



## **PLANNING & ZONING COMMISSION**

*City Commissioner's Room*

*118 S. Cage Blvd. November 13, 2017 - 6:00 p.m.*

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, November 13, 2017. The meeting was called to order by Charlie Ramirez at 6:00 p.m. at the City Commissioners' Room, located at 118 S. Cage Blvd., 2nd Floor, Pharr, Texas.

### **ATTENDANCE**

**MEMBERS PRESENT:** Danny Wylie  
Andy Castro  
Rafael Munguia (late)

Charlie Ramirez  
Romeo Robles  
Ray Sanchez

**ABSENT:** Luis Madrigal Tom Greuner

**OTHERS PRESENT:** See attached list

**STAFF PRESENT:** Roland Gomez, Assistant Director of Development Services  
Cristina Garcia, Senior Planner  
Della Robles, Planner I  
George Martinez, Building Official  
Rita Galvan, Secretary  
Felipe Pedraza, Assistant Fire Marshal  
John Rigney, City Attorney

### **CALL TO ORDER**

Danny Wylie called the meeting to order at 6:00 p.m. and welcomed all to the meeting. Roll call established a quorum.

### **APPROVAL OF MINUTES**

Danny Wylie proceeded with the approval of the minutes of October 23, 2017.

Danny Wylie stated he was not in attendance for the Planning and Zoning meeting of October 09, 2017, therefore he could not have approved the minutes.

Rita Galvan, Secretary, stated the minutes would be corrected.

Being no further corrections, Charlie Ramirez **moved** to approve the minutes of October 23, 2017 with corrections. Romeo Robles second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve  
T. Greuner: Absent  
R. Munguia: Late  
R. Sanchez: Approve

C. Ramirez: Approve  
R. Robles: Approve  
L. Madrigal: Absent  
A. Castro: Approve

The motion carried unanimously to approve the minutes of October 23, 2017 with corrections.

## **PUBLIC COMMENTS:**

Danny Wylie asked if anyone had signed up to speak at the Public Comments portion of the meeting. Rita Galvan, Secretary, advised there were 3 individuals who signed up for public comments and K.C. Fletcher was the first individual to speak. Danny Wylie called forth K.C. Fletcher.

An individual approached the podium and introduced himself as Kenneth C. Fletcher, residing at 504 South Diplomat and stated:

- Costco is making more noise with their HVAC. There is humming noise and they have done construction and he hasn't seen a change out permit for the HVAC equipment.
- The noise increases as it gets colder and the City of Pharr has an ordinance against working after 8:00 p.m. and they were working at 9:00 p.m. and he called the Police Department but they did not do anything.
- The Planning and Zoning Commission granted Costco permission to build so there needs to be a 14 foot buffer wall for the noise.
- He had signed up for public hearing and should he not get to speak he would like to talk about that since October 24, 2016 he has been denied to speak at the Public Hearing.
- He would like the corner clip on West Lee Street and Sugar Road to be looked into. It has a 30 foot corner clip because it was changed from office space to commercial.
- There were people in attendance paying to apply for a home occupation Conditional Use Permit while Former City Attorney, Michael Pruneda, works out of his home according to the City of Pharr.
- Thanked the commission.

(Rafael Munguia arrived at 6:07 p.m.)

Rita Galvan, Secretary, stated Crisanto Garcia had also signed up to speak. Danny Wylie called forth Crisanto Garcia.

An individual approached the podium and introduced himself as Crisanto Garcia, residing at 3700 Silver, Pharr, Texas and stated:

- The commission was familiar with what his complaint was about.
- He had been coming before the Planning and Zoning for over two years.
- Trancasa sent one of their representatives to his home to talk about the problem with his wife.

- Trancasa were not the ones responsible for the problem and he did not blame the City either. He blames management because there is poor management.
- He thinks the valley is corrupt.
- For two years the City did not do anything and he thanked Tancasa for showing up because they received false information or lies.
- If he were to take the City to court he would win it but he would need to sell one of his lots to pay for it.
- He does not want to fight the City he wants to fight the management.
- There are a lot of tax payers from the City in attendance.
- There needs to be more communication and the doctor was busy all the time saving lives.
- Thanked the commission.

Rita Galvan, Secretary, stated Myrna Balderas had also signed up to speak. Danny Wylie called forth Myrna Balderas.

