



AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. March 27, 2017 – 6:00 p.m.

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2015-28. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

If during the course of the meeting, the PLANNING & ZONING COMMISSION should determine that a closed, or executive session of the COMMISSION is required, then such closed or executive session or meeting is authorized by Sections 551.071 et seq. of the Texas Government Code. Notice of closed or executive session will be given after the commencement of the meeting covered by this notice.

Should any final action, decision, or vote be required in the opinion of the Commission with regard to any item during the meeting, then such final action, final decision, or final vote shall be made during the open meeting covered by this notice upon the reconvening of the public meeting.

In compliance with Section 551.041 et seq. of the Texas Government Codes, VTCS (Open Meetings Act), notice is given that the Planning & Zoning Commission will meet to consider and act upon the following:

PRESIDING: Danny Wylie, Chairman

- A. CALL TO ORDER:
- B. ROLL CALL:
- C. APPROVAL OF MINUTES: March 13, 2017
- D. PUBLIC COMMENTS: (Ordinance No. O-2015-28) A registered speaker may speak on several items or topics of public concern; however, a speaker may not exceed three (3) minutes as a whole when addressing the board. A registered speaker may not donate time to another speaker. No more than five registered persons may speak at a scheduled meeting. A sign-in form must be filled out prior to the meeting to allow the registered speaker to address the governing body.

- E. PUBLIC HEARING: (Ordinance No. O-2015-28) A registered speaker during the public hearing may not exceed three (3) minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.
1. William Bebb Francis, III, representing American Tower Asset Sub, LLC, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to continue to allow an existing telecommunication tower in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 0.153 acre tract of land, more or less, out of Lot 7, Block 12, A. J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 1600 Block of West Las Milpas Road. **CUP#170210 (TABLED)**
 2. Sonia Garcia, representing Centro Familiar Cristiano Iglesia Del Pueblo, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a Single-Family Residential District (R-1). The property is legally described as being all of Lot 14, Las Fuentes Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 424 West Navarro Street. **CUP#170212 (TABLED)**
 3. Big River Brewery, LLC has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being a 0.37 acre tract of land, more or less, out of the E7.50AC-W20AC, Lot 107, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 505 West Nolana Loop. **CUP#170314**
 4. Spoor Engineering Consultants, Inc., representing Martin Rios, has filed with the Planning and Zoning Commission a request for a change of zone from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4). The property is legally described as being 5.34 acres, more or less, out of Lot 245, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 3100 and 3200 Block of South Cage Boulevard. **COZ#170315**

5. Ilse Vidaurri, representing Trancasa USA, Inc., has filed with the Planning and Zoning Commission a request for a Special Use Permit to allow a parking facility in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 7.576 acre tract of land, more or less, out of LOT 377, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 1500 and 1600 Block of West Hi-Line Road. **SUP#170316**

PLAT APPROVAL: **NONE.**

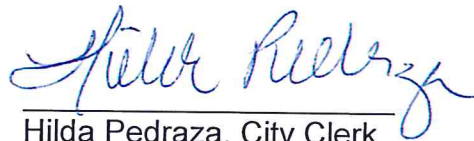
F. ANNOUNCEMENTS/OTHER BUSINESS:

G. ABSENTEE REPORT:

H. ADJOURNMENT:

I, certify that the above notice of public hearing was posted on the bulletin board at City Hall on this the 23th day of March 2017, at 10:30 a.m. and in the City of Pharr web site (www.pharr-tx.gov)




Hilda Pedraza, City Clerk



PLANNING & ZONING COMMISSION

City Commissioner's Room

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

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, March 13, 2017. The meeting was called to order by Danny Wylie 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
Tom Greuner
Rafael Munguia
Andy Castro
Charlie Ramirez
Romeo Robles
Luis Madrigal
Porfirio Rodriguez

ABSENT: None

OTHERS PRESENT: See attached list

STAFF PRESENT: Juan G. Guerra, City Manager
Edward Wylie, Assistant City Manager
Roland Gomez, Assistant Development Services Director
Heriberto Martinez, Planner II
George Martinez, Building Official
Alexandra Esparza, Secretary
Ruben Villegas, Police Chief

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 February 27, 2017.

Luis Madrigal advised that there was a minor correction on page 17 of 27 for the minutes of February 13, 2017.

Commissioner Charlie Ramirez arrived at 6:03 p.m. and took his place with the Commission.

Danny Wylie asked for clarification for the word swales on page 15 of 16 on the sewer section for plat item one. Heriberto Martinez Planner II, advised it was another word for retention pond.

There being no further discussion, Rafael Munguia **moved** the minutes of February 27, 2017, be approved with corrections. Luis Madrigal second the motion and when put to a vote, it polled as follows:

D. Wylie: Approved with corrections	C. Ramirez: Approved with corrections
T. Greuner: Approved with corrections	R. Robles: Approved with corrections
R. Munguia: Approved with corrections	L. Madrigal: Approved with corrections
A. Castro: Approved with corrections	P. Rodriguez: Approved with corrections

The motion carried unanimously to approve the minutes of February 27, 2017, with corrections.

PUBLIC COMMENTS:

Danny Wylie asked if anyone had signed up for the Public Comments. Alexandra Esparza advised there were several individuals that had signed up to speak and called forth the first individual.

A gentleman approached the podium and introduced himself as Kenneth C. Fletcher living at 504 South Diplomat. He addressed the sound problems with Costco and stated there had been changes in management and the new management was not a part of the neighbor to neighbor agreement which stated for the trucks to park on the southwest side, not across the houses. He stated he wanted to protest against his Public Hearing request being denied by administration. He stated he maintained from the Attorney General 2008... He requested a letter from the city attorney addressing the Attorney General of 2017. He stated his interest in native plants and as per ordinance to put native plants around the cell tower of item number one. Mr. Fletcher addressed item number two (2) about the development of several acres into home owners and to think about water conservation for the home owners in the future. He stated an easy way to save water...a lot of water was wasted by watering lawns and the use of native vegetation to restore. Mr. Fletcher showed a book of native plants and stated if the little oasis had been plowed away for the use of agricultural use it can be replaced tree by tree, berry by berry, attract bird by bird then attract eco tourist. Mr. Fletcher stated the quality of life is much better with native trees. He also wanted to remind the commission about the church near residents and that a proper buffer wall should be placed as per section 134.31 of the unified code of the City of Pharr.

Alexandra Esparza called forth the second individual signed up for public comments.

A gentleman approached the podium and introduced himself as Jack Arnold, address was 810 West Minnesota Road, speaking about item E2. Mr. Arnold stated he had five (5) acres of land at the south side of the proposed development and was not notified about the meeting or the change of zone. He stated he was not against development, but was against poor planning and poor development. He stated that the city rendered him useless of his five (5) acres along Minnesota Road. He noticed that his dad's trees were being pushed down and then later to find out that the property had been sold. He stated that there are other families and people involved and to consider them when making decisions. He stated again that he was not against the development that he would want to

work with the City of Pharr but there needs to be some kind of dialogue for people like him that was not notified and live right next to the property. He stated 4,480 trees were being pushed down.

Alexandra Esparza called forth the third individual signed up for Public Comments.

A gentleman approached the podium and introduced himself as Jack Tanner living at 508 West Nolana. He stated he was representing the William and Betty Arnold Family Limited Partnership. Mr. Tanner advised he was speaking about the same item as Mr. Arnold and how the notifications come about. He stated that there had been a great deal of development that has been happening and none of the family from the William and Betty Arnold Family Limited Partnership object to any of it, however, there had been some discrepancies within the community as far as communication regarding who was speaking for whom. He stated as far as the William and Betty Arnold Family Limited Partnership no one speaks for them. Mr. Tanner stated that information from the community and neighbors they were told to only contact one person in regards to the matter, but there are two separate entities, one entity was the Allen and Letitia Family Limited Partnership. He stated each entity has its own spokesperson and in the future it would be greatly appreciated on considering the communication of who is speaking for whom. Mr. Tanner advised again that they were not against the development just the lack of communication and whom the notices go out to.

Alexandra Esparza called forth the last individual signed up for public comments.

A gentleman approached the podium and introduced himself as Gary Hosmer residing at 4026 Ravenwood Court, Pearland Texas. Mr. Hosmer stated that his mother was the daughter of Russell D. Arnold, which was a part of the RD Arnold Family Farm. He stated that him and his two uncles, Allen and Wesley William Arnold, own the east half of block 90, where Letitia Arnold decided she would develop. He stated that he was not opposing the development but would like a planned development and would like to be able speak on the plans being developed. Mr. Hosmer stated that he had been approached and told that Letitia Arnold sold her 15 acres and he was given a contract with a \$10,000.00 earnest money to accept. He stated that there was no prior notice to the matter and was told there was his \$10,000.00 earnest money contract to sign. He stated he was not prepared to sell his land due to not knowing about what was going on and it being an out of the blue situation. Mr. Hosmer stated he was not against the development, that he understood that the agricultural land was going to be developed, but would like to have a planned development and be part of it. He wanted to reiterate what Mr. Tanner said that there was one person claiming to speak for everyone but does not. He stated there was another part of the Arnold family that is in agreement with planned development.

There being no one else wishing to speak, Danny Wylie closed the Public Comments and proceeded with the next item.

PUBLIC HEARING:

Heriberto Martinez introduced himself as Planner II for the City of Pharr and stated he had five items for recommendation and proceeded to introduce the first item.

William Bebb Francis, III, representing American Tower Asset Sub, LLC, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to continue to allow an existing telecommunications tower in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 0.153 acre tract of land, more or less, out of Lot 7, Block 12, A. J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 1600 Block of West Las Milpas Road. The property is currently zoned Agricultural and/or Open Space District (A-O). The property to the north and west is zoned Limited Industrial District (L-I), Single-Family Residential District (R-1) to the east and High Density Multi-Family Residential District (R-4) to the south. This area is generally designated for single-family residential use in the Land Use Plan. Sixteen (16) surrounding property owners were notified by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or to the legal notice. Development Services is recommending approval of the request for a Life-of-the-Use Conditional Use Permit to continue to allow an existing telecommunication tower in an Agricultural and/or Open Space District (A-O) subject to the following conditions:

1. The applicant shall comply with all City of Pharr Ordinance requirements. Any violation of City Ordinance will terminate this Conditional Use Permit;
2. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
3. Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate this Conditional Use Permit;
4. This Conditional Use Permit shall be issued for the Life-of-the-Use; and
5. The existing telecommunications tower must continue to comply with all setback and height requirements.
6. The following shall be considered as grounds for the revocation of a Conditional Use Permit:
 - Any change in use or change in extent of use, area or location being used.
 - 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.

Heriberto Martinez advised that the applicant asked for this item to be tabled.

There being no discussion, Charlie Ramirez moved to table the item subject to the applicant's request. Tom Greuner second the motion and when put to a vote it polled as follows:

D. Wylie: Approved	C. Ramirez: Approved
T. Greuner: Approved	R. Robles: Approved

R. Munguia: Approved L. Madrigal: Approved
A. Castro: Approved P. Rodriguez: Approved

Motion carried unanimously to approve the tabling of this item subject to the applicant's request.

**SHAVI MAHTANI/DOMAIN DEVELOPMENT
REP. THE ALLEN AND LETITIA ARNOLD
FAMILY PATERNERSHIP**

**CHANGE OF ZONE
A-O TO R-1
COZ#170211**

Heriberto Martinez, Planner II, proceeded to introduce the second item as follows.

Shavi Mahtani/Domain Development, representing The Allen and Letitia Arnold Family Partnership, is requesting a change of zone from Agricultural and/or Open Space District (A-O) to a Single-Family Residential District (R-1). The subject site is located on the east side of North Sugar Road and is physically located within the 5400 Block of North Sugar Road. The property is legally described as being a tract of land containing 33.070 acres, more or less, out of Lot 87, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The subject site currently consists of one (1) lot which has an approximate frontage of 1,091.30 feet along North Sugar Road and has an approximate depth of 1,320 feet. North Sugar Road is a 70' minor collector which runs north and south with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan. The property is currently zoned Agricultural and/or Open Space District (A-O). The property to the north is zoned Residential Mobile Home District (R-MH), the property to the west is zoned Agricultural and/or Open Space District (A-O) and High Density Multi-Family District (R-4), the property to the south is zoned Agricultural and/or Open Space District (A-O) and the property to the east is zoned Agricultural and/or Open Space District (A-O) and Residential Townhouse District (R-TH). The property is generally designated for commercial and multi-family in the Land Use Plan. The property to the north was rezoned to Planned Unit Development (P.U.D.) on August 21, 1984. On December 13, 1988 the property was changed from Planned Unit Development (P.U.D.) to Residential Mobile Home District (R-MH). On August 25, 2015, the property to the west was rezoned to High Density Multi-Family District (R-4) and on November 01, 2005, the property to the east was rezoned to Residential Townhouse District (R-TH). The owner of the property is requesting a change of zone to a Single-Family Residential District (R-1) in order to develop the property into a 146 lot single-family residential subdivision. The Single-Family Residential District is intended to be composed of single-family dwellings together with public, denominational and private schools, churches and public parks essential to create basic neighborhood units. Areas that are zoned for this use shall have water, wastewater, drainage and access to paved streets based on single-family usage. It is intended for areas that are properly buffered from nonresidential uses, and protected from pollution and/or environmental hazards or from high volume of non-single-family traffic. Fourteen (14) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice. Planning staff is recommending approval of the request to re-zone to Single-Family Residential District (R-1) as the property meets area requirements and has adequate ingress and egress. If approved, applicant must subdivide and comply with all City Ordinances and City Department requirements.

Heriberto Martinez advised that this item will go before the City Commission meeting of March 20, 2017, at 5:00 pm and the engineer was in attendance.

