** On May 5, 2022, Parks and Recreation Staff assisted on the National Day of Prayer at City Hall from 11 am – 1:30 pm.

- **SUMMER PROGRAMS-** Our department is currently planning for some exciting programs for Summer Track, Tennis and Swim started Monday, May 23. Currently Track & Field has 81 registered participants, Swim has 49 registered participants, Tennis has 22 registered participants and Water Polo with 2 registered participants. T-Ball Camp, Soccer Camp and Softball Pitching & Hitting Camp are scheduled to start on Monday, June 6. All programs will be held at Municipal Park and PSJA ISD facilities. Registration is open online. Interviews have been conducted for summer employment for the summer programs.

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- **SUMMER MIDDLE SCHOOL VOLLEYBALL LEAGUE-** The Summer Middle School Volleyball League is schedule to start the week of June 6. The league will consist of 6 teams from across the PSJA ISD middle schools. Games will be played on Tuesday, Wednesday & Thursday between 6pm-9-pm at Austin Middle School.

- **FILL THE HAT UVALDE FUNDRAISER-** Fill the Hat Uvalde Fundraiser was held May 28-30 at the intersection of Nebraska/Raul Longoria and the Expressway. Recreation Staff volunteered Saturday, Sunday and Monday to help raise funds.

Maintenance Division, staff continues to provide professional maintenance and custodial service throughout the city. The following areas were addressed this past month

- Staff worked on several AC issues through the city. Condensers were washed out at the Parks and Recreation office, Amigos Del Valle, Old PD, City Hall, Fire Department Northside, and at City Shop.
- Replaced light bulbs at Old PD and Amigos Del Valle.
- Replaced light switch at the Old PD.
- Cleaned and disinfected the Jail Cell at the Old Pd.
- Repaired an old light pole at Old PD and repaired all wiring.
- Repaired both AC units at the Amigos Del Valle.

Upcoming Events:

- **Youth Pony Baseball/Softball All Star Tournaments- June 6-10, June 13-17, and June 20-24.**
- **The City of San Juan will host a girls fastpitch camp on June 22, 2022 at San Juan Municipal Park by the staff and players of Our Lady of the Lake University.**
- **On June 14th the RGV Girls High School Softball All Star Game will be held at San Juan Municipal Park.**
- **Our next Parks and Recreation Advisory Board meeting will be held on Wednesday June 15th, 2022.**



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Israel Garza, Sanitation Director

DATE: 06/07/2022

SUBJECT: Sanitation Monthly Report.

Sanitation Department (**May 2022**)

- Solid Waste Collection ran on schedule all month
- Brush Pickup ran on schedule all month
- Drop off Site: 1,249 Residents
- Residential: 1,214.45 Tons
- Commercial: 878.53 Tons
- Roll-Off Containers: 150.49 Tons 30 loads
- Brush: 796.39 Ton 242 loads of brush

Central Garage (**May 2022**)

- Tickets Open: 67
- Tickets Closed: 94
- 6 Residential Side Loaders operating
- 1 Commercial Side Loaders operating
- 2 Commercial Front Loaders operating
- 2 Brush truck operating
- 1 Brush tractor (grapple) operating
- 3 Brush Grapple Truck operating
- 2 Roll- Offs Trucks operating

Recycling (May 2022)

- Cardboard: 13.82 tons/\$2,097.20
- Mix White Paper: 1.02 tons/\$45.70
- Newspaper: 0.40 tons/\$40.30
- Aluminum 0.06 tons/\$7.70
- Tins: 0.02 tons/\$21.45
- Plastic: 2.53 tons/\$0.00
- Curbside Recycle: 4.39 tons /\$0.00
- Total Tons/Revenue: 22.24 tons /\$2,212.35
- Savings of \$444.80
- Walk-Ins: 648

Code Enforcement (May 2022)

- Violation Notice Issued: 14
- Illegal Dumping: 14
- Contact People: 28
- Construction Material: 15
- Tires: 25



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MEMORANDUM

TO: Mr. Benjamin Arjona, City Manager
FROM: Armandina Sesin, Library Director
DATE: June 1, 2022
SUBJECT: May Monthly Report

Enclosed is the May monthly report including statistics and programs:

For the month of May, we had, 1,735 visitors. Out of those visitors, 461 were here for computer use only. The library checked out a total of 567 items both adult and children. We had 64 in-house circulation items. We requested and received nine (9) Interlibrary Loans (ILL). We had 50 new patrons added to our circulation system. We helped the public with an estimated 266 reference/informational questions. We had 41 fax transactions. The monthly amount deposited was \$758.20 both fines and fees.

Please see the attached statistical report.

During the month of May

- Attended the City Commission meetings
- Attended the Directors' meetings
- Attended the meeting concerning the tragedy in Uvalde
- Attended the Hidalgo County Library System meeting in Pharr, TX
- Managed the day-to-day operations of the San Juan Memorial Library

Meetings to be held in June 2022

Multipurpose Room

Early Voting, June 1st to the 10th

Voting Day, June 14th

Directors Meeting June 15th

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HCLS meeting, June 16th
Planning & Zoning, June 16th
EDC June 21st
City Commission, June 28th
Directors Meeting, June 29th

Training Room:

CBA Meeting, June 1st
Library Board Meeting, June 1st
Planning & Zoning, June 2nd
Directors' meetings, June 3rd
Homeowners Association for Stewart Place 2, June 4th
EDC, June 7th
HR Arbitration Meeting, June 9th

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**San Juan Memorial Library
May 2022 Statistics**

Statistics	
Total Visitors	1,735
Computer Users	460
Total Checkouts	567
In-House Use	64
Inter-Library Loans	9
New Patrons	50
Reference\ Informational Questions	266
FAX transactions	41
Children's Programs	1
Attendance	63

Multipurpose Room Reservations	Attendance
2nd Early Voting	28
3rd Early Voting	37
4th HR Meeting	3
5th HR Meeting	3
6th HR Meeting	3
7th Special Constitutional Amendment Election	82
9th Mother's Day Event	73
10th CBA Meeting	9
10th City Commission	60
11th Directors Meeting	14
12th Doedyns Elementary Fieldtrip	63
16th Early Voting	156
17th Early Voting	150
18th Early Voting	169
19th Early Voting	190
20th Early Voting	300
24th Primary Runoff Election	510
26th HR Meeting	3
26th Uvalde Meeting	16
27th HR Meeting	3
31st Early Voting	32
Total	1,904

Training Room Reservations	Attendance
2nd Civil Service Exam	6
2nd EDC	25
18th HR Meeting	3
18th Keeping San Juan Beautiful	6
19th HR Meeting	3
19th Planning and Zoning	10
20th HR Meeting	3
23rd HR Meeting	3
25th Library Interviews	5
26th Library Interviews	5
31st HR Orientation	7
Total	76

Checkouts	
DVDs	76
Books Juvenile	336
Books Adult	155
Total	567

WiFi Usage	
LibGuest	861
LibStaff	245
Total	1,106

Study Room Attendance	
Study Rooms	92

Facebook Page	
Likes	16
Visitors	63

SJML Homepage	
Visitors	1,480

Deposits	
Fines	\$ 66.15
Copies	\$ 692.05
Total	\$ 758.20

Youth & Children's Programs/Attendance

Date	Program	Attendance
Monday, May 2, 2022	0	0
Tuesday, May 3, 2022	0	0
Wednesday, May 4, 2022	0	0
Thursday, May 5, 2022	0	0
Friday, May 6, 2022	0	0
Monday, May 9, 2022	0	0
Tuesday, May 10, 2022	0	0
Wednesday, May 11, 2022	0	0
Thursday, May 12, 2022	*	63
Friday, May 13, 2022	0	0
Monday, May 16, 2022	0	0
Tuesday, May 17, 2022	0	0
Wednesday, May 18, 2022	0	0
Thursday, May 19, 2022	0	0
Friday, May 20, 2022	0	0
Monday, May 23, 2022	0	0
Tuesday, May 24, 2022	0	0
Wednesday, May 25, 2022	0	0
Thursday, May 26, 2022	0	0
Friday, May 27, 2022	0	0
Tuesday, May 31, 2022	0	0
Total	1	63
*Doedyns Elem. Field Trip		

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 14, 2022

Hold a Public Hearing for the Voluntary Annexation Petition (Giants Subdivision) being a 3.00 acre tract of land out of Lot 6, Block 27, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Hall Acres Road, as Requested by Jose Luis Hernandez.

STAFF COMMENTS AND RECOMMENDATIONS:

The Planning Department is processing a residential subdivision located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Hall Acres. It is the City's policy to annex subdivisions processed and approved within the city's ETJ. On March 24, 2022, the City Commission approved Resolution 2022-15 accepting a 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:

Hold the First Public Hearing for a Voluntary Annexation Petition.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager



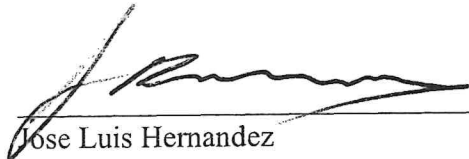
**Planning & Zoning Department
VOLUNTARY ANNEXATION SCHEDULE**

Subject Property	Giants Subdivision Being 3.00-acre tract of land out of Lot 6, Block 27, 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 Jose Luis Hernandez.
Thursday, May 19, 2022	Planning Department distributes location map, annexation map and subdivision plat to other city departments for their review and comments.
Thursday, May 19, 2022	Negotiate written service agreement with property owner and City.
Tuesday, May 24, 2022	City Commission accepts the petition for Voluntary Annexation, setting dates and times for public hearings by a Resolution.
Wednesday, June 1, 2022	First Public Hearing Notice is published in local newspaper. Send Written Notice by Certified Letter to school district, public entity, and appraisal district, etc.
Tuesday, June 14, 2022	City Commission holds public hearing on Voluntary Annexation.
Wednesday, June 22, 2022	Notice of 2 nd Public Hearing is published in the local newspaper.
Tuesday, July 12, 2022	City Commission holds 2 nd public hearing on Voluntary Annexation.
Tuesday, July 26, 2022	First Reading: City Commission Approves Voluntary Annexation Ordinance.
Tuesday, August 9, 2022	2 nd Reading: City Commission Approves Voluntary Annexation Ordinance.

PETITION FOR ANNEXATION

To the Mayor and City Council, City of San Juan:

The undersigned, owner of land or representative of the majority of landowners hereby petitions the City Council of the City of San Juan to annex Giants Subdivision being a 3.00 Acre tract of land out of Lot 6, Block 27, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas according to the map or plat thereof recorded in Volume 1, Pages 24-26, Map Records, Hidalgo County Texas and out of Lot 10, Stewart's Addition to Conway Gardens, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 0, Page 43, map records, Hidalgo County, Texas.


Jose Luis Hernandez
P.O. Box 640
Hidalgo, TX 78503

STATE OF TEXAS §

COUNTY OF HIDALGO §

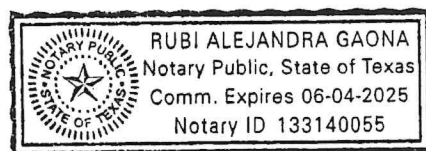
Before me, the undersigned authority, on this day appeared Jose Luis Hernandez who stated upon his oath the following:

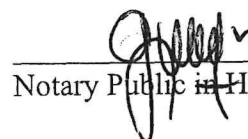
My name is Jose Luis Hernandez and I am the property owner, there are no residents nor are there any qualified voters in the area to be annexed.

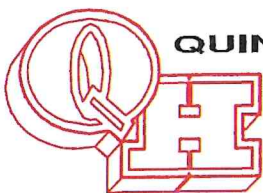
Further affiant saith not.


Jose Luis Hernandez
Owner

SWORN TO and subscribed before me on the 28th day of March, 20 22.




Notary Public in Hidalgo County, Texas



QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

Consulting Engineers ★ Land Surveyors

Alfonso Quintanilla, P.E., R.P.L.S. Eulalio Ramirez, P.E.