An individual approached the podium and introduced herself as Myrna Balderas, residing at 223 E. Caffery, Pharr, Texas and stated:

- The individual addressed the Planning and Zoning Commission in Spanish.

There being no one else who signed up to speak, Danny Wylie closed the Public Comments portion of the meeting and proceeded with the next item.

## **PUBLIC HEARING:**

Della Robles introduced herself as Planner I for the City of Pharr and stated she had three (3) items for recommendation and proceeded to introduce the first item as follows:

### **CARMEN GUERREO COSTURAS Y ALTERACIONES KARIMEL**

**CUP-HO  
CUP#171057**

Carmen E. Guerrero, dba Costuras y Alteraciones Karimel, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow a home occupation (Seamstress Shop) in a Single-Family Residential District (R-1). The property is legally described as being all of Lot 17 and the E20' out of Lot 18, Pharr Original Townsite, Pharr, Hidalgo County, Texas. The property's physical address is 231 East Caffery Avenue. The property is currently zoned Single-Family Residential District (R-1). The surrounding area is zoned General Business District (C) to the north and Single-Family Residential District (R-1) to the south, east and west. This area is generally designated for single-family residential use in the Land Use Plan. Thirty-seven (37) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received one telephone call in opposition of the item. Development Services Staff is recommending approval of the request for a Conditional Use Permit to allow a home occupation (Seamstress shop) in a Single-Family Residential District (R-1) subject to the following conditions:

1. The **home occupation** shall be limited to a certain area of the home;
2. Customers to be taken by appointment only with one customer at a time for fittings, alterations, tailoring, or any other services provide by a seamstress/tailor;
3. Only one (1) non-illuminated sign of not more than eighteen (18) inches by twenty-four (24) inches identifying the name of the owner and his/her title or occupation may be permitted when attached flush to the main building;
4. There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling;
5. This Conditional Use Permit shall be issued for a period of one (1) year. It shall be the owner's responsibility to apply for renewal 30 days before its expiration date;
6. Any request to revise, alter or amend the conditions or requirements shall require the applicant to reapply for a new Conditional Use Permit;
7. The applicant shall comply with all City of Pharr ordinance requirements, any violations will terminate this Conditional Use Permit;
8. The following shall be considered as grounds for revocation of a **home occupation** Conditional Use Permit:
  - Any change in use or change in extent of use, area or location of the dwelling being used.
  - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
  - 
  - Failure to pay the annual renewal fee of \$50.00 shall result in the assessment of an additional five dollars (\$5.00) per business day late fee up to thirty (30) days after the date of expiration of the Conditional Use Permit; or revocation of the permit if not paid by the 31st day.
  - 
  - Conditional Use Permits for home occupations that have been revoked may not be applied for again until a period of one (1) year has lapsed from the date of revocation.

Della Robles advised the applicant was in the audience.

Danny Wylie advised this item requires a public hearing and asked if there was anyone in the audience wishing to address this item, either for or against, to please come forth. Rita Galvan advised there was no one signed up for Public Hearing. There being no one who signed up, Danny Wylie closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

- Rafael Munguia asked if parking requirement were met and Della Robles affirmed.
- Della Robles affirmed.

- Andy Castro asked if the business would be by appointments and Della Robles affirmed.
- Ray Sanchez asked if the parking area would need to be paved or have black top and asked about the easement. Della Robles stated the parking area was currently paved.
- Roland Gomez, Asst. Director of Development Services, stated that the building had been in existence for many years and the current parking is sufficient for that type of home occupation.
- Ray Sanchez asked is there would only be one customer at a time. Della Robles affirmed and stated it would be by appointment only.
- Charlie Ramirez asked for clarification on the legal stating there was a portion on Lot 18 and if the deed showed Ms. Guerrero have the Lot and a half. He asked if the lady that had spoken earlier knew that because she is claiming the fence is on her property and she owns Lots 18 and 19 so there should be some clarification so there is less animosity.
- Della Robles affirmed that was correct. She stated she did not know if the other resident was aware of what the deed stated and Roland Gomez stated the department could clarify that for her.
- Danny Wylie asked if the current home was already on that property and if the home needed to be corrected.
- Roland Gomez stated that it did not at this time.
- Della Robles stated the homes had been there for more than fifteen years.
- Rafael Munguia suggested the staff give some clarification to the individual who believes to own Lot 18 and 19. Della Robles stated they would contact her.
- Ray Sanchez asked if it was required for the owner to have an insurance for the business should something were to happen who would be held liable.
- John Rigney, City Attorney, stated the City does not require them to carry insurance and the owner would be personally liable in this situation.

