

**PLANNING AND ZONING COMMISSION
OCTOBER 7, 2026
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Diana Izaguirre
David Villarreal
Raquene! Austin
Steven Alaniz
Connie Garza
Kevin Sanchez

P&Z ABSENT

Irene Thompson

STAFF PRESENT

Gabriel Ramirez
Jessica Munoz
Xavier Cervantes
Alex Hernandez
Elisa Zurita

GUEST PRESENT

Christina De Mara
Horacio Gumbel
Robert Kirby
Jeronimo Villalobos
Gerardo Zamora
Raul C. Santiago
Antonio Hueila
Diana Castilleja

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:30 p.m.

DISCLOSURE OF CONFLICT OF INTEREST

There was none.

CITIZENS PARTICIPATION

There was none.

APPROVAL OF MINUTES FOR SEPTEMBER 16, 2026

Chairwoman Izaguirre asked if there were any corrections to the minutes for September 16, 2026. Ms. Garza moved to approve the minutes as presented. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:31 p.m.

Ended: 5:32 p.m.

Item #5

Plat Approval

Subject to Conditions:

The Proposed Las Palmas at Bentsen

**Palm Phase II Subdivision (Private Subdivision),
a tract of land containing 13.711 acres land being a
part or portion out of the South end of Porcion 52,
located along the West side of S. Inspiration Road
approximately 4,400 feet South of Mile 1 S. Road.
Developer: Rhodes Enterprises, Inc.,
Engineer: Melden & Hunt, Inc.**

Mr. Ramirez stated This development is located on approximately $\frac{3}{4}$ of a mile North of Military Road along the West side of S. Inspiration Road and just West of Las Palmas at Bensen Palm Phase I. Las Palmas at Bentsen Palm Phase II is a continuation of Phase I which will be a private subdivision consisting of 76 single family residential lots, and a detention pond being part of a master plan. This subdivision will have 2 access points both being from phase I. All internal streets will be private 32' B-B with curb and gutters within 50' right-of-way's. Water and sanitary sewer will be serviced by the City of Mission. In accordance with the approved master drainage plan for the development. The

Engineering Department has reviewed and approved the drainage report. The tract of land is currently zoned Planned Unit Development (PUD) where the developer has designed the subdivision per their master plan for this area. The imposed fees include Capital Sewer Recovery Fees (\$200xlot), city inspection fees at \$85 per hour, and Conveyance or Payment of Water Rights (\$3000xacre). All other format findings shall be complied with prior to the City Council approval. All items on the subdivision checklist will be addressed prior to recording the plat. Staff recommends approval of the Plat subject to conditions: 1) Payment of Capital Sewer Recovery Fees, 2) city inspection fees, 3) Conveyance or Payment of Water Rights, 4) approval of the infrastructure from the different City departments as per the approved construction plans.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the request for Plat Approval subject to conditions. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:32 p.m.

Ended: 5:33 p.m.

Item #6

Plat Approval

Subject to Conditions:

The Proposed Remanso Subdivision,

being a 3.91-acre tract of land out of Lot 124,

John H. Shary Subdivision

located along the South side of Mile 2 South

Road approximately 150 feet West of Shary Road.

Developer: Retama Investments, LLC,

Engineer: M. Garcia Engineering, LLC

Mr. Ramirez stated The Subdivision is located along the South side of Mile 2 South Road approximately 150 feet West of Shary Road. This site was rezoned to R-1 Single Family Residential District in February 2025 which is consistent with the surrounding areas which were. Remanso Subdivision will consist of an 18-Lot Single Family Residential Subdivision. The average proposed lot will measure 50 feet in width by 100 feet in depth, 5 lots will be considered irregular, all being consistent with the proposed new lot size minimums for an R-1 single family residential zone. The site will have frontage to Mile 2 South Road which intersects S. Shary Road. The internal public streets are 32 feet back-to-back, within 50 feet right-of-way. This subdivision is only accessible from Mile 2 South Road. Water and sanitary sewer will be serviced by the City of Mission. The generated storm runoff shall be collected and conveyed by an onsite storm drainage system, consisting of curb inlets, storm drain lines, outfling directly to the existing Hidalgo County Drainage District No. 1 Mission Inlet Bypass located South of this development. A discharge permit will be required to be submitted prior to any construction on HCDD1 right-of-way. The Capital Sewer Recovery Fees (\$200xlot for residential), Park Fees (\$675xlot), city inspections at \$85 per hour, and Conveyance or Payment of Water Rights (\$3000xacre) will be imposed. Water District Exclusions and all other format findings will be complied with prior to plat recording. All items on the subdivision checklist will be addressed prior to recording the plat. Staff recommends approval of the Plat subject to conditions: 1) Payment of Capital Sewer Recovery Fees; 2) Payment of Park Fees; 3) city inspection fees; 4)

Conveyance or Payment of Water Rights; 5) Water District Exclusions; and 6) approval of the infrastructure from the different City departments as per the approved construction plans.

