

**PLANNING AND ZONING COMMISSION
FEBRUARY 24, 2016
CITY HALL'S COUNCIL CHAMBERS @ 5:00 P.M.**

P&Z PRESENT

Ned Sheats
John Guerra
Carlos Lopez
Mario Garza
Marisela Marin
Diana Izaguirre

P&Z ABSENT

Julio Cerda

STAFF PRESENT

Daniel Tijerina
Jaime Acevedo
Susana De Luna
Eddie Latin

GUESTS PRESENT

Lupe & Laura Gonzalez
Gilberto Espinoza
Frank & Carmen Martinez
Jeff A. Brown
Kelley Heller –Vela
John & Debbie Townsend
Rodolfo Garcia
Lisa Helle
Maxilou Link
Roberto Garza
Anabel Ramirez
Reynaldo Diaz
Eduardo Martinez

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 FEBRUARY 10, 2016

Chairman Sheats asked if there were any corrections to the minutes for February 10, 2016. Mrs. Marisela Marin moved to approve the minutes as presented. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:01 p.m.

Ended: 5:10 p.m.

Item #1.1

Rezoning:

**10.285 acres consisting of 0.394 of one acre out of an abandoned canal R.O.W. adjacent to the West of Lot 246, John H. Shary Subdivision, 8.890 acres out of Lot 246, John H. Shary Subdivision, & 1.001 acre being all of Lot 1, Whitney – Ross Subdivision
AO-I to R-3
The John & Eleanor Townsend Family Trust**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located along the west side of Taylor Road between Summer Breeze Ave. and East 20th Street.

SURROUNDING ZONES: N: R-1 – Single Family Residential
E: City of McAllen
W: R-1 – Single Family Residential
S: AO-I – Agricultural Open Interim

EXISTING LAND USES: N: Single Family Residential
E: City of McAllen
W: Single Family Residential
S: Single Family Residential
Site: Single Family Residential

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: Although the FLUM designation at this time is LD, staff notes that it serves as a guide for development only. On 01/25/2016, a public hearing was held to solicit input in favor or against a proposed senior's only, private and gated R-3 development. Several people spoke in favor of the development and the City Council voted to approve Resolution #1430 in favor of the development. Staff notes the FLUM can be amended to reflect the R-3 use. It is noted that although our recommendation is for approval, P&Z can make its own recommendation to the City Council taking into account comments in favor or against the request.

RECOMMENDATION: Approval.

Chairman Sheats asked if the applicant or representative were present.

Mr. Jett Brown who is with Brownstone Affordable Housing stated that his address was 106 Elkington Loop in Laredo, Texas 78405. He added that also present was Kelley Heller-Vela from Melden & Hunt who is the civil engineer who is working with them on this particular development. Mr. Brown stated that they were requesting for a zone change approval for a development of 112 units of senior only housing, which would be gated. He added that as mentioned this was something that was brought before to the City Council for a resolution of support. Mr. Brown stated that they also had the support from the State Representative. Mr. Brown went over a power point presentation see Exhibit "A".

Chairman Sheats asked how administratively they plan to enforce the 55+ only in the future.

Mr. Brown stated that this goes through underwriting with TDHCA as proposed 55 and older and there is a compliance period they are also audit regularly. He added that there is a management company that is hired which is a third party and they are experts in

making sure that everybody meets all the qualifications and they also do background checks. Mr. Brown stated that they use a UIH Management Company out of Dallas that manages over 30 developments for them.

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. Ms. Diana Izaguirre moved to approve the rezoning as per staff's recommendations. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:10 p.m.

Ended: 5:26 p.m.

Item #1.2

Conditional Use Permit:

**Restaurant on property zoned C-2
1233 E. Griffin Parkway
Lot 1, & the S. 25' of Lot 2, Block 1,
Bel-Aire Heights Subdivision
C-2
Laura & Lupe Gonzalez**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located on the NW corner of Orange Drive and Griffin Parkway. A CUP for was approved by P&Z on November 19, 2014 for a restaurant on property zoned C-2. The owner has been in operation for almost 1 year now and requires restaurant proposal to be considered again. Based on Sec. 1.42(3)(e) of the Zoning Code, restaurants require a CUP proposed in a Neighborhood Commercial Zone (C-2).

- **Hours of Operation:** Tuesday – Saturday from 7a.m. to 9p.m., Sunday 9a.m. to 3p.m., Closed Mondays.
- **Staff:** 4
- **Parking:** The restaurant and lease spaces on site require a total of 37 parking spaces. The applicant is proposing only 30 spaces. Lacking 7 spaces. However, an agreement is in place with the law firm just east of the site at the NE corner of Orange St. and Griffin Parkway.