Danny Wylie advised that this item requires a Public Hearing and asked if there was anyone in the audience wishing to address the item either for or against to please come forth. Alexandra Esparza advised there was no one wishing to speak, therefore, Danny Wylie closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

Charlie Ramirez asked staff if Shavi Mahtani owned the property. Mr. Martinez affirmed. Mr. Ramirez asked if he was in partnership with the Arnold family, if it was a joint project and when was the final closing of the property. Edward Wylie, Assistant City Manager, advised that when Mr. Shavi applied for the change of zone, he was not the owner but got the owner's consent to sign the paperwork for the application. He stated he went to closing the Friday before, went to the title company and got all the bells and whistles, it was a legit sale. Charlie Ramirez stated that he knows the Arnold family on a personal level and this caught him as a surprise as much as it did to them. Edward Wylie advised that city officials and Development Services staff cannot get involved with private affairs; it would be something behind the scenes within the Arnold family. Danny Wylie asked staff if the family members were part of the fourteen (14) surrounding property owners that were notified. Edward Wylie advised that the father Mr. Jack Arnold owned a property directly south that was out of the original tract. He stated somewhere along the line the property was deeded over a couple years back, and since then the tax rolls at the Hidalgo County Appraisal District had not been updated for whatever reason. He stated that the way the law works in Texas for notifications the city has to go by the official tax rolls of the Hidalgo County Appraisal District and on the official tax rolls it did not show Jack Arnold, the son, as the property owner, it showed Allen and Letitia Arnold as the owner and since they were the applicants and already knew about it, another letter was not generated to the same people regarding this matter. Rafael Munguia asked what the proposed future land use plan was. Roland Gomez, Assistant Development Services Director, advised it was multi-family. Romeo Robles asked in order for the community to be notified about any development around that area in the future, what can the city do in order to make sure the people get notified. Eddie Martinez advised that since the information is provided by the Hidalgo County Appraisal District, they would have to be up to date on their part. Edward Wylie stated that it would be good practice to go and update, however, a meeting will be set up with all the interested parties and talk over the long term plans of the city and the intention of the zoning and development coming in. He advised that at that time the city will go property by property to see who the legal property owners are.

An individual from the audience addressed the Commission (*Inaudible*).

Charlie Ramirez moved to go into Executive Session, Tom Greuner second the motion.

The Planning and Zoning Commission entered executive session at 6:26 p.m.

The Planning and Zoning Commission returned from executive session at 6:36 p.m.

There being no further discussion, Luis Madrigal **moved** to approve change of zone from Agricultural and/or Open Space District (A-O) to a Single-Family Residential District (R-1). Rafael Munguia seconded the motion and when put to a vote it polled as follows:

D. Wylie: Approved	C. Ramirez: Approved
T. Greuner: Approved	R. Robles: Approved
R. Munguia: Approved	L. Madrigal: Approved
A. Castro: Approved	P. Rodriguez: Approved

Motion carried unanimously to approve the change of zone from Agricultural and/or Open Space District (A-O) to a Single-Family Residential District (R-1).

SONIA GARCIA
REP. CENTRO FAMILIAR CRISTIANO IGLESIA DEL PUEBLO

LIFE-OF-THE-USE
CHURCH
CUP#170212

Heriberto Martinez, Planner II, introduced the next item as follows.

Sonia Garcia, representing Centro Familiar Cristiano Iglesia Del Pueblo, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a Single-Family Residential District (R-1). The property is legally described as being all of Lot 14, Las Fuentes Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 424 West Navarro Street. The property is currently zoned Single-Family Residential District (R-1). The property to the north is zoned Single-Family Residential District (R-1) and Two-Family Residential District (R-2), to the south and east the property is zoned Single-Family Residential District (R-1) and to the west the property is zoned Agricultural and/or Open Space District (A-O). This area is generally designated for single-family residential use in the Land Use Plan. Thirty-six (36) 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 in opposition of the item. Development Services is recommending approval of the request for a Life-of-the-Use Conditional Use Permit to allow a church in Single-Family Residential District (R-1) subject to the following conditions:

1. This Conditional Use permit shall be issued for the Life-of-the-Use and issued to the current owner only;
2. Parking requirements as per Ordinance;
3. If the need arises for expansion, applicant shall advise the city and it will be necessary for the Planning & Zoning Commission to reconsider this permit;
4. The applicant shall comply with the Landscaping and Sign Ordinance;
5. Any change in ownership or applicant conducting business shall terminate this Conditional Use Permit;
6. A building permit and Certificate of Occupancy will be required and current standard building codes must be observed; if applicable.
7. The following shall be considered as grounds for the revocation of a Conditional Use Permit:

- Any change in use or change in extent of use, area or location of the building being used.
- 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.

Mr. Martinez advised that staff is recommending the item to be tabled due to information pending from the applicant.

There being no discussion, Andy Castro moved to approve the tabling of the item subject to information pending from the applicant. Tom Greuner second the motion and when put to a vote it polled as follows:

D. Wylie: Approved	C. Ramirez: Approved
T. Greuner: Approved	R. Robles: Approved
R. Munguia: Approved	L. Madrigal: Approved
A. Castro: Approved	P. Rodriguez: Approved

Motion carried unanimously to approve the tabling of this item subject to information pending from the applicant.

RENE CAMPOS
REP. PHARR-SAN JUAN-ALAMO ISD

LIFE-OF-THE-USE INSTITUTIONAL USE
CUP#170213

Heriberto Martinez, Planner II, introduced the final item as follows:

Rene Campos, representing Pharr-San Juan-Alamo ISD has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an Institutional Use in a Single-Family Residential District (R-1). The property is legally described as being all of Lot 8, Ford's Subdivision and all of Lots 1 and 8, Block 1, McDaniel Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 325 West Jones Avenue. The property is currently zoned Single-Family Residential District (R-1). The surrounding property is zoned Single-Family Residential District (R-1) to the north, south, west and east. This area is generally designated for single-family residential use in the Land Use Plan. Thirty-one (31) 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. Development Services is recommending approval of the Conditional Use Permit to allow an Institutional Use in a Single-Family Residential District (R-1) subject to the following conditions:

1. A fire alarm system must be installed in every unit/room;
2. An all-weather surface must be provided for emergency access; and
3. The applicant shall comply with all City of Pharr Ordinance requirements; any violation of City Ordinance will terminate this Conditional Use Permit;

4. The following shall be considered as grounds for revocation of the 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.

Heriberto Martinez advised that this item will go before the City Commission meeting of March 20, 2017 at 5:00 p.m.

Danny Wylie advised that this item required a Public Hearing and asked if there was anyone in the audience wishing to address the item either for or against to please come forth. There being no one wishing to speak, Danny Wylie closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

Luis Madrigal asked if the applicant was present. Mr. Martinez advised he was not due to the school district being on spring break. Mr. Madrigal asked what Pathway to Independence was. Mr. Martinez advised it was a school to teach special needs kids how to dress and do everyday things. Danny Wylie asked if it was going to have classrooms. Mr. Martinez affirmed. Edward Wylie advised that it was a home for special needs kids, they would be transported by bus and they would be taught everyday life skills. Danny Wylie asked since they would be bused in and out there would not be any problem with the parking. Edward Wylie affirmed. Porfirio Rodriguez asked how long has this program been on going in a single family home. Roland Gomez advised they do not have the exact date when the single family home was built but they did apply for building permits to remodel a few months back and now they are applying for the Conditional Use Permit for institutional use. Mr. Gomez advised the program has been recent and part of the PSJA district.

There being no further discussion Luis Madrigal moved to approve the request for a Life-of-the-Use Conditional Use Permit to allow an Institutional Use in a Single-Family Residential District (R-1). Tom Greuner second the motion and when put to a vote it polled as follows:

D. Wylie: Approved	C. Ramirez: Approved
T. Greuner: Approved	R. Robles: Approved
R. Munguia: Approved	L. Madrigal: Approved
A. Castro: Approved	P. Rodriguez: Approved

Motion carried unanimously to approve the request for a Life-of-the-Use Conditional Use Permit to allow an Institutional Use in a Single-Family Residential District (R-1).

PLAT APPROVAL:

**HALFF ASSOCIATES, INC.
REP. SOUTH TEXAS COLLEGE**

**SOUTH TEXAS COLLEGE REGIONAL CENTER
FOR PUBLIC SAFETY EXCELLENCE
SUB#161126**

Heriberto Martinez, Planner II, stated he had one plat approval for recommendation and introduced the item as follows:

HALFF Associates, Inc., representing South Texas College is requesting preliminary 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 Agricultural and/or Open Space District (A-O). 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 public/semipublic and single family residential use in the Land Use Plan. Property proposed use: South Texas College. Variances: None Requested. Development Services recommends preliminary plat approval of the proposed South Texas College Regional Center for Public Safety Excellence Subdivision subject to the following conditions:

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

1. Will require copy of TxDot Driveway permit.
2. Verify and label R.O.W. need 120'-150' on US 281 and 70' on E. Rancho Blanco road.
3. Will require street light plan at building permit.

EASEMENTS:

1. Verify name, county water improvement District #2.
2. Need to provide easements for interior waterlines.
3. Exclusive 15' easement intersects with HCID #2 easement, is HCID# 2 ok with this? Verify.

**SIDEWALK:
ADA:**

1. Plat note #8: reword to read "Wheelchair ramps and landings per ADA requirements to be constructed at subdivision stage. Sidewalks to be constructed at building permit stage".

**FIRE
PROTECTION:**

1. See attach comments.

WATER:

1. Need a 2-inch service for property.
2. Need a 12-inch waterline valve close to the 90 degrees bends.
3. PVC needs to be DR18.
4. Fire hydrant line needs a 12" casing.
5. Need a 12-inch valve and stub out with cap at end of propose waterline.
6. All bends will have megalock.
7. Connection will be wet tap with the proper valves, stainless steel taps, etc.
8. Need to show detail of water service.
9. Need to install meter box.
10. Follow City of Pharr construction standard manual.

SEWER:

1. Need a stub out and plug at the manhole.
2. Need a 6-inch sewer service stub out/ show sewer service stub out.
3. Cannot connect directly to manhole.
4. Sewer lines needs to be SDR26.
5. Need detail of stub out and connection
6. Follow City of Pharr construction standard manual.

DRAINAGE:

1. Show flood zones on plat layout.
2. Will require discharge permit from TxDot and Connection permit from City on Rancho Blanco.
3. Plat note #15: reword to read "All drainage areas to be maintained by owner".
4. Need approved drainage report.

OTHER:

1. Provide bearings & distances for easements.
2. Verify iron rod just south east of Irma Lee property.
3. Make sure to match what on metes & bounds and plat layout O.R.H.C.T. & D.R.H.C.T.
4. Label the Kelly-Pharr Lots.
5. Remove plat note #9.
6. Plat note #11, need to provide figures.
7. Add: Danny Wylie, for the Planning & Zoning signature block.
8. Change year to 2017, on plat.
9. On location map, show S. Veterans Blvd. ("I" Rd.) and north arrow to be true north.
10. Add plat note: Fire sprinkler protection shall be installed by a Texas license fire protection company with a minimum RME-U License to install the fire sprinkler underground.
11. Add plat note: Erosion and Sediment control during construction shall be in accordance with the current Texas Pollution Discharge Elimination System (TPDES). And delete plat note #12 and 14.
12. Provide correct square feet on metes & bounds and description.
13. Need S.W.P.P.P. with C.N.O.I filed (SWPPP will include entire property owned; but BMP's will only be needed where there is ground disturbance).
14. T.I.A. report will be turned in before second phase of building permit.
15. Note #8 add- "along east side US 281 and south side of E. Rancho Blanco Road.
16. A conditional use permit (C.U.P). will be required for any institutional use.

Mr. Martinez advised that the project engineer and representatives were in attendance.

Danny Wylie advised this item did not need a public hearing and opened it up to the Commission for discussion and action.

Danny Wylie asked what kind of disturbance would it cause to the school and residences nearby. Edward Wylie advised that this was only the subdivision phase. He stated once they apply for building permits and have plans they have a couple of renditions to it, but they haven't gotten to that point of what kind of sound buffers will be placed. He stated that the school is a participant in this program, it was a joint effort with the city, PSJA School District and South Texas College to have the city's first full fledged college. Edward Wylie stated that the school district was going to fund kids for this institution use so the school should not have any problems with it. As for the residences nearby they would make sure to take the appropriate measures for the buffers. Danny Wylie asked how long this project would take to get done. Edward Wylie stated for the first phase they have a year left and it was a multi-phase school. Edward Wylie added that this school would have a police academy, fire academy and ambulance training.

There being no further discussion Charlie Ramirez **moved** to approve the preliminary plat approval of the proposed South Texas College Regional Center for Public Safety Excellence Subdivision. Luis Madrigal second the motion and when put to a vote it polled as follows:

D. Wylie: Approved	C. Ramirez: Approved
T. Greuner: Approved	R. Robles: Approved
R. Munguia: Approved	L. Madrigal: Approved
A. Castro: Approved	P. Rodriguez: Approved

Motion carried unanimously to approve the preliminary plat approval of the proposed South Texas College Regional Center for Public Safety Excellence Subdivision.

ANNOUNCEMENTS/OTHER BUSINESS: NONE

ABSENTEE REPORT: Alexandra Esparza announced the full Commission was present.

ADJOURNMENT: There being no further business, Romeo Robles **moved** that the meeting be adjourned. Luis Madrigal second the motion and when put to a vote, the motion carried by unanimous consent, the Planning and Zoning meeting adjourned at 6:48 p.m.

Danny Wylie, Chairman

ATTEST:

Tom Greuner, Secretary

Audience Attendance Sheet



DATE **MARCH 13, 2017**

MEETING: **P&Z MEETING**

NAME: PRINT	ADDRESS:	PHONE NO.	-AGENDA- ITEM NUMBER
KC Fletcher	504 E. Diplomat	279 9893	D, E 17, 3
Roxie Mann	5000 Military Hwy	425 8115	
Miles Bullock	5000 Military Hwy	445-9202	
JACK ARNOLD	810 W. Minnesota Rd	227-4579	E-2
GARY HOSMER	4026 AVE NW 005 COURT, PEARLAND	281-692-0674	E-2
JACK TANNER	508 W. NOLANA ⁷⁸⁵⁷⁷ Pearland	210 273 1992	E-2
Gilbert Gallegos	1100 E. Jasmn #102 78507	688 2307	4
Tammy Tijerina	1100 E. Jasmn Suite 102 McAllen, TX	207-2583	4
Fred Kurth	MHI	381-0981	

MEMORANDUM

DATE: MONDAY, MARCH 27, 2017

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: LIFE-OF-THE-USE CONDITIONAL USE PERMIT FOR AN EXISTING TELECOMMUNICATION EQUIPMENT FILE NO. CUP#170210 (AMERICAN TOWER ASSET SUB, LLC)
--

GENERAL INFORMATION:

APPLICANT: William Bebb Francis, III, representing American Tower Asset Sub, LLC, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to continue to allow an existing telecommunications tower in an Agricultural and/or Open Space District (A-O).