Chairwoman Izaguirre asked why South Mile 2 Road did not continue.

Mr. Ramirez stated that it only services up to the frontage of the property, adding that this had already been pre-determined by the executive team and they would be paving what the board saw shaded.

Chairwoman Izaguirre asked if they would not be paving up to South Mile 2 Road.

Mr. Ramirez stated that they would not, but would pave only up to the first access point

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to approve the request for Plat Approval subject to conditions. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:33 p.m.

Ended: 6:04 p.m.

Item #7

Rezoning:

**Being a 0.19 acre tract of land out of Block 4,
Erdahl Subdivision, located at the Northwest corner
of U.S. Expressway 83 and Holland Avenue.**

C-1 to C-2

**Applicant: Jeronimo Villalobos
dba Villalobos Commercial Rentals LLC**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from Office Building District ("C-1") to Neighborhood Commercial District ("C-2") in order to place a raspa stand at the site. The code of ordinances states that the main purpose of the neighborhood commercial zoning is to provide sufficient space and off-street parking in appropriate locations in proximity to residential areas, for commercial development catering to the convenience shopping and service needs of the occupants of nearby residences. The property was rezoned from R-1 to C-1 in January of 2026. The triangular-shaped tract of land measures 150 feet in length and 79.55 feet along Holland Avenue. The surrounding zones are Single-family Residential District to the North and East, Single-family Residential and General Business District to the South and General Business District to the West. The property is vacant. The surrounding land uses include single-family homes to the North and East, US Expressway 83 along the South and a commercial plaza to the West. The Future Land Use Map shows the property designated for commercial uses. The requested rezoning is in line with the comprehensive plan designation. Notices were mailed to twenty-three (23) surrounding property owners. Planning staff received no phone calls from the surrounding property owners. Staff recommends approval to the rezoning request.

Chairwoman Izaguirre asked if there was anyone in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

Ms. Garza stated that she wanted to see the diagram that the applicant had presented.

Mr. Horacio Gumbel, a resident of Brownsville, Texas, explained the exact designs they had in mind for the property.

Ms. Garza asked if it was going to be a permanent structure.

Mr. Gumbel stated that, according to his understanding, they could not build a permanent structure but then clarified that he supposed it would be a permanent structure built on stilts.

Mr. Cervantes stated that it could be a permanent structure, or it could be a portable building with a concrete slab and skirting around it, noting that if those conditions were met, a portable building would be permissible.

Ms. Garza asked if they had looked at the flow of traffic and the number of parking spaces.

Mr. Cervantes stated that the first step was the zoning, which would be followed by the site plan approval. He noted that they had not yet submitted a site plan for staff review and had only brought the exhibit to give the board an idea, adding that the site plan would come before them for approval later.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the rezoning request. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:36 p.m.

Ended: 5:38 p.m.

Item #8

Conditional Use Permit:

**To allow a Home Occupation for
a Licensed Child Care Home – Nene’s Day Care
being a .50 acre tract of land out of the East 10
acres of the North 15 acres out of Lot 23-4,
West Addition to Sharyland Subdivision,
located at 905 W. 20th Street.**

AO-I

Diana Castilleja De Guerrero

Mr. Cervantes stated the subject site is located approximately 190 feet west of N. Holland Avenue along the south side of W. 20th Street. Per the Code of Ordinances, a daycare center in a residential zone requires the approval of a Conditional Use Permit by the City Council. The applicant is proposing to open a daycare at this location. The applicant is proposing to have 12 children ranging

from infants to 12-year-olds at different times. As per the Code of Ordinances a home occupation for a Licensed Child Care Home requires a Conditional Use Permit. The proposed hours of operation are as follows: Monday – Friday, from 6:00 am to 6:00 pm and closed Saturday and Sunday. The working staff will be 2 employees, Parking & Landscaping: It is noted that the Circular driveway has a 12-foot width by 125 linear feet and can accommodate 6 cars for drop-off and pickup. The landscape is in compliance. The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (23) legal notices to surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties. Staff Recommendation: Staff recommends approval subject to: 1) A 1-year re-evaluation to assess this new operation; 2) Must apply for a building and sign permit; 3) Must comply with all City Codes (Building, Fire, Health, etc.); 4) Hours of operation: Monday – Friday from 6:00 am to 6:00 pm and Saturday and Sunday Closed; 5) Must comply with the noise ordinance; 6) Acquisition of a business license before occupancy; and 7) CUP is not transferable to others.

