

THE STATE OF TEXAS §
CITY OF BROWNSVILLE §
COUNTY OF CAMERON §

MINUTES of a **Regular Meeting** of the Planning and Zoning Commission of the City of Brownsville, Texas, held in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Old Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on **Thursday, January 4, 2018 at 5:30 P.M.** with the following members present:

PRESENT:

RONALD MILLS
MYLES R. GARZA
DEREK BENAVIDES
TROY WHITTEMORE
MICHAEL REYES
ANA HERNANDEZ
ALLISON BASTIAN
FRANCESCA LINDER
OMAR OCHOA
MARTIN VEGA
ERIKA ESPINOZA

CHAIRMAN
VICE-CHAIR
SECRETARY
COMMISSIONER
COMMISSIONER
ASSISTANT DIRECTOR
ASSISTANT CITY ATTORNEY
ZONING & PLAT ADMINISTRATOR
PLANS EXAMINER SUPERVISOR
PLANNER 1
ADMINISTRATIVE SPECIALIST II

ABSENT:

FRANCISCO OROZCO

A quorum being present, Chairman Ronald Mills, asked Ms. Erika Espinoza, Administrative Specialist II, to read the call to consider the following matters as posted and filed for the record in the Planning & Development Services Department on January 4, 2018.

REGULAR MEETING: 5:30 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Ronald Mills

PUBLIC HEARINGS:

1. **Public Hearing and Action:** Central Park Community Subdivision, Master Plan

Ms. Francesca Linder, Zoning & Plat Administrator stated that staff finds Central Park Community Subdivision, Master Plan incomplete.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes was found **incomplete and carried unanimously.**

2. Public Hearing and Action: Sandalwood Estates, Master Plan

Ms. Francesca Linder, Zoning & Plat Administrator stated that staff finds Sandalwood Estates, Master Plan incomplete.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes was found **incomplete and carried unanimously**.

3. Public Hearing and Action: Central Park Community Subdivision, Phase I, Final Plat

Ms. Francesca Linder, Zoning & Plat Administrator stated that staff finds Central Park Community Subdivision, Phase I, Final Plat incomplete.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes was found **incomplete and carried unanimously**.

4. Public Hearing and Action: Sandalwood Estates, Phase I, Final Plat

Ms. Francesca Linder, Zoning & Plat Administrator stated that staff finds Sandalwood Estates, Phase I, Final Plat incomplete.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes was found **incomplete and carried unanimously**.

5. Public Hearing and Action: Sunlight Subdivision, Final Plat

Ms. Francesca Linder, Zoning & Plat Administrator stated that staff finds Sunlight Subdivision, Final Plat incomplete.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes was found **incomplete and carried unanimously**.

6. Public Hearing and Action: El Naranjal Subdivision Section VIII, Final Plat

Ms. Francesca Linder, Zoning & Plat Administrator stated that staff finds El Naranjal Subdivision Section VIII, Final Plat incomplete.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes was found **incomplete and carried unanimously**.

7. Public Hearing and Action: Villas at Santander Subdivision, Final Plat

Ms. Francesca Linder, Zoning & Plat Administrator stated that staff finds Villas at Santander Subdivision, Final Plat incomplete.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes was found **incomplete and carried unanimously**.

8. Public Hearing and Action: Santander Subdivision, Phase III, Final Plat

Ms. Francesca Linder, Zoning & Plat Administrator stated that staff finds Santander Subdivision, Phase III, Final Plat incomplete.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes was found **incomplete and carried unanimously**.

9. **Public Hearing and Action on Ordinance Number 235-2017-074-S:** To allow a granite business, a Light Industrial (7C) use, in Medium Retail "G" (3CG) for the South ½ of the Northeast ¼ Block 5, Olmito Gardens Subdivision NO. 1, located at 9817 FM 803, Los Fresnos, Texas 78566.

Case was removed from agenda as per applicant request.

10. **Public Hearing and Action on Ordinance Number 235-2017-076:** To rezone from Apartment "G" (AG) to Apartment "H" (AH) for Lot 3, Block 166-A, Stillman's Extension to the City of Brownsville, Cameron County, Texas, located at 925 W. Elizabeth Street, Brownsville, Texas 78520.

Ms. Francesca Linder, Zoning & Plat Administrator delivered a brief explanation of the ordinance, noting that the staff does not support the applicant's request.