Engineering Firm Registration No. F-1513

Surveying Firm Registration No. 100411-00

Municipal & County Projects ★ Subdivisions ★ Surveys

124 E. Stubbs, Edinburg, Texas 78539

Phone 956/381-6480 Fax 956/381-0527

METES AND BOUNDS

A 3.00 ACRE TRACT OF LAND OUT OF LOT 6, BLOCK 27, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 1, PAGES 24-26, MAP RECORDS HIDALGO COUNTY, TEXAS, AND ACCORDING TO GENERAL WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 3109843, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A COTTON PICKER SPINDLE FOUND ON THE SOUTH LINE OF LOT 6 AND IN THE CENTERLINE OF HALL ACRES ROAD FOR THE SOUTHEAST CORNER OF THE ENRIQUE J. CASTELLANOS TRACT (A 5.00 ACRE TRACT OF LAND OUT OF LOT 6, BLOCK 27, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION AND OUT OF LOT 10, STEWART'S ADDITION TO CONWAY GARDENS, AS PER THE PLAT OR MAP RECORDED IN VOLUME 0, PAGE 43, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO GENERAL WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1394492, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) AND THE SOUTHWEST CORNER OF THIS TRACT, SAID SPINDLE BEARS EAST 94.00 FEET FROM THE SOUTHWEST CORNER OF LOT 6.

THENCE; N 00°02'32" W (DEED RECORD: NORTH), ALONG THE EAST LINE OF THE ENRIQUE J. CASTELLANOS TRACT, PASSING A 1/2" IRON ROD FOUND AT 20.00 FEET FOR THE NORTH RIGHT OF WAY LINE OF HALL ACRES ROAD, A TOTAL DISTANCE OF 513.56 FEET (DEED RECORD: 513.45 FEET) TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID TRACT AND AN INTERIOR CORNER OF THIS TRACT.

THENCE; S 89°57'19" W (DEED RECORD: WEST), ALONG THE NORTH LINE OF THE ENRIQUE J. CASTELLANOS TRACT, A DISTANCE OF 424.09 FEET (DEED RECORD: 424.19 FEET) TO AN "X" CUT MADE ON CONCRETE ON THE EAST LINE OF THE WALTER J. SOULEK TRACT (THE WEST 4.62 ACRES OF LOT 10 AND THE EAST 5.38 ACRES OF LOT 11, STEWART'S ADDITION TO CONWAY GARDENS, ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 3083, PAGE 775, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) FOR AN EXTERIOR CORNER OF THIS TRACT.

THENCE; NORTH, ALONG THE EAST LINE OF THE WALTER J. SOULEK TRACT, A DISTANCE OF 151.57 FEET (DEED RECORD: 151.35 FEET) TO A 1/2" IRON ROD FOUND ON THE NORTH LINE OF LOT 10 FOR AN EXTERIOR CORNER OF VALLEY RANCH SUBDIVISION (RECORDED IN INSTRUMENT NUMBER 3215669, MAP RECORDS, HIDALGO COUNTY, TEXAS) AND THE NORTHWEST CORNER OF THIS TRACT.

THENCE; EAST, ALONG THE WEST LINE OF VALLEY RANCH SUBDIVISION, A DISTANCE OF 524.19 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS TRACT.

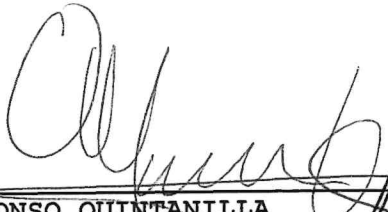
THENCE; SOUTH, ALONG THE WEST LINE OF VALLEY RANCH SUBDIVISION, PASSING A 1/2" IRON ROD FOUND AT 644.80 FEET FOR THE NORTH RIGHT OF WAY LINE OF HALL ACRES ROAD, A TOTAL DISTANCE OF 664.80 FEET TO A COTTON PICKER SPINDLE SET ON THE SOUTH LINE OF LOT 6 AND IN THE CENTERLINE OF HALL ACRES ROAD FOR THE SOUTHWEST CORNER OF VALLEY RANCH SUBDIVISION AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE; WEST, ALONG THE SOUTH LINE OF LOT 6 AND THE CENTERLINE OF HALL ACRES ROAD, A DISTANCE OF 99.72 FEET (DEED RECORD: 100.00 FEET) TO THE POINT OF BEGINNING AND CONTAINING 3.00 ACRES OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH VALLEY RANCH SUBDIVISION, RECORDED IN INSTRUMENT NUMBER 3215669, MAP RECORDS, HIDALGO COUNTY, TEXAS.

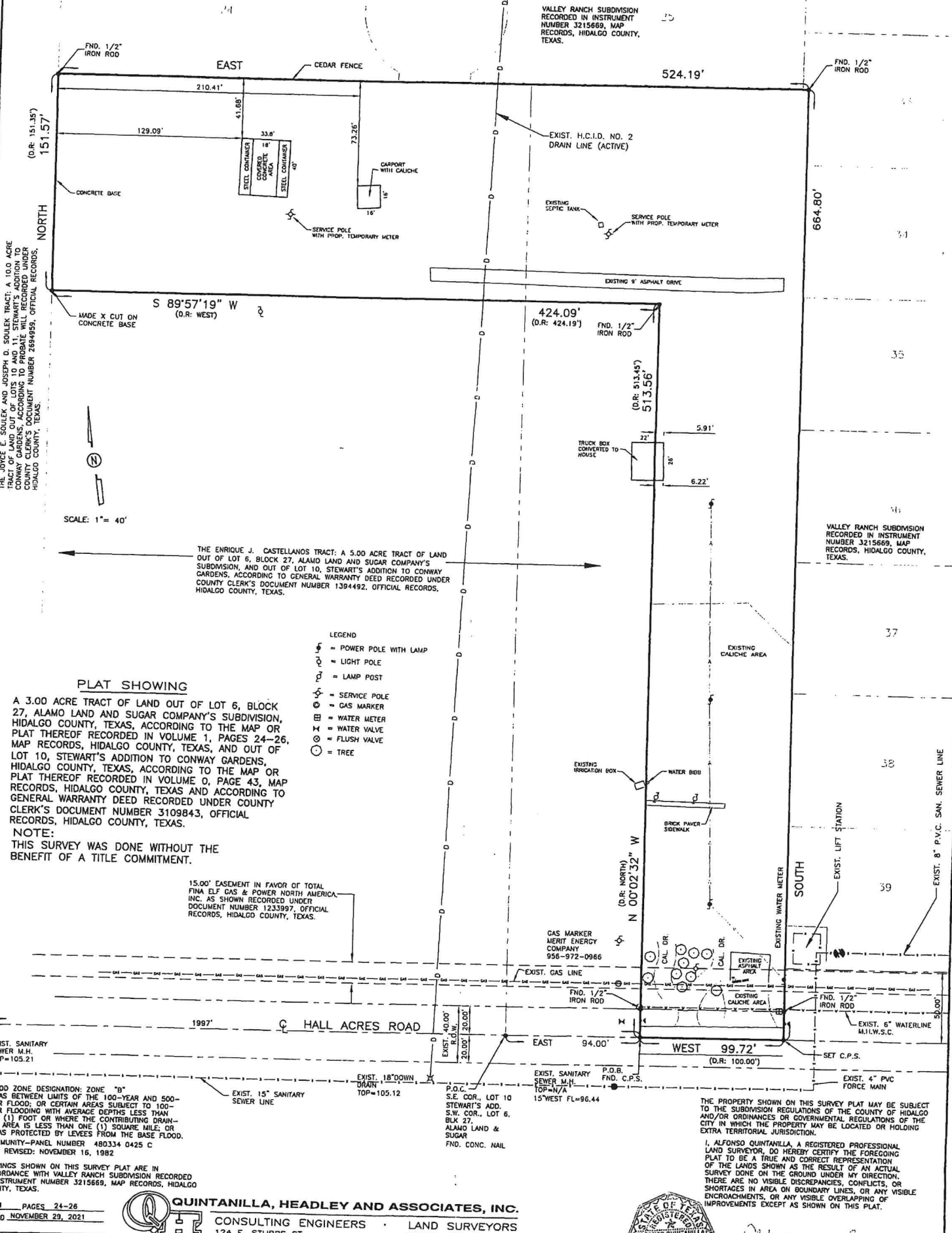
I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THE ABOVE METES AND BOUNDS TO BE TRUE AND CORRECT, AND TO BE THE REPRESENTATION AND RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

DATE PREPARED: MAY 5, 2022


ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4856



THE JOYCE E. SOULEK AND JOSEPH D. SOULEK TRACT, A 10.0 ACRE TRACT OF LAND OUT OF LOTS 10 AND 11, SUBDIVISION OF CONWAY GARDENS, ACCORDING TO PROBATE WILL RECORD UNDER COUNTY CLERK'S DOCUMENT NUMBER 2894959, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.



PLAT SHOWING

A 3.00 ACRE TRACT OF LAND OUT OF LOT 6, BLOCK 27, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGES 24-26, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND OUT OF LOT 10, STEWART'S ADDITION TO CONWAY GARDENS, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 0, PAGE 43, MAP RECORDS, HIDALGO COUNTY, TEXAS AND ACCORDING TO GENERAL WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 3109843, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

NOTE:
THIS SURVEY WAS DONE WITHOUT THE
BENEFIT OF A TITLE COMMITMENT.

15.00' EASEMENT IN FAVOR OF TOTAL
FINA ELF GAS & POWER NORTH AMERICA,
INC. AS SHOWN RECORDED UNDER
DOCUMENT NUMBER 1233987, OFFICIAL
RECORDS, HIDALGO COUNTY, TEXAS.

- LEGEND
- ⊕ = POWER POLE WITH LAMP
 - ⊙ = LIGHT POLE
 - ⊙ = LAMP POST
 - ⊕ = SERVICE POLE
 - ⊕ = GAS MARKER
 - ⊕ = WATER METER
 - ⊕ = WATER VALVE
 - ⊕ = FLUSH VALVE
 - ⊙ = TREE

VOL. 1 PAGES 24-26
SURVEYED NOVEMBER 29, 2021
OWNER _____
ADDRESS _____
JOB No. _____
BOOK No. _____
PAGE _____
2:\data\SUBDIVISIONS\SAN JUAN\GIANTS SUBDIVISION\GIANTS



QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS
124 E. STUBBS ST.
EDINBURG, TEXAS 78539
REGISTRATION NUMBER F-1513
ENGINEERING REGISTRATION NUMBER F-1513
SURVEYING REGISTRATION NUMBER 100411-00



THE PROPERTY SHOWN ON THIS SURVEY PLAT MAY BE SUBJECT TO THE SUBDIVISION 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.

I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING PLAT TO BE A TRUE AND CORRECT REPRESENTATION OF THE LANDS SHOWN AS THE RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION. THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY VISIBLE ENCROACHMENTS, OR ANY VISIBLE OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN ON THIS PLAT.

ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL LAND SURVEYOR
No. 4856



- Legend**
-  CITY LIMITS
 -  Proposed area

Consideration and Action on a Resolution Accepting the Voluntary Annexation Petition, Setting Dates and Times of Public Hearings and Directing the Planning Department to Prepare Service Plan for the Proposed Giants Subdivision, being a 3.00 acre tract of land out of Lot 6, Block 27, Alamo Land and Sugar Subdivision, as Requested by Jose L. Hdz.



AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 14, 2022

Hold a Public Hearing and Consider Ordinance Regarding a Rezoning Request from Manufactured Home District (R-MH) to Light Industrial District (L-I) of the property legally described as 4.74 acre tract of land out of the West 436.4 feet of the South 509.59 feet excluding the East 75 feet of the South 150 feet of Lot 15, Block 6, John Closner Subdivision, as Requested by Bonnie Abbott.

STAFF COMMENTS AND RECOMMENDATIONS:

The applicant is proposing to rezone a 4.74 acre tract from Manufactured Home District (R-MH) to Light Industrial District (L-I). The property is located in between a Mobile Home Park, a Multi-Family subdivision to the North and the San Juan Municipal Park to the North East. A survey of the property is attached to the packet for review.

The Future Land Use and Comprehensive Maps designated this property as Residential Use. The surrounding properties consist of multi-family and commercial use along U.S. Business 83.

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:

The Planning and Zoning Commission met on June 2, 2022 and recommended denial of the rezoning by a 6-0 vote.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 06/02/2022
CITY COMMISSION – 06/14/2022
DATE PREPARED – 05/27/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Rezoning Request from Manufactured Home District (R-MH) to Light Industrial District (L-I)
APPLICANT:	Bonnie Abbot
AGENT:	N/A
LEGAL:	Being a 4.74 acre tract of land out of the West 436.4 feet of the South 509.59 feet excluding the East 75 feet of the South 150 feet of Lot 15, Block 6, John Closner Subdivision
CURRENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Artikice - Ice Distribution Center
PROPOSED ZONING:	Light Industrial District (L-I)
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Apartments; Multi-Family Residence District (R-MF) <i>South</i> – Commercial; General Business District (C-2) <i>East</i> – Municipal Park; Open Area <i>West</i> – Mobile Home Park Manufactured Home District (R-MH)
ACCESS AND CIRCULATION:	The property has access along Railroad Tracks.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends denial.