LEGAL DESCRIPTION: The property is legally described as being a 0.153 acre tract of land, more or less, out of Lot 7, Block 12, A. J. McColl Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located within the 1600 Block of West Las Milpas Road.

ZONING: The property is currently zoned Agricultural and/or Open Space District (A-O). The property to the north and west is zoned Limited Industrial District (L-I), Single-Family Residential District (R-1) to the east and High Density Multi-Family Residential District (R-4) to the south. This area is generally designated for single-family residential use in the Land Use Plan.

NOTIFICATION OF PUBLIC: Sixteen (16) surrounding property owners were notified by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or to the legal notice.

**DEVELOPMENT
SERVICES**

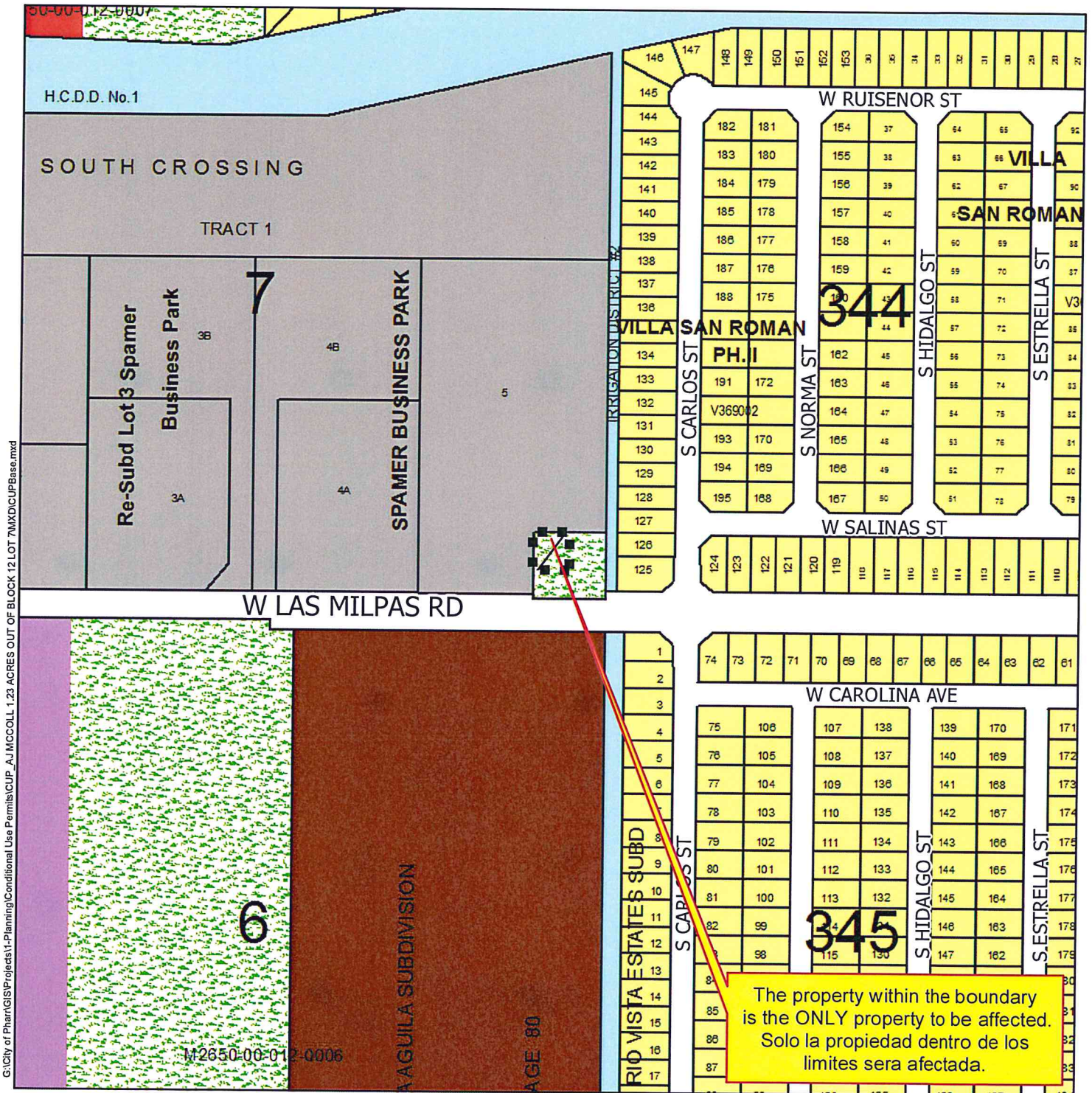
RECOMMENDATIONS:

Development Services is recommending approval of the request for a Life-of-the-Use Conditional Use Permit to continue to allow an existing telecommunication tower in an Agricultural and/or Open Space District (A-O) subject to the following conditions:

1. The applicant shall comply with all City of Pharr Ordinance requirements. Any violation of City Ordinance will terminate this Conditional Use Permit;
2. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
3. Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate this Conditional Use Permit;
4. This Conditional Use Permit shall be issued for the Life-of-the-Use; and
5. The existing telecommunications tower must continue to comply with all setback and height requirements.
6. The following shall be considered as grounds for the revocation of a Conditional Use Permit:
 - Any change in use or change in extent of use, area or location being used.
 - 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.

NOTE: This item will go before the City Commission meeting of **April 03, 2017 at 5:00 pm.**

Proposed Conditional Use Permit
A.J. McColl 1.23Ac out of Block 12, Lot 7
William Bebb Francis, III/ American Tower Asset Sub, LLC



The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |

City of Pharr, Texas
Engineering Department
956.702.5355

Scale: 1 inch = 300 feet



Date: 2/17/2017

Proposed Conditional Use Permit
A.J. McColl 1.23Ac out of Block 12, Lot 7
William Bebb Francis, III/ American Tower Asset Sub, LLC

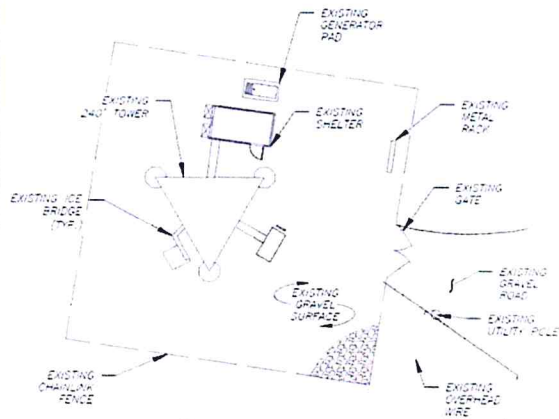


NOTES

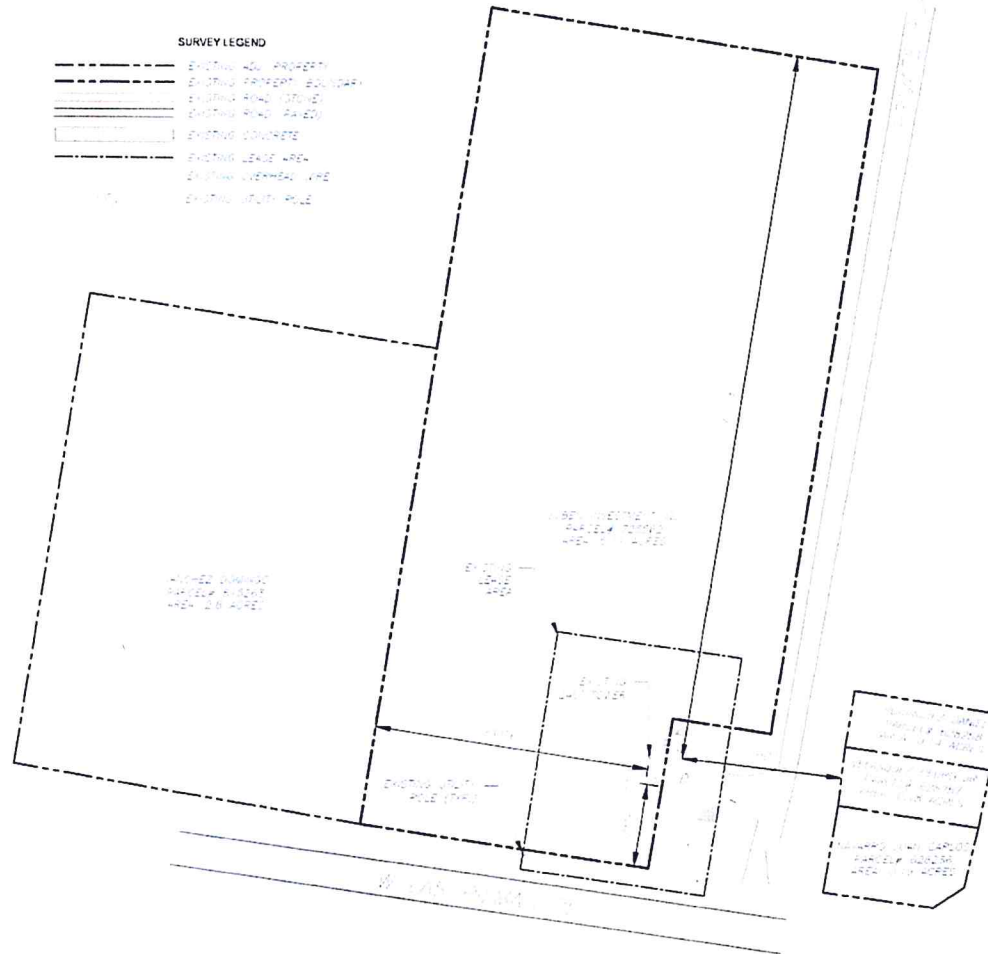
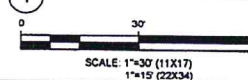
- THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS ONLY. THE PROJECT WILL NOT RESULT IN ANY PROPOSED WORK.
- FIELD SURVEY DATE: 04/05/2013
- BOUNDARY INFORMATION OBTAINED FROM: BRADLEY G. WELLS, PLS.

SURVEY LEGEND

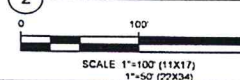
- EXISTING 40' PROPERTY
- EXISTING PROPERTY BOUNDARY
- EXISTING ROAD (TYPED)
- EXISTING ROAD (PAVED)
- EXISTING CONCRETE
- EXISTING LEASE AREA
- EXISTING OVERHEAD WIRE
- EXISTING UTILITY POLE



1 DETAILED SITE PLAN



2 OVERALL SITE PLAN



AMERICAN TOWER
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27618
PHONE: (919) 468-0112
COA: F-5274

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTORS MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
1	FOR PERMITTING	JN	01/27/17
2			
3			
4			

ATC SITE NUMBER

310046

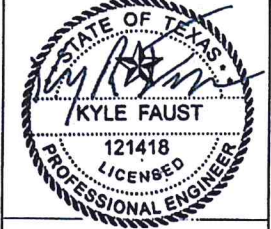
ATC SITE NAME

HIDALGO TX

SITE ADDRESS

1000 W. LAS MILPAS ROAD
PHARR, TX 78577

SEAL



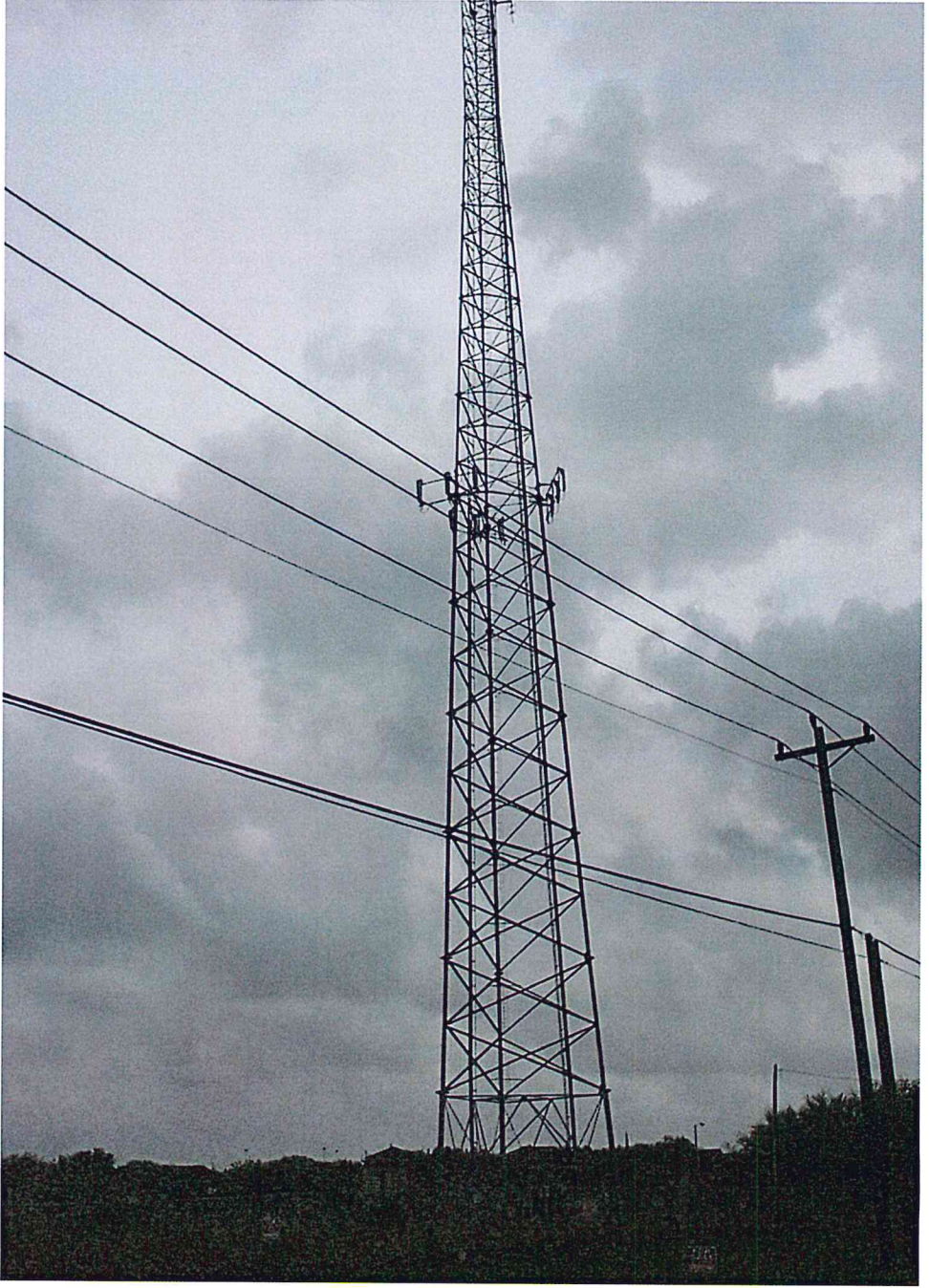
Jan 30 2017 10:47 AM cosign

DRAWN BY:	JN
APPROVED BY:	KRF
DATE DRAWN:	01/27/17
ATC JOB NO:	12032902

SITE PLAN

SHEET NUMBER	REVISION
C-101	0

[illegible]



