

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 7, 2016 at 5:30 P.M. with the following members present:

- |                  |   |                              |
|------------------|---|------------------------------|
| TROY WHITTEMORE  | ) | CHAIRMAN                     |
| JOSE DE LA GARZA | ) | VICE-CHAIR                   |
| MYLES R. GARZA   | ) | SECRETARY                    |
| DEREK BENAVIDES  | ) | COMMISSIONER                 |
| RONALD MILLS     | ) | COMMISSIONER                 |
| MICHAEL REYES    | ) | COMMISSIONER                 |
| FRANCISCO OROZCO | ) | COMMISSIONER                 |
| VICTOR ALVAREZ   | ) | ETJ COMMISSIONER             |
| CONSTANZA MINER  |   | INTERIM PLANNING DIRECTOR    |
| RAMIRO GONZALEZ  |   | ASSIST. PLANNING DIRECTOR    |
| MONIQUE MERCADO  |   | PLANNER I                    |
| MARK SOSSI       |   | CITY ATTORNEY                |
| ERIKA ESPINOZA   |   | ADMINISTRATIVE SPECIALIST II |
| ABSENT:          |   | NONE                         |

A quorum being present, Chairman Troy Whittemore, 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 Office of the Planning Department on January 7, 2016.

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**REGULAR MEETING: 5:30 P.M.**

***PLEDGE OF ALLEGIANCE:***

The Pledge of Allegiance was led by Chairman Troy Whittemore.

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***PUBLIC HEARINGS:***

1. **Public Hearing and Action on Appeal** to reverse denial of demolition permit for 805 E. Tyler

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation to reverse the denial of demolition permit for 805 E. Tyler by the Historic Preservation and Design Review Board (HPDRB).

Ms. Rene Sanchez and Mr. Trey Mendez are opposed to the demolition permit for 805 E. Tyler.

Mrs. Stephanie Reyes gave a brief explanation for the demolition of 805 E. Tyler.

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

Commissioner Jose de la Garza moved that the demolition permit for 805 E. Tyler by the Historic Preservation and Design Review Board (HPDRB) be **approved** for demolition. The motion was seconded by Commissioner Derek Benavides. Commissioners Troy Whittemore, Jose de la Garza, Ronald Mills, Michael Reyes, Myles Garza and Derek Benavides aye the motion to deny. Commissioner Francisco Orozco nay the motion.

**2. Public Hearing and Action to Approve: The Woodlands No. 2-A Subdivision**

Mr. Ramiro Gonzalez, Assistant Director of Operations, stated that The Woodlands No. 2-A Subdivision be **tabled** due to the applicant not being ready.

Commissioner Ronald Mills moved that The Woodlands No. 2-A Subdivision be **tabled**. The motion was seconded by Commissioner Myles Garza and carried unanimously.

**3. Public Hearing and Action to Approve: Hacienda West Subdivision Section VI**

Mr. Ramiro Gonzalez, Assistant Director of Operations, stated that Hacienda West Subdivision, Section VI Section be **tabled** due to the applicant not being ready.

Commissioner Ronald Mills moved that Hacienda West Subdivision, Section VI be **tabled**. The motion was seconded by Commissioner Myles Garza and carried unanimously.

**4. Public Hearing and Action on Ordinance Number 235-2015-041-S: to allow a Light Commercial "G" (5CG) in a Medium Retail (3CG) for Lot 1, Block 1 of C.R.V. Subdivision located at 675 N. Minnesota Avenue, Brownsville, Texas 78521.**

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

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

Commissioner Jose de la Garza moved that Ordinance Number 235-2015-041-S, be **approved** to allow a Light Commercial "G" (5CG) in a Medium Retail (3CG) for Lot 1, Block 1 of C.R.V. Subdivision located at 675 N. Minnesota Avenue, Brownsville, Texas 78521. The motion was seconded by Commissioner Derek Benavides and carried unanimously.

