



**NOTICE OF A MEETING OF THE SAN BENITO
SPECIAL PLANNING & ZONING COMMISSION
THURSDAY, JANUARY 4, 2024 AT 5:45 P.M**

**SAN BENITO ANNEX BUILDING NUMBER 2
705 NORTH BOWIE STREET
SAN BENITO, TEXAS**

OFFICIAL MINUTES

Planning & Zoning Commission:

	Present	Absent		Present	Absent
PL. 1. Velma De Los Santos	√		PL. 2. Jose Morales	√	
PL. 3. Adam Abrego	√		PL. 4. Noelia Montez		√
PL. 5. Salvador Castillo	√				

Quorum: Yes: √ No: _____

Started: 5:45 P.M. Ended: 6:02P.M.

Staff: Johanna Maldonado-Planning Director, Monica L Rodriguez-City Planner I, Erika Reyes-Administrative Assistant, Krista Cruz-Administrative Assistant

Audience in Attendance: Ricardo Gutierrez, Luis Limon, Tomy Limon, Donna Crawford, Richard Crawford, Monica Pequeno, Richard Pequeno

Velma De Los Santos-Chairperson acknowledged a quorum and opened the meeting at 5:45 P.M.

1. **Velma De Los Santos- Chairperson-** Welcomed the audience in attendance.
2. Pledge of Allegiance to the U.S. Flag and to the Texas Flag.
3. Public Comments:

Luis Limon -Neighbor from 1600 S. Sam Houston-Asked what type of business will it be there?

Monica Rodriguez-Planner I-Stated a tire shop will be there.

Luis Limon-Neighbor-Also stated the address 1620 S. Sam Houston is on his property and he has used the address for at least 60 years.

Velma De Los Santos-Chairperson- Stated City employees will look into it for him and correct it for him.

- 4. Consideration and possible action to approve the Minutes of the December 13, 2023 special meeting of the Planning and Zoning Commission.

Vote: Motion by: Adam Abrego	Second by: Salvador Castillo
Vote: For: <input checked="" type="checkbox"/> Against: <input type="checkbox"/>	Motion: Passes

- 5. Public Hearing: To solicit input regarding a request to rezone a property located at 1620 S Sam Houston Boulevard, bearing a Legal Description of: Being a 0.39 acre tract out of a called 0.54 acre tract as described in a deed recorded in Document Number 28232, of the Deed Records of Cameron County, Texas, and being out of Lot Eighteen (18), of the Cunningham Subdivision of Block 35, of the San Benito Land and Water Company Subdivision, as recorded in Volume 1, Page 43, of the Map Records of Cameron County, Texas, from SF-1 “Single Family One” to C-1 “Commercial Restricted Business”. Applicant: Cesar Anguiano

Monica Rodriguez-Planner I-Presented the item.

Velma De Los Santos-Chairperson - Opened Public Hearing.

Public hearing opened 5:50 p.m.

Ricardo Gutierrez-Neighbor from 1590 S. Sam Houston- Stated he is against the proposed change because it has always been a quiet area. He also stated that the applicant is known to have big outside personal events at commercial properties.

Sonia Gutierrez-neighbor from 1590 S. Sam Houston- Stated she is also against it because the change will affect her and her family’s daily life and it isn’t something they are comfortable with right now.

Velma De Los Santos-Chairperson - Closed Public Hearing.

Public hearing closes 5:52 p.m.

- 6. Consideration and possible action to approve a request to rezone a property located at 1620 S Sam Houston Boulevard, bearing a Legal Description of: Being a 0.39 acre tract out of a called 0.54 acre tract as described in a deed recorded in Document Number 28232, of the Deed Records of Cameron County, Texas, and being out of Lot Eighteen (18), of the Cunningham Subdivision of Block 35, of the San Benito Land and Water Company Subdivision, as recorded in Volume 1, Page 43, of the Map Records of Cameron County, Texas, from SF-1 “Single Family One” to C-1 “Commercial Restricted Business”. Applicant: Cesar Anguiano.

Monica Rodriguez-Planner I-Presented the item.

