

**PLANNING AND ZONING COMMISSION  
DECEMBER 16, 2015  
CITY HALL'S COUNCIL CHAMBERS @ 5:00 P.M.**

**P&Z PRESENT**

Ned Sheats  
John Guerra  
Marisela Marin  
Carlos Lopez  
Diana Yzaguirre  
Mario Garza  
Julio Cerda

**STAFF PRESENT**

Daniel Tijerina  
Jaime Acevedo  
Susana De Luna

**GUESTS PRESENT**

Leonel Cantu  
Mariano Garcia  
Bill Filut  
Maria L. Peña  
Mark Dougherty  
Wayne Castillo  
Rick Gonzalez

Mario Rodriguez  
Ruben De La Garza  
Ed Peno  
Raul Gonzalez  
Brenda Russell  
Yolanda Gonzalez

Nacho Pecina, Jr.  
Mario Rodriguez  
Juan Eliseo Gonzalez  
Raul Hernandez  
Sheila Fernald  
Donna Castillo

**CALL TO ORDER**

Chairman Ned Sheats called the meeting to order at 5:00 p.m.

**CITIZENS PARTICIPATION**

Chairman Sheats asked if there was any citizen's participation.

There was none.

**APPROVAL OF MINUTES FOR NOVEMBER 18, 2015**

Chairman Sheats asked if there were any corrections to the minutes for November 18, 2015. Mr. John Guerra moved to approve the minutes as presented. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:00 p.m.**

**Ended: 5:27 p.m.**

**Item #1.1**

**Rezoning:**

**A 12.11 acre tract of land out of  
Lot 304, John H. Shary Subdivision  
AO-I to R-1T  
Mario Rodriguez**

Mr. Jaime Acevedo went over the write-up stating that the property is located approximately ½ mile north of 2 Mile on the west side of Shary Road. Two parcels comprise the 12.11 acres.

**SURROUNDING ZONES:**

N:	City of Palmhurst
E:	R-1 - Single Family Residential
W:	AO-I/R-1 - Agricultural Open Interim/ Large Lot Single Family
S:	AO-I - Agricultural Open Interim

**EXISTING LAND USES:**

N:	City of Palmhurst
E:	Single Family
W:	Vacant/Agricultural (Canal)
S:	RV/MH Park

**FLUM:** The Future Land Use Map reflects a LDA designation.

**REVIEW COMMENTS:** The predominant land use is long standing Single Family (R-1) and Large Lot Single Family (R-1A) residences.

**RECOMMENDATION:** Staff recommends approval.

Chairman Sheats asked if there was any public opposition to the request.

A show of hands indicated that there were 2 people in opposition.

Mrs. Yolanda Gonzalez who resides at 2302 Monaco Drive stated that they had more people coming in. She added that she had some questions in regards to the rezoning. She asked if they don't sell as townhomes could they convert them into apartments.

Chairman Sheats replied, "No".

Mrs. Gonzalez asked how many units are going to be made and are they doing to be like duplexes or is there going to be a difference? She added that she would like to have more detail before they know whether they want to oppose or not.

Chairman Sheats clarified that this particular hearing was just strictly for the rezoning. He added that this had nothing to do with the final number of units they put on the lot or how they would be laid out. Chairman Sheats stated that they might be able to ask the applicant to answer this questions but it is not required.

Mrs. Gonzalez stated that if they don't know what they are planning to do how could they oppose it or not oppose it.

Chairman Sheats stated that they could oppose it on strictly the fact of the zoning and what is allowed on that zoning.

Mrs. Gonzalez stated that then they would hear what the applicant had to say and then decide whether they petition or not.

Chairman Sheats asked if there was anybody else in opposition to the request.

Mrs. Gonzalez stated that they were probably in the parking lot. She asked if the Board could allow the applicant to speak first and maybe when he is done the rest of the residents are already in the building.

Chairman Sheats asked if the applicant or representative were present.

Mr. Mario Rodriguez stated that the first time they presented this item they were asking for multi-family residential and pretty much everyone was against it. He added that Mr. Salinas listened to the residents which asked him to go in a different route. Mr. Rodriguez mentioned that they are now trying to do something similar to a single family development which would be the same concept. He mentioned that it would be a gated subdivision with roughly between 85 to 100 townhouse lots. He added that they would be 2300 total sq. ft. with two car garage, 3 bedroom, 2 ½ bath, a driveway in the front and a small backyard per lot. Mr. Rodriguez stated that they would be the same style as before stucco with clay tile. He added that it would be something elegant and nice similar to the surrounding neighborhoods.