5. **Public Hearing and Action on Ordinance Number 235-2015-045:** to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) for 3.68 acres of Lot 1, Block 1 of Herebia Gardens Subdivision located at 10035 US Military Highway 281, Brownsville, Texas 78521.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Ronald Mills seconded by Commissioner Jose de la Garza and carried unanimously, the public hearing was closed.

Commissioner Ronald Mills moved that Ordinance Number 235-2015-045, be **approved** to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) for 3.68 acres of Lot 1, Block 1 of Herebia Gardens Subdivision located at 10035 US Military Highway 281, Brownsville, Texas 78521. The motion was seconded by Commissioner Derek Benavides and carried unanimously.

6. **Public Hearing and Action on Ordinance Number 235-2015-045-S:** to allow a Medium Commercial “G” (6CG) in a General Retail “G” (4CG) for 3.68 acres of Lot 1, Block 1 of Herebia Gardens Subdivision located at 10035 US Military Highway 281, Brownsville, Texas 78521.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Myles R. Garza seconded by Commissioner Ronald Mills and carried unanimously, the public hearing was closed.

Commissioner Jose de la Garza moved that Ordinance Number 235-2015-045, be **approved** to allow a Medium Commercial “G” (6CG) in a General Retail “G” (4CG) for 3.68 acres of Lot 1, Block 1 of Herebia Gardens Subdivision located at 10035 US Military Highway 281, Brownsville, Texas 78521. The motion was seconded by Commissioner Derek Benavides and carried unanimously.

7. **Public Hearing and Action on Ordinance Number 235-2015-046-S:** to allow a Mobile Home Park Type B Subdivision for 26.826 acres located on the West side of Indiana Avenue (FM 3068) between Dockberry Road and Southmost Road.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Ronald Mills seconded by Commissioner Myles R. Garza and carried unanimously, the public hearing was closed.

Commissioner Ronald Mills moved that Ordinance Number 235-2015-046-S, be **approved** to allow a Mobile Home Park Type B Subdivision for 26.826 acres located on the West side of Indiana Avenue (FM 3068) between Dockberry Road and Southmost Road. The motion was seconded by Commissioner Myles Garza and carried unanimously.

8. **Public Hearing and Action on Ordinance Number 235-2015-047:** to rezone from Apartment “H” (AH) to Light Retail “H” (2CH) for 1.84 acres for Block 34 of El Jardín Subdivision Share 19 located at 1661 Old Port Isabel Road, Brownsville, Texas 78521.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

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

Commissioner Derek Benavides moved that Ordinance Number 235-2015-047, be **approved** to rezone from Apartment "H" (AH) to Light Retail "H" (2CH) for 1.84 acres for Block 34 of El Jardín Subdivision Share 19 located at 1661 Old Port Isabel Road, Brownsville, Texas 78521. The motion was seconded by Commissioner Jose de la Garza and carried unanimously.

9. **Public Hearing and Action on Ordinance Number 235-2015-048:** to rezone from Apartment "G" (AG) to Apartment "H" (AH) for 1.14 acres of Lots 4 & 6 of Block 1 of Charmaine Subdivision located near Danubio CT and Sena Street.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Jose de la Garza seconded by Commissioner Derek Benavides and carried unanimously, the public hearing was **closed**.

Commissioner Jose de la Garza moved that Ordinance Number 235-2015-048, be **approved** to rezone from Apartment "G" (AG) to Apartment "H" (AH) for 1.14 acres of Lots 4 & 6 of Block 1 of Charmaine Subdivision located near Danubio Rio and Sena Street. The motion was seconded by Commissioner Myles Garza and carried unanimously.

10. **Public Hearing and Action on Ordinance Number 235-2015-050:** to rezone from Dwelling "Z" (DZ) to General Retail "G" (4CG) for 1.796 acres out of Lot 2, Block 1 of ABST 2-Machinery Plaza located near Expressway 77/83 and Carmen Avenue.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Ronald Mills seconded by Commissioner Jose de la Garza and carried unanimously, the public hearing was **closed**.