Chairwoman Izaguirre asked if there was anyone in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

Mr. Alaniz asked if the city staff were recommending it.

Mr. Cervantes stated that staff were recommending approval for a period of one year.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the conditional use permit request. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:38 p.m.

Ended: 5:39 p.m.

Item #9

Conditional Use Permit:

**A Restaurant, and for the Sale & On-Site Consumption of Alcoholic Beverages and for late hours permit being Lot 2A, Stewart Plaza Subdivision, located at 1508 E. Expressway 83 (C-3)
Point Padel Club**

Mr. Cervantes stated the subject site is located at the Southeast corner of E. Expressway 83 and Travis Street. Per Code of Ordinance, the Sale and on-site consumption of Alcoholic Beverages require the approval of a conditional use permit by the City Council. The applicant has been in operation since November 20, 2025. He currently has a conditional use permit for the sale & on-site

consumption of alcoholic beverages. He would like to incorporate mixed drinks into his menu and have late hours. The 12,852 square foot 2-story Sports Complex Facility includes: 3-padel interior courts, 2- padel exterior courts, lobby, office, storage area, a bar on each floor, and a terrace. Access to the site is via a 24' access driveway off Travis Street. The hours of operation are as follows: Monday to Friday from 6:00 a.m. to 12:00 a.m., Saturday from 8:00 a.m. to 1:00 a.m., and Sunday from 8:00 a.m. to 11:00 p.m. Staff: 15 employees. Parking: There are 44 parking spaces available. Sale of Alcohol: The facility includes a "bar" component but sells more food than alcohol and therefore, is classified as a restaurant. Section 1.56(3a) of the Zoning Code requires a minimum separation requirement of 300' from the property line of any church, school, public owned property, and residences. There are none of these land uses within the above radius (measured door to door from church, or hospital; measured lot line to lot line for schools). The last conditional use permit approved for the sale of alcoholic beverages at this location was on March 24, 2025 for a period of 2 years. The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (5) legal notices to the surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties. Staff Recommendation: 1) Approval for 2-year permit to continue to assess this business; 2) Must comply with all City Codes (Building, Fire, Health, Sign Codes, etc.); 3) Must comply with TABC requirements; 4) Must submit alcohol and food sales reports quarterly; 5) CUP is not transferable to others; and 6) Hours of Operation are the following: Monday to Friday from 6:00 a.m. to 12:00 a.m., Saturday from 8:00 a.m. to 1:00 a.m., and Sunday from 8:00 a.m. to 11:00 p.m.

Chairwoman Izaguirre asked if there was anyone in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Ms. Austin moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Ms. Garza moved to approve the conditional use permit request. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:39 p.m.

Ended: 5:40 p.m.

Item #10

Conditional Use Permit:

**A bar named Rustic Leaf Gentlemen's Spa & Cigar Lounge and for the Sale & On-Site Consumption of Alcoholic Beverages
Being Lots 1 & 2, Block 2,
Springfield Subdivision Phase 1 Commercial ,
Located at 2100 E. Griffin Parkway,**