MEMORANDUM

DATE: MONDAY, MARCH 27, 2017
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: LIFE-OF-THE-USE CONDITIONAL USE PERMIT FOR CHURCH – FILE NO. CUP#170212 (CENTRO FAMILIAR CRISTIANO IGLESIA DEL PUEBLO)
--

GENERAL INFORMATION:

APPLICANT: Sonia Garcia, representing Centro Familiar Cristiano Iglesia Del Pueblo, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a Single-Family Residential District (R-1).

LEGAL DESCRIPTION: The property is legally described as being all of Lot 14, Las Fuentes Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 424 West Navarro Street.

ZONING: The property is currently zoned Single-Family Residential District (R-1). The property to the north is zoned Single-Family Residential District (R-1) and Two-Family Residential District (R-2), to the south and east the property is zoned Single-Family Residential District (R-1) and to the west the property is zoned Agricultural and/or Open Space District (A-O). This area is generally designated for single-family residential use in the Land Use Plan.

NOTIFICATION OF PUBLIC: Fifty (50) 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 for information and one in opposition of the item and two (2) individuals signed up to speak at the public hearing in opposition of the item.

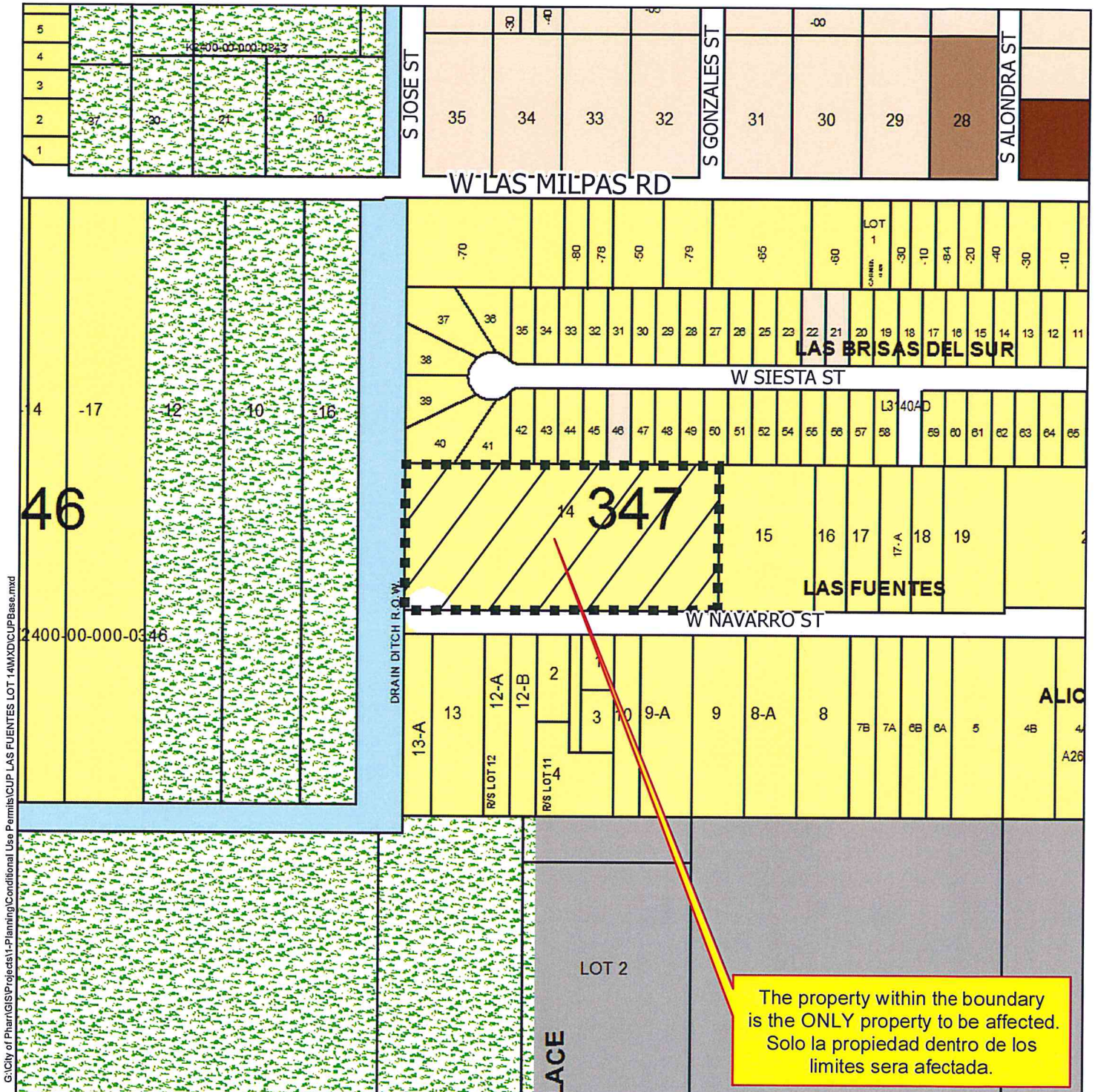
**DEVELOPMENT
SERVICES**

RECOMMENDATIONS:

Development Services is recommending **approval** of the request for a Life-of-the-Use Conditional Use Permit to allow a church in Single-Family Residential District (R-1) subject to the following conditions:

1. This Conditional Use permit shall be issued for the Life-of-the-Use and issued to the current owner only;
2. Parking requirements as per Ordinance;
3. If the need arises for expansion, applicant shall advise the city and it will be necessary for the Planning & Zoning Commission to reconsider this permit;
4. The applicant shall comply with the Landscaping and Sign Ordinance;
5. Any change in ownership or applicant conducting business shall terminate this Conditional Use Permit;
6. A building permit and Certificate of Occupancy will be required and current standard building codes must be observed; if applicable.
7. The following shall be considered as grounds for the revocation of a Conditional Use Permit:
 - Any change in use or change in extent of use, area or location of the building being used.
 - 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.

NOTE: This item will go before the City Commission meeting of **April 03, 2017 at 5:00 p.m.**



The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

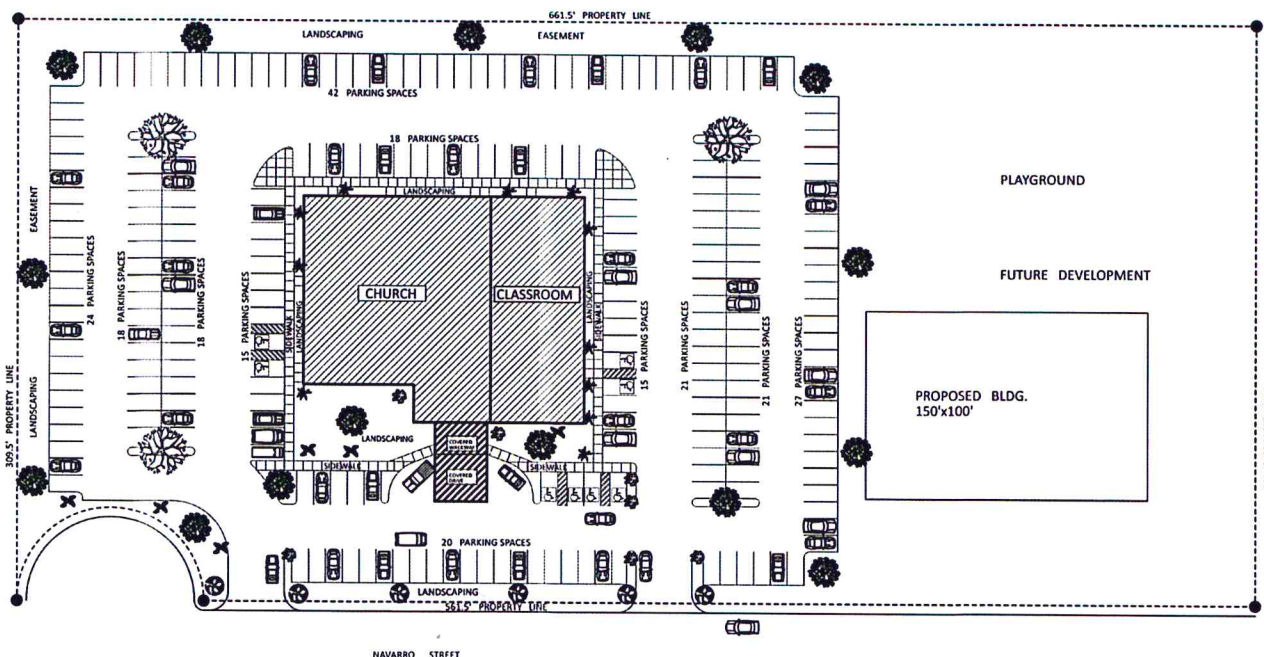


G:\City of Pharr\GIS\Projects\1-Planning\Conditional Use Permits\CUP LAS FUENTES LOT 14\MXD\CUPBase.mxd

- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |



51' M.C.L.D. NO. 2 DRAINAGE DITCH ROW



SITE PLAN

SCALE: 1" = 50'-0"



254 PARKING SPACES

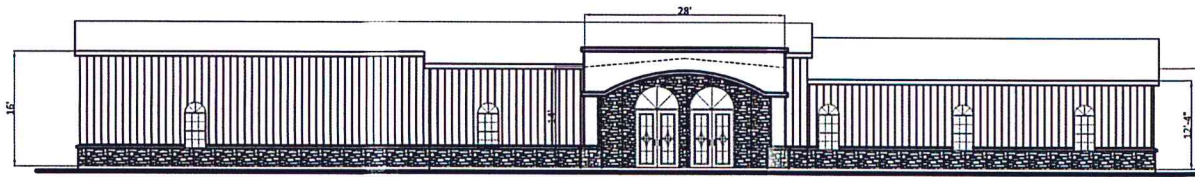
APPROVED
DRAWING 2/10/2017



NEW FACILITIES FOR
CENTRO CRISTIANO
FAMILIAR-DEL PUEBLO
PASTOR: RUBEN LERMA
PHARR TEXAS

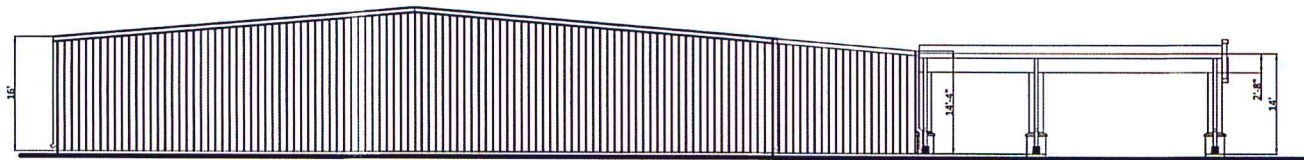
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ARCHITECT:
McMASTERS
AND ASSOCIATES INC.
1101 VINE SUITE F
MCALLEN, TEXAS 78501-5602-2195



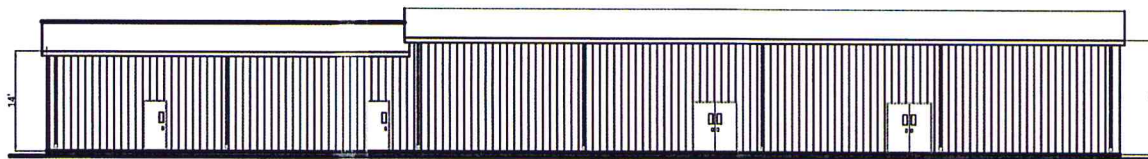
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



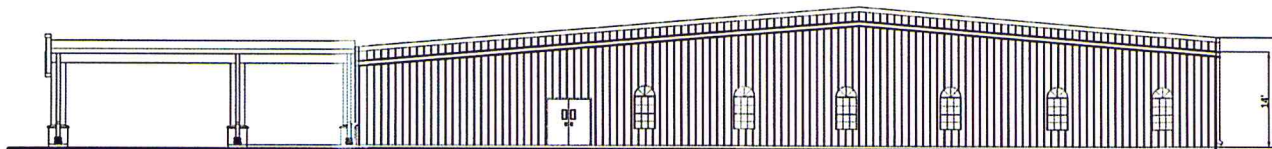
WEST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"