EVALUATION AND CONDITIONS FOR APPROVAL

The applicant is proposing to rezone a 4.74 acre tract from Manufactured Home District (R-MH) to Light Industrial District (L-I). The property is located in between a Mobile Home Park and the San Juan Municipal Park. A survey of the property is attached to the packet for review.

The Future Land Use and Comprehensive Maps designated this property as Residential Use. The surrounding properties consist of multi-family and commercial use along U.S. Business 83.

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
Survey of the property
List of neighboring property owners receiving notice
Ordinance



Proposed Site

FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 06/02/2022 Commissioner Perez made a motion to denial the rezonign request as presented by staff. Commissioner Cantu seconded the motion. The motion passed unniamously with a 6-0 vote.

Mr. Tijerina explained that the application is to rezone the property located along Railroad Track, between the San Juan Municipal Park and the Mobile Home Park into Light Industrial. The proposed use is an ice distribution center. He listed the surrounding uses; to the North is the Housing Authority Apartments, to the South is commercial, to the East is the Municipal Park and to the West is the Mobile Home Park. The access to the property is thru the Railroad Tracks.

Staff recommends denial since will be considered a spot zoning based on the surrounding land uses.

Commissioner Yzaguirre asked if the roadway is private. Mr. Tijerina responded yes, is the park's entrance.

Commissioner Magallan asked if the ice distribution center will be similar at the one located in the City of Pharr.

Commissioner Perez asked why the applicants did not want the General Business District (C-2). He said his main concern is the commercial traffic thru the private roadway.



ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 98-006 OF THE CITY OF SAN JUAN, TO CHANGE THE ZONING DISTRICT FROM MANUFACTURED HOME DISTRICT (R-MH) TO LIGHT INDUSTRIAL DISTRICT (L-I) FOR A PROPERTY LEGALLY DESCRIBED AS 4.74 ACRE TRACT OF LAND OUT OF THE WEST 436.4 FEET OF THE SOUTH 509.59 FEET EXCLUDING THE EAST 75 FEET OF THE SOUTH 150 FEET OF LOT 15, BLOCK 6, JOHN CLOSNER SUBDIVISION, 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 commercial/industrial district development that generates property taxes, water and sewer revenues and sales tax revenues.

The zoning district of the property legally described as 4.74 acre tract of land out of the West 436.4 feet of the South 509.59 feet excluding the East 75 feet of the South 150 feet of Lot 15, Block 6, John Closner Subdivision, shall be changed to Light Industrial District (L-I) and the zoning map shall be amended accordingly.

PASSED and **APPROVED** on first reading on the 14th day of June, 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
CITY SECRETARY

CITY ATTORNEY



Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Manufactured Home District (R-MH) to Light Industrial District (L-I) of the property legally described as 4.74 acre tract of land out of the West 4363.4 feet of the South 509.59 feet excluding the East 75 feet of the South 150 feet of Lot 15, Block 6, John Clossner Subdivision, as Requested by Bonnie Abbott.



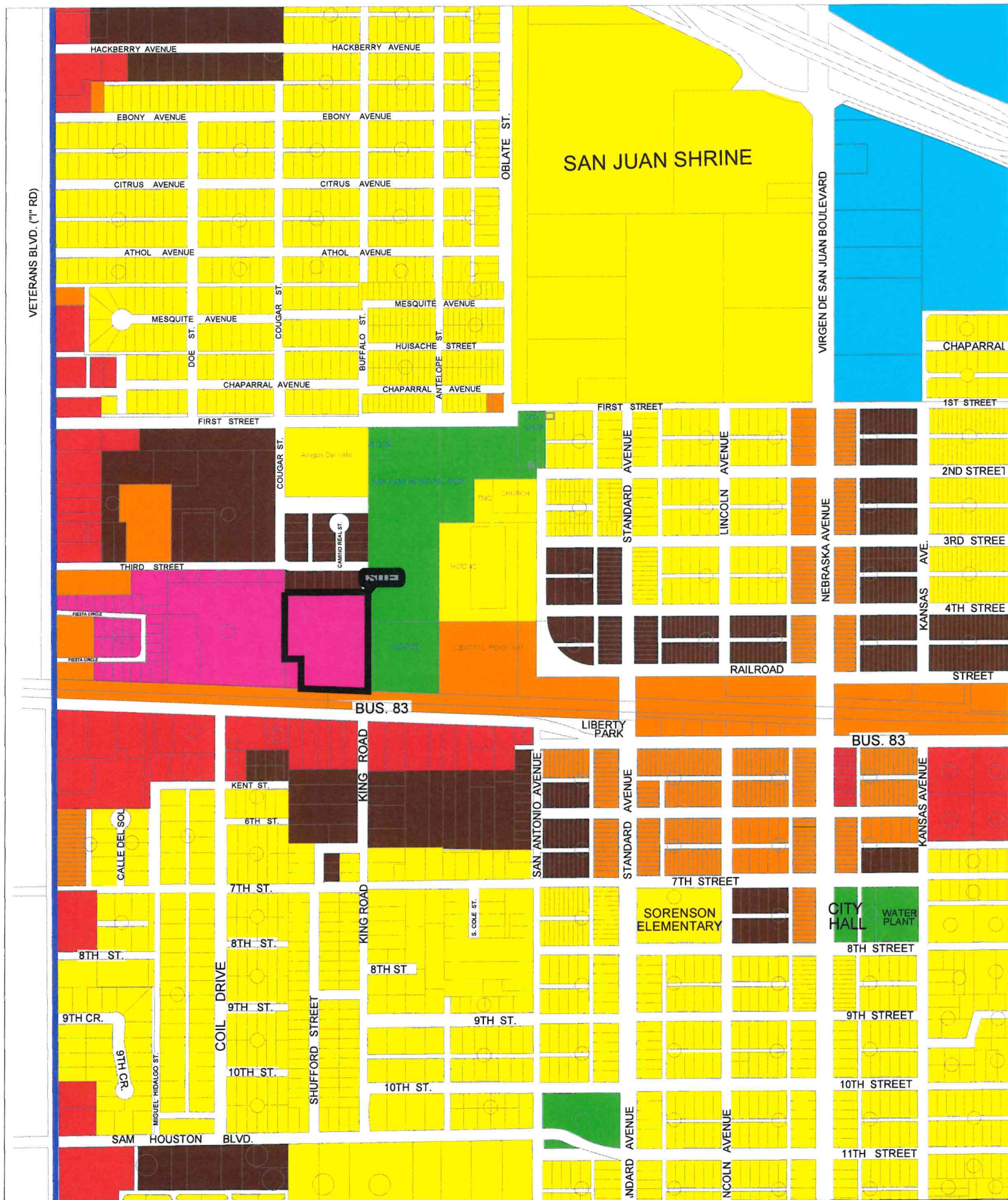


Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Manufactured Home District (R-MH) to Light Industrial District (L-I) of the property legally described as 4.74 acre tract of land out of the West 4363.4 feet of the South 509.59 feet excluding the East 75 feet of the South 150 feet of Lot 15, Block 6, John Closner Subdivision, as Requested by Bonnie Abbott.

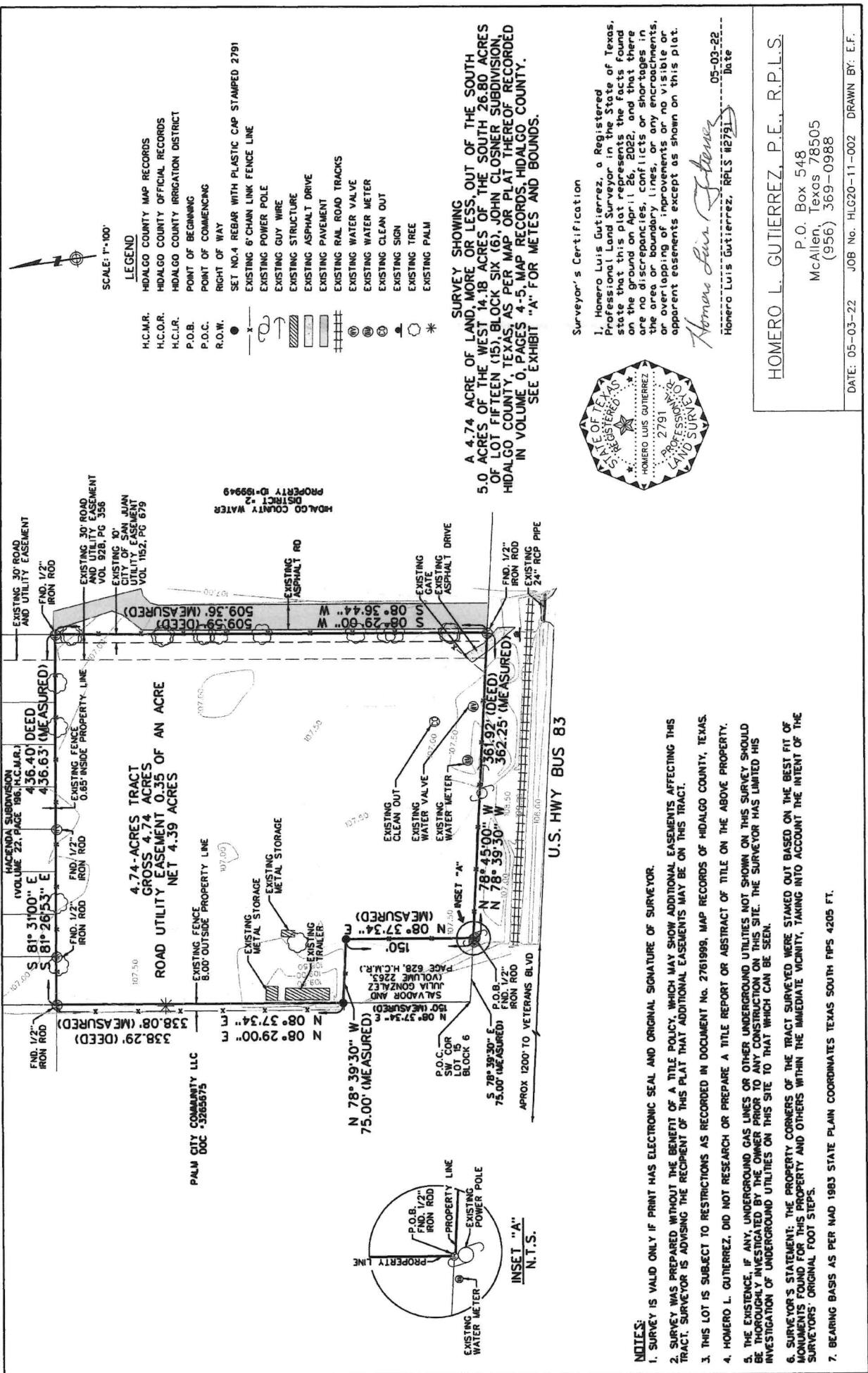




Zoning Districts	
 Single Family Residential (R-S)	 Heavy Commercial (C-3)
 Manufactured Home (R-MH)	 Light Industrial (I-1)
 Multi-Family Residential (R-MF)	 Heavy Industrial (I-2)
 Neighborhood Commercial (C-1)	 Open Space (O)
 General Business (C-2)	 Exp. Corridor (EC)

Rezoning Request from Manufactured Home District (R-MH) to Light Industrial District (L-I) of the property legally described as 4.74 acre tract of land out of the West 4363.4 feet of the South 509.59 feet excluding the East 75 feet of the South 150 feet of Lot 15, Block 6, John Closner Subdivision as Requested by Bonnie Abbott.





Rezoning Request from Manufactured Home District (R-MH) to Light Industrial District (L-I) of the property legally described as 4.74 acre tract of land out of the West 436.4 feet of the South 509.59 feet excluding the East 75 feet of the South 150 feet of Lot 15, Block 6, John Closner Subdivision, as Requested by Bonnie Abbott.

