



PLANNING & ZONING COMMISSION

City Commissioner's Room

118 S. Cage Blvd. January 22, 2018 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, January 22, 2018. 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
Romeo Robles
Porfirio Rodriguez
Charlie Ramirez
Andy Castro
Luis Madrigal

ABSENT: Rafael Munguia

OTHERS PRESENT: See attached list

STAFF PRESENT: Melanie Cano, Director of Development Services
Cristina Garcia, Senior Planner
Eddie Martinez, Planner II
Della Robles, Planner I
George Martinez, Building Official
Felipe Pedraza, Assistant Fire Marshall
Rita Galvan, Administrative Assistant
John Rigney, City Attorney

CALL TO ORDER

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

APPROVAL OF MINUTES

Danny Wylie proceeded with the approval of the minutes of January 08, 2018.

There being no discussion, Andy Castro moved to approve the minutes of January 08, 2018 as submitted. Romeo Robles second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve
T. Greuner: Approve
L. Madrigal: Approved
A. Castro: Approve

C. Ramirez: Approve
R. Robles: Approve
R. Munguia: Absent
P. Rodriguez: Approved

The motion carried unanimously to approve the minutes of January 08, 2018 as submitted.

PUBLIC COMMENTS:

Danny Wylie asked if anyone had signed up to speak at the Public Comments portion of the meeting. Rita Galvan, Administrative Assistant, advised that 2 individuals has signed up for public comments and K.C. Fletcher was the 1st individual to speak. Danny Wylie called forth K.C. Fletcher.

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

- He lives too close to Costco and it is particularly noisy and he signed up for public hearing and people may not know but you have to publish the public hearing in the Advance New Journal 16 days before the Public Hearing so the Public Hearing invites the Public and that's why he is at the meeting.
- He didn't get to speak at the Public Hearing on January 08, 2018 regarding the Change of Zone 171270. A new business in moving into town and needed to change to a Heavy Commercial District and there is a list of requirements for the Heavy Commercial district that include commercial vehicle parking and adequate space. This item brought to mind Lowe's which is in his district and the noise from the back up trucks can be heard from his house.
- Would like to make the Commission aware that he filed a compliant November 1st that there needs to be a change of zone and still haven't received a response form staff.
- He cannot do anything about his neighborhood but maybe he can help other residents like the ones around Trancasa Subdivision.
- Thanked the Commission.

Rita Galvan, Administrative Assistant, advised the second person signed up for public comments was Geraldine Strzyzewski.

Danny Wylie called forth Geraldine Strzyzewski but she was not in the audience.

PUBLIC HEARING:

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

**ESPONJAS DEVELOPMENT
LYNN TRACT LP**

**COZ (R-4) TO (R-3)
COZ#171272**

Esponjas Development, Ltd., representing Lynn Tract, LP, a Texas Limited Partnership, has filed with the Planning and Zoning Commission a request for a change of zone from High-Density Multi-Family District (R-4) to Medium-Density Multi-Family District (R-3). The subject site is located on the south side of West Ridge Road and the property's physical address is 901 West Ridge Road. The property is legally described as being an 8.42 acre tract of land out of Lot 202, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The subject site currently consists of one (1) lot which is approximately 644.00 feet in width and approximately 694.73 feet in depth. West Ridge Road is a 100' minor arterial which runs east and west 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 High-Density Multi-Family District (R-4). The surrounding properties are zoned High-Density Multi-Family District (R-4) and Agricultural and/or Open Space District (A-O) to the north, High-Density Multi-Family District (R-4) to the west, Agricultural and/or Open Space District (A-O) to the east and Single-Family Residential District (R-1) to the south. The property is generally designated for commercial and multi-family residential use in the Land Use Plan. On January 06, 2004, the property itself including the property to the north was rezoned to High-Density Multi-Family District (R-4). The property to the west was rezoned to High-Density Multi-Family District (R-4) on September 20, 1994 and the property to the south was rezoned to Single-Family Residential District (R-1) on March 05, 1996. There have been no other zoning requests within the general vicinity of the subject property since that time. The owner of the property is requesting a change of zone to a Medium-Density Multi-Family District (R-3) in order to develop the property into part of a seventy-four (74) lot medium-density multi-family residential subdivision. The medium-density multifamily district is established to provide adequate space and site diversification for medium-density areas that are a mixture of single-family, duplex, and multifamily dwelling units of up to eight units per lot. The area requirements in this district are based on multifamily dwelling units being built on smaller, individual lots and needing to coexist with single-family residences. Only one building will be allowed per lot, and the setbacks will be similar to that of the single-family district. This zone allows medium-density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage, and adequate open space are met. Multifamily developments are not a buffer between single-family and commercial uses, and should be properly buffered from nonresidential land uses and traffic, or from pollution and/or environmental hazards. Eight (8) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Two (2) individuals came in for information only and 2 individuals have signed up for Public Hearing to speak against the item. Development Services is recommending approval of the request to re-zone to Medium Density Multi-Family Residential District (R-3) as the property meets area requirements. If approved, applicant must comply with all City Ordinances and City Department requirements.