REVIEW COMMENTS: This restaurant has been in operation for almost 1 year now and the only issue continues to be parking. However, as mentioned in this write up, the applicant has addressed these concerns via a parking agreement with law firm just west. If approved, staff will continue to monitor parking at this location.

RECOMMENDATION: Staff recommends approval for 3 years.

Chairman Sheats asked if staff had obtained a copy of the lease agreement for the parking area.

Mr. Daniel Tijerina stated that he had the opportunity to talk to the attorney Mr. Carlos Garcia and he sent him an email confirming that Mr. & Mrs. Gonzalez were leasing the parking area from him.

Chairman Sheats asked if the applicant or representative were present.

Mrs. Laura Gonzalez stated that she was the owner of the Loretto Bistro and was present to address any questions from the Board.

Chairman Sheats asked Mrs. Gonzalez if she was receptive to staff's recommendations.

Mrs. Gonzalez replied, "Yes"

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

Mr. Francisco & Mrs. Carmen Martinez stated that they were not against the request but they owned the property adjoining the restaurant and they had a big issue with the customers parking in the alley. They added that they use their driveway to turn around to exit and sometimes they even park in their driveway to go to the restaurant. Mr. Martinez stated that they would like for them to work on something so that their customers won't park or block their driveway.

Chairman Sheats stated that then the issue was not that they are parking in the alley but using his driveway to exit out of the alley.

Mrs. Martinez stated that there is extreme traffic most of the time and their customers use the parking in the alley and when they don't find a space they park in her driveway thinking nobody is home since her car is in the garage most of the time.

Chairman Sheats asked staff if according to the number of seating spaces are they in compliance with the parking.

Mr. Tijerina replied "Yes".

Mr. Acevedo suggested that maybe they could put up some signs.

Mr. Tijerina stated that there were some signs up on Orange Drive and in the alley. He added that our City Engineer J.P. Terrazas, Public Works Director Roberto Salinas and our City Manager Martin Garza had already visited the site and they were considering paving the alley complete to help alleviate the parking issue.

Chairman Sheats suggested that maybe Mrs. Gonzalez could put up some signs inside the restaurant that say "No Parking in the Alley".

Mrs. Martinez stated that it has gotten to the point that she has to chain up her driveway.

Chairman Sheats stated that staff will work on something so that she doesn't have to chain her driveway anymore.

Mrs. Martinez stated that when they have many customers they have sewer problems that need to be considered. Mr. Martinez stated that they owned a property in McAllen that had the same problem and it turned out to be that it was the City's fault because it was the City's sewer that was backed up.

Chairman Sheats stated that they would need to get Public Works to look into this.

Mrs. Marisela Marin asked the applicant how they plan to resolve or help stop the problem.

Mrs. Gonzalez stated that they have complied with all the City's requirements and they try to be friendly neighbors but this was the first time they heard about any sewer problems. She mentioned that they would have someone look into this. She added that as far as the signs inside the restaurants she would put them up and also alert the servers to advise customers to park in Mr. Garcia's parking area.

There being no further discussion, Chairman Sheats entertained a motion. Ms. Diana Izaguirre moved to approve the conditional use permit for 1 year. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:26 p.m.

Ended: 5:29 p.m.

Item #1.3

Conditional Use Permit:

T-Rey's Drive-Thru Convenience Store

2502 W. Business 83

Lots 131 & 132, Ala Blanca #4 Subdivision

C-3

Reynaldo Diaz

Mr. Jaime Acevedo went over the write-up stating that the subject site is located on the NW corner of Paisano St. and Business Hwy 83. The drive thru convenience store was most recently approved on 9-10-2014 for a period of 1 year. Access to the drive-thru is from Paisano St. and exits out to Business 83.

- **Days / Hours of operation:** Mon. – Sun. 7:00a.m. to 11:00p.m.
- **Staff:** 9
- **Parking:** A total of 23 parking spaces are needed for the convenience store/drive-thru and the Laundromat. There are currently 21 spaces on site and the owner of T-Rey's owns and currently utilizes the property on the NE corner of Paisano St. and Business 83 for surplus T-Rey parking.
- **Landscaping:** During the last approval, Staff required additional landscaping to be installed on the site to help beautify the area. The applicant has since installed the plants required along Business 83.

REVIEW COMMENTS: During the approval on 9-10-14, the P&Z required the removal/relocation of a food cart and picnic tables. Upon a site inspection of the business, the food cart and picnic tables have been removed.

RECOMMENDATION: Staff recommends approval of the CUP for life of use subject to the CUP not being transferable to others.