Mr. John Guerra asked how he was proposing to put that many lots into that one area.

Mr. Rodriguez mentioned that the lots would measure 30' x 100'.

Mr. Mario Garza stated that pretty much they would be like apartments.

Mr. Rodriguez stated that they would but he is proposing to do them in sets of four or six that way they wouldn't look like apartments.

Chairman Sheats stated that Mr. Guerra might be thinking they should measure like conventional lots and townhouses are usually 2000' to 3000' instead of the regular 7000' sq. ft. Mr. Sheats mentioned that in his opinion the applicant had addressed the major issues that were expressed by the surrounding neighbors such as they don't want apartments, property values would be devaluated, don't know what type of neighbors, etc.

Chairman Sheats asked if there was anybody else in opposition to the request.

Mr. Ed Penno who resides at 2412 El Dorado Drive stated that everything surrounding this property except the agricultural property on the west side is single family or large lot single family.

Chairman Sheats stated that the usage for the property to the south is very dense it is R-4.

Mr. Peno stated that the property to the south was unique but the rest of the surroundings were single family. He added that now the applicant was trying to put 85 to 100 lots in an area in similar size as Napa Valley which has 30 lots. Mr. Peno asked how many units are being proposed per lot.

Mr. Mario Rodriguez stated that he was proposing 1 unit per lot.

Mr. Peno stated that he is talking about 100 units in the same size area as Napa Valley has 30. He added that this again would depreciate their property values most likely because they were going to be townhomes and this would a problem with the trailer park being there. Mr. Peno stated that he didn't understand why they were considering this rezoning again if they were looking at the same density or maybe a little bit less. Mr. Peno stated that they were opposed as a group. He mentioned that they didn't have an opportunity to get a petition but they would certainly be working on one. Mr. Peno stated that this was not what this neighborhood needs and even Palmhurst would not allow apartments or townhomes in that area according to their Planning Committee. He asked the Board to not approve this rezoning request. He finalized with a comment made by Edward T. MacManner, "Growth is inevitable and desirable the destruction of community character is not the question is not whether your part of the world is going to change the question is how?"

Chairman Sheats asked for a show of hands opposing this request.

A show of hands indicated that they were 7 residents present in opposition of this request.

Mr. Rodriguez stated that the value of each townhouse would be valued above the \$200,000 and \$300,000 mark similar to the surrounding homes. He added that they were going to be a gated community with landscaping, garage, etc. Mr. Rodriguez stated that they were really trying to comply with everything that the people wanted.

Mrs. Marisela Marin stated that the concern is not so much as the type of work but the size and dimensions of the lots. She added that she believes the quality of the work would probably be better than most.

Mr. Mario Garza stated that the neighborhood was against the request and he would like to see R-1A lots in this area.

Chairman Sheats stated that the R-1A was not consistent with the surrounding area. He added that this would be a buffer to the surrounding areas and an upscale development.

Mr. Rodriguez stated that they tried to do single family homes but it was just not right for the property.

Mr. Nacho Pecina who resides in Durango Subdivision stated that he understood where the opposing was coming from. He added that Mark Dizdar developed Durango Subdivision and Eldorado Subdivision and that he bought those acres for about \$15,000 to

\$20,000 or maybe less. He mentioned that he has sold property for about \$30,000 already developed which means that he had to have doubled his money. He added that now a day an acre cost \$120,000 the highest and best use for this property is what he is trying to do nice quality townhomes. He mentioned that currently the property is an eyesore for the city in his point of view. Mr. Pecina stated that to him this was the highest and best use for this property speaking as a land owner and a broker.

Mr. Julio Cerda asked if this subdivision was going to be private or gated.

Mr. Rodriguez replied, "yes, sir."

