

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. February 12, 2018 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, February 12, 2018 and following is the record of attendance.

MEMBERS PRESENT: Charlie Ramirez Tom Greuner
 Andy Castro Romeo Robles
 Luis Madrigal Rafael Munguia

ABSENT: Danny Wylie

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Assistant Director
 Cristina Garcia, Senior Planner
 Eddie Martinez, Planner II
 Della Robles, Planner I
 George Martinez, Building Official
 Rita Galvan, Administrative Assistant
 Angie Resio. Secretary
 John Rigney, City Attorney

ITEM A. CALL TO ORDER

Charlie Ramirez called the meeting to order at 6:00 p.m.

ITEM B. ROLL CALL

Roll call established a quorum.

ITEM C. APPROVAL OF MINUTES

A) MINUTES OF JANUARY 22, 2018

Charlie Ramirez introduced the item.

Luis Madrigal moved to approve the minutes as submitted. Rafael Munguia seconded the motion and when put to a vote, it carried unanimously:

ITEM D. PUBLIC COMMENTS

Kenneth C Fletcher, residing at 504 South Diplomat stated he spoke about the noise at Lowe's at the last meeting and would like the Commission to add it to the agenda. He further stated he signed up for public hearing but was denied. However he spoke about the oversized storage and plat approval agenda items.

ITEM E. PUBLIC HEARING

- A) ISMAEL GARZA HAS FILIED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL PERMIT TO ALLOW AN OVERSIZED STORAGE UNIT (12' X 16', 10' IN HEIGHT) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 31, CRYSTAL ESTATES SUBDIVISION PHASE I, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERT'S PHYSICAL ADDRESS IS 3306 NORTH ROBIN AVENUE. CUP#180102**

Della Robles, Planner I, introduced the item and stated the property was currently zoned Single-Family Residential District (R-1) and the surrounding area is zoned Single-Family Residential District (R-1) to the north, south, west and Agricultural and/or Open Space District (A-O) to the east. She further reported thirty-three (33) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She Stated staff received no response to the letters or the legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit in a Single-Family Residential District (R-1) subject to conditions and advised the item will be presented to the City Commission meeting of February 19, 2018 for final approval.

Charlie Ramirez advised a public hearing was required and asked if anyone signed up to speak. There being no one who signed up the public hearing was closed. Mr. Ramirez opened the item for discussion and action.

Tom Greuner called upon the applicant Ismael Garza Jr., to approach the podium. Mr. Greuner asked Mr. Garza why the storage unit needed to be so large and so high. Ismael Garza, Jr. stated they purchased this particular unit because it was an affordable price and it was being used only for storage of various items.

Luis Madrigal asked staff if site setbacks applied to temporary structures. George Martinez, Building Official, stated site setback only applied to permanent structures.

There being no further discussion Luis Madrigal **moved** to approve the request for a Life-of-the-Use Conditional Use Permit. Romeo Robles seconded the motion and

when put to a vote, it carried by majority vote of four (4) ayes and two (2) nays. Tom Greuner and Andy Castro voted against the motion.

B) IRAMSEMA SALINAS, OWNER, IS REQUESTION A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO OFFICE PROFESSIONAL DISTRICT (O-P). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 45, SING'S SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 2621 SOUTH GARDENIA STREET. COZ#180103

Della Robles, Planner I, introduced the item and stated the subject property was currently zoned Single-Family Residential District (R-1). The surrounding properties were zoned Single-Family Residential District (R-1) to the east and south, General Business District (C) to the west and Single-Family Residential District (R-1) and High-Density Multi-Family District (R-4) to the north.

Della Robles, Planner I, further stated the owner of the property was requesting a change of zone to Office Professional (O-P) in order to develop the property into a professional plaza for office use. The OP office and professional district was established to create a restrictive district for "clean," attractive, low-intensity office or professional uses, and was considered the "highest" commercial district.