Jose Morales-Vice Chairperson-Said he is concerned because it may be considered spot zoning since it is in the middle of a residential area.

Adam Abrego-Asked what is the commercial is now?

Monica Rodriguez-Planner I-Stated nothing right now because the property owner just demolished the building.

Adam Abrego-Asked how far from commercial zoning is the highway?

Monica Rodriguez-Planner I-Stated that normally commercial property needs to touch another commercial property.

Adam Abrego-Asked if it's ever been commercial?

Monica-Planner I-Said it was commercial years ago.

Velma De Los Santos-Chairperson-Said spot zoning is illegal so we could not do that.

Vote: Motion by: Jose Morales	Second by: Adam Abrego
Vote: For: <input checked="" type="checkbox"/> Against: <input type="checkbox"/>	Motion: Denied

7. Public Hearing: To solicit input regarding a request for a Conditional Use Permit to operate a restaurant with alcohol at a property located at 500 S Sam Houston Boulevard, at an existing building zoned C-1 "Commercial Restricted Business", bearing a Legal Description of: Lots One (1), Two (2), and NE 25' of Lot (3) , Block Two (2), Heywood Addition to The City of San Benito, Cameron County, Texas, according to the map or plat thereof recorded in Volume 2, Page 27, Map Records of Cameron County, Texas. Applicant: Jose Rodolfo Monsivaiz.

Monica Rodriguez- Presented the item.

Velma De Los Santos-Chairperson - Opened Public Hearing.

Public hearing opened 5:56 p.m.

Monica Pequeno-Resident from 176 Park Ave-Asked what exactly is going to be done there because the only thing that separates lot from her mom's house are trees.

Monica Rodriguez-Planner I-Said it would be micheladas and mariscos to go.

Monica Pequeno-Resident-Asked if it will be a drive thru?

Monica Rodriguez-Planner I-Said yes it will be a drive thru.

Monica Pequeno-Stated her only concern would be if people were drinking on the premises and passing over to her mom's house.

Velma De Los Santos-Chairperson-Thanked her for her concerns and said that would not be done.

Velma De Los Santos-Chairperson - Closed Public Hearing.

Public hearing closes **5:57 p.m.**

8. Consideration and possible action to approve a request for a Conditional Use Permit to operate a restaurant with alcohol at a property located at 500 S Sam Houston Boulevard, at an existing building zoned C-1 “Commercial Restricted Business”, bearing a Legal Description of: Lots One (1), Two (2), and NE 25’ of Lot (3) , Block Two (2), Heywood Addition to The City of San Benito, Cameron County, Texas, according to the map or plat thereof recorded in Volume 2, Page 27, Map Records of Cameron County, Texas. Applicant: Jose Rodolfo Monsivaiz

Jose Morales-Chairperson-Asked if it would just be beer and wine sold.

Monica-Planner I-Said yes just beer and wine based drinks.

Jose Morales-Chairperson-Stated we would need to check the ordinance because there is a percentage of food to alcohol that can be sold.

Adam Abrego-Asked if approved could they sell any alcohol?

Monica-Planner I-Said yes, beer and wine and what TABC allows.

Velma De Los Santos-Chairperson-Asked if the Conditional Use Permit has a timeline?

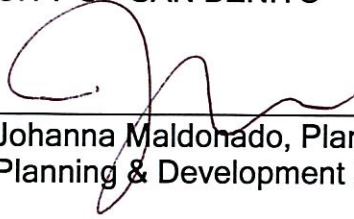
Monica-Planner I-Stated yes it is a year but if anything comes up they can revoke it.

Vote: Motion by: Jose Morales	Second by: Salvador Castillo
Vote: For: <u>√</u> Against: <u> </u>	Motion: <u>Passes</u>

Jose Morales-Vice Chairperson - Do I have a motion to adjourn?

Vote: Motion by: Salvador Castillo	Second by: Adam Abrego
Vote: For: <u>√</u> Against: <u> </u>	Motion: <u>Passes</u> Closed at 6:02 pm

CITY OF SAN BENITO



Johanna Maldonado, Planning Director
Planning & Development Department



Velma De Los Santos, Chairperson
Planning & Zoning Commission