Upon motion by Commissioner Myles Garza, seconded by Commissioner Derek Benavidez and **carried unanimously**, the public hearing was **closed**.

Commissioner Myles Garza moved that Ordinance Number 235-2017-076, be **denied** to rezone from Apartment "G" (AG) to Apartment "H" (AH) for Lot 3, Block 166-A, Stillman's Extension to the City of Brownsville, Cameron County, Texas, located at 925 W. Elizabeth Street, Brownsville, Texas 78520. The motion was seconded by Commissioner Derek Benavides and **carried unanimously**.

11. **Public Hearing and Action on Ordinance Number 235-2017-077-S:** To allow apartments, an Apartment (A) use, in Dwelling "G" (DG) for Lot 10, Block 6, Ridgeline Terrace, Section I, located at 1491 Northridge Drive, Brownsville, Texas 78526.

Ms. Francesca Linder, Zoning & Plat Administrator delivered a brief explanation of the ordinance, noting that the staff does support the applicant's request.

Mr. Pablo Gonzalez (Neighbor) expressed his concern that their property taxes are going to increase.

Mr. Genaro Mercado (Applicant) began by giving a brief explanation about his project. He concluded by stating that before he even bought the property he consulted with the corresponding city departments in order to ensure that he conformed with all rules and regulations.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Derek Benavides and **carried unanimously**, the public hearing was **closed**.

Commissioner Derek Benavidez moved that Ordinance Number 235-2017-077-S, be **denied** to allow apartments, an Apartment (A) use, in Dwelling “G” (DG) for Lot 10, Block 6, Ridgeline Terrace, Section I, located at 1491 Northridge Drive, Brownsville, Texas 78526. The motion was seconded by Commissioner Myles Garza. Commissioners Ronald Mills, Myles Garza, Michael Reyes, and Derek Benavides ayed the motion. Commissioner Troy Whittemore nayed the motion.

12. **Public Hearing and Action on Ordinance Number 235-2017-078:** To rezone from Dwelling “Z” (DZ) to Apartment “G” (AG) for Lots 3 & 4, Block 1, Jean Subdivision, located near Alton Gloor Boulevard, Brownsville, Texas 78520.

Ms. Francesca Linder, Zoning & Plat Administrator delivered a brief explanation of the ordinance, noting that the staff does support the applicant’s request.

Dennis Sanchez (Representative) began by giving a brief explanation of the project, noting that the ingress and egress to the apartment complex would be to Alton Gloor Boulevard, therefore, traffic flow on Tandy Road would not be affected by the development.

Mark Esparza (Neighbor) expressed his opposition by stating his primary concern, heavy traffic and the dangers that come with it. Mr. Esparza ended his remarks by stating that he had not received notification from the City of Brownsville regarding the zoning change, and asked how a written opposition could be submitted.

Ms. Francesca Linder, Zoning & Plat Administrator, then explained the process by which the public notices are sent out and who receives them. She also gave a brief explanation of how written oppositions can be submitted to the City Secretary Office.

Albert Treviño (Neighbor) expressed his opposition by stating his primary concern, that this development would be detrimental to the adjacent subdivisions’ harmony and tranquility. Mr. Treviño added that he had concerns about increased traffic.

Fernando Cisneros (Neighbor) expressed his opposition by stating his primary concern, that this new development would lower his property’s value. He finished his remarks by stating his concerns about traffic and his family’s safety.

Upon motion by Commissioner Derek Benavides, seconded by Commissioner Troy Whittemore and **carried unanimously**, the public hearing was **closed**.

Commissioner Myles Garza moved that Ordinance Number 235-2017-078, be **approved** to rezone from Dwelling “Z” (DZ) to Apartment “G” (AG) for Lots 3 & 4, Block 1, Jean Subdivision, located near Alton Gloor Boulevard, Brownsville, Texas 78520. The motion was seconded by Commissioner Troy Whittemore. Commissioners Ronald Mills, Troy Whittemore, Myles Garza, and Derek Benavides ayed the motion. Commissioner Michael Reyes nayed the motion.

13. **Public Hearing and Action on Ordinance Number 235-2017-079:** To rezone from Medium Retail “G” (3CG) to General Retail “G” (4CG) for Lot 3, Las Palmas Condominiums, located near Price Road, Brownsville, Texas 78521.