Della Robles, Planner I, reported twelve (12) 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. She further stated staff was recommending approval of the request to re-zone and advised the item would be presented at the City Commission meeting of February 19, 2018.

Charlie Ramirez advised a public hearing was required and asked anyone signed up to speak. There being no one who signed up the public hearing was closed. Mr. Ramirez opened the item for discussion and action.

Tom Greuner asked what the back portion of Lot 45 was going to be used for. Della Robles, Planner I, stated they were going to develop the front of the property right now and that was a preliminary plan. She further stated they would be consulting with an engineer to make a final site plan of what they are proposing.

Tom Greuner asked the applicant, Irasema Salinas, what they would be doing with the back portion of Lot 45 and stated the sketch showed most of the property looked as if was being used as parking. Ms. Salinas stated the sketch was not to scale and the structure would be built toward the back of the property with an alley way and the front would be used for parking.

There being no further discussion Rafael Munguia **moved** to approve the request for a change of zone from Single-Family Residential District (R-1) to Office Professional

District (O-P). Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- A) RIO DELTA ENGINEERING, REPRESENTING TOMAS GUTIERREZ, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MADIAM L.P. PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.054 ACRES TRACT OF LAND, BEING A RE=PLAT OF LOTS FIVE (5), SIX (6), SEVEN (7), EIGHT (8), TWELVE (12), AND THIRTEEN (13) AND A STIP OF LAND PORTION OF 20.00 FEET WIDE LYING EAST AND ADJACENT TO AND ALONG THE FULL LENGTH OF LOT ELEVEN (QQ), BLOCK ONE (1), SECOND AMENDED SUBDIVISION OF ORANGE GROVE ADDITION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 800 BLOCK OF SOUTH CAGE BOULEVARD. SUB#170612**

Heriberto Martinez, Planner II, introduced the item. He stated the adjacent zones are General Business District (C) to the north and west, Single Family Residential District (R-1) to the east, Office and Professional District (O-P) and Single Family Residential District (R-1) to the south. He further stated the property was designated for single family residential and commercial use in the Land Use Plan and the proposed use was for retail/wholesale. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Madiam L.P. Pharr Subdivision subject to the conditions.

At this time, Charlie Ramirez, advised a public hearing was not required and opened the item for discussion and action.

There being no discussion, Tom Greuner moved to approve the request for preliminary plat approval of the proposed Madiam LP Pharr Subdivision. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

- B) QUINTANILLA, HEADLEY AND ASSOCIATES, INC., REPRESENTING EDUARDO CANTU, VICE PRESIDENT OF ESPONJAS DEVELOPMENT, LTD., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED BRENTWOOD ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 23.36 ACRE TRACT OF LAND OUT OF LOT 203, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 900 BLOCK OF WEST RIDGE ROAD. SUB#180101**

Heriberto Martinez, Planner II, introduced the item. He stated the adjacent zones are Agricultural and/or Open Space District (A-O) to the north and west, General Business District (C) and Agricultural and/or Open Space District (A-O) to the east and

Mobile Home District (R-MH) to the south. He further stated the property was designated for multi-family residential use in the Land Use Plan and the proposed use was for single-family use. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Brentwood Estates Subdivision subject to the conditions.

At this time, Charlie Ramirez, advised a public hearing was not required and opened the item for discussion and action.

Luis Madrigal asked staff what the reason for the other note number eighteen asking to remove the fence between lots 10 and 11. Heriberto Martinez, Planner II, stated it would be public and would have to be removed. Luis Madrigal further asked if the subdivision would no longer be gated and whose decision that was. Heriberto Martinez stated that was the developer's decision.

Luis Madrigal asked the project engineer, Alfonso Quintanilla, the details of the south side buffer wall. Alfonso Quintanilla passed the question over to the developer, Cruz Cantu. Cruz Cantu stated it would be an opaque buffer with no spaces.