There being no further discussion, Rafael Munguia moved to approve the request for a Conditional Use Permit to allow a home occupation (Seamstress Shop) in a Single-Family Residential District (R-1). Ray Sanchez second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve  
T. Greuner: Absent  
R. Munguia: Approve  
A. Castro: Approve

C. Ramirez: Approve  
R. Robles: Approve  
L. Madrigal: Absent  
R. Sanchez: Approve

Motion carried by unanimous vote to approve the request for a Conditional Use Permit to allow a home occupation (Seamstress Shop) in a Single-Family Residential District (R-1).

**JUAN ANTONIO REYNA**

**CUP-OSU  
CUP#171059**

Della Robles, Planner I, introduced the second item as follows:

Jose Antonio Reyna has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (11' x 16', 16 feet in height) in a Single-Family Residential District (R-1). The property is legally

described as being all of Lots 15 and 16, H. M. E. Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2712 South Fabian Street (H). The property is currently zoned Single-Family Residential District (R-1). The surrounding area is zoned Single-Family Residential District (R-1) to the north, south, west and east. The area is generally designated for single-family residential in the Future Land Use Plan. Fifteen (15) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received two (2) telephone calls, one in opposition of the item and one for information only and one person came in for information only. Upon conducting a routine inspection, Code Compliance noticed a storage unit and a perimeter fence being constructed without a permit and advised the home owner. On January 2017, the applicant applied for a building permit; however, it was denied due to noncompliance of having a Conditional Use Permit. He was taken to court on January and April of 2017. Finally, on October 03, 2017 the judge advised that he had 2 weeks to obtain the necessary permits to come into compliance. Development Services is recommending approval of the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (11' x 16', 16 feet in height) in a Single-Family Residential District (R-1) subject to the following conditions:

1. This permit shall be for the Life-of-the Use and issued to the current owner only;
2. The accessory use structure shall not have a separate electrical service;
3. No living amenities shall be installed in unit;
4. Applicant shall comply with all City of Pharr Ordinances and codes, any violation will terminate this Conditional Use Permit;
5. Applicant must acquire a building permit before start of construction;
6. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
7. The following shall be considered as grounds for the revocation of the Conditional Use Permit:
  - Any change in use or change in extent of use, area or location.
  - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
  - Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

Della Robles advised the Commission to disregard item #7 on the comments as it was not supposed to be there and that the applicant was in the audience.

Della Robles advised this item will go before the City Commission meeting of November 20, 2017 at 4:00 p.m.

Danny Wylie advised this item requires a public hearing and asked if there was anyone in the audience wishing to address this item, either for or against, to please come forth. Rita Galvan advised there was no one signed up for Public Hearing. There being no one who signed up, Danny Wylie closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

- Rafael Munguia asked what the height limit was for a storage unit in an R-1 area.
- George Martinez, Building Official, stated that the height limit for a storage unit was 10 feet.
- Ray Sanchez asked when the construction of the building started because it seemed like it had been started for a long time. He also stated that it looked to be two floors and what was the explanation for that.
- Della Robles stated that Code Compliance noticed the construction of the storage back in August of 2016. She affirmed that it was two floors and that the applicant was in the audience and would be able to answer further questions.
- Applicant Jose Antonio Reyna approached the podium and introduced himself and stated he resides at 126 Every Way, Pharr, Texas. Stated he has had the property in question for the past 10 years. He stated he had a lot of equipment and it had been stolen and he had tried to get a permit but it was denied. He could not construct any wider so he built up to fit his 16 foot ladders that he had currently tied to the trees so they would not be stolen.
- Ray Sanchez asked how the ladders would be placed if there was a floor on the second floor and asked if there was be a stairwell.
- Mr. Reyna stated the floor was only 8 feet on the 2<sup>nd</sup> floor. He stated there would be a stairwell.
- Danny Wylie asked if he lived on that lot. Mr. Reyna stated he did not live there and when he went to court in January City Attorney, John Rigney told him he needed to buy the lot next to him to have the storage unit.
- Danny Wylie asked the staff to clarify because he understood the storage had to be on the same property as the house.
- Roland Gomez stated that it was two lots but because it is fenced in and has one owner they consider it to be one lot.
- Ray Sanchez asked if he was encroaching on the setbacks.
- Mr. Reyna stated he was not. He stated that the City ordinance stated the storage unit could not be on an empty lot.
- Roland Gomez stated a storage unit is an accessory to the principal use and in this case the principal use is a single family residential home therefore a storage could be built on the same property or the next lot that is owned by the same owner.
- Ray Sanchez asked if the two lots became one. Ray Sanchez stated that you cannot build over the land line and if the two lots were to become one they would have to apply for it before the Planning and Zoning. Asked if they applied to make it one lot.
- Roland Gomez stated that yes the two lots became one because they are owned by the same owner and fenced in as one. He also stated no they did not apply to make it one lot, what they are applying for the storage unit and the way