APPROVED
REVISED 2/10/2017



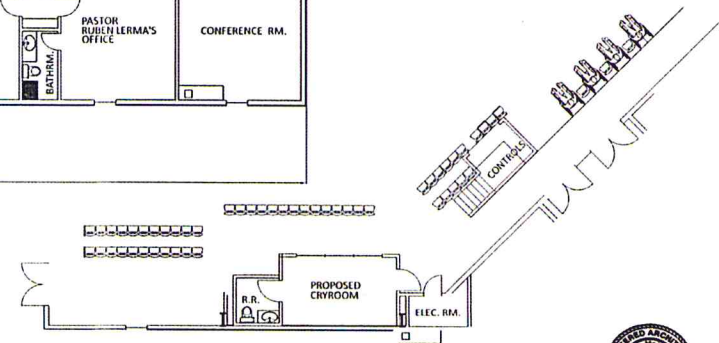
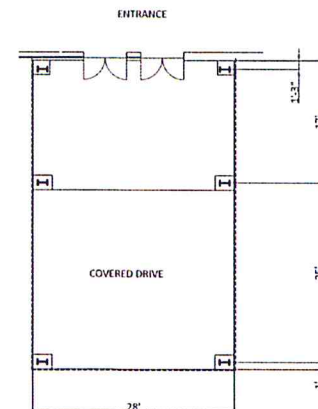
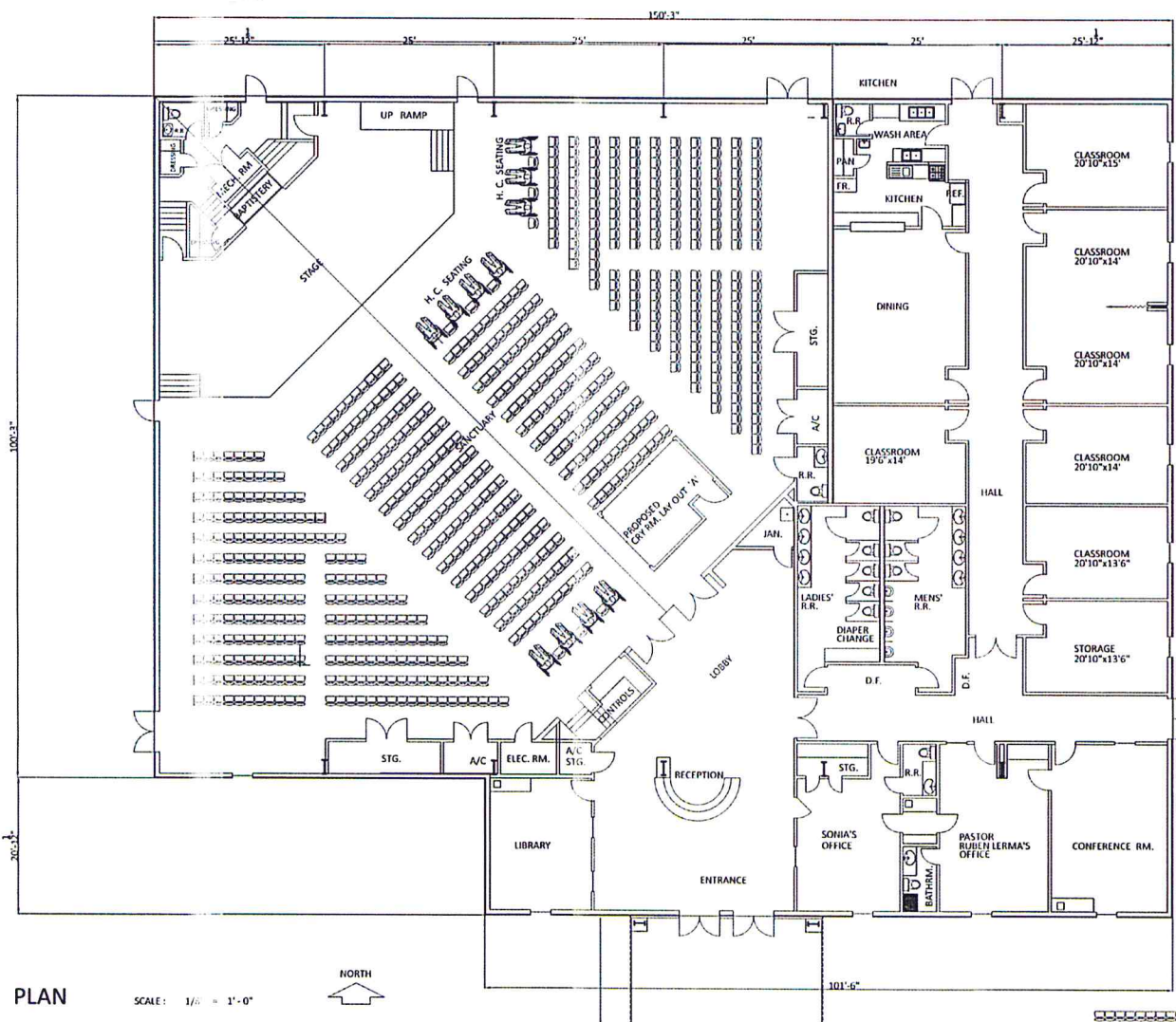
ARCHITECT:
**McMASTERS
AND ASSOCIATES INC.**
1101 VINE, SUITE F
MCALLEN, TEXAS (956) 560-2195

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NEW FACILITIES FOR
CENTRO FAMILIAR
CHRISTIANO DEL PUEBLO
PASTOR: RUBEN LERMA
PHARM

FLOOR PLAN

SCALE: 1/8" = 1'-0"



APPROVED
REVISED 2/10/2017

PROPOSED
CRYROOM LAY OUT ' B'



ARCHITECT:
**McMASTERS
AND ASSOCIATES INC.**
1101 VINE, SUITE F
McALLEN, TEXAS 78101

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AND ASSOCIATES. ANY VIOLATION WILL BE SUBJECT TO PENALTY BY LAW.

NEW FACILITIES FOR
**CENTRO FAMILIAR
CHRISTIANO DEL PUEBLO**
PASTOR: RUBEN LERMA
PRIMER



MEMORANDUM

DATE: MONDAY, MARCH 27, 2017
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC – FILE NO. CUP#170314 (BIG RIVER BREWERY, LLC)

GENERAL INFORMATION:

APPLICANT: Big River Brewery, LLC has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being a 0.37 acre tract of land, more or less, out of the E7.50AC-W20AC, Lot 107, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 505 West Nolana Loop.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, south, east and west. This area is generally designated for commercial use in the Land Use Plan.

COMMENTS:

CODE COMPLIANCE:	Pending report for the Conditional Use Permit.
FIRE MARSHAL:	Pending report for the Conditional Use Permit.

POLICE CHIEF:

Recommends approval of
the Conditional Use Permit.
(See attached memo)

PLANNING DEPARTMENT:

Recommends approval of
the Conditional Use Permit.
(See attached memo)

**NOTIFICATION
OF PUBLIC:**

Three (3) 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.

**DEVELOPMENT
SERVICES
RECOMMENDATION:**

Development Services is recommending approval of the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission meeting of **April 03, 2017 at 5:00 p.m.**



Pharr Police Department
1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 784-7700 • FAX: (956) 781-9163



To: Melanie Cano, Director City Planning
From: Joel Robles, Asst. Chief of Police
Date: 03/09/2017
Re: Conditional Use Permit for ABC – File No. CUP#170314 (Big River Brewery, LLC)

Big River Brewery, LLC has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C). The property is more fully described as follows:

- **Legal Description:** Being a 0.37 acre tract of land, more or less, out of the E7.50AC-W20AC, Lot 107, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas
- **Physical Address:** 505 W. Nolana Loop
- **Contact Number:** 956-566--3586

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Ms. Cano, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tags and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.

Asst. Chief of Police

A handwritten signature of Joel Robles in black ink, written over a horizontal line.

Joel Robles
Office: 956-402-4739
Mobile: 956-878-3233
joel.robles@pd.pharr-tx.gov

A circular stamp or seal, possibly a departmental or official mark, located at the bottom right of the page.

MEMORANDUM

DATE: MONDAY, MARCH 27, 2017

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

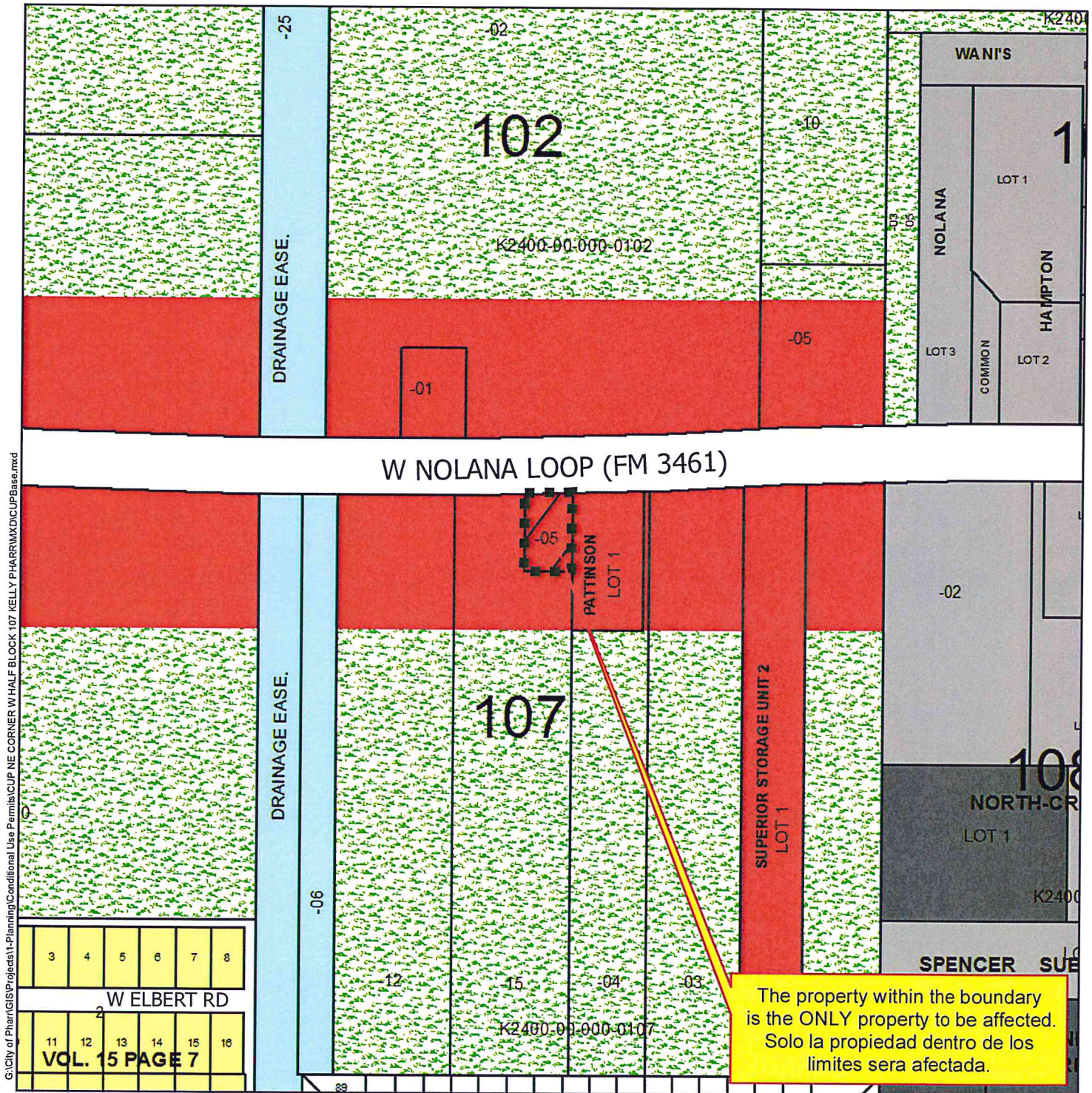
SUBJECT: CONDITIONAL USE PERMIT FOR ABC –
FILE NO. **CUP#170314** (BIG RIVER BREWERY, LLC)

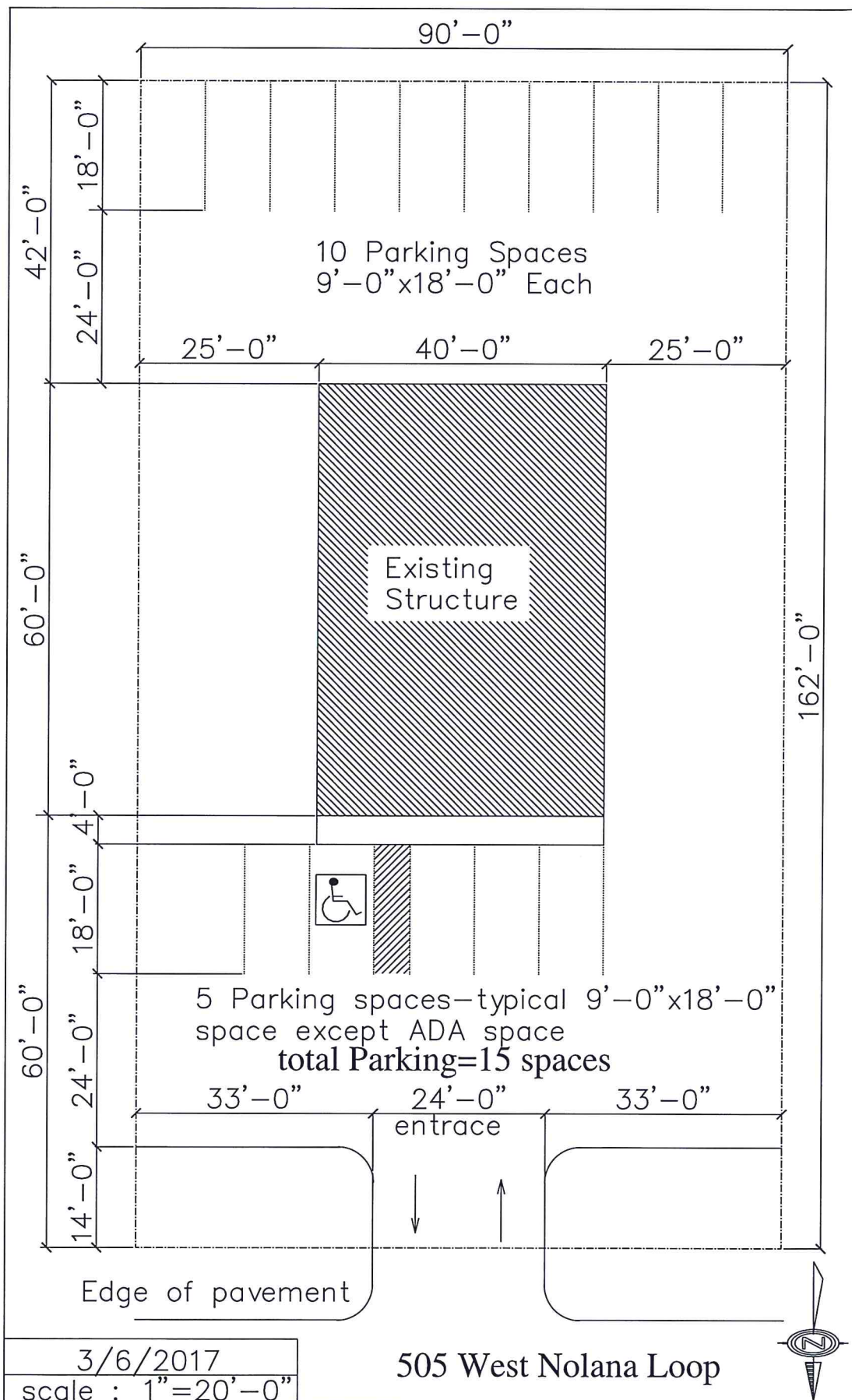
Big River Brewery, LLC has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is more fully described as follows:

Legal Description: Being a 0.37 acre tract of land, more or less, out of the E7.50AC-W20AC, Lot 107, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

Physical Address: 505 West Nolana Loop.