Mr. Julio Cerda stated that this area basically reminded him of North 2<sup>nd</sup> Street and Dove in McAllen. He added that those of us that know the area know that they have beautiful homes like the ones in this subdivisions but also beautiful townhomes that are in the middle of the residential homes. He mentioned that he knows that the apartments were not liked and the Mayor heard that and basically asked them to reconsider a different alternative. Mr. Cerda stated that when this item was originally presented the main concerns were who is going to be next to my house? Who's going to be my neighbor? He added that sometimes with developments we might not like what they are proposing for example in his case he has a farm next to him but he happens to like it although he does not know what will be built in the future. Mr. Cerda stated that in his personal opinion North Shary had the nicest subdivisions. He added that the developer was going to do a nice upscale private subdivision of townhouse which usually required 25' and they are proposing 30' which would be a little more. Mr. Cerda stated that sometimes the Board needs to put the trust in the developer to make sure that they do the right thing.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Julio Cerda moved to approve the rezoning as per staff's recommendations. Ms. Marisela Marin seconded the motion. Upon a vote, the motion passed 4-2 with Mr. John Guerra and Mr. Mario Garza dissenting.

Mr. Julio Cerda asked when was the next City Council meeting.

Mr. Tijerina stated that the next City Council Meeting would be on January 11, 2016 and they could submit any petitions to staff for that meeting.

**Started: 5:07 p.m.**

**Ended: 5:10 p.m.**

**Item #1.2**

**Rezoning:**

**A 1.12 acre tract of land out of the North ½ of  
Lot 15-7, West Addition to Sharyland Subdivision  
(aka the North ½ of Lots 1-3, Unrecorded Melba  
Carter Subdivision)  
C-3 to I-1  
Alfredo Arzamendi**

Mr. Daniel Tijerina went over the write-up stating that the subject site is located on the east side of Conway Blvd. 150' north of Melba Carter.

**SURROUNDING ZONES:** N: R-1 - Residential Single Family  
E: C-3 - General Commercial  
W: AO-P - Agricultural Open Permanent  
S: C-3 - General Commercial

**EXISTING LAND USES:** N: Commercial  
E: Commercial  
W: Agricultural  
S: Commercial  
Site: Commercial

**FLUM:** General Commercial (GC)

**REVIEW COMMENTS:** The land uses reflect the zoning shown above. The Future Land Use Map reflects a General Commercial (GC) land use. After further consideration, and based on the fact that the City tried to initiate rezoning of this property from their different zones to Light Industrial, which did not go through and also on the fact that we do have a junk yard on 3 Mile and Inspiration which was annexed to the City several years back and that is exactly what is being proposed for this property.

**RECOMMENDATION:** Denial.

Chairman Sheats asked if the applicant or representative were present.

Representing the applicant, Mr. Mario Rodriguez was present to address any questions from the Board.

Chairman Sheats asked Mr. Rodriguez what he was proposing to do with that property.

Mr. Rodriguez stated that his client was proposing to put a very small scrap metal yard. He mentioned that the City informed him that he needed a light industrial zone for the type of business being proposed therefore the reason for this application.

Chairman Sheats stated they had a situation where the City has had a bad experience with some junk yards and right now there are other businesses which don't necessarily create dust, dirt, and noise but we also close to an R-1 neighborhood unfortunately has been inflicted upon. He added that if he could fit his business in a C-3 or C-4 he didn't think the City would have a problem however to jump into industrial would be a little too much for the surrounding areas.

Chairman Sheats asked if there was any public opposition to the request.

There was no response.

Chairman Sheats asked that this area is designated as industrial.

Mr. Tijerina stated that it has been brought to staff’s attention by the Council that the future land use map needs to be reconsidered for this area.

Chairman Sheats stated that there were many areas in the City of Mission where the City’s Future Land Use Map has nothing to do with the surrounding zonings. He added that he agreed with the Council in that this map should be reconsidered.

Ms. Izaguirre asked if they were okay with industrial just not okay with the scrap metal yard.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Mario Garza moved to deny the rezoning as per staff’s recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:38 p.m.**

**Ended: 5:41 p.m.**

**Item #1.3**

**Rezoning:**

**A 1.32 acre tract of land, more or less, being the South 95’ out of Lot 30, Bell Woods Co’s Subdivision C  
AO-I to C-3  
Raul Gonzalez**

Mr. Daniel Tijerina went over the write-up stating that the subject site is located along the west side of Conway Blvd. 500’ north of 2 Mile Road.

