



PLANNING & ZONING COMMISSION

City Commissioner's Room

118 S. Cage Blvd. January 23, 2017 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, January 23, 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: Charlie Ramirez
Rafael Munguia
Luis Madrigal
Porfirio Rodriguez
Tom Greuner
Romeo Robles
Andy Castro

ABSENT: Danny Wylie

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Development Services Assistant Director
Della Robles, Planner I
Heriberto Martinez, Planner II
George Martinez, Building Official
Janie Benedict, Administrative Assistant

CALL TO ORDER

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

APPROVAL OF MINUTES

Charlie Ramirez proceeded with the approval of the minutes of January 9, 2017.

There being no discussion, Romeo Robles moved the minutes of January 9, 2017, to be accepted as submitted. Luis Madrigal second the motion and when put to a vote, it polled as follows:

D. Wylie: absent	C. Ramirez: approved as submitted
T. Greuner: approved as submitted	R. Munguia: absent
R. Robles: approved as submitted	L. Madrigal: approved as submitted
A. Castro: approved as submitted	P. Rodriguez: approved as submitted

The motion carried unanimously to approve the minutes of January 9, 2017, as submitted.

(Commissioner Rafael Munguia arrived and joined the meeting at 6:04 p.m.)

PUBLIC COMMENTS:

Charlie Ramirez asked if anyone had signed for the Public Comments. Janie Benedict advised one individual signed up.

An individual from the audience approached the podium and introduced himself as Kenneth Fletcher with an address of 504 E. Diplomat and addressed the Commission with the following:

He stated he had submitted the request to speak for the Public Hearing but had been denied despite him turning in the request according to the Attorney General rules addressing public hearings. He voiced the specifics of the law which he feels entitles him to speak and that this is the second time he's been denied this request and wanted this to be made known to the Commission.

He addressed the first item on the agenda and pointed out his visit to the site encountered the business staff did not have their appropriate food handler's identification tags.

He stated that he had not seen the agenda for the meeting posted on the City Hall bulletin board although he did see it on the web site.

PUBLIC HEARING:

Della Robles introduced herself as Planner I for the City of Pharr and stated she had one public hearing item for recommendation and proceeded to introduce the first item.

CADENA AND SONS, L.L.C.

**CUP – ABC
CUP#161261**

Cadena and Sons, L.L.C., 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 Lot 11, Maco Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1308 Maco Drive. The property is currently zoned General Business District (C). The zoning to the north, south and west is General Business District (C) and city limits lie to the east. The area is generally designated for commercial use in the Land Use Plan. Code Compliance and the Fire Marshal are pending their inspections. Police Chief and Planning Department recommend approval. Eighteen (18) 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 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 site and applicant being in compliance with all City Ordinances and City Department requirements.

Mrs. Robles advised this item will go before the City Commission Meeting of February 06, 2017 at 5:00 p.m. and a representative was in the attendance.

Charlie Ramirez 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. Janie Benedict advised no one had signed up. Charlie Ramirez closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

Luis Madrigal questioned staff whether approval is to be given only when all reports recommend approval. Mrs. Robles explained that the site is undergoing the Certificate of Occupancy process as well as the Conditional Use Permit process. The site must come into compliance with all that is required before the Certificate of Occupancy and the Conditional Use Permit can be released.

There being no further discussion, Luis Madrigal moved to approve the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Rafael Munguia second the motion and when put to a vote it polled as follows:

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

Motion carried unanimously to approve to the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

PLAT APPROVAL:

TREVINO ENGINEERING
Rep. ROGELIO A. PRUNEDA

PRUNEDA SUBDIVISION
SUB#160618

Heriberto Martinez introduced himself as Planner II for the City of Pharr and advised he had two plats to be brought before the Commission. He introduced the first plat item as follows:

Treviño Engineering, representing Rogelio A. Pruneda, is requesting preliminary plat approval of the proposed Pruneda Subdivision. The property is legally described as being 0.454 acre tract of land forming a part or portion of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 100 Block of West Dicker Road. The property is currently zoned Single-Family Residential District (R-1). The adjacent zones are Single-Family Residential District (R-1) to the south and west, General Business District (C) and Single-Family Residential District (R-1) to the east and Agricultural and/or Open Space District (A-O) to the north. The property is designated for commercial use in the land use plan. Property's proposed use is for a mechanic shop. No variances are

being requested. Development Services recommends preliminary plat approval of the proposed Pruneda Subdivision subject to the following conditions:

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

1. W. Dicker Road R.O.W. is 120'. Provide a total of 20' of additional R.O.W.
2. Need TxDot driveway permit (copy of approval).
3. Need street light detail plan (at building permit).
4. No street cuts allowed.