our department sees it is as one lot because the 2 lots are fenced in and therefore not a separate lot.

- Ray Sanchez stated he had been building for many years and the person is required to apply to merge the two lots.
- Roland Gomez stated that because he owned both lots he is allowed to use it as one.
- Danny Wylie asked why this was being applied for and if the roof would be encroaching on any power lines.
- Della Robles stated that it was because it was bigger than the 120 square feet allowed by the City.
- Mr. Reyna stated that he still had eight feet before hitting the power line.
- Danny Wylie asked once the roof was built if it would interfere with the power lines. Mr. Reyna stated it would have a flat roof.
- Andy Castro asked who was building the storage and if the contractor was licensed. Mr. Reyna stated it was a contractor he hired and he was licensed.
- Roland Gomez stated once the CUP was approved he would have to apply for a building permit.
- Ray Sanchez asked how they were going to inspect the foundation and mortar that was already there. Is it American block or Mexican Block.
- George Martinez stated the city is not taking any liability for what is already constructed but it will be inspected and make sure it complies with all city regulations. The engineer that Mr. Reyna hires would have to provide documents stating the existing structure is in compliance and he would be the one liable for the safety of that structure.
- John Rigney asked if this unit was built over an old septic tank. He remembers speaking to the applicant in code enforcement over this issue.
- George Martinez stated the engineer will revise all that information and if there is anything wrong with it he will not approve it.
- Mr. Reyna stated that there was a septic tank and they covered it with material they bought in December 2016.

*The Planning and Zoning Commission went into executive session at 6:36 p.m.*

*The Planning and Zoning Commission reconvened at 7:06 p.m.*

There being no further discussion, Ray Sanchez **moved** to approve the request for a Conditional Use Permit to allow an Oversized Storage Unit (11' x 16', 16 feet in height) in a Single-Family Residential District (R-1). Rafael Munguia second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve  
T. Greuner: Absent  
R. Munguia: Approve  
A. Castro: Approve

C. Ramirez: Approve  
R. Robles: Approve  
L. Madrigal: Absent  
R. Sanchez: Approve

Motion carried by unanimous vote to approve the request for a Conditional Use Permit to allow an Oversized Storage Unit (11' x 16', 16 feet in height) in a Single-Family Residential District (R-1).

Della Robles, Planner I, introduced the third item as follows:

Juan Barajas has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (12' x 24', 12 feet in height) in a Single-Family Residential District (R-1). The property is legally described as being all of Lot 58, Block 18, Hidalgo Park Estates Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 528 East Saint Anne Drive. The property is currently zoned Single-Family Residential District (R-1). The surrounding area is zoned Single-Family Residential District (R-1) to the north, east and west and Agricultural and/or Open Space District (A-O) to the south. This area is generally designated for single-family residential in the Future Land Use Plan. Twenty-five (25) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice. On October 04, 2017, while Code Compliance conducted their routine inspections they noticed a new metal storage unit on the property and made contact. No building permit was on file and advised the applicant a permit is required. The applicant advised he would come in to obtain the necessary permits; however, a week after making contact no permit had been filed. A Conditional Use Permit application was applied on October 17, 2017 and a building permit application on November 03, 2017. Development Services is recommending approval of the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (12' x 24', 12 feet in height) in a Single-Family Residential District (R-1) subject to the following conditions:

1. This permit shall be for the Life-of-the Use and issued to the current owner only;
2. The accessory use structure shall not have a separate electrical service;
3. No living amenities shall be installed in unit;
4. Applicant shall comply with all City of Pharr Ordinances and codes, any violation will terminate this Conditional Use Permit;
5. Applicant must acquire a building permit before start of construction;
6. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
7. The following shall be considered as grounds for the revocation of the Conditional Use Permit:
  - Any change in use or change in extent of use, area or location.
  - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
  - Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

Della Robles advised the Commission to disregard item #7 on the comments as it was not supposed to be there and that the applicant was in the audience.