**SURROUNDING ZONES:**

N: AO-I - Agricultural Open Interim  
E: C-3 - General Commercial  
W: AO-I - Agricultural Open Interim  
S: AO-I - Agricultural Open Interim

**EXISTING LAND USES:**

N: Single Family Residential  
E: Commercial  
W: Agricultural  
S: Agricultural  
Site: Single Family Residential

**FLUM:**

General Commercial (GC)

**REVIEW COMMENTS:** The land uses reflect the zoning shown above. The Future Land Use Map reflects a General Commercial (GC) land use, too; thus C-3 is directly consistent to the GC designation.

**RECOMMENDATION:** Approval.

Chairman Sheats asked if the applicant or representative were present.

Mr. Raul Gonzalez who resides at 1700 E. 23<sup>rd</sup> was present to address any questions from the Board.

Chairman Sheats asked what type of business he was proposing for this property.

Mr. Gonzalez stated that he was proposing to put a Restaurant that sells Barbacoa, chicharrones, etc.

Chairman Sheats asked if there was any public opposition to the request.

There was none.

There being no further discussion, Chairman Sheats entertained a motion. Ms. Diana Izaguirre moved to approve the rezoning as per staff's recommendations. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:41 p.m.**

**Ended: 5:50 p.m.**

**Item #1.4**

**Conditional Use Permit:**

**Texas Citrus Fiesta Carnival  
7.4 acres out of Lot 25-6,  
West Addition to Sharyland Subdivision  
& Lot 1, North Star Plaza Phase I  
AO-I & C-3  
January 14, 2016 – February 1, 2016  
Texas Citrus Fiesta**

Mr. Daniel Tijerina went over the write-up stating that the subject site is located near the NW corner of Conway and Griffin Parkway (F.M. 495). Texas Citrus Fiesta organizers have been given permission to have their annual carnival on the vacant lots to the north and west of the old Carl's Supermarket. They wish to set up on 1-14-16 and have the carnival from 1-21-16 to 1-31-16. They will then take down the carnival on the 31<sup>st</sup>.

- **Hours of Operation:** Weekdays 5:30 p.m. to 10:30 p.m. and Weekends 1:00 p.m. to 11:30 p.m.
- **Parking:** Parking for the event will be provided by utilizing the old Carl's parking lot located to the south. Staff encourages that "No Parking" signs be placed along Conway and F.M. 495 and that there be early morning trash pick-up throughout the entire site during the "Heart of America Shows" Carnival's tenure.
- The Zoning code states that a carnival site should be a minimum of 300' away from any residentially used property from lot line to lot line. This CUP is compliant to this Code, i.e., there are no homes within 300'.



**REVIEW COMMENTS:** Security will be evident as in past years via Mission PD officers (as hired by TCF) and sufficient restrooms will be available. All provisions of Chapter 10 – Amusements and Entertainment – will need to be complied with, in particular the insurance coverage requirements for such amusements.

**RECOMMENDATION:** Staff recommends approval subject to: 1) installation of a perimeter fence/debris stop; 2) installation of “No Parking” signs along Conway and Griffin Parkway; and 3) meet noise, insurance, and any other related Codes.

Chairman Sheats asked if the applicant or representative were present.

Mr. Bill Filut stated that he has been the president for the Texas Citrus Fiesta for the past 20 years and has help with this event in the City of Mission since 1932. He added that the only time they shut down was for 5 years during World War II because the farmers were off to the war. Mr. Filut mentioned that back in 1994 – 1996 the City of Mission did a survey of all the organizations throughout the Mission, McAllen, Pharr, San Juan, Alamo and Edinburg area and in that survey they interviewed everybody from Chambers of Commerce, Kiwanis, Lions Club and every organization throughout the Rio Grande Valley and the report said that the Texas Citrus a 15 molecule Board generated 5.3 million worth of revenue and so he stands very proud of that because they have buses that come down from Houston, Louisiana, Arkansas to see their festival. He added that he has been pulling the City’s float for 24 years all over the state from Laredo to San Antonio, Austin, Corpus everywhere promoting our valley and our City of Mission.

Chairman Sheats stated that the City definitely appreciated that.

Mr. Filut stated that his wife and he did it for many years until she had a better place to go and he wanted to continue her dream of placing Mission on the map.