Development Services is recommending approval of the request for a Conditional Use Permit provided site and applicant being in compliance with all City Ordinances and City Department requirements.









STANDARDIZED RECOMMENDATION FORM

MEETING DATE: March 27, 2017

ROUTE TO BOARD:

☐ CITY COMMISSION

AGENDA ITEM: COZ:#170315

☒ PLANNING & ZONING COMMISSION

DATE SUBMITTED: March 03, 2017

1. **Applicant:** Spoor Engineering Consultants, Inc.,
representing Martin Rios, owner.
2. **Requested Action:** Re-zoning request from an Agricultural and/or
Open Space District (A-O) to a High Density
Multi-Family District (R-4).
3. **Nature / Intent of Request:** In order to be able to sell the property to a
potential buyer as High Density Multi-Family
District (R-4) so that apartment may be
constructed.

4. **Routing to Staff:**

A. Melanie Cano, Director


Initials

3/23/17
Date

☒ Approval ☐ Denial

B. Planning Staff
Recommendations


Initials

3.23.17
Date

☒ Approval ☐ Denial

C. Planning and Zoning
Commission

Initials

Date

☐ Approval ☐ Denial

D. City Attorney

Initials

Date

☐ Approval ☐ Denial

E. City Manager

Initials

Date

☐ Approval ☐ Denial

MEMORANDUM

DATE: MONDAY, MARCH 27, 2017

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4): Being 5.34 acres, more or less, out of Lot 245, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 3100 and 3200 Block of South Cage Boulevard.

REZONING CHECKLIST / GOALS:

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Spoor Engineering Consultants, Inc., representing Martin Rios, owner, is requesting a change of zone from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4). The subject site is located on the west side of South Cage Boulevard and is physically located within 3100 and 3200 Block of South Cage Boulevard. The property is legally described as being 5.34 acres, more or less, out of Lot 245, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The subject site currently consists of one (1) lot which has a frontage of approximately 221 feet along South Cage Boulevard and has a depth of approximately 1,008 feet. South Cage Boulevard is a 120'-150' principal arterial which runs north and south with a posted speed limit of 40 to 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). The property to the north is zoned Agricultural and/or Open Space District (A-O), the south is zoned Single-Family Residential District (R-1) and General Business District (C), The property to the west is zoned Single-Family Residential District (R-1) and the property to the west is zoned Planned Unit Development (PUD). The property is generally designated for commercial and single family residential use in the Land Use Plan.

The property to the east was rezoned to Planned Unit Development (P.U.D.) on December 21, 1982. On March 20, 1984, the front 250' x 200' of Lot 245 was rezoned to General Business District (C) and the rear 185.6' x 200' of Lot 245 was rezoned to Single-Family Residential District (R-1).

The owner of the property is requesting a change of zone to High Density Multi-Family District (R-4) in order to construct apartments on said property.

This district is established to provide adequate space and site diversification for higher density apartment complexes, including high-rise apartments and complexes with a number of buildings on the same tract of land. It is anticipated that developments in this zone will have to plat the property as a whole as part of the development process. Traditional area requirements are inappropriate for this district and height limitations are also relaxed, except when abutting single-family uses.

Twenty-nine (29) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received one telephone call for information only.

Development Services is recommending **approval** of the request to re-zone to High Density Multi-Family District (R-4) as the property meets area requirements and has adequate ingress and egress. If approved, applicant must subdivide and comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **April 03, 2017** at **5:00 p.m.**

PLANNING COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**

P:\Admin\COZIKELLY-PHARR/K-P LOT 245_SPOOR ENG. REP M RIOIS_AO TO R4_2017



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Martin Rios

APPLICANT

Agricultural and/or Open Space District (A-O)

CURRENT ZONE

Within the 3100-3200 Block of South Cage Boulevard

ADDRESS

High-Density Multi-Family Residential District (R-4)

PROPOSED ZONE

		YES	NO
1	Does the property meet the minimum area requirements for the proposed zone?	X	
2	Does the property have adequate ingress and egress?	X	
3	Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)		X
4	Is the property located along a major thoroughfare?	X	
5	Will the property have adequate parking for the proposed use?	X	
6	Will the property have adequate landscaping as per City Ordinance?	X	
7	Will the zone change increase the volume of traffic?	X	
8	Will a buffer be required?	X	
9	Is the proposed change in line with the Future Land Use Plan?		X

STAFF RECOMMENDATIONS:

Approval

The property meets area requirements, has adequate ingress and egress and is compatible with
the surrounding properties.

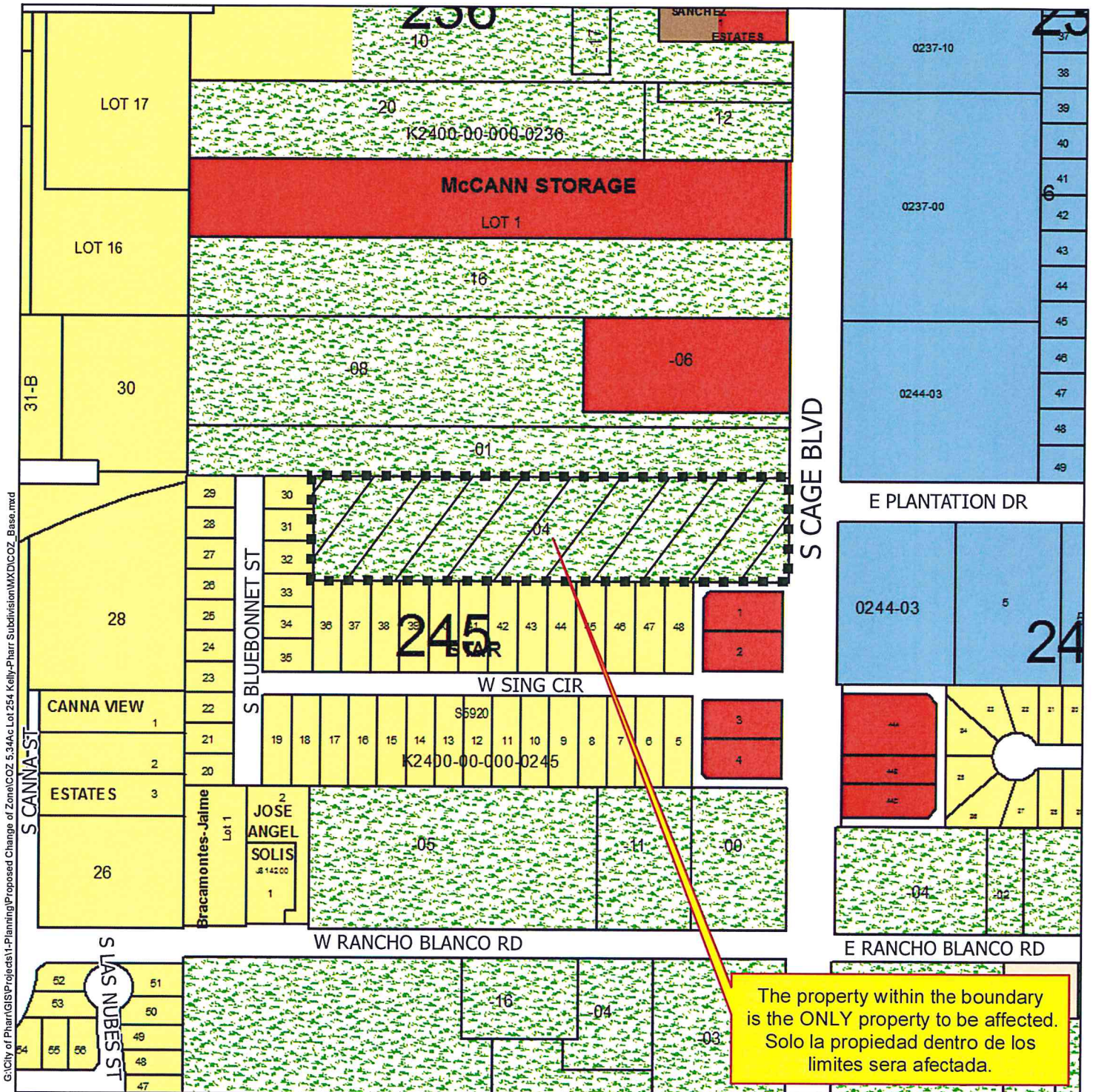
Della Robles, Planner I

PREPARED BY

March 21, 2017

DATE

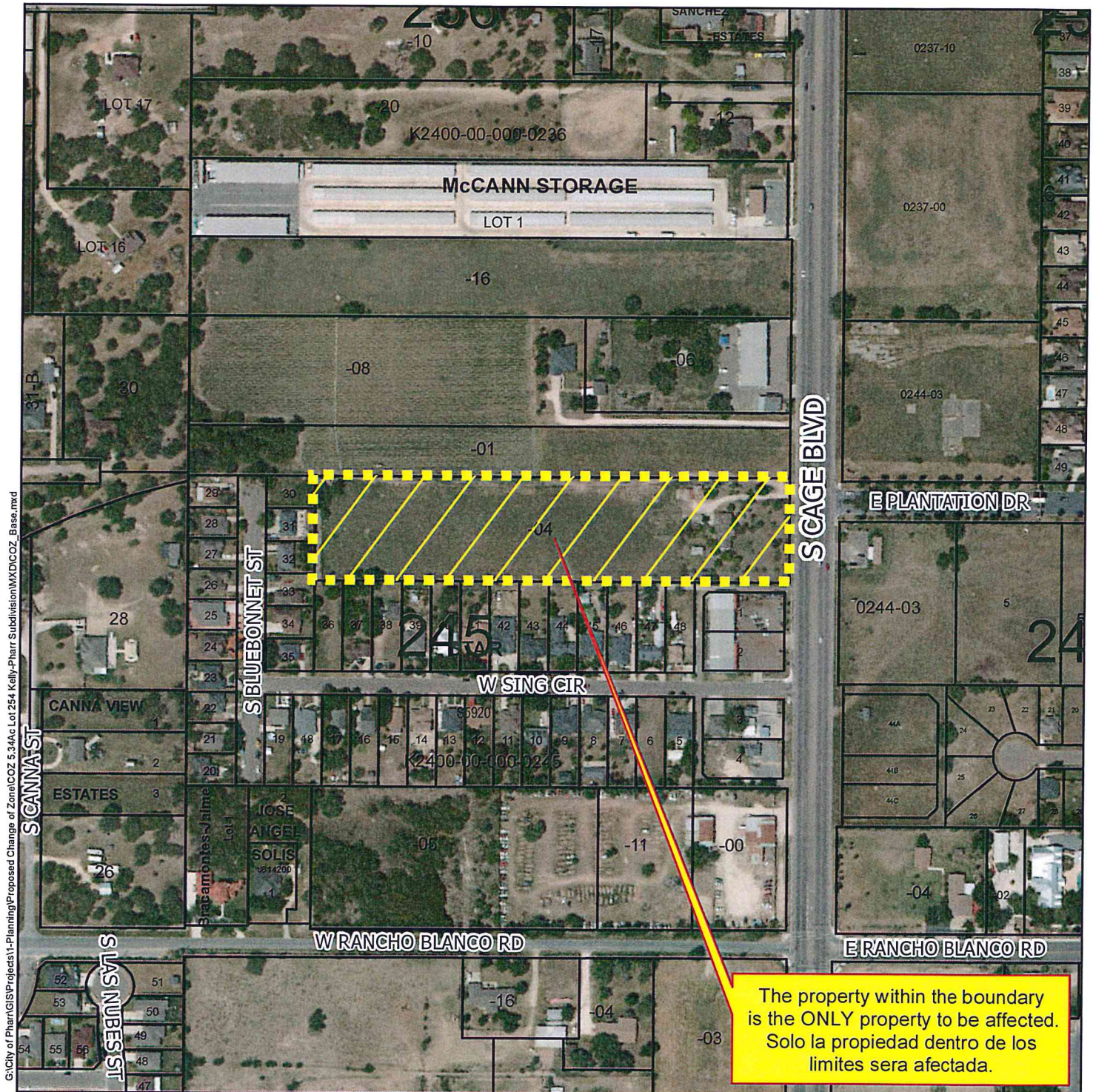
Proposed Change of Zone
Kelly-Pharr Lot 245 5.34Ac
Martin Rios/Martin Rios



- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |



Proposed Change of Zone
Kelly-Pharr Lot 245 5.34Ac
Martin Rios/Martin Rios



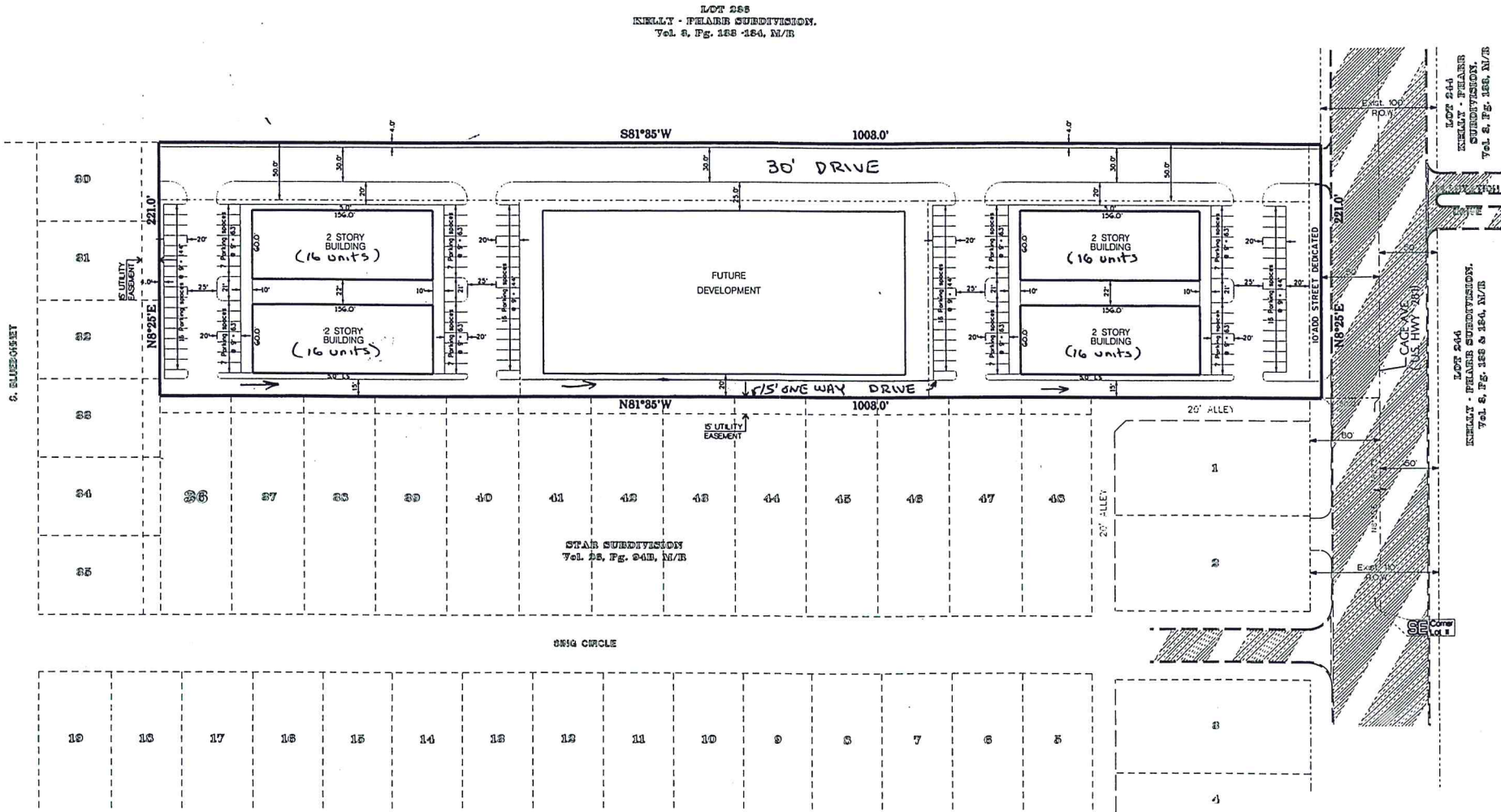
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|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
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| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |

City of Pharr, Texas
Engineering Department
956.702.5355

Scale: 1 inch = 300 feet



Date: 3/7/2017



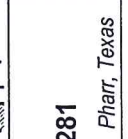
6. SLURD-04517

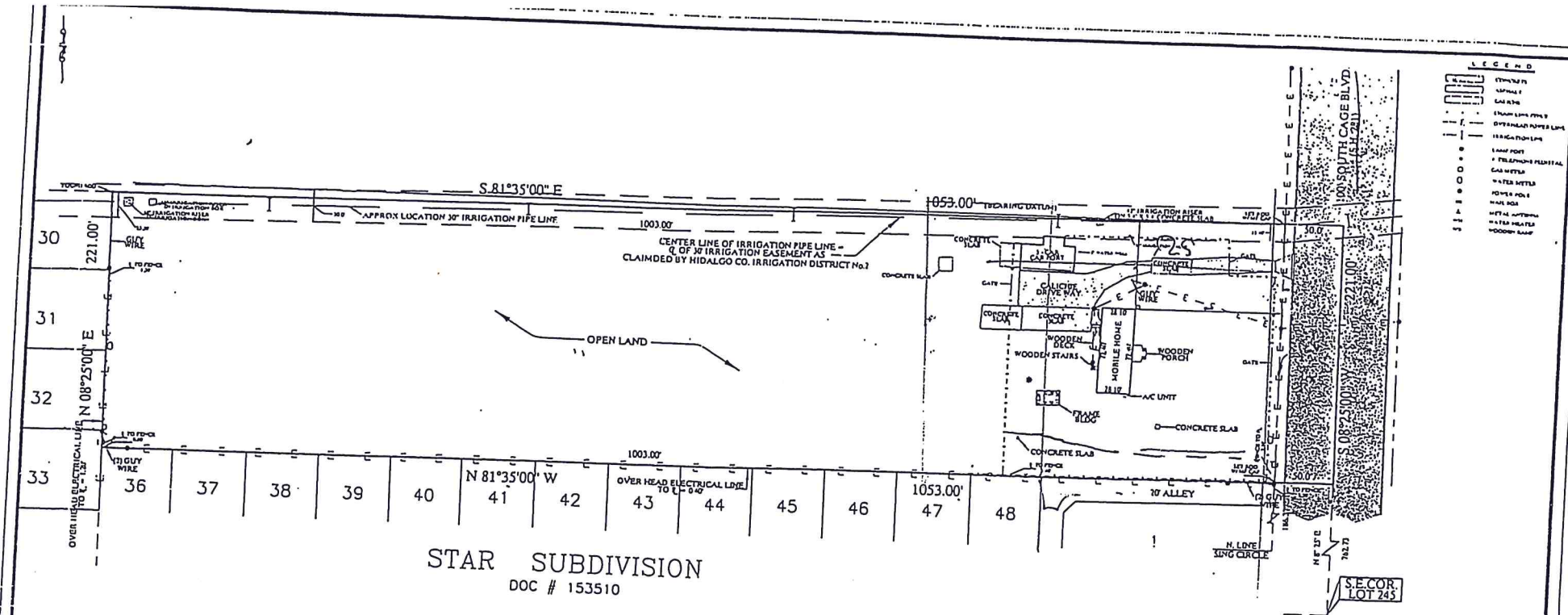
LOT 268
KINKLEY - PHARR SUBDIVISION.
Vol. 8, Pg. 168-164, N/R

LOT 268
KINKLEY - PHARR
SUBDIVISION.
Vol. 8, Pg. 168, N/R

NAME OF PLAN	SHEET 11		
	DATE	Feb-23-2017	
PROJECT	CAGE - HWY 281		
	Pharr, Texas		
FOR	SITE PLAN		
	SHEET 11		
OF SHEETS	11		
	11		

Prepared by:
Spoor Engineering Consultants, Inc.
Consulting Engineers - Civil Land Planning
FEMA # 400
201 South 10th Street, Pharr, Texas 77581
(361) 683-1000
www.spooreng.com











MEMORANDUM

DATE: MONDAY, MARCH 27, 2017
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: SPECIAL USE PERMIT FOR PARKING FACILITY FILE NO. SUP#170316 (TRANCASA USA, INC)

GENERAL INFORMATION:

APPLICANT: Ilse Vidaurri, representing Trancasa USA, Inc., has filed with the Planning and Zoning Commission a request for a Special Use Permit to allow a parking facility in an Agricultural and/or Open Space District (A-O).

LEGAL DESCRIPTION: The property is legally described as being a 7.576 acre tract of land, more or less, out of Lot 377, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located within the 1500 and 1600 Block of West Hi-Line Road.

ZONING: The property is currently zoned Agricultural and/or Open Space District (A-O). The surrounding area is zoned Limited Industrial District (L-I) to the north, Limited Industrial District (L-I) and Agricultural and/or Open Space District (A-O) to the west and east, and Agricultural and/or Open Space District (A-O) to the south. This area is generally designated for industrial use in the Land Use Plan.

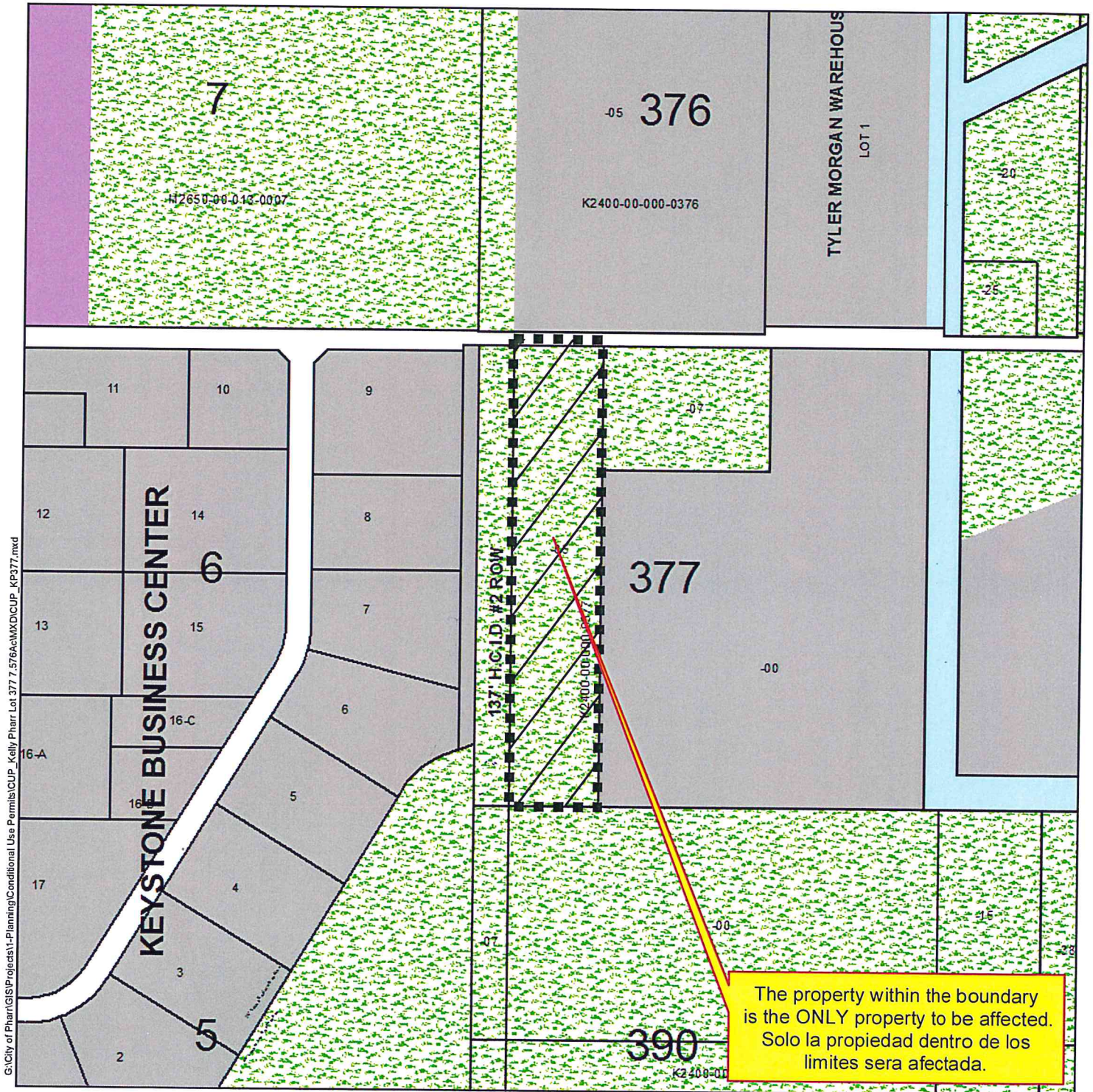
NOTIFICATION OF PUBLIC: Ten (10) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance Newspaper. Staff received no response to the letters or the legal notice.

