

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, July 12, 2022

TIME: 6:00 p.m.

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

MEMBERS PRESENT: Mario Garza, Mayor
Leonardo "Lenny" Sanchez, Mayor Pro-Tempore
Adina "Dina" Santillan, Commissioner
Ernesto "Neto" Guajardo, Commissioner
Rick Palacios, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Brenda Escalante, City Secretary
Carlos Alaniz, Assistant Fire Chief
Ruben Morin, Chief of Police
Lulu Beltran, Assistant Director of Finance
Armandina Sesein, Library Director
Patrick Willingham, Director of Parks & Recreation
Daniel Tijerina, Director of Planning
Juan Soto, Sanitation Supervisor
Filemon Olvera, 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 6:00P.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: There were no public comments.

V. PRESENTATIONS:

A. 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

DISCUSSION: Mayor Mario Garza asked Patrick Willingham, Director of Parks & Recreation, about the funding for the baseball teams that would be moving on. Mr. Willingham stated that they are fine in regards to funds and gave a brief rundown of the teams that would represent the City of San Juan. Mayor Garza requested that Mr. Arjona postpone the Parks and Recreation Center groundbreaking because staff and children would be out of town.

VI. PUBLIC HEARING/ ORDINANCES

A. Hold a Public Hold a Public Hearing and Consider an Ordinance for a Rezoning Request from Single-Family Residence District (R-S) to Multi-Family Residence District (R-MF) of Lots 4 thru 6, Block 1, Paradise Park Subdivision, as Requested by Hector Bowie.

No action was taken.

B. Hold a Public Hearing and Consider an Ordinance for a Rezoning Request from Single-Family Residence District (R-S) to General Business District (C-2) of the property legally described as Lots 16 thru 18, Block 4, Small No. 2 Subdivision, as Requested by Yolanda de la Cruz Presenta, LLC.

DISCUSSION: Daniel Tijerina, Director of Planning, stated the applicant is proposing to rezone three residential lots into commercial properties located at the southwest corner of Raul Longoria and Alta Street. Also, a commercial plaza is located to the north of the property and a trucking company to the east. Each lot is 70' x 100', and the corner lot is 60' x 100', giving a total of 20,000 square feet, which met the required square footage for commercial lots. Furthermore, staff mailed a notice to twenty-four (24) property owners within a two hundred (200) foot radius and received two comments against the request regarding the noise and the sale of alcohol. Mr. Tijerina stated staff and the Planning and Zoning Commission are recommending approval of this rezoning request.

Mayor Mario Garza opened the public hearing at 6:09 p.m.

Marcelo Gonzalez representing Yolanda De La Cruz stated he was in favor of this rezoning request. Ruben Garza, Project Assistant stated he was in favor.

Mayor Mario Garza closed the public hearing at 6:11 p.m.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Mayor Pro-Tem Leonardo "Lenny" Sanchez. Motion Passed (3-0).

C. Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to allow "The Spot" Food Truck Park and Sale of Alcoholic Beverages (wine and beer) for On-Premise Consumption at 103 Alta Street, legally described as Lots 16 thru 18, Block 4, Small No. 2 Subdivision, located at the Southwest corner of Alta Street and Raul Longoria Road, as Requested by Yolanda de la Cruz Presenta, LLC.

DISCUSSION: Daniel Tijerina, Director of Planning, stated this item was related to the previous property, same applicant, where they are considering two conditional use permits in one. The first is to allow a food truck park, and the second is for the sale of alcohol for on-premise consumption. Furthermore, the applicant is proposing 10 food trucks, a green area, a parking area along Alta Street, and restrooms available for customers. Mr. Tijerina stated a list of requirements that the Planning and Zoning Commission and city staff recommended:

The following are the requirements for a portable and/or temporary food concession stand:

1. Cannot be located in a residentially zone area;
2. Stand must be inspected by the building inspections department and meet the applicable building and fire codes;
3. Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
4. If it is a portable building or trailer it must be anchored to the ground property;
5. Must meet setbacks requirements of zoning district in which it is located; and
6. Water and sewage disposable facilities must be available;
7. Health Department permit
8. Must obtain TxDOT permit regarding access along Raul Longoria Road.

Mr. Tijerina stated that staff mailed a notice to twenty-four (24) property owners within a two hundred (200) foot radius and received two comments against it: parking noise and the sale of alcohol. He mentioned that they recommend approval of both requests.

Mayor Mario Garza opened the public hearing at 6:14 p.m.

Yolanda Ramon, a San Juan resident at 120 Alfredo Street, stated she was against the sale of alcoholic beverages. The proposed project is near her home, and she wouldn't feel safe in that type of environment. Mr. Tijerina stated that the other locations and stores are for off-premises consumption. Furthermore, with this conditional use permit, they would be setting conditions, and if at any given time the conditions are not followed, they could bring it back to revoke the permit. Mr. Tijerina was asked by Mayor Garza to explain the conditions to Mrs. Ramon. Mr. Tijerina stated they have to follow the cameras' requirements and hours. Mayor Garza asked about the alcohol sale hours. Mr. Tijerina mentioned it would be pursuant to TABC regulations but could add that as a condition. Mayor Garza asked to table this item and asked to include the dates and hours of the sale of alcohol.