Della Robles advised this item will go before the City Commission meeting of November 20, 2017 at 4:00 p.m.

Danny Wylie advised this item requires a public hearing and asked if there was anyone in the audience wishing to address this item, either for or against, to please come forth. Rita Galvan advised there was no one signed up for Public Hearing. There being no one who signed up, Danny Wylie closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion, Andy Castro moved to approve the request for a Conditional Use Permit to allow an Oversized Storage Unit (12' x 24', 12 feet in height) in a Single-Family Residential District (R-1). Charlie Ramirez second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve  
T. Greuner: Absent  
R. Munguia: Approve  
A. Castro: Approve

C. Ramirez: Approve  
R. Robles: Approve  
L. Madrigal: Absent  
R. Sanchez: Approve

Motion carried by unanimous vote to approve the request for a Conditional Use Permit to allow an Oversized Storage Unit (12' x 24', 12 feet in height) in a Single-Family Residential District (R-1).

## **PLAT APPROVAL:**

Cristina Garcia introduced herself as Senior Planner for the City of Pharr and advised she had four (4) items to be presented to the Commission and proceeded to introduce the first plat as follows:

**B.I.G. ENGINEERING**  
**Rep. ESTELA T. SOTELO, DIRECTOR**  
**EVENING STAR PROPERTIES, INC.**

**LA ESTRELLA SUBDIVISION**  
**SUB#170718**

B.I.G. Engineering, representing Estela T. Sotelo, Director of Evening Star Properties Inc., is requesting preliminary plat approval of the proposed La Estrella Subdivision. The property is legally described as being 2.258 acres out of the West 3.64 acres of the East 5.00 acres of the North 10.00 acres of Lot 109, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 300 Block of North East Nolana Loop (FM 3461). The property is currently zoned Limited Industrial District (L-I). The adjacent

zones are Limited Industrial District (L-I) to the north, south, west and east. The property is designated for industrial use in the Land Use Plan. The property's proposed use is an existing Adult Day Care and Clinic. No variances are being requested. Development Services recommends preliminary plat approval of the proposed La Estrella Subdivision subject to the following conditions:

**STREETS, PAVING  
AND R.O.W.:**

1. Shall apply for a U.I.R. for sewer crossing on E. Nolana Loop at Public Works Department.

**EASEMENTS:**

1. Easement shall read "15' Exclusive easement to City of Pharr" for sewer south of the existing easement on the north side of the property.
2. Show all existing easements and label to whom it belongs.

**SIDEWALK:**

1. Side walk required at subdivision stage, please show as part of the proposed improvements.

**ADA:**

**FIRE PROTECTION:**

1. See attach comments.

**WATER:**

1. Water belongs to N.A.W.S.C.

**SEWER:**

1. Will need a U.I.R. permit.
2. Will need crossing permit from N.A.W.S.C.
3. Install M/H (drop structure) on south side of E. Nolana Loop see Detail A (see attachment).
4. Sanitary sewer bore will need to be 8" to connect to M/H on the north side of E. Nolana Loop see Detail B (see attachment).
5. A 16-inch steel casing will be required.
6. Follow City of Pharr Construction Standards Manual.

**DRAINAGE:**

1. Need to approve the drainage report.
2. Detention required if additional impervious area are proposed at building permit.
3. Provide an erosion and sediment control plan as part of the construction documents.

**OTHER:**

1. Provide "ATTEST" in front of City Clerk.
2. Provide seal and signature from surveyor.
3. On plat layout show existing R.O.W. or dedication.
4. Show a solid line on the south side of the R.O.W.
5. On lot verify the labeling of acreage.
6. Provide basis of bearings.
7. On metes & bounds label gross or net.
8. Label P.O.C and P.O.B on plat layout.
9. On location map point to site.
10. On plat notes #6, correct (I.H 36C).
11. Remove plat note #12.
12. Property lines should exclude the R.O.W. area if already existing, if it is being dedicated please note so.