**DEVELOPMENT
SERVICES**

RECOMMENDATIONS:

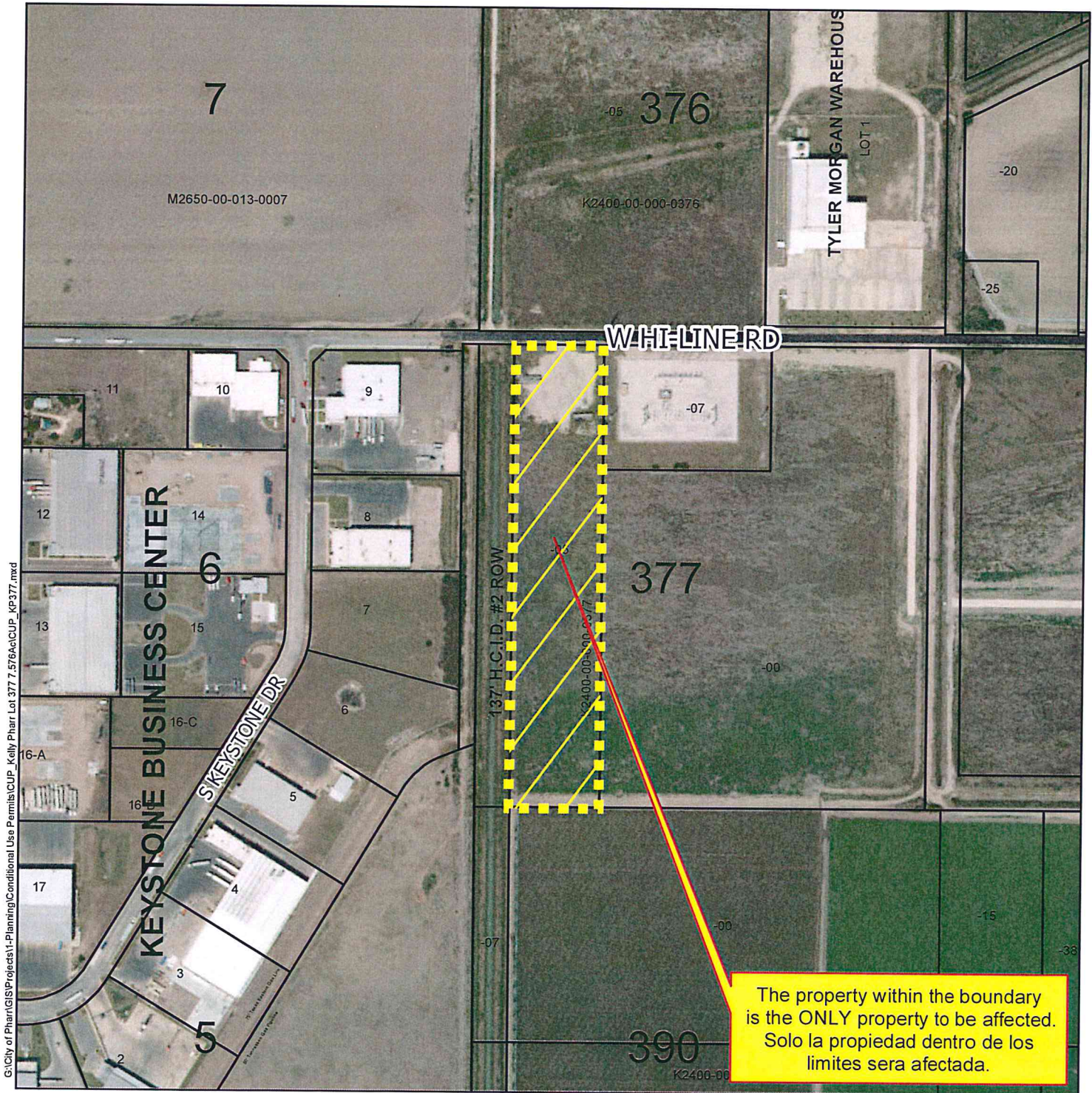
Development Services is recommending **approval** of the request for a Special Use Permit to allow a parking facility in an Agricultural and/or Open Space District (A-O) subject to the following conditions:

1. This Special Use Permit is provisional and not to exceed one year;
2. Any change in ownership or applicant conducting business shall terminate this Special Use Permit;
3. If the need arises for expansion, it will be necessary for the Planning & Zoning Commission to reconsider this permit;
4. Applicant will be required to apply for and obtain all necessary permits prior to any construction on said property; the appropriate permit for improvements/construction that is to occur on the property
5. If approved, temporary parking which includes: caliche shall be permitted;
6. A concrete entrance leading into the property will be necessary prior to the operation of any business;
7. Applicant shall be required to do maintenance on property to include, but is not limited to, the watering down of site daily; and
8. The following shall be considered as grounds for the revocation of a Special Use Permit:
 - Any change in use or change in extent of use, area or location of the building being used.
 - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
 - Special 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.



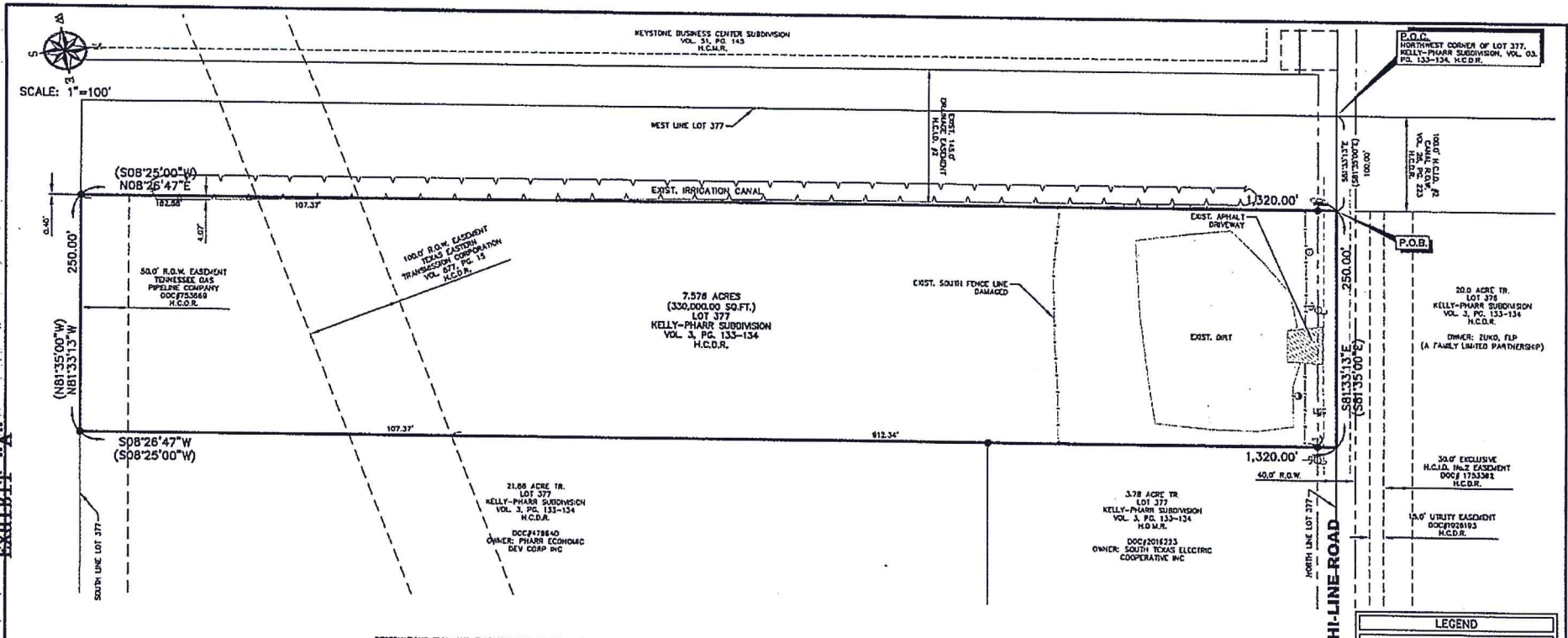
Agricultural Open Space	High Density Multi-Family	Government Owned	Heavy Industrial	Hidalgo ISD
Single Family	Mobile Home	General Business	Limited Industrial	Valley View ISD
Single Family Small Lot	Townhouse	Business District	Neighborhood Commercial	Planned Unit Development
Two Family	HUD Code	Drainage Easement	Office Professional	
Medium Density Multi-Family	Rail Road R.O.W.	Heavy Commercial	PSJA ISD	





Agricultural Open Space	High Density Multi-Family	Government Owned	Heavy Industrial	Hidalgo ISD
Single Family	Mobile Home	General Business	Limited Industrial	Valley View ISD
Single Family Small Lot	Townhouse	Business District	Neighborhood Commercial	Planned Unit Development
Two Family	HUD Code	Drainage Easement	Office Professional	
Medium Density Multi-Family	Rail Road R.O.W.	Heavy Commercial	PSJA ISD	





I, SAMUEL DAVID MALDONADO, CERTIFY THAT THE ABOVE PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS SURVEY CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND MEETS THE MINIMUM SURVEY STANDARDS.

Signature 3/4/2017
DATE

SAMUEL DAVID MALDONADO
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6027

JOB NUMBER SUR 17.018
DRAWN BY M.R.
REVISED BY J.C.

PAGE 2 OF 3 - SURVEY PLAT

RESERVATIONS FROM AND EXCEPTIONS TO COVENANTS AND WARRANTIES:

- STATUTORY EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 2.
- ROADWAYS, EASEMENTS AND RESTRICTIONS AS SHOWN ON THE MAP AND DEDICATION OF KELLY-PHARR SUBDIVISION, RECORDED IN VOLUME 3, PAGE 133-134, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- SUBJECT TO ANY PORTION OF SUBJECT PROPERTY DESCRIBED HEREIN LYING IN CANAL RIGHT OF WAY.
- EASEMENT FOR ROADWAYS AND LATERALS AS SHOWN BY INSTRUMENT DATED DECEMBER 11, 1917, RECORDED IN VOLUME 87, PAGE 810, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- RIGHT OF WAY EASEMENT IN FAVOR OF RENOVIA PIPELINE COMPANY AS SHOWN BY INSTRUMENT DATED JANUARY 21, 1947, RECORDED IN VOLUME 608, PAGE 375, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- RIGHT OF WAY EASEMENT IN FAVOR OF TEXAS EASTERN TRANSMISSION CORPORATION AS SHOWN BY INSTRUMENT DATED SEPTEMBER 3, 1950, RECORDED IN VOLUME 671, PAGE 582, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- RIGHT OF WAY EASEMENT IN FAVOR OF TEXAS EASTERN TRANSMISSION CORPORATION AS SHOWN BY INSTRUMENT DATED AUGUST 23, 1950, RECORDED IN VOLUME 671, PAGE 582, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- RIGHT OF WAY EASEMENT IN FAVOR OF TEXAS EASTERN TRANSMISSION CORPORATION AS SHOWN BY INSTRUMENT DATED AUGUST 17, 1950, RECORDED IN VOLUME 671, PAGE 584, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- RIGHT OF WAY EASEMENT IN FAVOR OF TEXAS EASTERN TRANSMISSION CORPORATION AS SHOWN BY INSTRUMENT DATED NOVEMBER 11, 1959, RECORDED IN VOLUME 677, PAGE 15, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- RIGHT OF WAY EASEMENT IN FAVOR OF TEXAS EASTERN TRANSMISSION CORPORATION, A DELAWARE CORPORATION AS SHOWN BY INSTRUMENT DATED FEBRUARY 23, 1999, FILED MARCH 6, 1999 UNDER DOCUMENT NUMBER 753689, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.
- ANY PART THEREOF LIES WITHIN CANAL RIGHT OF WAY CLAIMED IN FEE SIMPLE BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 IS EXPRESSLY EXCLUDED FROM COVERAGE OF THIS POLICY.
- ANY CLAIM OR ALLEGATION THAT THE LAND, DESCRIBED IN SCHEDULE "A", WAS OR IS TO BE CONVEYED IN VIOLATION OF STATE STATUTES OR ANY COUNTY OR MUNICIPAL ORDINANCES REQUIRING THE PLATING OF THE LAND OR AFFECTING SUBDIVISIONS, OR ANY LOSS OF THE USE OF THE LAND BY REASON THEREOF.
- RIGHTS OF PARTIES IN POSSESSION. (OWNER'S POLICY ONLY.)
- VISIBLE AND APPARENT EASEMENTS ON OR ACROSS THE PROPERTY HEREIN DESCRIBED. (OWNER'S POLICY ONLY.)
- ANY PORTION OF THE PROPERTY DESCRIBED HEREIN WITHIN THE LIMITS OR BOUNDARIES OF ANY PUBLIC OR PRIVATE ROADWAY AND/OR HIGHWAY.

GENERAL NOTES:

ADDRESS: 1501 18-1/2 ROAD, PHARR, TEXAS 78577
SURVEYED: MARCH 03, 2017
REQUESTED BY: PHARR BRIDGE INVESTMENT COMPANY, L.P.

FLOOD ZONE DESIGNATION: "ZONE B"-AREA BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 300-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN 1 SQUARE MILE, OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. (MEDIUM SHADING)

COMMUNITY-PANEL NUMBER: 480334 0500 0
MAP REVISED: JANUARY 2, 1981

SURVEY NOTES:

- ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS COORDINATE SYSTEM. (NAD 83). TEXAS STATE PLANNED, SOUTH ZONE, U.S. SURVEY FEET. DEED, BEARINGS AND DISTANCE IN PARANTHESIS ARE BASED ON RECORDED PLAT ON DOCUMENT.
- BASES OF BEARING NORTH LINE OF LOT 377, KELLY-PHARR SUBDIVISION, VOLUME 03, PAGES 133-134, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- ALL HORIZONTAL CONTROL ON THIS SURVEY WAS ESTABLISHED UTILIZING RTK GPS METHODS.
- THE SURVEYOR DID NOT PREPARE AN ABSTRACT OF TITLE. TITLE WORK WAS FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY UNDER DEED 130930 AND TITLE COMMITMENT DATED EFFECTIVE FEBRUARY 3, 2017. SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE TITLE WORK FURNISHED.

LEGEND	
●	1/2" 1/2" IRON ROD
—	GUY WIRE
○	POWER POLE
○	TELEPHONE PEDESTAL
○	SERVICE POLE
—	EDGE OF PAVEMENT (ASPHALT)
—	CHARM FENCE LINE
—	CEGAR FENCE LINE
H.C.M.R.	HIDALGO COUNTY MAP RECORDS
H.C.D.R.	HIDALGO COUNTY DEED RECORDS
R.O.W.	RIGHT OF WAY
FND.	FOUND
EXIST.	EXISTING
P.O.B.	POINT OF BEGINNING
P.D.C.	POINT OF COMMENCEMENT

PLAT SHOWING

BEING A 7.579-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 377, KELLY-PHARR SUBDIVISION, HIDALGO COUNTY, TEXAS, AS RECORDED IN VOLUME 3, PAGES 133-134, DEED RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS.

SAMES

SAM Engineering & Surveying

200 S. 10TH ST.
MCKINNEY, TEXAS 75061

TEL: (956) 702-6880
FAX: (956) 702-6883

SURVEY REG. NO. 101418-00



PROVISIONAL TRUCK-TRAILER PARKING