Abbott, Bonnie
700 W. US Highway 83
San Juan, TX 78589

Garcia, Coronado and Adoracion
715 W. 3rd Street
San Juan, TX 78589

Vaca, Juan C. ET AL
1007 Treyson Dr.
San Juan, TX 78589

Abbott, Bonnie
818 Napa Dr.
Alamo, TX 78516

Gonzalez, Salvador and Julia
601 W. US Highway 83
San Juan, TX 78589

Watkins, Danny Revocable Living
Trust
P.O. Box 365
Lebanon, TN 37088

Hidalgo County Water Dist #2
326 N. Standard St.
San Juan, TX 78589

Palm City Community LLC.
P.O. Box 90044
Austin, TX 78709

Housing of the City of San Juan
700 Maldonado Circle
San Juan, TX 78589

Ginez, Rigoberto
205 China St.
Weslaco, TX 78596

Property Experts LLC.
5111 N. 10th Street PMB 166
McAllen, TX 78504

Ginez, Danny
1102 Scobey Avenue
Donna, TX 78537

Garcia, Flor Alejandra
4100 Toronto Avenue
McAllen, TX 78503

Herrera, Ramiro and Consuelo
802 Mesquite St.
San Juan, TX 78589

VIDA Development Company
LLC.
1014 W. Wisconsin Rd.
Edinburg, TX 78539

De la Cruz, Veronica
1405 San Vicente St.
Weslaco, TX 78599

Palacios Builders
522 N. Esperanza St.
Pharr, TX 78577

Aparicio, Graciela and Lazaro
513 Clifford Dr.
Weslaco, TX 78596

Southern Pera Investments LTD.
CO
P.O. Box 614
Pharr, TX 78577

Rodriguez, Jose Antonio and
Humberto
1001 S. King Rd.
San Juan, TX 78589

Ramirez, Isaac III
1010 E. Cortez
Pharr, TX 78577

Cantu, Salvador C.
610 W. US Highway 83
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 14, 2022

Hold a Public Hearing and Consider an Ordinance Regarding Amending the Code of Ordinances Appendix "A", Unified Development Code, Chapter 2 - Zoning Regulations, Section 11: Expressway Corridor District by Amending such Section to Authorize the Use of Retail Establishments primarily.

STAFF COMMENTS AND RECOMMENDATIONS:

The Expressway Corridor Master Plan was adopted by the City Commission on February 14, 2017, giving the City a new vision for future development and redevelopment along the San Juan Expressway Corridor. The City of San Juan is making an amendment to allow retail establishments primarily within the Expressway Corridor.

The adoption of this amendment would allow certain businesses by right and some others with a conditional use permit and special requirements.

RECOMMENDATION:

Staff recommends approval.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager



ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JUAN, TEXAS AMENDING THE CODE OF ORDINANCES AT APPENDIX "A", UNIFIED DEVELOPMENT CODE, CHAPTER 2 – ZONING REGULATIONS, ARTICLE IV – DISTRICT USE AND AREA REGULATIONS, SECTION 11: EXPRESSWAY CORRIDOR DISTRICT BY AMENDING SUCH SECTION TO AUTHORIZE THE USE OF RETAIL ESTABLISHMENTS ONLY: INCLUSION IN THE SAN JUAN CODE OF ORDINANCES; INCORPORATION OF OTHER ORDINANCES; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE.

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

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

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

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

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

SECTION 11.00: EXPRESSWAY CORRIDOR DISTRICT

SECTION 11.01: PURPOSE

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

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

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

the deciding body, and if appropriate, a recommendation will be forwarded to the City Commission.

SECTION 11.02: DISTRICT USES:

(a) Uses Permitted By Right - The uses as shown in the following Zoning Use Chart are permitted by right and are subject to the restrictions of this district. In general, definitions are defined by terms in general use or in Appendix A, Unified Development Chapter 1, Article III. Definitions of uses specific to this District are found in Section 11.03 of Appendix A, Unified Development Code.

~~(b) Conditional Uses - As identified in the Zoning Use Chart, some uses may be considered when it is shown that such a use in a specified location will comply with all the conditions and standards for the location or operation for the use. The conditions shall be specified and recommended by the Planning and Zoning Commission and approved by the City Commission. Appendix A, Chapter 2, Article VIII, Conditional Use defines the process in for conditional uses that are listed in the following Zoning Use Chart.~~

(c) Nonconforming Uses - With the creation of the new Expressway Corridor District (ECD) some current land and building uses may become existing nonconforming uses. They will not be required to close or relocate, however they become subject to the requirements and regulations in Appendix A, Chapter 2, Article VII, Nonconforming Uses.

SECTION 11.03: DEFINITIONS

In addition to the definitions in Appendix A, Unified Development Code, Chapter 1, Article III, Definitions, the following definitions apply specifically to this district.

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

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

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

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

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

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

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

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

Carwash facility: A semi-enclosed structure for washing automobiles with automatic application of cleaners, brushes, rinse water, and heat for drying. May include manually operated exterior located vacuuming equipment and detailing operations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~Horizontal Mixed-Use Blocks: Combines single-use buildings on distinct parcels in a range of land uses within one block. In more urban areas, this approach avoids the financing and coding complexities of vertical layered uses while achieving the goal of placemaking that is made possible by bringing together complementary uses in one~~

place. In less urban areas, horizontal mixed use offers the advantage of sharing utilities and amenities while providing an easier to build and entitle mix of uses within a walkable block circumscribed by thoroughfares.

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

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

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

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

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

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

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

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

- (a) — A showroom for display of product lines including items for user purchase;
- (b) — Storage or warehouse facilities and occupies not more than sixty (60) percent of the gross floor area of the structure(s).
- (c) — A principal office of the business;
- (d) — Sales to contractors or other businesses installing or delivering to consumer and user.

(e) — A facility, combining office and warehouse functions in a single structure.

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

~~*On premises:* Inside a building or on the area of land that it is on, [sic]~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 11.04 ZONING USE CHART		
<u>Uses</u>	<u>Permitted by Right P</u>	<u>Conditional Use C</u>
<u>Automotive</u>		
<u>Automobile, new and preowned sales</u>		<u>C</u>
<u>Automobile, preowned sales</u>		<u>C</u>
<u>Automotive supply</u>		<u>C</u>
<u>Automobile service center</u>		<u>C</u>
<u>New Tire sales and service</u>		<u>C</u>
<u>Vehicle rental</u>		<u>C</u>
<u>Retail (free standing or in center)</u>		
<u>Antique shop</u>	<u>P</u>	
<u>Bakery, ice cream, or confectionery shop</u>	<u>P</u>	
<u>Cellphone/computer/technology sales and service</u>	<u>P</u>	
<u>Clothing store (men's, ladies', and children's including shoes and other apparel)</u>	<u>P</u>	
<u>Convenience store</u>	<u>P</u>	
<u>Convenience store fuel islands</u>		<u>C</u>
<u>Florist shop</u>	<u>P</u>	
<u>Home furnishings/Furniture store</u>	<u>P</u>	
<u>Hardware store</u>	<u>P</u>	
<u>Hobby shop</u>	<u>P</u>	
<u>Jewelry store</u>	<u>P</u>	
<u>Office equipment sales/service</u>	<u>P</u>	
<u>Paint and wallpaper store</u>	<u>P</u>	
<u>Pharmacy or drugstore</u>	<u>P</u>	
<u>Sporting goods store</u>	<u>P</u>	
<u>Shopping center up to and including 30,000 square feet</u>	<u>P</u>	
<u>Shopping center 30,000 to 75,000 square feet</u>	<u>P</u>	
<u>Shopping center greater than 75,000 square feet</u>		<u>C</u>
<u>Grocery store</u>		<u>C</u>
<u>Big box including grocery and home improvement (over 100,000 square feet)</u>		<u>C</u>

SECTION 11.04 ZONING USE CHART		
<u>Uses</u>	<u>Permitted by Right P</u>	<u>Conditional Use C</u>
<u>Eating and Drinking Establishments</u>		
<u>Restaurant or cafe without drive-in service, with covered patio</u>	<u>P</u>	
<u>Restaurant or cafe drive-in/thru service</u>		<u>C</u>
<u>Bar, Lounge, Tavern or Cantina</u>		<u>C</u>
<u>Coffee shop</u>	<u>P</u>	
<u>Delicatessen/ Specialty foods</u>	<u>P</u>	
<u>Microbrewery</u>		<u>C</u>
<u>Wine bar</u>		<u>C</u>
<u>Personal Services</u>		
<u>Day Spa</u>	<u>P</u>	
<u>Fitness Center/Health Club</u>	<u>P</u>	
<u>Dry cleaning/Laundry (drop off and pick up only)</u>	<u>P</u>	
<u>Barber or beauty shop</u>	<u>P</u>	
<u>Nail salon</u>	<u>P</u>	
<u>Shoe repair</u>	<u>P</u>	
<u>Alterations and Tailor</u>	<u>P</u>	
<u>Medical and Care facilities</u>		
<u>Clinic: medical, dental, optical, chiropractor, health care services</u>	<u>P</u>	
<u>Emergency/medical ambulatory care facility (limited overnight stays)</u>	<u>P</u>	
<u>Hospital</u>	<u>P</u>	
<u>Optician, Optical shop</u>	<u>P</u>	
<u>Pharmacy or drugstore</u>	<u>P</u>	
<u>Lodging*</u>		
<u>Hotel</u>	<u>P</u>	
<u>Live/work</u>		<u>C</u>
<u>Multifamily – apartments and condominiums</u>		<u>C</u>
<u>Assisted Living</u>		<u>C</u>
<u>Nursing Home (licensed)</u>		<u>C</u>
<u>Mixed Use Development*</u>		
<u>Retail/Residential</u>		<u>C</u>
<u>Retail/ Live-Work/Residential</u>		<u>C</u>
<u>Residential/Retail/Office</u>		<u>C</u>
<u>*Planned Unit Development encouraged</u>		
<u>Office, Professional</u>		
<u>Office building</u>	<u>P</u>	
<u>Attorney, Engineer, Architect, Landscape architect, Insurance, Financial advisor, Travel agent</u>	<u>P</u>	
<u>Bank or credit union</u>	<u>P</u>	
<u>Pet</u>		
<u>Veterinary office without boarding except for</u>	<u>P</u>	

<u>SECTION 11.04 ZONING USE CHART</u>		
<u>Uses</u>	<u>Permitted by Right P</u>	<u>Conditional Use C</u>
<u>medical need, no outside runs</u>		
<u>Veterinary Clinic with boarding and outside runs</u>		<u>C</u>
<u>Pet Supplies</u>	<u>P</u>	
<u>Pet Grooming (no boarding)</u>	<u>P</u>	
<u>Outdoor Equipment and Supplies</u>		
<u>Plant nursery</u>		<u>C</u>
<u>Landscape and garden supplies</u>		<u>C</u>
<u>Seasonal/temporary sales</u>		<u>C</u>
<u>Lawn, garden, and play structures</u>		<u>C</u>
<u>Miscellaneous</u>		
<u>Office/showroom/warehouse</u>	<u>P</u>	
<u>Light Manufacturing in conjunction with Office/showroom/warehouse</u>		<u>C</u>
<u>Mortuary</u>		<u>C</u>
<u>Open space/Plaza</u>	<u>P</u>	
<u>Library, art gallery, studio, museum</u>	<u>P</u>	
<u>Theater</u>	<u>P</u>	
<u>Bike Racks</u>	<u>P</u>	
<u>Automobile charging station</u>		<u>C</u>
<u>ATM (free standing)</u>		<u>C</u>
<u>Public and Private Utilities</u>		
<u>City infrastructure (water, waste water, drainage, fire, police)</u>	<u>P</u>	
<u>Government offices</u>	<u>P</u>	
<u>Private Utilities (telephone, cable)</u>	<u>P</u>	
<u>Cell and telecommunications towers</u>		<u>C</u>

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

(a) For condominium or multifamily/apartment development, the additional standards shall apply:

(1) Dwelling unit buildings shall be located and oriented to screen all parking areas from view of adjoining uses, including roadways.