EASEMENTS:

1. Shall provide a 15' Exclusive utility easement to the City of Pharr on the north side and east side of property.
2. Show all existing easements adjacent to property.

**SIDEWALK:
ADA:**

1. In compliance.

**FIRE
PROTECTION:**

1. See attach comments

WATER:

1. 1-1" water service.
2. Eliminate existing water service.
3. Corporation stop and curb cock need to be brass.
4. Provide casing underneath driveway.
5. Concrete collar around the valve 30"x30"x6" with wire mesh.
6. Follow City of Pharr construction standards manual.

SEWER:

1. Provide a 6" sewer stub out not a 10".
2. If sewer service exists already need to either eliminate or upgrade to a 6".
3. Follow City of Pharr construction standards manual.

DRAINAGE:

1. Area of detention is entire lot, please verify.
2. Need TxDot UIR discharge permit

OTHER:

1. Plat note# 5, remove "or lot line".
2. Verify if stand pipe is active and does it have any easements.
3. Signature block for HCID #2 is repeated, delete one of the copies.
4. Provide erosion and sediment control plan with details.
5. Provide cost estimate for public improvements.
6. Need erosion and sedimentation plan.
7. Add note: Detention areas 3 feet or deeper will require perimeter fence.
8. Project engineer shall apply for a change of zone.

Charlie Ramirez advised this item did not need a public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion Tom Greuner moved to approve the request for preliminary plat approval of the proposed Pruneda Subdivision. Luis Madrigal second the motion and when put to a vote it polled as follows

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

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

Mr. Martinez introduced the second plat item as follows:

R.E. GARCIA & ASSOCIATES
Rep.: **KEITH MASSA, MANAGER**
FITO-LAY INC.

FRITO LAY PHARR
SUBDIVISION
SUB#160406

R.E. Garcia & Associates, representing Keith Massa, Manager, Frito-Lay Inc., is requesting final plat approval of the proposed Frito Lay Pharr Subdivision. The property is legally described as being a tract of land containing 6.63 acres, also being all of Lots 6 through 10, Mid-Cities Business Park Subdivision and a part or portion of Lot 1, Adventure Plaza Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1500 Block of North Mid Cities Drive. The property is currently zoned Heavy Commercial District (H-C). The adjacent zones are General Business District (C) and Heavy Commercial District (H-C) to the north, General Business District (C) to the south, Heavy Commercial District (H-C) to the east and General Business District (C) and Agricultural and/or Open Space District (A-O) to the west. The property is designated for public/semi-public use in the Land Use Plan. Property's proposed use – distribution and storage warehouse. No variances are being requested. Development Services recommends final plat approval of the proposed Frito Lay Pharr Subdivision subject to the following conditions:

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

1. No heavy truck traffic through Bowe Street.

EASEMENTS:

1. In compliance.

**SIDEWALK:
ADA:**

1. In compliance.

FIRE PROTECTION:

1. In compliance.

WATER:

1. In compliance.

SEWER:

1. In compliance.

DRAINAGE:

1. In compliance.

OTHER:

1. In compliance.

Mr. Martinez advised that this item will go before City Commission on February 06, 2017, at 5:00 p.m.

Charlie Ramirez advised this item did not need a public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion Tom Greuner moved to approve the request for final plat approval of the proposed Frito Lay Pharr Subdivision. Porfirio Rodriguez second the motion and when put to a vote it polled as follows

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

Motion carried unanimously to approve the request for final plat approval of the proposed Frito Lay Pharr Subdivision.

ANNOUNCEMENTS/OTHER BUSINESS:

Roland Gomez, Development Services Assistant Director advised there were no announcements nor other business to be brought forth.

ABSENTEE REPORT: Janie Benedict announced Danny Wylie was absent. Porfirio Rodriguez moved to excuse the absentee. Luis Madrigal second and Commission by consensus accepted the absence.

ADJOURNMENT: There being no further business, Luis Madrigal moved for the meeting be adjourned. Romeo Robles second the motion and when put to a vote it carried by unanimous consent. The Planning and Zoning meeting adjourned at 6:15 p.m.


Charlie Ramirez, Vice Chairman

ATTEST:


Tom Greuner, Secretary