Ms. Francesca Linder, Zoning & Plat Administrator, delivered a brief explanation of the ordinance, noting that the staff does support the applicant’s request.

Upon motion by Commissioner Derek Benavides, seconded by Commissioner Troy Whittemore and **carried unanimously**, the public hearing was **closed**.

Commissioner Troy Whittemore moved that Ordinance Number 235-2017-079, be **approved** to rezone from Medium Retail "G" (3CG) to General Retail "G" (4CG) for Lot 3, Las Palmas Condominiums, located near Price Road, Brownsville, Texas 78521. The motion was seconded by Commissioner Michael Reyes and **carried unanimously**.

14. **Public Hearing and Action on Ordinance Number 235-2017-079-S:** To allow apartments, an Apartment (A) use, in General Retail "G" (4CG) for Lot 3, Las Palmas Condominiums, located near Price Road, Brownsville, Texas 78521.

Ms. Francesca Linder, Zoning & Plat Administrator, delivered a brief explanation of the ordinance, noting that the staff does support the applicant's request.

Mr. Juan Ramos (Representative) stepped up to the podium to give a brief description of the development that his client is proposing.

Upon motion by Commissioner David Benavides, seconded by Commissioner Troy Whittemore and **carried unanimously**, the public hearing was **closed**.

Commissioner Troy Whittemore moved that Ordinance Number 235-2017-079-S, be **approved** to allow apartments, an Apartment (A) use, in General Retail "G" (4CG) for Lot 3, Las Palmas Condominiums, located near Price Road, Brownsville, Texas 78521. The motion was seconded by Commissioner Michael Reyes and **carried unanimously**.

15. **Public Hearing and Action on Ordinance Number 235-2017-080:** To rezone from Apartment "F" (AF) to Apartment "H" (AH) for Lot 2, Block 1, Hutton Subdivision, located near Lourdes Boulevard, Brownsville, Texas 78521.

Ms. Francesca Linder, Zoning & Plat Administrator, delivered a brief explanation of the ordinance, noting that the staff does support the applicant's request with a Conditional Overlay (CO) for a landscape screen between the subject property and abutting single family dwellings.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes and **carried unanimously**, the public hearing was **closed**.

Commissioner Derek Benavides moved that Ordinance Number 235-2017-080, be **denied** to rezone from Apartment "F" (AF) to Apartment "H" (AH) for Lot 2, Block 1, Hutton Subdivision, located near Lourdes Boulevard, Brownsville, Texas 78521. The motion was seconded by Commissioner Myles Garza and **carried unanimously**.

16. **Public Hearing and Action:** To appeal the Historic Preservation and Design Review Board denial of a Certificate of Appropriateness for building a new house at 214 E. Washington Street.

Ms. Francesca Linder, Zoning & Plat Administrator, delivered a brief explanation of the Certificate of Appropriateness approval process.

Mr. Juan Velez, Historic Preservation Officer, described why the Historic Preservation Design and Review Board (HPDRB) denied the applicant's proposal to build a four unit apartment house on the subject property.

Mr. Moises Molina, (Representative) gave a detailed description of the property and proposed apartments. He stated that prior to initializing the project they consulted with the HPDRB and corresponding departments to ensure that all matters would be handled correctly. He also stated that the development complies with regulations and design standards.

Ms. Leticia Castañeda, (Owner) gave a brief description the project. She continued by stating that she supports the preservation of the downtown historic area and that she has abided as much as she can with all regulations and related matters.

Francesca Linder, Zoning & Plat Administrator, stated that the proposed project meets zoning requirements and that the Certificate of Appropriateness is a separate requirement.

Upon motion by Commissioner Troy Whittemore, seconded by Commissioner Michael Reyes and carried **unanimously**, the public hearing was closed.

Commissioner Troy Whittemore moved that the Certificate of Appropriateness for 214 East Washington Street, be **approved** to allow the building of a new house at 214 East Washington Street, Brownsville, Texas 78520. The motion was seconded by Commissioner Michael Reyes and carried **unanimously**.

ADJOURNMENT:

There being no further business to come before the Commission, upon duly made motion, the meeting adjourned at 7:06 p.m.

Approved this 1st day of February, 2018.



Ronald Mills
Chairman

Attest 

Erika Espinoza
Administrative Specialist II

Respectfully submitted by:
Martin Vega, Planner I
Planning and Development Services Department