(C-3)
Rustic Leaf, LLC

Mr. Cervantes stated the subject site is located at the Southeast corner of Creek Run Street and E. Griffin Parkway. Per the Code of Ordinance, a bar and the sale & on-site consumption of alcoholic beverages require the approval of a Conditional Use Permit by the City Council. The applicant is leasing a suite within a multi-tenant commercial plaza for his proposed spa & cigar lounge and would like to offer alcoholic beverages to his customers. The suite has a kitchen and snacks will be available for the customers. The applicant will have acoustic music as well as DJ music and on occasion Live Mariachi Music for special events inside and must comply with the noise ordinance. Hours of Operation: Sunday through Thursday from 10:00 a.m. to 12:00 a.m. and Friday and Saturday from 10:00 a.m. to 2:00 a.m. Staff: 6 employees including Cashiers, waitresses, bartenders, and janitorial staff. The parking is held in common for this commercial plaza; there is a total of 72 parking spaces that are shared with other businesses. As per the Fire Department the maximum capacity for this venue is 156 people. Staff mailed out (48) legal notices to the surrounding property owners. Planning staff received one call in opposition to the Conditional Use Permit due to concerns regarding rodent activity at the restaurant prior to this request. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties. Staff recommends approval of the request subject to compliance with the following conditions: 1) 1 year approval to continue to assess this new operation; 2) Must comply with all City Codes (Building, Fire, Health, etc.); 3) Must comply with TABC requirements; 4) Must acquire a business license prior to occupancy; 5) CUP is not transferable to others; 6) Must have a minimum of three (3) Level II Security Officers from 8:00 p.m. to 2:00 a.m. or as required in Section 1.56, Subsection 3 of the Code of Ordinance; 7) Maximum occupancy is 156 people; 8) Must have security cameras inside and outside with a minimum 30-day retention; 9) Must comply with the noise ordinance; and 10) Hours of operation: Sunday through Thursday from 10:00 a.m. to 12:00 a.m and Friday and Saturday from 10:00 a.m. to 2:00 a.m.

Chairwoman Izaguirre asked if there was anyone in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the conditional use permit request. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to un-tabled item #11. Ms. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:40 p.m.

Ended: 6:00 p.m.

Item #11

Tabled Rezoning:

**Being the North 49 feet of Lot 34,
Johnson City Subdivision,
located at 3004 Harmony Lane, Unit A.**

(AO-I)

**Applicant: Cristina De Mara
dba Kirby Homes RGV, LLC**

Mr. Cervantes stated the applicant is requesting to rezone the subject property from Single-family Residential District ("R-1") to Duplex-fourplex Residential District ("R-2") to obtain a separate water meter for a separate guesthouse. The property is located along the West side of Harmony approximately 850 feet South of Mile 2 Road. The tract of land has 6,860 square feet in area and measures 49 feet along Harmony Lane and has a depth of 140 feet. The surrounding zoning is Single-family Residential (R-1) District in all directions. The minimum lot dimensions for R-2 zoning is 50 feet by 100 feet with a minimum lot area of 6,000 square feet for a duplex. The lot does not meet with the minimum lot frontage requirements by one (1) foot. The surrounding land uses include single-family homes in all directions but there are some legal non-conforming uses within the Johnson City subdivision. The neighborhood was developed in the 1980s prior to being properly subdivided. The property owners hired an engineering firm and properly subdivided the neighborhood in October 1990 dedicating the then private streets as public streets. The city subsequently annexed the subdivision in September of 1994. In March of 1995 the city rezoned the neighborhood as R-1 with the understanding that the existing mobile home units would be considered grandfathered. The subject property is vacant. The applicant submitted a packet with photos showing possible multifamily properties within the subdivision, but many of the buildings shown in the packet are single-family homes as per the Appraisal District with one water meter. The Future Land Use Map shows the property designated for low-density residential uses. The requested rezoning is not in line with the comprehensive plan. Notices were mailed to 20 surrounding property owners. Planning staff has received opposition to the rezoning. A petition was submitted citing protection of the single-family character of the neighborhood, possible precedence to other R-2 zonings, traffic and infrastructure concerns. The petition was signed by 50 people and make up 58.35 percent of the property owners within 200 feet and 50.33 percent of the property owners within 400 feet. Due to House Bill 24 becoming State Law in 2025, a super majority vote of the City Council will not be required for the rezoning to be approved. Staff recommends denial of the rezoning request. The requested rezoning is not in line with the comprehensive plan and does not meet the minimum lot requirements.

Mr. Cervantes reiterated details from the previous presentation, noting that they had gathered more signatures for a total of 50. He pointed to a map showing the petitioners in opposition within 200 feet and 400 feet, stating that a significant portion of the property owners were not in favor, representing 58% within the area, though he noted this was not a requirement. He then referenced the floor plan and site plan submitted by the applicant, explaining that the yellow highlights indicated separate rooms the applicant desired to build as part of the same building. Finally, he shared an item provided by the applicant, explaining that the structure was already in place when the city annexed the area in 1994, making it a legal nonconforming landmark, and noted that it was currently operating as a family unit housing several families with only one water meter.

Ms. Garza asked if there was only one electric meter.

Mr. Cervantes stated that he was unsure about the electricity but confirmed that there was only one water meter.