This item was tabled.

D. Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to allow "La Condesa Event Center" located at 111 W. Nolana Avenue Suites 5 through 7, legally described as Lot 2, Circle K No. 9123 Subdivision, as Requested by Jose Santos.

DISCUSSION: Daniel Tijerina, Director of Planning stated, Mr. Santos is applying for a conditional use permit to open an event center at a commercial plaza located in front of Delia's Tamales.

Mayor Mario Garza opened the public hearing at 6:25 p.m.

Mayor Mario Garza closed the public hearing at 6:25 p.m.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Mayor Mario Garza. Motion Passed (3-0).

E. Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to allow "Sweet Events" at 2003 N. Veterans Boulevard Suites 1-2, legally described as Lot 1, Porciones Center, as Requested by Andrea Ramirez.

DISCUSSION: Daniel Tijerina, Director of Planning, stated Andrea Ramirez is applying for a conditional use permit to open a children's event center at a commercial plaza located at the southeast corner of Veterans Boulevard and Sioux Road. The plaza has six (6) suites in total, with a restaurant, a beauty salon, and some offices. The suite is approximately 2,000 square feet, with two entrances and exits along Veterans Boulevard. Furthermore, staff mailed out notices of the public hearing to eighteen (18) property owners within a two hundred (200) foot radius and received no comments in favor of or against this request. Staff recommended approval subject to compliance with the conditions.

Mayor Mario Garza opened the public hearing at 6:26 p.m.

Mayor Mario Garza closed the public hearing at 6:27 p.m.

Mayor Pro-Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Mayor Mario Garza. Motion Passed (3-0).

F. Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to allow "De la Mancha Event Center" at 502 N. Veterans Boulevard Suite E, legally described as the West 193 feet of the North 162 feet of Lot 2, Knights Subdivision, as Requested by Juan Sanchez.

DISCUSSION: Daniel Tijerina, Director of Planning, stated that Mr. Juan Sanchez is taking over an existing event center named "The Hall Event Center" that was opened in 2020 and he is proposing a different name, therefore he needs to go through the conditional use process. The event center is located at the northeast corner of Veterans Boulevard and Chaparral Avenue; it has entrances on both streets. The suite size is 1,440 square feet, and there are a total of 80 common parking spaces. As per the Fire Department, the occupancy load for this suite is eighty (80) people, and off-street parking requirements are being met. Also, 10 notices were mailed out to property owners within a 200-foot radius but received no comments in favor of or against this request. No alcohol will be sold at this location. Mr. Tijerina stated that staff and the planning commission recommend approval of this request.

Mayor Mario Garza opened the public hearing at 6:29 p.m.

Juan Sanchez asked the City Commission for their approval on this request. Mayor Mario Garza asked Mr. Sanchez what type of events will be held in this center, to which Mr. Sanchez replied, weddings and quinceaneras.

Mayor Garza closed the public hearing at 6:29 p.m.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Mayor Pro-Tem Leonardo "Lenny" Sanchez. Motion Passed (3-0).

G. Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale of Alcoholic Beverages (wine and beer) for Off-Premise Consumption at Cabrera's Meat Market located at 2211 S. Veterans Boulevard Suite 3, legally described as Lot 3, Hacienda Palms Subdivision, as Requested by Ricardo Cabrera.

DISCUSSION: Daniel Tijerina, Director of Planning, stated Mr. Cabrera is applying for a conditional use permit for the sale of alcoholic beverages (wine and beer) for off-premise consumption at "Cabrera's Meat Market," located at the new commercial plaza located at the southeast corner of Veterans Boulevard and Dalia Avenue. The applicant will need to comply with the Texas Alcoholic Beverages Commission's (TABC) requirements.

The following are the list of requirements:

1. The applicant must comply with the City's Security Cameras Ordinance.
2. The proposed days and hours of operation are Monday thru Sunday from 7:00 a.m. to 9:00 p.m.
3. Owner agrees to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.
4. No loading or unloading of merchandise in a public street.

5. Must maintain the buffer fence with the residential area.
6. There shall be no smoking inside the premises at any time.
7. The business must comply with the city's noise ordinance.

Mr. Tijerina stated that staff mailed a notice of the public hearing before the Planning and Zoning Commission to thirteen (13) property owners within a two hundred (200) foot radius and received no comments in favor of or against this request. Mr. Tijerina stated that staff and the planning commission recommend approval of this request.

Mayor Mario Garza opened the public hearing at 6:31 p.m.

Ricardo Cabrera asked the City Commission for their approval on this request.

Mayor Mario Garza closed the public hearing at 6:31 p.m.

Mayor Pro-Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (3-0).