Commissioner Francisco Orozco moved that Ordinance Number 235-2015-050, be **approved** to rezone from Dwelling "Z" (DZ) to General Retail "G" (4CG) for 1.796 acres out of Lot 2, Block 1 of ABST 2-Machinery Plaza located near Expressway 77/83 and Carmen Avenue. The motion was seconded by Commissioner Ronald Mills and carried unanimously.

11. **Public Hearing and Action on Ordinance Number 235-2016-901:** to rezone from Light Industrial "J" (7CJ) and Dwelling "G" (DG) to Dwelling "A" (DA)  
Brownsville Country Club Subdivision Section 10 Block 1; Lots 1 thru 20  
Brownsville Country Club Subdivision Section 10 Block 2; Lots 1 thru 20  
Brownsville Country Club Subdivision Section 10 Block 3; Lots 1 thru 23  
Brownsville Country Club Subdivision Section 13 Block 1; Lots 1 thru 24  
Sportsplex Park Subdivision Block 1; Lot 1 located North ROW of FM 802 between N. Expressway 77/83 and Habana.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Jose de la Garza seconded by Commissioner Derek Benavides and carried unanimously, the public hearing was **closed**.

Commissioner Jose de la Garza moved that Ordinance Number 235-2016-901, be **approved** to rezone from Light Industrial "J" (7CJ) and Dwelling "G" (DG) to Dwelling "A" (DA)  
Brownsville Country Club Subdivision Section 10 Block 1; Lots 1 thru 20  
Brownsville Country Club Subdivision Section 10 Block 2; Lots 1 thru 20  
Brownsville Country Club Subdivision Section 10 Block 3; Lots 1 thru 23  
Brownsville Country Club Subdivision Section 13 Block 1; Lots 1 thru 24  
Sportsplex Park Subdivision Block 1; Lot 1 located North ROW of FM 802 between N. Expressway 77/83 and Habana. The motion was seconded by Commissioner Derek Benavides and carried unanimously.

12. **Public Hearing and Action on Ordinance Number 235-2016-902:** to rezone from Light Industrial "J" (7CJ) to Apartment "G" (AG)  
Sunrise Condominiums I Unit 101-A  
Sunrise Condominiums II Apt. A-101  
located North ROW of FM 802 between N. Expressway 77/83 and Habana.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Jose de la Garza seconded by Commissioner Francisco Orozco and carried unanimously, the public hearing was **closed**.

Commissioner Myles Garza moved that Ordinance Number 235-2016-902, be **approved** to rezone from Light Industrial "J" (7CJ) to Apartment "G" (AG)  
Sunrise Condominiums I Unit 101-A  
Sunrise Condominiums II Apt. A-101  
located North ROW of FM 802 between N. Expressway 77/83 and Habana. The motion was seconded by Commissioner Derek Benavides and carried unanimously.

13. **Public Hearing and Action on Ordinance Number 235-2016-903:** to rezone from Light Industrial "J" (7CJ) to General Retail "G" (4CG)  
Inter National Bank Plaza Subdivision Block 1; Lots 1 thru 4  
Dana Lake Subdivision Lots 1 thru 12  
Gamez Subdivision Block 1; Lot 1  
Brownsville Country Club Sec 1 Pt Blk. A-1 (01-9010-1000-0020-00)  
Espiritu Santo Grant Share 22 Palmer Tract 5.3AC (07-9800-1020-0252-00)  
Espiritu Santo Grant Share 22 John R Palmer TR 8.4AC Lake (07-9800-1020-0253-00)  
Brownsville Sunrise Park Blocks 1, 2; Lots 1, 2  
Brownsville River Valley Block 1; Lot 1  
Brownsville – PWR Subdivision Block 1; Lot 1, 2  
Brownsville – Jefferson Plaza V Block 1; Lot 1, 2  
Brownsville Janus Subdivision Block 1; Lot 1, 2  
Brownsville Sunrise Park located North ROW of FM 802 between N. Expressway 77/83 and Habana.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