Chairwoman Izaguirre asked if they would object to that, noting that the electricity was the main reason the item was being reviewed.

Mr. Cervantes stated that the issue was specifically regarding the water. It's the water. Mr. Cervantes clarified that the issue concerned the water and the city's role as the provider, adding that the applicant did not want two water meters.

Ms. Muñoz stated that there was electricity and the issue was not the water, noting that they had notes in the report regarding the meters.

Mr. Cervantes agreed, stating that while the report showed one water meter, he was unsure about the electricity.

Ms. De Mara stated that there was one water meter and one electricity meter.

Mr. Cervantes stated that there was one water meter and one electricity meter but reiterated that the building had already been constructed when the city annexed the area. He then referenced another property located at 3109 Harmony, noting it was constructed in 1987 prior to the city's annexation, was classified as a single-family residence as part of the prison district, and utilized only one water meter.

Ms. Austin asked if neither of the units had separate meters.

Mr. Cervantes stated that they did not, noting that while many of the houses strangely feature two doors, they still only utilize one meter.

Chairwoman Izaguirre pointed out that they were discussing a single water meter, but staff did not actually know whether those properties had one or two electric meters.

Mr. Cervantes stated that staff did not investigate the details of the electric meters.

Chairwoman Izaguirre stated that the applicant was not asking for two water meters.

Mr. Cervantes clarified that she was asking for a second-meter resource.

Chairwoman Izaguirre asked why they could not just establish a single-family block with a two-meter split.

Mr. Cervantes explained that they could not allow it because the subdivision is strictly designated for single-family use, adding that a second meter would not be permitted as a separate room could easily be misused, or a future owner might demolish the house to build a duplex.

Chairwoman Izaguirre asked if it would not be transferable if they did not have one.

Mr. Cervantes stated that while some cities allow accessory dwelling units either as permitted use or through a conditional use permit, this city cannot follow that route because they must comply with model subdivision rules to qualify for a grant or loan from the Texas Department.

Chairwoman Izaguirre asked if they would have to change the model subdivision rules to allow it.

Mr. Cervantes responded that state subdivision rules do not allow it, meaning she would have to take the matter up with the legislature.

Chairwoman Izaguirre countered that each city has its own rules and they are all different, asking how exactly the mechanism works if it is not just a state-level restriction.

Mr. Cervantes clarified that if the city wants a grant or a loan from the Texas Water Development Board, they are required to follow model subdivision rules, which strictly prohibit accessory dwelling units, meaning they cannot take that route.

Chairwoman Izaguirre noted that they see other cities allowing them anyway.

Mr. Sanchez suggested that those cities might do it, but they might not be receiving grants from the Texas Water Development Board.

Mr. Cervantes added that while other cities might allow them as permitted or conditional use, this city must adhere to the model subdivision rules to remain eligible for loans or grants from that state agency.

Chairwoman Izaguirre questioned if it was acceptable for individuals to disregard subdivision rules simply because of past circumstances, asking how that justified continuing to violate them.

Mr. Sanchez stated that they all have one water meter and one light meter.

Chairwoman Izaguirre stated that they did not know that and only knew they had one water meter.

Mr. Cervantes stated that there are cases all over the city where a duplex on a property, or some single-family residentials, are considered legal, non-conforming uses and are acceptable. However, he noted that to amend the ordinance to allow an accessory dwelling unit as a permitted or conditional use, the guidelines of the Texas Water Development Board would have to be followed.

Ms. Garza asked if the only way she would be able to do it was to obtain the rezoning.

Mr. Cervantes stated that she would need to get the rezoning but noted that staff recommended denial and that there was a lot of opposition to the rezoning.

Chairwoman Izaguirre asked if they were allowing and approving a rezoning to multi-family.

Mr. Cervantes stated that it would be to a duplex or fourplex.

Ms. Garza stated that the neighborhood had a mixture of uses, noting that she was trying to understand the opposition because the area already included warehouses and a lot of multi-family housing. She added that in this particular case, it was not a true duplex that they were trying to build but rather a family, which she stated was the only way they could approve it.

Mr. Cervantes stated that a future owner would demolish it if the zoning was approved.

Ms. Austin stated that she was just being cautious regarding future intentions.

Chairwoman Izaguirre stated that the situation was similar to another one involving six different units, noting that they could already rent them out separately even if the property had only one meter.

Mr. Cervantes stated that the room could be rented and questioned what she was proposing.