Chairman Sheats asked if the applicant or representative were present.

Mr. Reynaldo Diaz whose address is 2502 W. Business 83 was present to address any questions from the Board.

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

Mr. Diaz replied "Yes".

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. Mr. Mario Garza moved to approve the conditional use permit as per staff's recommendations. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:29 p.m.

Ended: 5:31 p.m.

Item #1.4

**Conditional Use Permit: Portable Building – Sale of Water
2301 Gold Avenue
Lot 97, Chaparral Heights Subdivision
C-2
Gilberto Espinoza (Watermill Express)**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located on the NW corner of Gold Avenue and Griffin Parkway. The Watermill Express currently has an existing self-sustained, fully automated, "Watermill Express" (8' diameter hexagon structure) for the sale of purified water. This conditional use permit was last approved by the P&Z on June 11, 2014 at which time the applicant proposed to upgrade/update the existing structure with a new building.

- **Hours of operation:** Everyday – 24 hours a day.
- **Staff:** Watermill technicians conduct service inspection on a daily basis to ensure that the water dispensing unit is clean and functioning properly.
- **Parking:** Watermills usually do not have designated parking. Customers usually park adjacent to the water dispensing unit and wait. There is an existing 67' x 60'

concrete area for the maneuvering of vehicles currently on the site. Staff has not received any complaints in regards to the parking of the existing Watermill Express.

REVIEW COMMENTS: The Watermill upgrades were completed and the building continues to operate without any concerns or complaints. Landscaping to the site was also improved as previously requested by staff.

RECOMMENDATION: Staff recommends approval for life of use and CUP not being transferable to others.

Chairman Sheats asked if the applicant or representative were present.

Mr. Gilberto Espinoza who resides at 1309 Jasmine was present to address any questions from the Board.

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

Mr. Espinoza replied, "Yes".

Chairman Sheats thanked Mr. Espinoza for keeping up with the maintenance and keeping it nice.

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

There was none.

There being no 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 passed unanimously.

Started: 5:31 p.m.

Ended: 5:35 p.m.

Item #1.5

Conditional Use Permit:

**The Complimentary Offering of Alcoholic
Beverages for On-Site Consumption for a
Social and/or Cultural Event
921 E. 12th Street
Lot 1, Mission Library Subdivision
R-2
Maxilou Link/Upper Valley Art League**

Mr. Jaime Acevedo went over the write-up stating that site is located on the NE corner of Kika de la Garza and 12th Street. The aerial reflects the common parking spaces that serve the facility. Ordinance #3436 permits civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks will be offered (not sold) during a social/cultural event. The conditional use permit was last approved on 4-22-15, P&Z

voted to approve a request by the UVAL for the offering of alcoholic beverages for 1 year. UVAL is now requesting a renewal for another year that would allow the serving of complimentary alcoholic beverages during Art events for the 2016 calendar year. All the events are scheduled from 7:00 p.m. to 9:00 p.m.

REVIEW COMMENTS: It appears that the 2015 social events occurred with no incidents. UVAL firmly attests that they are very watchful of how much the patrons are responsibly served, and intend to have continued vigilance at their social exhibit events.

RECOMMENDATION: Staff recommends approval of year 2016.

Chairman Sheats asked if the applicant or representative were present.

Mrs. Maxilou Link stated they will only serve donated wine since they are a non-profit organization. She added that she was been with the UVAL for about 10 years and she had not seen anybody from the Board present at any of the events. She invited the Board Members to attend any of the events that were on the second Saturday of every month from 7 to 9 p.m. and they could come and take part of the buffet and wine free of charge and mingle with the artists.

There being none.

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. Mr. Carlos Lopez moved to approve the conditional use permit as per staff's recommendations. Mr. Mario Garza seconded the motion. Upon a vote, the motion was approved unanimously.

Started: 5:35 p.m.

Ended: 5:38 p.m.

Item #1.6

Conditional Use Permit:

**Sale & On-Site Consumption of Alcoholic
Beverages – Asadero Los Cabritos Restaurant
1512 E. Expressway 83, Ste. 104
Lot 3, Stewart Plaza Subdivision
C-3
Asadero Los Cabritos Restaurant**

Mr. Jaime Acevedo went over the write-up stating that the site is located on the SW corner of Stewart Road and Expressway 83. There is a commercial plaza located on the site which has multiple suites including the applicants 2,800 sq. ft. restaurant. The applicant operated a Mexican Restaurant with the sale and on-site consumption of alcohol at this location. There is no 'bar' component in the restaurant. Access to the site is from a 40'

driveway entrance off of Expressway 83. There are no churches or public/private schools within 300' of the subject site, thus being compliant to Section 6-4.