13. Modify metes and bounds if required, if R.O.W. is existing.
14. Verify the square footage for Lot.
15. Acreage on plat should match metes and bounds.

Danny Wylie advised that this item did not require a public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion, Charlie Ramirez **moved** to approve the request for preliminary plat of the proposed La Estrella Subdivision. Andy Castro second the motion and when put to a vote it polled as followed:

|                     |                     |
|---------------------|---------------------|
| D. Wylie: Approve   | C. Ramirez: Approve |
| T. Greuner: Absent  | R. Robles: Approve  |
| R. Munguia: Approve | L. Madrigal: Absent |
| A. Castro: Approve  | R. Sanchez: Approve |

Motion carried unanimously to approve the request for preliminary plat approval of the proposed La Estrella Subdivision.

**B.I.G. ENGINEERING**  
**Rep. JESUS MELENDEZ, OWNER**

**MELENDEZ SUBDIVISION**  
**SUB#170719**

Cristina Garcia, Senior Planner, introduced the second item as follows:

B.I.G. Engineering, representing Jesus Melendez, owner, is requesting preliminary plat approval of the proposed Melendez Subdivision. The property is legally described as being a 0.58 acre tract out of Lot 77, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property is located within the 6000 Block of North IH 69C. The property is currently zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the north, south, east and west. The property is designated for commercial and R.O.W. use in the Land Use Plan. The property's proposed use is insurance offices. No variances are being requested. Development Services recommends preliminary plat approval of the proposed Melendez Subdivision subject to the following conditions:

**STREETS, PAVING  
AND R.O.W.:**

1. On plat layout show existing R.O.W. or dedication.
2. Copy of TxDot driveway permit required before N.T.P is issued.

**EASEMENTS:**

1. Provide document number for existing utility easement.
2. The 30' irrigation easement continues north, show on plat layout.
3. Show all existing easements.

**SIDEWALK:  
ADA:**

1. Plat note # 15, sidewalk required at building permit stage.

**FIRE PROTECTION:**

1. See attach comments.

**WATER:**

1. See attach comments.
2. Follow City of Pharr construction standards manual.

**SEWER:**

1. See attach comments.
2. Follow City of Pharr construction standards manual.

**DRAINAGE:**

1. Need an erosion and sediment control plan.
2. Need to approve the drainage report.

**OTHER:**

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1. Provide "ATTEST" in front of City Clerk.
2. Proof of notification to HCID #2 that easement will be used as access.
3. Add to plat note #4, "along east side of north" IH 69C.
4. Provide basis of bearings.
5. On metes & bounds label gross or net.
6. Remove plat note #12.
7. On plat layout verify set or found iron rods & match with metes & bounds.
8. Show blow up detail for northwest corner of property.
9. Label all monuments on plat layout.
10. Verify spelling on metes & bounds.
11. How will property be accessed?
12. A 30' easement running North and South along the entire west side of property. We will allow an entrance crossing with a permit but requires minimal disturbance over our property. They will be required to place a concrete slab over our easement 6" in thickness expansion slots must be placed along the perimeter of the easement and within if a leak develops we will not replace or repair any improvements that placed over our easement.
  - We will allow small shrubs and grass but no trees on our easement if a sign is to be placed it will be only after we review and a permit must be granted there is no assertion that it will. Easement must be shown going North and South outside of subdivision as to show continuation. Easements must be clearly labeled Exclusive Hidalgo Irrigation District No 2 Easement.

item did not require a public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion, Ray Sanchez moved to approve the preliminary plat approval of the proposed Melendez Subdivision. Charlie Ramirez second the motion and when put to a vote it polled as followed:

D. Wylie: Approve  
T. Greuner: Absent  
R. Munguia: Approve  
A. Castro: Approve

C. Ramirez: Approve  
R. Robles: Approve  
L. Madrigal: Absent  
R. Sanchez: Approve

Motion carried by unanimous vote to approve the request for preliminary plat approval of the proposed Melendez Subdivision.