Chairwoman Izaguirre stated that even all those homes with two doors could have it, noting that it looked like there was something in the back and adding that there were three buildings.

Mr. Cervantes stated that he could rent a room in his home

Chairwoman Izaguirre stated that she believed all those buildings utilized a single meter, concluding that it was merely a technical problem.

Ms. De Mara stated that the board was receiving a copy of the petitions, noting that multiple signatures had come from single households and that some individuals who signed did not live there or own property, which suggested they are renters according to county records. She added that they also had a photograph of a meter that had been previously mentioned.

Ms. Garza stated that she wanted to see if she had any additional information.

Ms. De Mara confirmed that she did, explaining that she filed an open records request and discovered that three individuals from a single household had signed the petition. She stated she verified that several listed families do not actually reside there, that multi-family residents signed the petition, and directed the board's attention to a paper flyer distributed in the subdivision. She stated the flyer falsely claimed the entire subdivision was being rezoning and provided residents with a script, which she described as false and unethical. After questioning the implication that individuals who live in multi-family units or rent are bad people, she formally requested that Mr. Cervantes recalculate and verify all signatures received after her open records request. Finally, she noted that on her drive home from the convention center, she observed an unsecured, unlocked electric meter in the dirt that Mr. Cervantes had approved, expressing concern and frustration that a vehicle could strike it.

Mr. Sanchez clarified that Mr. Cervantes does not approve of anything.

Ms. De Mara stated that she assumed if something was installed, it had to be approved, emphasizing that she was simply trying to do things the correct way. She explained that the high concentration of multi-family units and multiple doors existed because the property previously served as a church

compound for visiting missionaries who continue to arrive. She concluded that she was trying to formalize what was already present in the proper manner, expressing her opinion that having numerous houses, doors, and structures operating on a single meter presented a significant fire hazard.

Chairwoman Izaguirre asked what Ms. De Mara's address was.

Ms. De Mara stated that her address was 3304 Harmony Lane.

Chairwoman Izaguirre stated that 3104 was next to her.

Ms. De Mara confirmed that it was, noting that it was approximately two blocks away from her. She explained that she had observed the property and mimicked it to blend into the subdivision, emphasizing that she was striving to handle the matter properly and was doing things the correct way.

Mr. Sanchez stated that the multi-family units were in place before the city was annexed and asked if the properties she wanted to replicate utilized multiple meters.

Ms. De Mara stated that she did not enter people's yards or purchase anything, adding that she believed that was the issue.

Ms. De Mara stated that the MLS listing described it as a quiet street with a small bonus apartment, noting that it had been signed and sold. She explained that many of the properties in the area were zoned as multi-family and commercial by the county, pointing out that the church was zoned commercial. She reiterated that she was simply trying to mimic what was already present and handle things properly, describing the neighborhood as a collage of an old church compound, warehouses, and multi-family units, which she characterized as a "zoning nightmare." She then addressed the opposition petition, noting that signees Consuelo and Tony were not homeowners. She stated she had reviewed every single address and signature, finding that the owners of 3000 Melody Lane did not sign and pointing out that the checkmarks, dates, and "yes" responses appeared to be prefilled by the same handwriting. Finally, she expressed frustration that she felt penalized despite her efforts to do things the right way. She stated that her plan had already been approved pending only the permanent meter, and complained that someone, possibly a physical therapist, had parked the same vehicle there for a week while continuously calling and bothering the homeowners.

Chairwoman Izaguirre asked if she was still requesting the multi-family rezoning.

Ms. De Mara confirmed that she was, adding that it was nothing personal against Mr. Cervantes, who was just doing his job. She shared that her client was on the verge of backing out because she did not want to live in a neighborhood where she felt unwelcome, emphasizing that she was simply trying to handle the matter properly. She noted that she had already paid her \$250 fee. She then questioned the integrity of the opposition's petition process, asking if the signatures were being verified, how many individuals per household were legally allowed to sign, and whether it was ethical or proper to distribute a script to mislead the community and create a frenzy. She concluded by asking the board to take note of her documentation and specifically requested information regarding the maximum number of signatures permitted per household.

Ms. Muñoz stated that it was one signature per household.

Ms. De Mara requested that the signatures be recalculated.

Mr. Cervantes stated that they could investigate the matter and recalculate the signatures the following day if necessary.

Ms. De Mara agreed, emphasizing that the flyer falsely claimed the proposal was to rezone the entire neighborhood rather than the specific property in question, which made it difficult for her to feel the process was handled fairly.