- **Hours of Operation:** Every day from 8a.m. to 12:00 a.m.
- **Staff:** 6 employees
- **Parking:** In viewing the floor plan, the suite has 94 seats, which requires 31 parking spaces (94 seats/ 3= 31.3 spaces). It is noted that the parking area is held in common (219 existing parking spaces) and is shared with other businesses.

REVIEW COMMENTS: This proposed CUP is for a family oriented restaurant due to the hours of operation and the menu. It has been over 1 year since this business has been in operation. Since its opening, Staff has not received any complaints in regards to the business.

RECOMMENDATION: Staff recommends approval for 3 years subject to the sale of alcohol till 12 midnight and waiver of the 300' separation requirements.

Chairman Sheats asked if the applicant or representative were present.

Mrs. Anabel Ramirez who resides at 9216 N. 10th Street in McAllen was present to address any questions from the Board.

Chairman Sheats asked Mrs. Ramirez if she was receptive to staff's recommendations.

Mrs. Ramirez replied, "Yes".

Chairman Sheats stated that the alcohol sales should be less than 51%.

Mrs. Ramirez stated that it was way less and everybody that goes to the restaurant goes to eat.

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. Mr. John Guerra seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:38 p.m.

Ended: 5:40 p.m.

Item #1.7

**Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Catholic War Veterans
901 N. Slabaugh Ave. (aka 500 W. Business Highway 83)
Lots 7-10, Block 150, Mission Original Townsite**

C-4
Robert Garza/Catholic War Veterans

Mr. Jaime Acevedo went over the write-up stating that this CUP was recently renewed by P&Z on 1-9-13. The 4,800' sq. ft. lounge is located on the NW corner of Business 83 and Slabaugh Ave.

- **Hour of Operation:** Monday - Friday from 4p.m. to 12a.m. and Saturdays from 6p.m. to 12a.m.
- **Parking and Landscaping:** There is sufficient parking, existing landscaping, and existing sidewalks.
- **Sale of Alcohol:** Section 1.56-3 cites that 'lounges' must be 300' from the nearest residence, church, school or publicly owned property. The City of Mission's main Fire Station is located within 300' of the CWV, however, P&Z and the Council waived this separation requirement in the CUP's original approval in 2003.

REVIEW COMMENTS: There have been no complaints forwarded to the Planning Department in regards to the sale and on-site consumption of alcohol.

RECOMMENDATION: Staff recommends approval subject to:

1. Waive the 300' separation requirement as done in the previous CUP;
2. A 3 year re-evaluation in order to continue to assess this operation; and
3. Sale of alcohol till 12 midnight.

Chairman Sheats asked if the applicant or representative were present.

Mr. Roberto Garza who resides at 2004 Royal Palm Drive was present to address any questions from the Board.

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

Mr. 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. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:40 p.m.

Ended: 5:56 p.m.

Item #1.8

Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Areli's Celebration Hall

**1905 W. Griffin Parkway
Lots 1-4, Southern Oaks Ph. I Subdivision
C-3
Daisy A. Vela**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located 500' west of Inspiration Road along the south side of Griffin Parkway. There is a portion of an existing 7,200 sq. ft. building that is currently being used as a Banquet/Party Hall for such activities as weddings, reunions, birthday parties, seminars, etc. On June 11, 2014 the P&Z voted to approve a CUP for the sale of alcohol at this location. The applicant has operated for 1 year now without any complaints or incidents reported.

- **Hours of Operation:** Friday & Sunday from 6 pm to 12 am, and Saturday from 6 pm to 1 am
- **Staff:** 10-15 employees depending on size of event
- **Parking:** In viewing the floor plan there are 16 tables being proposed. Assuming that 10 seats are proposed per table, 53 parking spaces are required for the hall (160/3 seats = 53.3). There are a total of 114 parking spaces held in common at this development. Since activities are proposed to be held at later hours and only on weekends, when most businesses at this development should be closed, Staff does not believe that there will be any complaints regarding the number of parking. However, Staff has noted that lighting in the parking lot continues to be an issue. There is only one wall pack light down casting onto the 114 parking spaces. Since this business operates primarily at night, Staff is highly recommending the installation of parking lot lighting in order to avoid any incidents.
- **Landscaping and Sidewalks:** During the an approval of a similar CUP for this site back on 4-15-09, P&Z required 4 shades trees and the installation of sidewalks along Griffin Parkway, however they were not installed. Since this has been an on-going problem at this particular site and the previous applicant, Mr. Gonzalo Arevalo, is still the same owner of the building, Staff is recommending that these items be installed/escrowed prior to further processing of this CUP. The landscaping must also be irrigated and maintained as required by our landscaping ordinance.