**HALFF ASSOCIATES, INC.**

**Rep. Dr. SHIRLEY A. REED**

**SOUTH TEXAS COLLEGE PRESIDENT**

**SOUTH TEXAS COLLEGE REGIONAL CENTER  
FOR  
PUBLIC SAFETY EXCELLENCE  
SUBDIVISION**

**SUB#130714**

Cristina Garcia, Senior Planner , introduced the third item as follows:

HALFF Associates, Inc., representing Dr. Shirley A. Reed, South Texas College, President, Owner, is requesting final plat approval of the proposed South Texas College Regional Center For Public Safety Excellence Subdivision. The property is legally described as being a 62.38 acres out of Lots 255, 258, 259 and 260, Kelly-Pharr Subdivision of Porciones 69 and 70, Pharr, Hidalgo County, Texas. The property is located at the 3900 Block of South Cage Boulevard. The property is currently zoned General Business District (C). The adjacent zones are Agricultural and/or Open Space District (A-O), Planned Unit Development District (PUD) and City of Pharr ETJ to the North, Agricultural and/or Open Space District (A-O) and City of Pharr ETJ to the South, City of Pharr ETJ to the East and Agricultural and/or Open Space District (A-O) and General Business District (C) to the West. The property is designated for commercial, public/semipublic, and single family residential use in the Land Use Plan. The property's proposed use is for institutional use. No variances are being requested. Development Services recommends final plat approval of the proposed South Texas College Regional Center For Public Safety Excellence Subdivision subject to the following conditions:

**STREETS, PAVING**      1. In compliance.  
**AND R.O.W.:**

**EASEMENTS:**      1. In compliance.

**SIDEWALK:**      1. In compliance.

**ADA:**

**FIRE PROTECTION:**      1. In compliance.

**WATER:**

1. Water meters to be approved with finished level.
2. The 30"X30"X6" wire mesh concrete collars at valves to be completed when grade level is done.
3. Follow City of Pharr construction standard manual.

**SEWER:**

1. Inside manhole will need tar.
2. Will need concrete collars around manhole 6'x6'.
3. Follow City of Pharr construction standard manual.

**DRAINAGE:**

1. In compliance.

**OTHER:**

1. In compliance.

Cristina Garcia advised that this item would go before the City Commission meeting of November 20, 2017, at 4:00 p.m.

Danny Wylie advised that this item did not require a public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion, Charlie Ramirez **moved** to approve the request for final plat approval of the proposed South Texas College Regional Center For Public Safety Excellence Subdivision. Rafael Munguia second the motion and when put to a vote, it polled as followed:

D. Wylie: Approve  
T. Greuner: Absent  
R. Munguia: Approve  
A. Castro: Approve

C. Ramirez: Approve  
R. Robles: Approve  
L. Madrigal: Absent  
R. Sanchez: Approve

Motion carried by unanimous vote to approve the final plat approval of the proposed South Texas College Regional Center For Public Safety Excellence Subdivision.

**R.E. GARCIA & ASSOCIATES****PALMVIEW SOUTH  
SUBDIVISION****Rep. SAUL AYALA, OWNER****SUB#  
170922**

Cristina Garcia, Senior Planner, introduced the fourth item as follows:

R.E. Garcia & Associates, representing Saul Ayala, owner, is requesting preliminary plat approval of the proposed Palmview South Subdivision. The property is legally described as being a 2.58 acre tract of land, being a portion of Lot 5, Block 11, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1500 Block of West Dicker Road. The property is currently zoned General Business District (C). The adjacent zones are General Business District (C) to the east and south, Single-Family Residential District (R-1) and General Business District (C) to the north and city limits lie to the west. The property is designated for commercial use in the Land Use Plan. The property's proposed use is for a retail store. Development Services recommends preliminary plat approval of the proposed Palmview South Subdivision subject to the following conditions:

**STREETS, PAVING**

1. On plat layout label existing R.O.W. or proposed.

**AND R.O.W.:**

2. Thoroughfare map show 120'- 150' R.O.W. need to verify. (TEDSI is working on project from S. Jackson to 23<sup>rd</sup> street project engineer to verify with TEDSI for R.O.W. as well)
3. Provide street light layout and detail plan.
4. Provide 60' R.O.W from centerline required for S. Jackson Rd. and W. Dicker Rd.
5. Shall label and provide 30' x 30' corner clips on street corners.
6. Exclude R.O.W. (TxDOT) from property.
7. New subdivision/developments will pave 1/3 street R.O.W.
8. Project engineer to provide letter from county for work on the intersection of S. Jackson RD. and W. Dicker Rd.