~~(2) — Dwelling-unit buildings shall transition in height from lower to higher from the perimeter to the interior of the development. The taller buildings in the development shall be located in the interior part of the development.~~

~~(3) — Buildings with up to two-story dwelling units may be located around the perimeters of the development, except that three-story buildings will be allowed around perimeters if they are part of buildings that include both two and three stories.~~

~~(4) — Long uninterrupted expanses of building facades are prohibited. Articulation is required through the use of jogs, projections or retreats in the building walls, windows, balconies, entryways and bays.~~

~~(5) — All building entries adjacent to a street shall be pedestrian-scaled and shall include two or more of the following architectural treatments:~~

- ~~i. — distinctive doorways;~~
- ~~ii. — distinctive entry canopies or awnings;~~
- ~~iii. — projected or recessed entry bays; porches;~~
- ~~iv. — changes in paving material, texture, or color;~~
- ~~v. — landscaping providing entry focal points;~~
- ~~vi. — fountains;~~
- ~~vii. — decorative benches;~~
- ~~viii. — ornamental glazing,[:];~~
- ~~ix. — railings,[:]; and~~
- ~~x. — balustrades.~~

~~(6) — Stairs, hallways, and elevators shall be located within buildings and structures and not on the exterior of buildings and structures. No more than 25 percent of front doors to units shall be located on the exterior of the buildings.~~

~~(7) — Garages may be attached, detached, the first floor of a multistory residence or multistory freestanding structures. If freestanding parking structures are used, such structures shall be located so as to be easily accessible to the buildings in which the dwelling units they service are located.~~

~~(8) — The exteriors of freestanding multistory parking structures shall have architecturally designed masonry panels.~~

~~(9) — Garage doors of attached garages shall not comprise more than 60 percent of the total length of a building's frontage, with no more than six such garage doors in succession on a building.~~

~~(10) — No more than four detached garages shall be located side-by-side.~~

~~(11) — Any carport section shall be limited to housing no more than six vehicles, up to a maximum of 120 feet in length, including enclosed storage areas.~~

~~(12) — At least one garage with square footage sufficient to house a minimum of two seven-foot by 18-foot automobiles in addition to normal yard maintenance equipment shall be provided for each condominium unit.~~

~~(13) — The square footage for garages for a multifamily development shall be of adequate square footage to house a minimum of one seven-foot by 18-foot automobile.~~

~~(14) — At least 50 percent of the required total number of parking spaces shall be provided within covered parking such as garages or carports.~~

SECTION 11.11: ADDITIONAL STANDARDS FOR HOTEL DEVELOPMENT:

The following additional standards shall apply to hotel development:

(a) Long uninterrupted expanses of building facades are prohibited. Articulation is required through the use of jogs, projections or retreats in the building walls, windows, balconies, entryways and bays.

(1) All building entries adjacent to a street shall be pedestrian-scaled and shall include two or more of the following architectural treatments:

- i. distinctive doorways;
- ii. distinctive entry canopies or awnings;
- iii. projected or recessed entry bays; porches;
- iv. changes in paving material, texture, or color;
- v. landscaping providing entry focal points;
- vi. fountains;
- vii. decorative benches;
- viii. ornamental glazing,[:]

ix. railings[,] and

x. balustrades.

(2) Stairs, hallways, and elevators shall be located within buildings and structures and not on the exterior of buildings and structures.

(3) Guestrooms may be accessible only through interior corridors.

(4) Excluding windows and doors, a minimum of 50 percent of the exterior of buildings shall consist of architectural approved building materials in this zoning district ordinance[.]

(5) If freestanding parking structures are used, such structures shall be located so as to be easily accessible to the buildings in which the guestrooms they service are located.

(6) The exteriors of freestanding multistory parking structures shall have architecturally-designed masonry panels.

(7) Outdoor delivery or service areas within view of any right-of-way or residential area shall be screened from view by masonry walls.

(8) Outdoor recreational space within view of any right-of-way or residential area shall be screened from view by a combination of fencing and landscaping. The use of chain link fencing materials shall not satisfy the requirements for screening outdoor recreational space.

SECTION 11.13: ADDITIONAL REQUIREMENTS FOR CARWASH FACILITIES:

- (a) There shall be a 10,000-linear foot minimum separation between carwash facilities for properties with frontage along IH2/US Expressway 83. The distance shall be measured by a direct line from the corner of one property to the corner of another property.

SECTION 12.00: SPECIAL USE REGULATIONS:

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

SECTION 12.01: APPLICATION FEE:

~~Said application must be accompanied by an application fee.~~

SECTION 12.02: SPECIAL USE PERMIT:

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

~~(1) — Airport, landing field, or landing strip for aircraft;~~

~~(2) — Amusement park, but not within 300 feet of any “R” District;~~

~~(3) — Circus or carnival grounds, but not within 300 feet of any “R” District;~~

~~(4) — Commercial, recreational, or amusement development for temporary, seasonal or other limited periods but not within 300 feet of any “R” District;~~

~~(5) — Hospital, clinic or institution;~~

~~(6) — Office building or a civic, religious or charitable organization, conducting activities primarily by mail and not handling merchandise or rendering services on site.[:;]~~

~~(7) — Privately operated community building or recreation field;~~

~~(8) — Any public or government building, including public or denominational schools;~~

~~(9) — Radio or television broadcasting tower or station;~~

~~(10) — In accordance with the Texas Alcoholic Beverage Code on premises consumption of alcoholic beverages, including beer;~~

~~(11) — Drive-in theaters;~~

~~(12) — Neighborhood grocery stores, provided they are located on a corner lot, with total floor area not to exceed two thousand five hundred (2,500) square feet, display signs not to exceed the height of the average roofline of the neighborhood and to be switched on no earlier than 6:00 a.m. and switched off no later than 11:00 p.m.; or~~

~~(13) — Planned Unit Development.~~

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

~~provided that such uses are planned so as to assure that they will not materially alter the existing character of the neighborhood.~~

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

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

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

~~(2) — the character and development of the neighborhood.~~

SECTION 12.03: HEARINGS:

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

SECTION 12.04: TEMPORARY BUILDINGS:

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

SECTION 12.05: RAILROADS AND UTILITIES:

~~Existing railroads and utilities including telephone service may continue to be operated and maintained in dwelling and commercial districts but no new railroad or utility structure other than the usual poles, wires and underground utilities shall be established in such districts except when so authorized by the Zoning Board of Adjustments.~~

SECTION 12.06: LEGAL NONCONFORMING STRUCTURE:

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

~~(Ordinance 17-13 adopted 6/27/17)~~

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

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

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

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

READ, CONSIDERED, PASSED AND APPROVED on first reading at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Ann., Government Code, Section 551.041, on the 14th day of June, 2022.

READ, CONSIDERED, PASSED AND APPROVED on second and final reading at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Ann., Government Code, Section 551.041, on the _____, 2022.

CITY OF SAN JUAN

MARIO GARZA
MAYOR

ATTEST:

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

BRENDA ESCALANTE
CITY SECRETARY

CITY ATTORNEY

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 14, 2022

Hold a Public Hearing and Consider an Ordinance Regarding Amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, to update the Various Technical Building related Codes, including the International Building Code, International Residential Code, International Energy Conservation Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Property Maintenance Code and National Electrical Code and to update and codify the International Swimming Pool and Spa Code into the City's Code of Ordinances; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for Codification; Providing for Severability Clause; and Providing for a Repealer Clause.

STAFF COMMENTS AND RECOMMENDATIONS:

The adoption of the most current codes and standards is the most efficient and effective method of creating safe environments that protect and improve public health, safety, general welfare and the economic interests of the community. The most current codes and standards provide the opportunity for cost savings based on the usage of the latest technology and practices (i.e. plastic pipe for plumbing, trusses vs. dimensional lumber, engineered wood products, etc.) and assures that products and materials are available in the market and comply with specifications and testing standards referenced in the code.

According to the Insurance Service Office (ISO) communities with well-enforced, up-to-date codes are generally far better in the face of hazards. The current codes are in excess of 8 years, which results in lower classification by the Insurance Service Office, Inc (ISO). Failure to adopt the codes would inevitably result in higher insurance premiums for local property owners.

RECOMMENDATION:

Staff recommends approval of the adoption of the 2018 International Codes and 2017 National Electric Code, as well as the 2018 International Swimming Pool and Spa Code.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager



ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, TO UPDATE THE VARIOUS TECHNICAL BUILDING-RELATED CODES, INCLUDING THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE AND NATIONAL ELECTRICAL CODE AND TO UPDATE AND CODIFY THE INTERNATIONAL SWIMMING POOL AND SPA CODE INTO THE CITY'S CODE OF ORDINANCES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING FOR CODIFICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEALER CLAUSE.

WHEREAS, the City of San Juan, Texas is home rule city incorporated under the laws of the State of Texas whose purpose includes improving the quality of life for its citizens; and

WHEREAS, the City Commission has adopted various technical building-related codes that will provide structure as to the minimum requirements of buildings and associated improvements within its city limits; and

WHEREAS, the City Commission understands that, from time to time, such technical codes have to be assessed to be updated to have structures built within the City's jurisdiction comply with commonly prevailing structural codes and thus continually improve the quality and safety of the lives of San Juan citizens; and

WHEREAS, the City Commission currently recognizes and enforces provisions of the 2012 International Building Code, 2012 International Residential Code, 2012 International Energy Conservation Code, 2012 International Plumbing Code, 2012 International Mechanical Code, 2012 International Fuel Gas Code, 2009 International Property Maintenance Code, and 2014 National Electric Code under the Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, Divisions 2 through Divisions 9, respectively, of the City's Code of Ordinances; and

WHEREAS, the City Commission desires to update Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, Divisions 2 through Divisions 9 of the City's Code of Ordinances by recognizing and adopting the 2018 International Building Code, 2018 International Residential Code, 2018 International Energy Conservation Code, 2018 International Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2018 International Property Maintenance Code and 2017 National Electric Code; and

WHEREAS, the City Commission currently recognizes and enforces provisions of the 2012 International Swimming Pool and Spa Code and the City Commission desires to recognize and adopt the 2018 International Swimming Pool and Spa Code to be codified under a new division under Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards of the City's Code of Ordinances; and

WHEREAS, the City Commission desires to amend and update Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards so as to improve the current stock of private improvements to be kept at a higher measure of structural integrity and safety.

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

SECTION 1: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 2 INTERNATIONAL BUILDING CODE, SECTION 3.02.051 OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by deleting the stricken out language below and adding the new provisions as underlined below:

Sec. 3.02.051 Adopted

- (a) It is the desire of the city to adopt the ~~2012~~ 2018 edition of the International Building Code. The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of buildings within the city and relating to public safety, health and general welfare.
- (b) The following code is hereby adopted by reference as if copied herein fully:

International Building Code - ~~2012~~ 2018 Edition.

SECTION 2: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 3 INTERNATIONAL RESIDENTIAL CODE, SECTION 3.02.101 OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by deleting the stricken out language below and adding the new provisions as underlined below:

Sec. 3.02.101 Adopted

- (a) It is the desire of the city to adopt the ~~2012~~ 2018 edition of the International Residential Code. The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of buildings within the city and relating to public safety, health and general welfare.
- (b) The following code is hereby adopted by reference as if copied herein fully:

International Residential Code - ~~2012~~ 2018 Edition.

SECTION 3: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 4 INTERNATIONAL ENERGY CONSERVATION, SECTION 3.02.151 OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by deleting the stricken out language below and adding the new provisions as underlined below:

Sec. 3.02.151 Adopted

- (a) It is the desire of the city to adopt the ~~2012~~ 2018 edition of the International Energy Conservation Code. The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of buildings within the city and relating to public safety, health and general welfare.
- (b) The following code is hereby adopted by reference as if copied herein fully:

International Energy Conservation Code - ~~2012~~ 2018 Edition.

SECTION 4: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 4 INTERNATIONAL PLUMBING CODE, SECTION 3.02.201 OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by deleting the stricken out language below and adding the new provisions as underlined below:

Sec. 3.02.201 Adopted

- (a) It is the desire of the city to adopt the ~~2012~~ 2018 edition of the International Plumbing Code . The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of buildings within the city and relating to public safety, health and general welfare.
- (b) The following code is hereby adopted by reference as if copied herein fully:

International Plumbing Code - ~~2012~~ 2018 Edition.

SECTION 5: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 4 INTERNATIONAL MECHANICAL CODE, SECTION 3.02.251 OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by deleting the stricken out language below and adding the new provisions as underlined below:

Sec. 3.02.251 Adopted

- (a) It is the desire of the city to adopt the ~~2012~~ 2018 edition of the International Mechanical Code. The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of buildings within the city and relating to public safety, health and general welfare.

- (b) The following code is hereby adopted by reference as if copied herein fully:

International Mechanical Code - ~~2012~~ 2018 Edition.

SECTION 6: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 4 INTERNATIONAL FUEL GAS CODE, SECTION 3.02.301 OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by deleting the stricken out language below and adding the new provisions as underlined below:

Sec. 3.02.301 Adopted

- (a) It is the desire of the city to adopt the ~~2012~~ 2018 edition of the International Fuel Gas Code. The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of buildings within the city and relating to public safety, health and general welfare.