Tom Greuner asked how many egresses and ingresses. Alfonso Quintanilla stated there would not be any on this subdivision but would be on the master plan of the two proposed subdivisions. Tom Greuner further asked if there would be a park in the subdivision. Heriberto Martinez, Planner II, stated they would be paying Parkland Fees.

There being no further discussion, Luis Madrigal **moved** to approve the request for preliminary plat approval of the proposed Brentwood Subdivision. Romeo Robles seconded the motion and when put to a vote it carried by a majority of five (5) ayes and one (1) abstention. Rafael Munguia abstained from voting.

C) QUINTANILLA, HEADLEY AND ASSOCIATES, INC., REPRESENTING EDUARDO CANTU, VICE PRESIDENT OF ESPONJAS DEVELOPMENT, LTD., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED CARMEL ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 28.27 ACRE TRACT OF LAND OUT OF LOTS 202 AND 203, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1000 BLOCK OF WEST RIDGE ROAD. SUB#180102

Heriberto Martinez, Planner II, introduced the item. He stated the adjacent zones are Agricultural and/or Open Space District (A-O) and High Density Multi-Family District (R-4) to the north and west, Agricultural and/or Open Space District (A-O) to the east and Single Family Residential District (R-1) and Mobile Home District (R-MH) to the south. He further stated the property was designated for multi-family residential use in the Land Use Plan and the proposed use was for multi-family use. He added no

variances were being requested and staff recommended preliminary plat approval of the proposed Carmel Estates Subdivision subject to the conditions.

At this time, Charlie Ramirez, advised a public hearing was not required and opened the item for discussion and action.

Tom Greuner asked if the City Commission had approved the change of zone for this property. Heriberto Martinez, Planner II, stated the item was tabled and would be presented again at the next City Commission meeting.

Luis Madrigal asked the developer to describe the buffer wall. Cruz Cantu, Developer, stated it would be an opaque buffer on the south side of the property.

The Planning and Zoning Commission went into executive session at 6:31 p.m.

The Planning and Zoning Commission reconvened at 6:55 p.m.

There being no further discussion, Luis Madrigal **moved** to approve the request for preliminary plat approval of the proposed Carmel Subdivision. Andy Castro seconded the motion and when put to a vote it carried by a majority of five (5) ayes and one (1) abstention. Rafael Munguia abstained from voting.

D) MELDEN & HUNT, INC., REPRESENTING ROBERT F. BOGGUS, COMMUN MANAGER, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED BOGGUS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RE-SUBDIVISION OF 3.790 ACRES OUT OF LOT 92, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 5200 BLOCK OF NORTH IH 69C. SUB#170613

Heriberto Martinez, Planner II, introduced the item. He stated the adjacent zones are Single-Family Residential District (R-1) to the west and Limited Industrial District (L-I) to the north, east and south. He further stated the property was designated for industrial use in the Land Use Plan and the proposed use was for a car lot. He added no variances were being requested and staff recommended final plat approval of the proposed Boggus Subdivision subject to the conditions. He further stated the item would be presented at the City Commission meeting of February 19, 2018.

At this time, Charlie Ramirez, advised a public hearing was not required and opened the item for discussion and action.

There being no discussion, Tom Greuner **moved** to approve the request for preliminary plat approval of the proposed Madiam LP Pharr Subdivision. Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

ITEM G. ANNOUNCEMENTS/OTHER BUSINESS:

Roland Gomez, Assistant Director of Development Services, stated Angie Resio would now be the Secretary for the Development Services.

ITEM H. ABSENTEE REPORT:

Rita Galvan, Administrative Assistant, stated Danny Wylie was not able to attend.

Luis Madrigal moved to excuse the absent member Rafael Munguia seconded the motion and when put to a vote it carried unanimously.

ITEM I. AJOURNMENT:

There being no further business, Romeo Robles moved to adjourn. Andy Castro second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 7:07 p.m.



Danny Wylie, Chairman

ATTEST:



Tom Greuner, Secretary

APPROVED: _____