**EASEMENTS:**

1. Project engineer needs to provide abandonment letters for easements on property.
2. Project engineer to apply for a release of the easement/R.O.W.
3. Utility easement on west side of the property shall not be overlapping the H.C.I.D. No. 2 R.O.W. easement, City of Pharr easements need to be exclusive.

**SIDEWALK:  
ADA:**

1. The 5' sidewalk shall be built at building permit phase along Jackson Road and Dicker Road.
2. 5' sidewalk on South Loretta Drive is required.

**FIRE PROTECTION:  
WATER:**

1. See attach comments.
1. Relocate 12" bend to the east side of the entrance
2. Will require 24" casing under main entrance driveways
3. Will need 12" G.V. for both the southwest and southeast corners of the property.
4. 8" waterline will be required to be places based on Fire Marshal's recommendations (fire hydrant placements).
5. Follow City of Pharr Construction Standards Manual.

**SEWER:**

1. Will need sewer crossing detail at water line intersection.
2. Sewer to property line only.
3. Sewer service to remain private.
4. Follow City of Pharr Construction Standards Manual.

**DRAINAGE:**

1. Submit approved drainage report.
2. Private drainage plan will be approved at building permit stage, only public drainage requirements to be approved at this stage.
3. Manhole cover should be the "No dumping" logo.
4. Provide three (3) copies of Storm Water Pollution Prevention Plan (S.W.P.P.P.) with Small Construction Site Notice. This will be required to be submitted before the Notice to Proceed (N.T.P.) s issued.
5. Discharge permit from Texas Department of

Transportation via UIR system is required if connecting to TxDot system.

**OTHER:**

1. Text height to be consistent.
2. Check misspelled words on easement call outs.
3. Project engineer shall submit a tree survey plan & tree protection plan (a copy was provided to project engineer at the meeting).
4. Plat note #4, use exact decimal numbers for the benchmark.
5. Remove note #10.
6. Plat note #16, re-do the street order and add S. Loretta Dr., S. FM 2061 and W. FM 3072.
7. Construction entrance shall be a minimum of 20' X 50'.
8. Erosion and sediment control plan is missing location of material storage, concrete wash out, waste containers, office, IPB and inlets inside property are missing.
9. Concrete wash out details are missing (must prevent ground water contamination).
10. Add plat note: Owners to maintain R.O.W. and perimeter of subdivision.
11. Plat note #8, estimated area to be used for detention is shown as whole lot; provide a proper estimated number.
12. Plat note #9, eliminate, this information should be part of note #8 as the standard drainage directive.
13. Plat note #13, add R.O.W.; and reword as per P.W. requirements.

Danny Wylie advised that this item did not require a public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion, Rafael Munguia **moved** to approve the request for the preliminary plat approval of the proposed Palmview South Subdivision. Charlie Ramirez second the motion and when put to a vote it polled as followed:

D. Wylie: Approve  
T. Greuner: Absent  
R. Munguia: Approve  
A. Castro: Approve

C. Ramirez: Approve  
R. Robles: Approve  
L. Madrigal: Absent  
R. Sanchez: Approve

Motion carried by unanimous vote to approve the request for the preliminary plat approval of the proposed Palmview South Subdivision.

**ANNOUNCEMENTS/OTHER BUSINESS:** None.

**ABSENTEE REPORT:** Rita Galvan announced that Tom Gruener was involved in a minor accident and Luis Madrigal was ill, both were absent. Ray Sanchez **moved** the absent members be excused. Luis Madrigal second the motion and when put to a vote, it polled as follows:

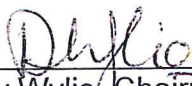
D. Wylie: Excuse  
T. Greuner: Absent  
R. Munguia: Excuse  
A. Castro: Excuse

C. Ramirez: Excuse  
R. Robles: Excuse  
L. Madrigal: Absent  
R. Sanchez: Excuse

Motion carried unanimously to excuse the absent members.

**ADJOURNMENT:**

There being no further business, Romeo Robles moved that the meeting be adjourned. Ray Sanchez second the motion. All members unanimously consented, the Planning and Zoning Meeting adjourned at 7:20 p.m.

  
\_\_\_\_\_  
Danny Wylie, Chairman

ATTEST:

  
\_\_\_\_\_  
Tom Greuner, Secretary