- (b) The following code is hereby adopted by reference as if copied herein fully:

International Fuel Gas Code - ~~2012~~ 2018 Edition.

SECTION 7: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 4 INTERNATIONAL PROPERTY MAINTENANCE CODE, SECTION 3.02.351 OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by deleting the stricken out language below and adding the new provisions as underlined below:

Sec. 3.02.351 Adopted

- (a) It is the desire of the city to adopt the ~~2009~~ 2018 edition of the International Property Maintenance Code . The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of buildings within the city and relating to public safety, health and general welfare.

- (b) The following code is hereby adopted by reference as if copied herein fully:

International Property Maintenance Code - ~~2009~~ 2018 Edition.

SECTION 8: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 4 NATIONAL ELECTRICAL CODE (NEC/NFPA), SECTION 3.02.401 OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by deleting the stricken out language below and adding the new provisions as underlined below:

Sec. 3.02.401 Adopted

- (a) It is the desire of the city to adopt the ~~2014~~ 2017 edition of the National Eletrical Code. The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of buildings within the city and relating to public safety, health and general welfare.
- (b) The following code is hereby adopted by reference as if copied herein fully:

National Electrical Code - ~~2014~~ 2017 Edition.

SECTION 9: CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 TECHINICAL AND CONSTRUCTION CODES AND STANDARDS OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended by adding DIVISION 10 titled SWIMMING POOL & SPA CODE in its entirety as underlined below:

Sec. 3.02.451 Adopted

- (a) It is the desire of the city to adopt the 2018 edition of the International Swimming Pool and Spa Code. The adoption of this code is done to facilitate proper inspection activities by the city relating to construction and to maintenance of swimming pools and spas within the city and relating to public safety, health and general welfare.
- (b) The following code is hereby adopted by reference as if copied herein fully:
International Swimming Pool and Spa Code - 2018 edition.

Sec. 3.02.452 Conflicting regulations

Any matter in said code which is contrary to existing ordinances of the city shall prevail, and to that extent any existing ordinances to the contrary are hereby repealed in that respect only.

Sec. 3.02.453 Enforcement officers

Within said code, when reference is made to the duties of a certain official named therein, that designated official of the city who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code is concerned.

Secs. 3.02.454–3.02.500 Reserved

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect after a second reading, where it is read, considered and adopted by the City Commission and until the fifteen (15) days has passed after its first reading.

SECTION 11. PUBLICATION. The City Secretary of the City of San Juan is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in San Juan, Texas, and in accordance with the applicable laws of this State.

SECTION 12. CODIFICATION. The City Secretary is hereby directed to cause this Ordinance to be codified in the Code of Ordinances of the City of San Juan, Texas, and in accordance with the applicable laws of this State.

SECTION 13. SEVERABILITY. If any section, part, or provision of this Ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Commission in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION 14. REPEALER CLAUSE. This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

READ, PASSED AND APPROVED ON FIRST READING at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Annotated, Government Code, Section 551.041 on the 14th day of May, 2022.

READ, PASSED AND APPROVED IN SECOND READING at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Annotated, Government Code, Section 551.041 on the ____ day of _____ 2022.

CITY OF SAN JUAN, TEXAS

BY: _____
Mario Garza, Mayor

ATTEST:

BY: _____
Brenda Escalante, City Secretary

APPROVED AS TO FORM:
Palacios Garza & Thompson, P.C.

BY: _____
City Attorney

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 14, 2022

Consider Authorizing the City Manager to Declare Various Items as Salvage and Surplus Property.

STAFF COMMENTS AND RECOMMENDATIONS:

As per Texas Local Government Code 252, “Salvage Property” means personal property, other than items routinely discarded as waste because of use, time, accident, or any other cause is so worn, damaged or obsolete that it has no value for the purpose for which it was originally intended. “Surplus Property” means property that is not salvage property or items routinely discarded as waste, if not currently needed or required by the City, and possesses some usefulness for the purposes for which it was intended.

The surplus and salvage property consists of (1) Air Compressor, (21) Vehicles, (1) Plastic Recycling Trailer, (1) Metal Recycling Trailer, (1) Vector Mosquito Trailer, (1) Light Tower, (1) Wood Chipper, (1) Front Load Attachment, (1) Bumper Pool Trailer, (1) Jet Ski, (1) 18 Wheeler Dry Box, (1) 4-Wheeler and (1) Pressure Washer with Trailer.

RECOMMENDATION:

Authorize the City Manager to Declare Various Items as Salvage and Surplus Property.

PREPARED BY:

Israel Garza,
Sanitation Director

APPROVED BY:

Benjamin Arjona, City
Manager







5.







8.

9.











13.







15.



18.





19.



Eric Munoz <emunoz@sjtx.us>

(no subject)

1 message

Eric Munoz <emunoz@sjtx.us>

To: emunoz@sjtx.us

Fri, May 13, 2022 at 7:48 AM



23.





21.



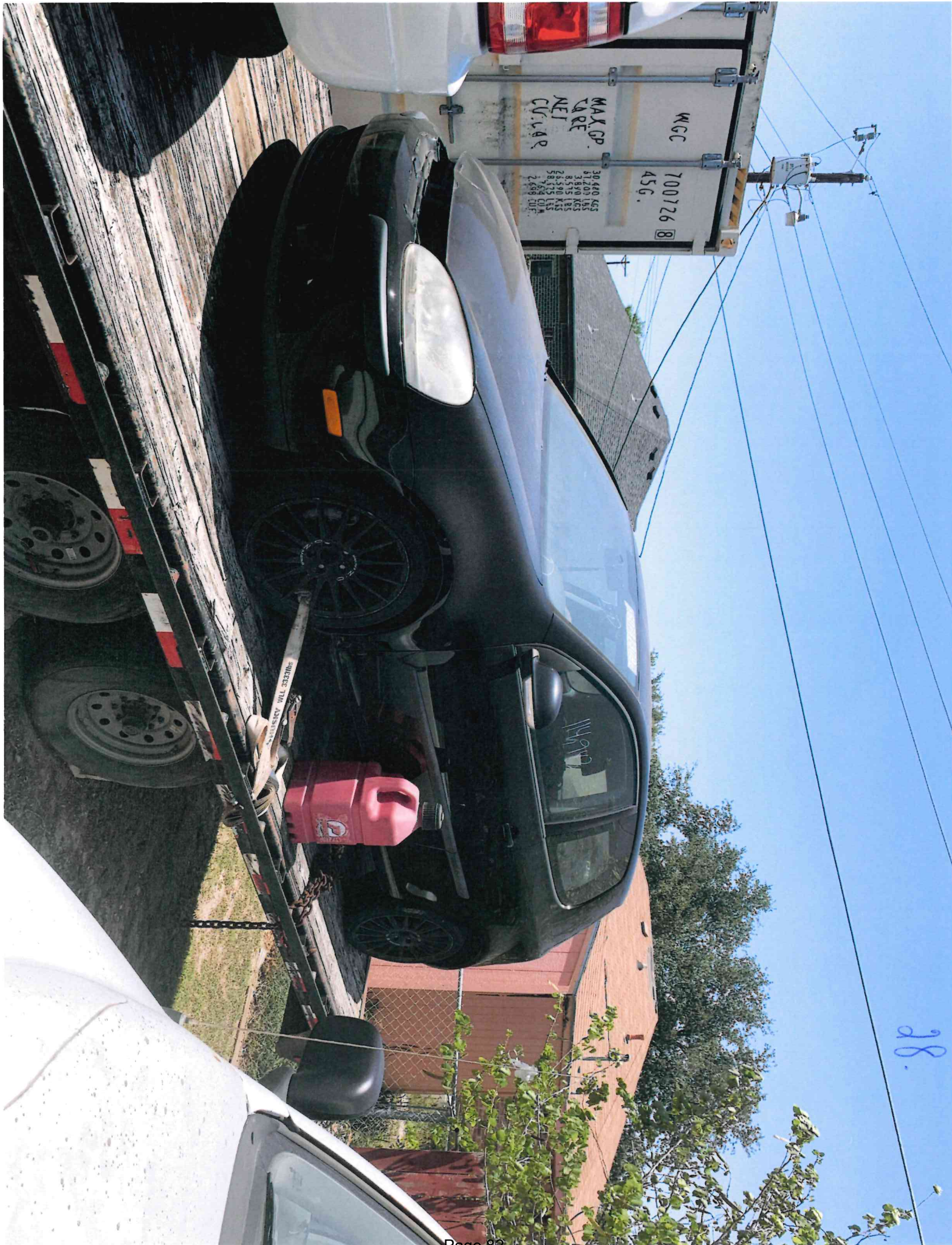
29.



24.







28.



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33,



34. 29.



35





37.





AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 14, 2022

City Commission Meeting Minutes:
- January 11, 2022

STAFF COMMENTS AND RECOMMENDATIONS:

City Commission Meeting Minutes:
- January 11, 2022

RECOMMENDATION:

Approval of minutes.

PREPARED BY:

Brenda Escalante,
City Secretary

APPROVED BY:

Benjamin Arjona, City
Manager

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, January 11, 2022

TIME: 6:00 p.m.

PLACE: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT: Mario Garza, Mayor
Adina “Dina” Santillan, Commissioner
Ernesto “Neto” Guajardo, Commissioner
Rick Palacios, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Brenda Escalante, Interim City Secretary
Tirso Garza, Chief of Fire
Ruben Morin, Chief of Police
Leroy Gonzales, Finance Director
Adelaida Cordero, Director of Human Resources
Christina Perez, Children Librarian
Patrick Willingham, Director of Parks & Recreation
Daniel Tijerina, Director of Planning
Roel Garza, Director of Sanitation/Public Works
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator
Pat Karr, Director of Information Technology

ORDER OF BUSINESS

- I. CALL MEETING TO ORDER:**
Mayor Mario Garza called meeting to order at 6:00 p.m.
- II. INVOCATION:**
Benjamin Arjona, City Manager led the Invocation.
- III. PLEDGE OF ALLEGIANCE:**
Mayor Mario Garza led the Pledge of Allegiance.
- IV. PUBLIC COMMENTS:**
DISCUSSION: No public comments.
- V. PRESENTATIONS:**
 - A. City Manager’s Report
 - B. Planning and Zoning Monthly Report.
 - C. Department of Finance Monthly Report.

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JANUARY 11, 2022**

- D. Department of Utilities Monthly Report.
- E. Parks and Recreation Monthly Report.
- F. Fire Department Monthly Report.
- G. San Juan Memorial Library Monthly Report.
- H. Municipal court Monthly Report.
- I. Department of Sanitation Monthly Report.
- J. Police department November and December Monthly Report.

DISCUSSION: Benjamin Arjona, City Manager welcomed everyone to the first meeting of the year and briefly stated positive things are coming to the city this year. Mr. Arjona introduced Mr. Daniel Tijerina as the new Planning and Zoning Director. Mayor Mario Garza welcomed Mr. Tijerina on board. Mr. Arjona stated every department director is present readily available should you have any questions. Mayor Garza informed Patrick Willingham, Director of Parks and Recreation that Officer Liscano from Pharr PD approached him and stated they were pleased by how they were treated at the Boxing Golden Gloves. Also, they wanted to revisit sometime around February 18,19, or 20th. Mayor Garza mentioned he advised Mr. Liscano to contact Mr. Willingham and Mr. Ruben Guajardo. Mr. Willingham stated that Oscar, the main promoter of the event, already confirmed that weekend to host the South Texas Golden Gloves. He also mentioned the event is usually earlier to allow boxers to get ready for the following qualifier. Mayor Garza asked if they had boxers from all over the state. Mr. Willingham responded, yes, from Laredo, Corpus, and some from the Houston area. Mayor Garza asked Mr. Arjona for the next meeting to have a presentation ready also to have Mr. Willingham and Mr. Guajardo present to provide more information for the commission and citizens. Furthermore, Mr. Willingham informed the commission their 501C3 non-profit application has been approved by the state and the San Juan Police Athletic League will be a 501C3 as well. Mayor asked if the event will be run through the San Juan PAL. Mr. Willingham responded it would be in conjunction between PAL and Parks and Recreations, but now will be a certified nonprofit through the State of Texas. Mayor recommended them to reach out to sponsors to help build up the PAL. Mayor Garza thanked Chief Tirso Garza and his staff for assisting the City of Pharr in the fire incident that took place at the Matts Cash and Carry. Chief Garza stated he spoke to Mr. Arjona the following week and informed him they were really busy that New Year's Weekend. But they were there to assist and that is part of the mutual agreement with local municipalities. Commissioner Ernesto "Neto" Guajardo asked Mr. Willingham if the softball and baseball league had already started. Mr. Willingham responded to registration only, but they have an 8U winter league going on at the moment. In addition, they have online registration for the adult league that starts in February and ends before youth softball and baseball league. Commissioner Guajardo asked for information in reference to a tournament that was scheduled for February 19th for 4th and 5th graders. Mr. Willingham responded it's a school based annual tournament in conjunction with PSJA ISD which the city hosts. Commissioner Adina "Dina" Santillan asked if they had registration extended for one of the sports. Mr. Willingham responded they had to extend registration for all winter sports and managed to get 22 teams for boys' soccer and 15 teams for girls' basketball. Commissioner Santillan asked if they have a health protocol set up to follow the CDC guidelines. Mr. Willingham responded they perform temperature checks daily, require everyone to wear masks and follow the CDC guidelines to keep the kids and families protected. Commissioner Santillan asked if they have coaches for the upcoming leagues. Mr. Willingham responded they are complete, but it's a mix of coaches and staff. Commissioner Santillan suggested waiving the registration fee for parents that volunteer. Mr. Willingham stated they offer that option for head coaches. Commissioner Guajardo asked Mr. Roel Garza how is the city doing with the brush schedule. Mr. Garza responded they are currently on the west side and on schedule. Mr. Arjona informed the City Commission about Mr. Garza's retirement and thanked him for his hard work and dedication to the City of San Juan. The City Commission thanked and wished him the best.