Chairman Sheats asked if there was any public opposition to the request.

There was none.

Mrs. Marisela Marin asked why we couldn’t approve this conditional use permit for life of use instead of for 1 year.

Chairman Sheats stated that they have tried to do that but the Council want to see it every year.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff’s recommendations. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion was approved unanimously.

**Started: 5:41 p.m.**

**Ended: 5:50 p.m.**

**Item #1.5**

**Conditional Use Permit:**

**Texas Citrus Fiesta Fun Fair  
807 N. Conway Avenue  
(aka La Lomita Plaza & The Rotary Park)  
C-3  
January 30, 2016  
Texas Citrus Fiesta**

Mr. Daniel Tijerina went over the write-up stating that the subject site for the Texas Citrus Fiesta 'Fun Fair' will be located at La Lomita Plaza (Leo Pena Park). Texas Citrus Fiesta organizers will be having their annual 'Fun Fair' event on January 30, 2016. The fun fair will include use of the area east of the Chamber of Commerce building and La Lomita Plaza (Leo Pena Park). It will be used for various vendors, Vaqueros, cook-off and other food vendors. There will be continued trash pick-up throughout the event.

- **Hours of Operation:** 10:00 a.m. – to 10:00 p.m.
- **Parking:** Parking for this event will be provided east and north of the Chamber of Commerce building and east of Fallas Paredes.
- The Zoning code requires the 'Fun Fair' to be a minimum of 300' separation from residentially used property from lot line to lot line. There are several residential properties within this radius; thus a waiver of the separation requirement needs consideration.
- **Ch. 10 – Amusements and Entertainment:** Security will be evident as in past events via Mission PD officers (as hired by TCF). Restrooms will be available. All provisions of the Chapter 10 Mission Code of Ordinances – Amusements and Entertainment – will need to be complied with.

**REVIEW COMMENTS:** With sufficient professional security, barricades, lighting, & TCF monitoring, this event will again be very successful and well attended. TCF has assured the City that all aspects of security will be taken care of.

**RECOMMENDATION:** Staff recommends approval subject to: 1) waiver of the 300' separation; 2) must comply with Health & Fire Codes; and 3) must meet Noise, Amusement and Entertainment, and any other related codes.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendations. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion was approved unanimously.

**Started: 5:50 p.m.**

**Ended: 5:53 p.m.**

**Item #1.6**

**Conditional Use Permit:**

**Drive-Thru Service Window – La Esquina Taqueria**

**2310 E. Expressway 83, Ste. 8  
Lot 3, Cimarron Crossing Subdivision  
C-3  
Ruben De La Garza**

Mr. Daniel Tijerina went over the write-up stating that the subject site is located approximately 250' west of Shary Road on the south side of U.S. Expressway 83 within an existing commercial plaza. The applicant is proposing to re-open a restaurant with a drive-thru service window. The last restaurant that opened here (Bravo Taco Restaurant) was approved by P&Z on 9/23/13 for both the drive-thru service window and the sale & on-site consumption of alcohol. Access to the drive-thru is from the south 'rear' of the plaza. The existing drive-thru window's location allows stacking for approximately 3 vehicles.

- Hours of Operation: Monday – Sunday from 11 a.m. to 11 p.m.
- Staff: 8
- Parking: The 1,380 sq. ft. building will have a total of 35 seating spaces for the restaurant. A total of 18 spaces are required for this site (1,380 sq. ft./75 sq. ft. = 18.4 parking spaces). It is noted that a total of 66 parking spaces are held in common within the commercial development. Staff had not received any complaints in relation to parking when Taco Bravo was in operation.
- Landscaping has been provided as a part of the overall commercial plaza.
- No speed bump is required since the drive-way's curb veers away from the building and there is landscaping impeding pedestrian traffic onto the existing traffic's lane.
- Must comply with all Building, Fire, and Health Codes, prior to obtaining a business license.
- A business license is required prior to occupancy.

**REVIEW COMMENTS:** Since the site has been previously used for a restaurant with the use of a drive-thru, Staff does not object to a new applicant re-opening the site for a new similar restaurant.

**RECOMMENDATION:** Staff recommends approval subject to: 1) 1 year approval in order to assess this new operation; 2) the acquisition of a business license.