Mr. Sanchez stated that the flyer read "rezone part of our community."

Ms. De Mara asked which part was specified, stating that it was difficult not to feel targeted when her sign was up and she was waving at people who refused to engage with her directly. She reiterated that she was simply trying to handle the matter properly, adding that if a property features two doors, the correct approach is to formalize it the right way rather than relying on temporary or improper fixes.

Chairwoman Izaguirre asked if anyone wanted to make a motion or if the board preferred to wait for the signatures to be recalculated.

Ms. Austin stated that she believed the board should wait, asking if they could obtain information regarding the electric meters and if any duplicate signatures could be removed from the count.

Mr. Cervantes stated that staff could double-check the petition the following day.

Chairwoman Izaguirre asked for clarification on the procedure if the board were to approve the multi-family rezoning at that moment, questioning if it would still proceed to the city council for a final decision.

Mr. Cervantes confirmed that was correct, explaining that for a new public hearing before the city council, the city would advertise in the newspaper again and send a new round of notification letters to surround property owners to allow neighbors another opportunity to object. He noted that the board could choose to vote for approval or denial today, or they could table the item to revisit the petition and gather the requested information regarding the electric meters.

Chairwoman Izaguirre stated that if the item proceeded to the city council at that time, it would be transmitted with the incorrect opposition percentage. Chairwoman Izaguirre stated that staff would have to correct the percentage anyway if it was wrong.

Mr. Cervantes stated that if staff found mistakes were made in their calculations, they would correct them for the city council items.

Mr. Sanchez asked if the city had done any verification of the signatures or verified any part of the petition, questioning whether it was handled by the city secretary or a city clerk.

Ms. Muñoz stated that she had verified maybe one or two of the signatures and knew that Elisa had also verified the petition. She explained that if a husband and wife both signs, it only counts as one signature for the household, noting that staff would place that household on the map and calculate the final numbers accordingly.

Mr. Sanchez stated that they had already verified those numbers.

Ms. Muñoz confirmed that they had verified the numbers several times.

Mr. Sanchez asked who has the right to petition, questioning whether it is the resident or the owner of the property.

Ms. Muñoz stated that it must be the homeowner, clarifying that while renters are permitted to physically sign the petition, their signatures are not included in the official count.

Mr. Sanchez asked how they verify the information, questioning whether staff call the homeowners directly to ask them.

Ms. Muñoz explained that they do not call them directly but instead verify ownership by cross-referencing the signatures with the appraisal district records.

Mr. Sanchez asked if staff takes any actions to verify that the person who signed the petition is who they claim to be.

Ms. Muñoz explained that they do not, noting that most of the time staff does not have access to the property owners' phone numbers.

Ms. Garza asked if property owners who rent out their property are still permitted to sign the petition.

Ms. Muñoz clarified that if they do not live there, they cannot sign, stating that only a homeowner who resides at the property is permitted to do so.

Mr. Sanchez asked how staff assured the person who signed is actually that individual, questioning if there is a specific form or if the city requires certain information when a petition is submitted.

Ms. Muñoz stated that the city does not.

Mr. Sanchez noted that the petition could consist of just signatures without printed names, addresses, or any other details, stating he was unaware of any legal requirements for specific information to be included. He expressed that, with the neighborhood opposition present at the meeting, he did not know whether the petition was truly verified or unverified, nor did he know if a 30 percent opposition threshold would be waived.

Chairwoman Izaguirre stated that she felt some of the individuals who signed were located beyond the 200-foot or 400-foot notification boundary, recalling that one resident had questioned why a signature was collected on another street since the project would not affect her.

Mr. Cervantes stated that staff could double-check the figures, adding that the board could choose to table the items or simply vote today and send the matter forward to the city council.

Mr. Sanchez stated that the central issue appeared to be the installation of two electrical meters and two water meters, asking if any board members disagreed. He noted that the only path to achieve that setup was through a multi-family rezoning for a duplex or fourplex, as a conditional use permit or other methods would not work. While he expressed understanding of the property owner's current intentions, he reiterated his concerns regarding what could happen to the property in the future.

Mr. Cervantes stated that if the rezoning is approved, the current owner might choose not to build the proposed project, leading to the property being sold to a new owner who would want to utilize the full scope of the duplex-fourplex zoning.