REVIEW COMMENTS: For the most part this proposal should not be a major concern, since this site has been used as a dancehall for several years without incident.

RECOMMENDATION: Staff recommends approval subject to compliance with landscaping requirements, installation of at least 1 more parking light, alcohol sales to end at 12 am midnight (even on Saturdays), and re-evaluation in 1 year to assess that requirements are addressed.

Chairman Sheats asked if the applicant or representative were present.

Mr. Eduardo Martinez who resides at 509 S. Resplandor was present to address any questions from the Board.

Chairman Sheats stated that he had the opportunity to go out there and there are a lot of promises that have been made and they have not complied with so something needs to get done.

Mr. Tijerina stated that the applicant has been leasing the building and because of all the problems he is having with his landlord he purchased some property to do his own building. He mentioned that the applicant has done some improvements to the place.

Chairman Sheats asked what type of improvements.

Mr. Tijerina stated that he had planted some palm trees and placed some lights on the building.

Chairman Sheats suggested that they table the item so that he could get all the issues resolved before it goes to the City Council because promises to comply were made and staff failed to verify that he did comply with. He asked if this item could be placed on the April 13th Agenda to give him time to comply.

Mr. Tijerina stated that they could either table the item, or approve it for 1 year.

Chairman Sheats stated that all he was requesting was for a reasonable time to have Mr. Martinez do what he has promised. He added that he didn't want to put him out of business all he wants is for him to have a safe place for him and his customers.

Mr. Tijerina asked Mr. Martinez about how much time would he need to finish up the new location.

Mr. Martinez stated that he would need about 2 months. He added that he was tired of people saying if they want something nice they have to go to McAllen or the Corinthians which was on the other side of Conway. Mr. Martinez stated that he lives here in Mission and wants to keep his business in Mission therefore everything he has put into this location has been out of his pocket because Mr. Arrevalo which is the landlord doesn't want to comply. He stated that he had been in this location for 1 year and the progress that he has done in that year is way more than what Mr. Arrevalo did in the last 5 or 10 years. Mr. Martinez stated that he still has contracts up to 2018 for this location so he needs to comply with all the requirements. He added that he just ordered 22 palm trees that would be throughout the whole plaza because those are the only trees that could be put on the drain ditch because there is no other place where they could be put and he will be adding more light to the building.

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. Mrs. Marisela Marin moved to approve the conditional use permit subject to a 6 month re-evaluation. Ms. Diana Izaguirre seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:57 p.m.

Ended: 6:02 p.m.

Item #2.0

**Homestead Exemption Variance: The North 3.48 acres, more or less, of the
South 18.48 acres, more or less, of Lot 272,
John H. Shary Subdivision
2815 N. Glasscock Road
AO-I
Rodolfo & Diana Garcia**

Mr. Jaime Acevedo went over the write-up stating that the subject site is located along the east side of Glasscock Road about ½ north of Griffin Parkway (F.M. 495). The lot measures 114.84' x 1320' which equals to 151,588 sq. ft. or 3.48 Acres. 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 Glasscock Road to provide water service to the lot.

SEWER – The applicant is proposing to connect to existing 8" sanitary sewer line that loops around the subject site. The capital sewer recovery fee is waived via the HVE.

STREETS & STORM DRAINAGE - The subject site has frontage to Glasscock Road, which has an 80' ROW with a 65' B/B paved street. The applicant must provide an addition 20' of ROW for the widening of Glasscock Road.

OTHER COMMENTS:

- Must comply with Model Subdivision Rules;
- Must dedicate water rights;
- The street light requirement 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 the applicant or representative were present.

Mr. Rodolfo Garcia who resides at 2815 N. Glasscock Road was present to address any questions from the Board.

Chairman Sheats asked if they needed to rezone the property.

Mr. Acevedo stated that they could rezone in the future to residential but it was not a requirement in order to qualify for a homestead exemption variance.

Mr. Tijerina stated that the property could be rezoned.

Mr. Rodolfo Garcia stated that he has been there for 28 years.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Mario Garza moved to approve the homestead exemption variance as per staff's recommendations. Mr. John Guerra seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM #3.0
OTHER BUSINESS**

**ITEM #4.0
ADJOURNMENT**

There being no further items for discussion, Mr. John Guerra moved to adjourn the meeting. Mr. Mario Garza seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:03 p.m.

Ned Sheats, Chairman
Planning and Zoning Commission