VI. PUBLIC HEARINGS

- A. Hold a Public Hearing for a Voluntary Annexation Petition of the Proposed La Paloma Subdivision, being 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

DISCUSSION: Daniel Tijerina, Director of Planning gave a brief description of the Paloma Subdivision and the location. He stated this was part of the subdivision process since a portion of the property is outside the city limits. Furthermore, on November 9, 2021 the City Commission approved Resolution No. 21-27 accepting the petition for voluntary annexation. Mr. Tijerina informed the Commission dates and times for the public hearing were attached in their packets. He stated staff recommended approval of the first public hearing.

Mayor Mario Garza opened the Public Hearing at 6:17pm.

Mayor Mario Garza closed the Public Hearing at 6:18 pm.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Adina "Dina" Santillan. Motion passed. 3-0

- B. Hold a Public Hearing for a Voluntary Annexation Petition of the Proposed Orchards of San Juan being a 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.

DISCUSSION: Daniel Tijerina, Director of Planning stated the Planning Department was processing the Orchards of San Juan Subdivision which is a residential subdivision located South West corner of Stewart and Moore Road. He stated part of the subdivision is outside of the city limits and another part inside the E.T.J. He also stated it is the city's policy to annex subdivisions processed and approved within the city E.T.J. Furthermore, on November 23, 2021 the City Commission approved Resolution 21-29 accepting the petition for voluntary annexation, setting dates and times for public hearings. Mr. Tijerina stated it is all in compliance with Texas Local Government Code Chapter 43 Municipal Annexation and the staff is recommending approval of the first public hearing.

Mayor Mario Garza opened the Public Hearing at 6:19pm.

Mayor Mario Garza closed the Public Hearing at 6:19 pm.

Commissioner Adina "Dina" Santillan made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion passed. 3-0

VII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS

- A. Consideration and Action to Release \$91,279.60 from an Escrow made to the City of San Juan for Pending Improvements at Valley Ranch Subdivision as requested by OC Development, LTD., Eduardo Cantu.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated this item has been completed and they complied with all the requirements so there is no problem with releasing the escrow back to the developer.

Commissioner Adina “Dina” Santillan Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed. 3-0

- B. Consider Authorizing the City Manager to Enter into a Memorandum of Understanding (“MOU”) by and between the McAllen, Pharr, San Juan and Edinburg Fire Departments for Purposes of Identifying the Parties’ Respective Roles and Responsibilities Associated with Emergency Response to Incidents on Interstate 2 and Interstate 69 Central During the Course of Roadway Construction for the Pharr Interchange Project.

DISCUSSION: Chief Tirso Garza stated if approved this MOU would be between the cities of Pharr, Edinburg, and McAllen to try to bring down the response time. Chief Garza stated once they close all the exits City of Pharr will have come all the way to San Juan or McAllen to make a turn around. Chief stated the City of Pharr asked if a call comes in the City of San Juan would take the call first to make sure they get there fast. He explained San Juan will be taking care from Raul Longoria to McColl and McAllen will be covering from McColl all the way to Cesar Chavez. And will only be during the duration of construction due to the delays in response times, which are not NFPA compliant. Chief Garza stated this was decided amongst all three municipalities, there is no commitment other than mutual aid agreement also known as automatic aid. Mayor asked if they had previously met. Chief Garza responded it has been discussed and just pending approval. He informed the City Commission that they will have a couple dry runs to coordinate the communication. Mayor Mario Garza stated this will take place for a while. Chief Garza responded it would probably be around 2-3 years and briefly described the area they would be covering. Mayor Garza reinstated that he is on board as long as they have good communication.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Adina “Dina” Santillan. Motion passed. 3-0

- C. Discussion and Possible Action to Authorize the City Manager to Execute a Renewal of the Asset Management Agreement with BuyBoard Vendor Maguire Iron, Inc. to Include the North, South and South East Elevated Storage Tanks, and the Claticones and Ground Storage Tanks at Water Plant 2 and the Clearwells at Water Plant 1 and Authorized the Mayor to Execute all Related Document and Budget Amendment as Needed.

DISCUSSION: Benjamin Arjona, City Manager introduced the item. David Salinas, Director of Utilities stated back in March of 2018 the City Commission authorized the City Manager to enter into an agreement with Maguire Iron, Inc. who has been maintaining three of the city’s standing water towers. Furthermore, he stated the contract is up for renewal, legal has reviewed the new contract and some changes were made in the language to state it would only be available if funding is provided by the City Commission on an annual basis. This year’s funding has already been budgeted; the change to this is to include the maintenance of the water plants. If you recall back in 2017, we rehabbed the water plant. This proposal includes the maintenance of two ground storage tanks over at Water Plant No. 2, the Claricones and the Clearwells at the Water Plant No.1 this will ensure the paint doesn’t corrode like it did the last time and will ensure the equipment doesn’t fall apart. This will be an annual maintenance agreement with an annual payment of \$167,000.00 for which we currently budgeted \$168,00.00. Mr. Salinas recommended approval to maintain the standing water plants. He concluded stating that a budget amendment will be brought before the commission for approval because the filters weren’t included.

Commissioner Adina “Dina” Santillan made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed. 3-0

- D. Discussion and Possible Action Regarding Hidalgo County Elections Department Request for Early Voting/Election Day Polling Location of The San Juan Fire Station #2 and The San Juan Memorial Library for Primary Election, Local Entities Election, Primary Runoff Election, General Election and General Runoff.

DISCUSSION: Benjamin Arjona, City Manager informed the City Commission that at the moment the Hidalgo County Elections Department is requesting authorization to utilize the San Juan Fire Station No.2 for election day and the San Juan Memorial Library for early voting and election day. He also mentioned times are tentatively.

Commissioner Adina “Dina” Santillan made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed. 3-0

VIII. CONTRACTUALS

- A. Consider Authorizing the City Manager to Enter Into a Bi-annual Inter-local Agreement between the Rio Grande Valley 911 and the City of San Juan Police Department for 911 Service.

DISCUSSION: Benjamin Arjona, City Manager stated this was an existing 911 services agreement up for renewal and no changes were made.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Adina “Dina” Santillan. Motion passed. 3-0

- B. Consider Entering Into an Interlocal Agreement between the City of San Juan and Hidalgo County for Rural Emergency Services.

DISCUSSION: Chief Tirso Garza stated this was the yearly fee contract with Hidalgo County for E.T.J areas. Chief Garza stated the only changes are the fees increases. Mayor Mario Garza asked what was the percentage. Chief Garza responded it was a 2% increase for every classified category.

Commissioner Adina “Dina” Santillan made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed. 3-0

IX. CONSENT AGENDA

- A. Consider Second and Final Reading of an Ordinance for the Rezoning Request from Single-Family Residence District (R-S) to Multi-Family Residence District (R-MF) of the 2.53 acre tract of land out of Lot 2, Block 8, John Closner Subdivision, as Requested by Gutierrez-Duncan, LLC.
- B. Consider Second and Final Reading of an Ordinance for the Voluntary Annexation Petition of the 10.28 acre tract of land out of Lot 2, Block 31, Alamo Land and Sugar Company's

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JANUARY 11, 2022**

Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, as Requested by 193 S. Heartwood Drive, LLC.

- C. Consider Approval of City of San Juan 2021 Tax Roll Certification.
- D. Consider Approval of the Monthly Tax Collection Report -October 2021
- E. Consider Approval of the Monthly Tax Collection Report-November 2021
- F. Consider Approval of the Budget Expenditure Report - October 2021
- G. Consider Approval of the Budget Expenditure Report - November 2021
- H. City Commission Meeting Minutes:
 - February 9, 2021
 - March 23, 2021
 - April 13, 2021
 - April 27, 2021
 - May 11, 2021
 - June 14, 2021
 - June 22, 2021
 - July 1, 2021
 - July 7, 2021

DISCUSSION: There were no comments or questions.

Commissioner Adina “Dina” Santillan made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed. 3-0

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 a Business Prospect Project Tri.

Commissioner Ernesto “Neto” Guajardo made motion to enter executive session at 6:31 p.m. and was seconded by Commissioner Adina “Dina” Santillan. Motion passed. 3-0

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JANUARY 11, 2022**

XI. RECONVENE

- 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 a Business Prospect Project Tri.

Commissioner Adina “Dina” Santillan made motion to reconvene at 6:54 p.m. and was seconded by Mayor Mario Garza. Motion passed. 3-0

Mayor Mario Garza made motion to move forward as instructed to City Manager and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed 3-0.

XII. ADJOURNMENT

Commissioner Adina “Dina” Santillan made motion to adjourn at 6:55 pm and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed. 3-0

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:

Brenda Escalante, City Secretary

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
JUNE 14, 2022

Consider Second and Final Reading of the Ordinance Regarding a Conditional Use Permit to Allow an Event Center (The Orchid) located at 905 W. 1st Street, Suites A and B, legally described as Lot 2, B.T. No. 1 Subdivision, as Requested by Yesenia Juarez.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on May 24, 2022, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background:

Yesenia Juarez is applying for a conditional use permit to open an event center in a commercial plaza located at the Southeast corner of Veterans Boulevard and 1st Street. The plaza has six (6) suites in total, with a Child Event Center and EDC Offices occupying two suites for each business. Each suite is 1,200 square feet and there are a total of 42 common parking spaces in the commercial plaza. The property has two entrances along First Street.

As per the Fire Department, the occupancy load for this suite is one hundred and forty (140) people. Off-street Parking Ordinance, Chapter 6, Section 3 established that dance halls require one parking space for each 200 square feet of indoor recreation area. (See attachment).

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to eleven (11) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

RECOMMENDATION:

Staff recommends approval subject to comply with the list of conditions in the attached report.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 04/21/2022
CITY COMMISSION – 06/14/2022
DATE PREPARED – 05/16/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit to allow “The Orchid Event Center” in a commercial area.
APPLICANT:	Yesenia Juarez
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 2, B.T. No. 1 Subdivision
LOCATION:	905 W. 1 st Street, Suites A and B
PROPOSED USE OF PROPERTY:	Event Center
EXISTING ZONING:	General Business District (C-2)
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Commercial; General Business District (C-2) <i>South</i> – Commercial; General Business District (C-2) <i>East</i> – Commercial; General Business District (C-2) <i>West</i> – Outside City Limits
ACCESS AND CIRCULATION:	This property has access along 1 st Street
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval subject to comply with the list of conditions in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Yesenia Juarez is applying for a conditional use permit to open an event center at commercial plaza located at Southeast corner of Veterans Boulevard and 1st Street. The plaza has six (6) suites in total, with a Child Event Center and EDC Offices occupying two suites each business. Each suite is 1,200 square feet and there are a total of 42 common parking spaces in the commercial plaza. The property has two entrances along First Street.