Chairman Sheats asked if the applicant or representative were present.

Mr. Ruben De La Garza was present to address any questions from the Board.

Chairman Sheats asked if this was a new business.

Mr. De La Garza stated that it was basically the same business he just changed the name of the existing business.

Chairman Sheats asked if he was receptive to staff's recommendations.

Mr. De La Garza replied, "Yes".

Chairman Sheats asked if there was any public opposition to the request.

There was no response.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendations. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:53 p.m.**

**Ended: 5:56 p.m.**

**Item #2.0**

**Site Plan Approval:**

**Relocation of a Portable Building**

**All of Lots 5-12, 14-15, 100-107, the West 320'**

**of Lots 13 & 16, the South 110' of Lot 159, Sharyland**

**Orchards Subdivision & the North 408.39' of Lot 215,**

**John H. Shary Subdivision, together with adjacent**

**Canal ROW**

**P**

**Sharyland ISD (c/o Mark Dougherty)**

Mr. Daniel Tijerina went over the write-up stating that the subject site is located north of Business Highway 83 between Shary Road and Taylor Road.

**Proposal:** SISD wishes to relocate a 1,728 sq. ft. portable building for Administration. This proposal is exceeding all setbacks and separation requirements, thus compliant to code. Access will be off Taylor Road.

**Utilities:** There is existing water and sewer available to serve the facility. No new fire hydrants are required at this time as per the direction of the Fire Marshal.

**Parking:** Since the proposal is merely a relocation of an existing building within a Public site, staff does not anticipate issues with the existing parking that has been held in common.

**Landscaping:** Existing landscaping meets code, thus no additional landscaping is being required via this proposal.

**Recommendation:** Staff recommends approval.

Chairman Sheats asked if the applicant or representative were present.

Representing Sharyland ISD, Mr. Mark Dougherty was present to address any questions from the Board.

Chairman Sheats asked if there was a way that staff could approve this type of site plans internally.

Mr. Tijerina stated that staff could certainly look into that for future projects.

There being no discussion, Chairman Sheats entertained a motion. Ms. Diana Izaguirre moved to approve the site plan subject to staff's recommendations. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:56 p.m.**

**Ended: 5:59 p.m.**

**Item #3.0**

**Homestead Exemption Variance: A 1.00 acre tract of land, more or less, out of Lot 23-3, West Addition to Sharyland Subd. R-1 Alejandro Benavidez**

Mr. Daniel Tijerina went over the write-up stating that this tract is located along the east side of Los Ebanos Road between Fincher Street and Griffin Parkway (F.M. 495). The lot measures 72.32' x 622.3' which equals to 45,004 sq.ft. On 11-10-14, the City Council passed the HEV ordinance which allows for homesteads to be granted various waivers to the City's subdivision requirements if and only if, the lot is being proposed for the applicant's personal single family home.

Water: The applicant is proposing to connect to an existing 8" water line located along Los Ebanos Road to provide water service to the lot.

Sewer: The applicant is proposing to connect to an existing 10" sanitary sewer line located along Los Ebanos Road. The capital sewer recovery fee is waived via the HVE.

Streets & Storm Drainage: The subject site has frontage to Los Ebanos Road, which has an 80' ROW with a 65' B/B paved street. The applicant must provide an additional 15' of ROW for the widening of Los Ebanos Road.

Other Comments:

- Must comply with Model Subdivision Rules
- Must dedicate water rights
- The street light requirements is also waived via the HEV
- The park fees are also waived

Recommendation: Staff recommends approval subject to compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

Chairman Sheats asked if there was any input from the Board.

There being none.

Chairman Sheats asked if the applicant or representative were present.

Representing Mr. Alejandro Benavidez, Mr. Leonel Cantu was present to address any questions from the Board.

There being no discussion, Chairman Sheats entertained a motion. Ms. Diana Izaguirre moved to approve the homestead exemption variance subject to staff's recommendations. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #4.0  
OTHER BUSINESS**

**ITEM #5.0  
ADJOURNMENT**

There being no further items for discussion, Mr. Mario Garza moved to adjourn the meeting. Mr. John Guerra seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:59 p.m.

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Ned Sheats, Chairman  
Planning and Zoning Commission