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

Commissioner Jose de la Garza moved that Ordinance Number 235-2016-903, be **approved** to rezone from Light Industrial "J" (7CJ) to General Retail "G" (4CG)  
Inter National Bank Plaza Subdivision Block 1; Lots 1 thru 4  
Dana Lake Subdivision Lots 1 thru 12  
Gamez Subdivision Block 1; Lot 1  
Brownsville Country Club Sec 1 Pt Blk. A-1 (01-9010-1000-0020-00)  
Espiritu Santo Grant Share 22 Palmer Tract 5.3AC (07-9800-1020-0252-00)  
Espiritu Santo Grant Share 22 John R Palmer TR 8.4AC Lake (07-9800-1020-0253-00)  
Brownsville Sunrise Park Blocks 1, 2; Lots 1, 2  
Brownsville River Valley Block 1; Lot 1  
Brownsville – PWR Subdivision Block 1; Lot 1, 2  
Brownsville – Jefferson Plaza V Block 1; Lot 1, 2  
Brownsville Janus Subdivision Block 1; Lot 1, 2  
Brownsville Sunrise Park located North ROW of FM 802 between N. Expressway 77/83 and Habana. The motion was seconded by Commissioner Derek Benavides and carried unanimously.

- 14. Public Hearing and Action on Ordinance Number 235-2016-904:** to rezone from Light Industrial "J" (7CJ) to General Retail "G" (4CG) Sunrise Mall  
Northwest Bank Subdivision Block 1; Lot 1, 2  
Brownsville Martinez Exxon Block 1; Lot 2  
Sunrise Mall Subdivision Section 1 (06-9250-0000-0029-00)  
Sunrise Mall Subdivision Section 1 Cinema Theater (06-9250-0000-0020-05)  
Sunrise Commons Subdivision Block 2 Lot 4 (07-9807-0020-0041-00)  
Sunrise Commons Subdivision Block 2 PT Lot 4 (07-9807-0020-0040-00)  
located North of FM 802 between N. Expressway 77/83 and Habana.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Jose de la Garza seconded by Commissioner Myles Garza and carried unanimously, the public hearing was **closed**.

Commissioner Ronald Mills moved that Ordinance Number 235-2016-904, be **approved** to rezone from Light Industrial "J" (7CJ) to General Retail "G" (4CG) Sunrise Mall  
Norwest Bank Subdivision Block 1; Lot 1, 2  
Brownsville Martinez Exxon Block 1; Lot 2  
Sunrise Mall Subdivision Section 1 (06-9250-0000-0029-00)  
Sunrise Mall Subdivision Section 1 Cinema Theater (06-9250-0000-0020-05)  
Sunrise Commons Subdivision Block 2 Lot 4 (07-9807-0020-0041-00)  
Sunrise Commons Subdivision Block 2 PT Lot 4 (07-9807-0020-0040-00)  
located North of FM 802 between N. Expressway 77/83 and Habana. The motion was seconded by Commissioner Francisco Orozco and carried unanimously.

- 15. Public Hearing and Action on Ordinance Number 235-2016-905:** to rezone from Light Industrial “J” (7CJ) to General Retail “J” (4CJ)  
Lomas Del Bosque Subdivision Section 1 Block 4; Lots 92 thru 99  
located on the Southeast corner of Robindale Rd. and Jaime Zapata Ave.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

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

Commissioner Ronald Mills moved that Ordinance Number 235-2016-905, be **approved** to rezone from Light Industrial “J” (7CJ) to General Retail “J” (4CJ)  
Lomas Del Bosque Subdivision Section 1 Block 4; Lots 92 thru 99  
located on the Southeast corner of Robindale Rd. and Jaime Zapata Ave. The motion was seconded by Commissioner Michael Reyes and carried unanimously.