As per Fire Department the occupancy load for this suite is one hundred and forty (140) people. Off-street Parking Ordinance, Chapter 6, Section 3 established that ***dance halls required one parking space for each 200 square feet of indoor recreation area.*** (See attachment).

Suite size	2,400 square feet total
Parking spaces	42 common parking spaces
Occupancy load as per Fire Dpt.	140 people
Required parking spaces	12 parking spaces

The following are the list of requirements for an event center:

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 businesses 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;

**CONDITIONAL USE PERMIT
“THE ORCHID EVENT CENTER”
JUNE 14, 2022**

PAGE 3

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 business must comply with the city’s noise ordinance.
9. The business must comply with the City’s Security Cameras Ordinance.
10. 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.
11. There shall be no smoking inside the premises at any time.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to eleven (11) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

ATTACHMENTS:

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

Proposed Event Center





Proposed Site



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW “THE ORCHID EVENT CENTER” AT 905 W. 1ST STREET, SUITES A AND B, LEGALLY DESCRIBED AS LOT 2, B.T. NO. 1 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, Yesenia Juarez has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan to allow “The Orchid Event Center” at 905 W. 1st Street.

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 Yesenia Juarez has applied for a Conditional Use Permit for an Event Center “The Orchid Event Center” at 905 W. 1st Street, 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 businesses 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;
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 business must comply with the city's noise ordinance.
9. The business must comply with the City's Security Cameras Ordinance.
10. 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.
11. There shall be no smoking inside the premises at any time.

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 24th day of May, 2022.

PASSED and **APPROVED** on second and final reading on the 14th day of June, 2022.

CITY OF SAN JUAN

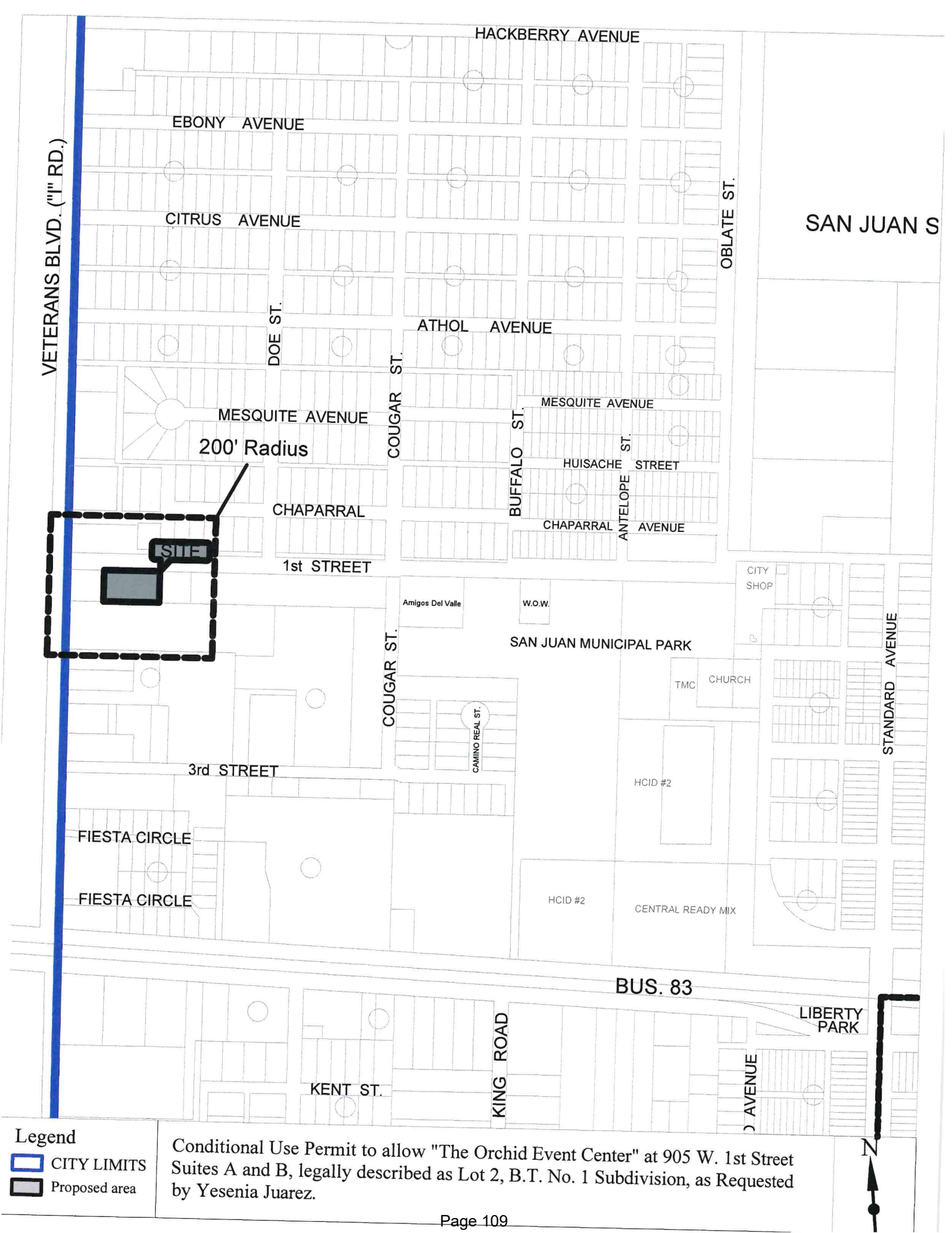
MARIO GARZA, MAYOR

ATTEST:

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

BRENDA ESCALANTE
CITY SECRETARY

CITY ATTORNEY



VETERANS BLVD. ("I" RD.)

HACKBERRY AVENUE

EBONY AVENUE

CITRUS AVENUE

DOE ST.

ATHOL AVENUE

OBLATE ST.

SAN JUAN S

MESQUITE AVENUE
200' Radius

COUGAR ST.

MESQUITE AVENUE

HUISACHE STREET

CHAPARRAL AVENUE

CHAPARRAL

1st STREET

Amigos Del Valle

W.O.W.

SAN JUAN MUNICIPAL PARK

CITY SHOP

TMC CHURCH

STANDARD AVENUE

COUGAR ST.

CAMINO REAL ST.

3rd STREET

FIESTA CIRCLE

FIESTA CIRCLE

HCID #2

HCID #2

CENTRAL READY MIX

BUS. 83

LIBERTY PARK

KING ROAD

KENT ST.

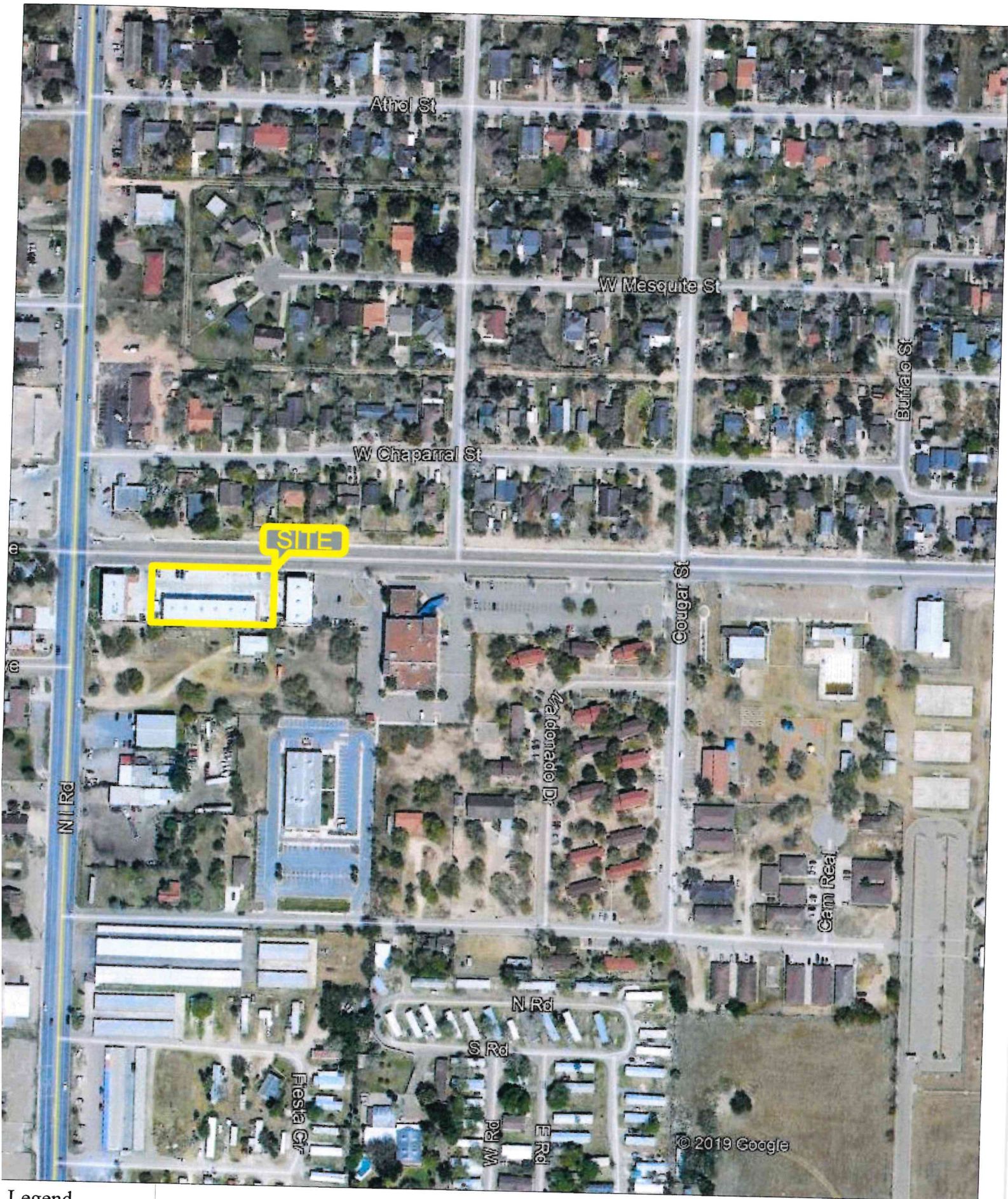
J AVENUE

Legend

-  CITY LIMITS
-  Proposed area

Conditional Use Permit to allow "The Orchid Event Center" at 905 W. 1st Street Suites A and B, legally described as Lot 2, B.T. No. 1 Subdivision, as Requested by Yesenia Juarez.





- Legend
- CITY LIMITS
 - Proposed area

Conditional Use Permit to allow "The Orchid Event Center" at 905 W. 1st Street Suites A and B, legally described as Lot 2, B.T. No. 1 Subdivision, as Requested by Yesenia Juarez.



VETERANS BLVD. ("I" RD)

EBONY AVENUE

EBONY AVENUE

OBLATE ST.

CITRUS AVENUE

CITRUS AVENUE

ATHOL AVENUE

ATHOL AVENUE

MESQUITE AVENUE

MESQUITE AVENUE

DOE ST.

COUGAR ST.

BUFFALO ST.

HUISACHE STREET

ANTELOPE ST.

CHAPARRAL AVENUE

CHAPARRAL AVENUE

FIRST STREET

Site

COUGAR ST.

Amigos Del Valle

SAN JUAN MUNICIPAL PARK

TMC CHURCH

HCID #2

THIRD STREET

CAMINO REAL ST.

FIESTA CIRCLE

FIESTA CIRCLE

BUS. 83

DAD



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)

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Conditional Use Permit to allow a "The Orchid Event Center" at 905 W. 1st Street Suites A and B, legally described as Lot 2, B.T. No. 1 Subdivision, as Requested by Yesenia Juarez.

Juarez, Yesenia
1801 Harrison Street Apt. #3
Weslaco, TX 78599

Acevedo, Nestor I. Sanchez
809 W. Chaparral Avenue
San Juan, TX 78589

AAAR Family LTD.
317 Campo Verde Circle
San Juan, TX 78589

Nuestra Clinica del Valle, Inc.
P.O. Box 1689
Pharr, TX 78577

Cantu, Raquel
310 N. Veterans Blvd.
San Juan, TX 78589

Nava, Gregorio Jr. and Cynthia R.
900 Sundance Ln.
San Juan, TX 78589

Coronado, Joel and Crimilda
601 E. Evans Avenue
Pharr, TX 78577

Rubio, Oscar M.
Alejandro Cortazar
13203 Park Manor Street
San Antonio, TX 78230

De Leon, Heraclio R. and Herminia
901 W. Chaparral St.
San Juan, TX 78589

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

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