H. Hold Second and Final 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.

DISCUSSION: Daniel Tijerina, Director of Planning, stated that 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. They're processing this request according to the Texas Local Government Code, Chapter 43, Municipal Annexation, Section 43.028, and the City Charter. Mr. Tijerina recommended holding the second and final public hearing for the voluntary annexation petition. The owner of the subject property has submitted a petition for voluntary annexation to the City of San Juan. Upon annexation, the recording of the subdivision plat, building permits, and inspections will be processed by the city for the proposed residences. Annexation of this property is being undertaken in accordance with the provisions of the Texas Local Government Code.

Mayor Mario Garza opened the public hearing at 6:33 p.m.

Mayor Mario Garza closed the public hearing at 6:33 p.m.

Mayor Pro-Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (3-0).

VII. APPOINTMENTS

A. Consider Removal and Appointment of Board Members Related to the Parks and Recreation Advisory Board.

Mayor Mario Garza made motion to reappoint Aaron Gonzalez and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (3-0).

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

A. Preliminary and Final Plat Approval of the Meadows on Ridge Block I Subdivision being 8.65 acre tract of land out of Lot 12, Block 31, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile West from Cesar Chavez Road, along the South side of Ridge Road, as Requested by Quintanilla, Headley and Associates, Inc.

DISCUSSION: Daniel Tijerina, Director of Planning, stated that this plat was approved by the City Commission back in February 2021. He also mentioned that at that time, the developer was proposing a 33.93-acre subdivision, of which half was for residential use and the other half for multi-family use. Now, they are proposing to complete only 8.65 acres, the multi-family areas, which are twenty-nine (29) lots. The proposed subdivision is located in flood zone "B" and the subdivision will have an internal street with an entrance and exit along Ridge Road. Furthermore, water and sewer services will be provided by the City of San Juan; fire hydrants should be located every 500 feet; and the water line shall be looped to the 8-inch water line as per San Juan Fire Department requirements. Mr. Tijerina stated that staff is recommending approval of the request section.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Mayor Mario Garza. Motion Passed (3-0).

- B. Variance Request to the Subdivision Ordinance at the Proposed Plantation Heights Subdivision being 21.68-acre tract of land out of Lot 1, Block 14, John Closner Subdivision, located approximately a quarter of a mile South of Hall Acres Road, along the East side of Veterans Boulevard, as Requested by Quintanilla, Headley and Associates, LLC.**

DISCUSSION: Daniel Tijerina, Director of Planning, stated the subdivision was processed by the Planning and Zoning Commission on February 3, 2022, and by the City Commission on February 8, 2022. At that time, the project engineer did not request any variances. It is noted that the project engineer is requesting the following variances:

1. To not comply with the 6-foot side setback, they are proposing 5-feet.
2. To not comply with the 20-foot rear setback, they are proposing a 10-foot.
3. To not comply with the 20-foot front setback, they are proposing 18-feet for a garage.

Mayor Pro-Tem Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (3-0).

IX. CONSENT AGENDA

- A. Consider Approval of the Collection Report for the Month of May 31, 2022.**
- B. Consider Approval of City Commission Meeting Minutes:
-January 25, 2022**

Mayor Pro-Tem Leonardo “Lenny” Sanchez made motion to approve all items under consent agenda 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 Meetings Act, Vernon's Texas Statutes and Codes Annotated, Government Code Chapter 551 et seq. and §551.071 Consultation with Attorney.**
- 1. Pursuant to Section 551.087 ECONOMIC DEVELOPMENT NEGOTIATIONS and 551.071 CONSULTATION WITH ATTORNEY; Deliberation Regarding the Economic Development Incentive Agreement between the City of San Juan and Olive Garden Holdings, LLC.**

Mayor Pro-Tem Leonardo “Lenny” Sanchez made motion to enter into Executive Session at 6:40 p.m. and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (3-0).

XI. RECONVENE

Mayor Pro-Tem Leonardo “Lenny” Sanchez made motion to reconvene at 6:49 p.m. and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (3-0).

- A. The City Commission will Reconvene in Open Session to Take Necessary Action, if any, in Accordance with Chapter 551, Open Meetings, Subchapter E, Procedures Relating to Closed Meeting 551, Requirements to Vote or Take Final Action in Open Meeting.**
- 1. Pursuant to Section 551.087 ECONOMIC DEVELOPMENT NEGOTIATIONS and 551.071 CONSULTATION WITH ATTORNEY; Deliberation Regarding the Economic Development Incentive Agreement between the City of San Juan and Olive Garden Holdings, LLC.**

Mayor Pro-Tem Leonardo “Lenny” Sanchez made motion to approve City Manager’s recommendation was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (3-0).

XII. ADJOURNMENT

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to adjourn at 6:51 p.m. and was seconded by Mayor Mario Garza. Motion Passed (3-0).

CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JULY 12, 2022



Mario Garza, Mayor

ATTEST:



Brenda Escalante, City Secretary