- 16. Public Hearing and Action on Ordinance Number 235-2016-906:** to rezone from Light Industrial “J” (7CJ) to Dwelling “G” (DG)  
Lomas Del Bosque Subdivision Section 1(ALL) Blocks 1 thru 4  
Lomas Del Bosque Subdivision Section 2 (ALL) Blocks 3 thru 4  
Robindale Estates Subdivision Section 1 (ALL) Block 1; Lots 1 thru 31  
Dan Gutierrez Subdivision (ALL) Blocks 1 thru 9  
El Jardín Subdivision SH 19/27 Block 113 González Elementary (02-7910-1131-0000-00)  
located on the Southwest & East corner of Robindale Rd. and Jaime Zapata Ave.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

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

Commissioner Jose de la Garza moved that Ordinance Number 235-2016-906, be **approved** to rezone from Light Industrial “J” (7CJ) to Dwelling “G” (DG)  
Lomas Del Bosque Subdivision Section 1(ALL) Blocks 1 thru 4  
Lomas Del Bosque Subdivision Section 2 (ALL) Blocks 3 thru 4  
Robindale Estates Subdivision Section 1 (ALL) Block 1; Lots 1 thru 31  
Dan Gutierrez Subdivision (ALL) Blocks 1 thru 9  
El Jardín Subdivision SH 19/27 Block 113 González Elementary (02-7910-1131-0000-00)  
located on the Southwest & East corner of Robindale Rd. and Jaime Zapata Ave. The motion was seconded by Commissioner Francisco Orozco and carried unanimously.

- 17. Public Hearing and Action on Ordinance Number 235-2016-907:** to rezone from Light Industrial “J” (7CJ) to General Retail “G” (4CG)  
El Jardín Subdivision SH 19/27 Block 115 (02-7910-1150-0500-00)  
El Jardín Subdivision SH 19/27 Block 113 (02-7910-1130-0000-00)  
El Jardín Subdivision SH 19/27 Block 113 (02-7910-1132-0000-00)  
located on the Southwest & East corner of Robindale Rd. and Jaime Zapata Ave.

Mr. Ramiro Gonzalez, Assistant Director of Operations, delivered a brief explanation of the ordinance, noting that the staff does support the applicants request for the proposed ordinance.

Upon motion by Commissioner Jose de la Garza seconded by Commissioner Myles Garza and carried unanimously, the public hearing was **closed**.

Commissioner Myles Garza moved that Ordinance Number 235-2016-907, be **approved** to rezone from Light Industrial "J" (7CJ) to General Retail "G" (4CG)  
El Jardín Subdivision SH 19/27 Block 115 (02-7910-1150-0500-00)  
El Jardín Subdivision SH 19/27 Block 113 (02-7910-1130-0000-00)  
El Jardín Subdivision SH 19/27 Block 113 (02-7910-1132-0000-00)  
located on the South West & East corner of Robindale Rd. and Jaime Zapata Ave. The motion was seconded by Commissioner Derek Benavides and carried unanimously.

**18. Public Hearing and Action on Ordinance Number 2016-1100.56:** An ordinance amending Ordinance Number 1100 by readopting the Heritage Plan.

Mr. Peter Goodman, Historic Director, and Mr. Roman McAllen, Historic Preservation Officer delivered a brief explanation of the ordinance, noting that the staff does support the amending of Ordinance Number 1100 by readopting the Heritage Plan.

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

Commissioner Francisco Orozco moved that Ordinance Number 2016-1100.56, be **approved** an ordinance amending Ordinance Number 1100 by readopting the Heritage Plan. The motion was seconded by Commissioner Jose de la Garza and carried unanimously.

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**ADJOURNMENT:**

There being no further business to come before the Commission, upon duly made motion, the meeting adjourned at 7:15 p.m.

Approved this 7<sup>th</sup> day of April, 2016.

  
Troy Whittemore  
Chairman

**Attest:**



**Erika Espinoza**  
**Administrative Specialist II**

*Respectfully submitted by:*  
*Erika Espinoza, Administrative Specialist II*  
*Office of the Planning & Zoning Department*