Chairwoman Izaguirre asked what would happen if staff inspected the area and found a property that already utilized two or three meters, questioning if they would force that owner to rezone the property to a duplex-fourplex designation.

Mr. Cervantes stated that they would not, as it would be considered a legal, non-conforming use that is grandfathered in.

Chairwoman Izaguirre asked if that situation would be considered legal or illegal.

Mr. Cervantes clarified that it would be considered grandfathered as a legal, non-conforming use.

Chairwoman Izaguirre asked what would happen if a resident failed to pay their electric bill and the service was canceled, questioning if a new owner would then only be permitted a single meter upon arrival.

Mr. Cervantes confirmed that if electricity service is lost and AEP requires a permit to restore it, that is when the city would enforce the single-meter requirement.

Chairwoman Izaguirre clarified if they would then only be allowed a single meter.

Mr. Cervantes confirmed that was correct.

Chairwoman Izaguirre asked if that would be the point when the city would enforce the legal limit on the number of meters.

Mr. Cervantes confirmed that was correct.

Chairwoman Izaguirre asked if the board had any questions.

Ms. Austin asked to make a notation regarding the flyer, adding that people do call in when they have a peer to express their opposition to something.

Ms. Muñoz confirmed that they are permitted to do so.

Ms. Austin stated that the text on the flyer represented a personal statement that differed from what is allowed, noting that the proposed changes would modify the subdivision aspect. She added that while records might reflect those types of arguments, it does not necessarily represent how the city operates.

Mr. Sanchez added that it was also drafted by someone else.

Chairwoman Izaguirre stated that it was drafted by AI.

Mr. Sanchez clarified that the subdivision document was not drafted by the city.

Ms. Austin stated that she just wanted to make sure they did not overlook that point.

Chairwoman Izaguirre stated that this specific case was unusual because the property was being marketed and sold as a three-bedroom, two-bath home with a quiet, small bonus apartment, noting that there was no way a property could be advertised as having an apartment like the next-door neighbor.

Mr. Sanchez agreed, stating that it likely only has a single meter, and reiterated that the core issue was not the existence of multiple rental spaces, but rather the requirement for separate water and electric meters.

Chairwoman Izaguirre questioned what the status would be if the property utilized two electric meters instead.

Mr. Sanchez stated that it would depend on when they were installed, specifically whether it occurred before or after the annexation.

Mr. Cervantes stated that the additional room being proposed could be rented out.

Mr. Sanchez stated that he had no issue with the floor plan, emphasizing that his only concern was the requirement for two meters and two electric meters.

Chairwoman Izaguirre stated that she had understood the property utilized only one water meter and two electric meters.

Ms. Garza stated that she believed the applicant had presented the reasoning behind the request.

Mr. Sanchez agreed, stating that while he understood the reasoning, his primary concern was what a future owner might do with the property.

Mr. Cervantes agreed, explaining that if the multi-family zoning were approved, a future owner might abandon the current plan and instead establish a full-blown duplex, which would require a four-car parking lot and a standard duplex permit.

Chairwoman Izaguirre stated that the property would essentially look exactly the same as the house next door, noting that while it would have a different zoning designation, it would visually remain identical because it features two doors.

Mr. Cervantes agreed but pointed out that it would not feature a four-car parking lot.

Chairwoman Izaguirre questioned what he meant by stating it has parking for six cars.

Mr. Cervantes stated that while one of the properties did, the rest of them visually appeared to be single-family homes.

Chairwoman Izaguirre agreed but emphasized that they were specifically discussing future implications.

Mr. Sanchez explained that once a property is rezoned, the owner might realize its market value has doubled, decide to cash out, and consequently, the property would never actually be used for its originally proposed purpose.

Ms. Garza stated that she believed the board was facing a special circumstance where a mother was attempting to provide and care for an adult child with a disability. She noted that the board was seeking solutions to accommodate the situation, concluding that it was highly evident that the only viable option would be to approve the duplex zoning designation.

Ms. Garza made a motion to approve the rezoning request.

Chairwoman Izaguirre stated that the motion died due to a lack of a second.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to deny the rezoning request. Mr. Alaniz seconded the motion. Upon a call for the vote, the motion carried with a vote of 5-1, with Ms. Garza abstained on the record.

ITEM#12

ADJOURNMENT

There being no discussion, Chairwoman Izaguirre entertained a motion. Ms. Austin moved to adjourn the meeting. Mr. Sanchez seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:15 p.m.

Diana Izaguirre, Chairwoman
Planning and Zoning Commission