Della Robles advised this item will go before the City Commission meeting of February 05, 2018 at 4:00 p.m. and advised that the applicant was in the audience.

Danny Wylie advised this item requires a public hearing and asked if there was anyone in the audience wishing to address this item, either for or against, to please come forth. Rita Galvan, Administrative Assistant, advised there were 2 individuals signed up and Horacio Gomez, representing Humberto Saenz was the first individual. Danny Wylie called forth Horacio Gomez.

- Mr. Gomez stated he was representing Humberto Saenz who lived at 804 Inspiration in Encanto Ridge, Lot 18, which is directly behind the area that is requesting the change of zone. He verified with Rita Galvan, Administrative Assistant, if he had 3 minutes to speak and she confirmed that was correct.
- Mr. Gomez stated that Mr. Saenz along with the other residents of Encanto Ridge believe that the change of zone would cause various different things to occur such as loss of privacy, escalated noise, and depreciation of value of their homes. They would like assurance that the change of zone would not result in their concerns. They suggest they would zone it R-1 so that it would be less disruptive.
- Thanked the Commission.

Rita Galvan, Administrative Assistant, stated the 2nd individual signed up was Justino Garza, representing Juan and Isabel Cerda. Danny Wylie called forth Justino Garza.

- The individual stated his name was Jerry Garza and attorney from McAllen representing Dr. Cerda and Isabel Cerda and they are asking the Commission to deny the change of zone request.
- Mr. Garza stated the homes of Encanto Ridge are million dollar homes and Dr. Cerda along with the other residents have worked their hearts out to provide for their families and when they use the word depreciation it is not a word that is abstract it means real things just like each and every one the Commission members owns a home and if someone were to come along and state that today you could sell your house for one million dollars but tomorrow you would only be able to sell it for one hundred fifty thousand, that is money out of your pocket.
- Mr. Garza stated that his client pays twenty thousand dollars in property taxes every year. He stated that what the developer is suggesting that in each of the 74 lots they would be building a four plex which is 296 units and that would include moving 1,084 individuals into these apartments. He stated that by no means are they stating the people moving into those units would be criminals but there would be a chance of disturbances.
- Mr. Garza stated that he would like the Commission to consider that the change of zone would have real effects on real people and to please consider denying the request. He stated that Supreme Court Justice said the right to swing your arm ends when it reaches another person's nose. This case is an example of that in which the developer has the right to use the land for the best use but not when it affects other people so drastically.
- Mr. Garza stated that the Commission is the body that gets to decide whether his client and the other families get hurt by this change. They do not want a bloody nose at the end of the day and are asking the Commission to deny the request for rezoning.

There being no one else who signed up, Danny Wylie closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

- Project Engineer Alfonso Quintanilla approached the podium and stated he was there representing Esponjas Development. He approached the Commission and gave them a plan of the proposed use of the land stated in the change of zone request. He stated that he and Cruz Cantu, Developer, had met with the Development Services Staff over the course of a few months regarding the project when Mr. Cantu decided to purchase the property for development.
- Mr. Quintanilla stated that this property is meant for families that are no different from anyone who is present here today. He stated that there is a need for family homes and multifamily homes and that it has been proven throughout the years that single family and multifamily can coexist as long as everything is in accordance with City guidelines and infrastructure. The property is already zoned R-4 and they are requesting it to be changed to R-3 because that is the right thing to do even though they could proceed with development the way it is currently zoned. There is existing infrastructure that they are going to have to extend.
- There will be fencing along the area to serve as a buffer.
- Luis Madrigal asked how many entrances there would be to this proposed subdivision and if they could swap the single family property and multifamily property. Mr. Quintanilla stated there would be 3 main accesses into the development. Cruz Cantu stated that because of the layout it could not be done.
- Tom Greuner asked staff if without coming to the Commission with the change of zone request if they would be able to proceed with the development. Melanie Cano, Director of Development Services, stated that this land is currently zoned R-4 which is the highest level of multifamily and would have the right to build apartment homes like Jackson place that are 3 stories high.
- Danny Wylie asked if the Staff had thoroughly discussed the development with Mr. Quintanilla and Mr. Cantu. Melanie Cano responded stating yes that had met with them as Mr. Quintanilla stated and the first step is the change of zone and in the next couple of months you will be seeing the preliminary plat before you.

There being no further discussion, Luis Madrigal moved to approve the request for a change of zone from High-Density Multi-Family District (R-4) to Medium-Density Multi-Family District (R-3). Tom Greuner second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve
T. Greuner: Approve
L. Madrigal: Approve
A. Castro: Approve

C. Ramirez: Approve
R. Robles: Approve
R. Munguia: Absent
P. Rodriguez: Approve

Motion carried by unanimous vote to approve the request for a change of zone from High-Density Multi-Family District (R-4) to Medium-Density Multi-Family District (R-3).

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

Esponjas Development, Ltd., representing Lynn Tract, LP, a Texas Limited Partnership, 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 Medium-Density Multi-Family District (R-3). The subject site is located on the south side of West Ridge Road and the property's physical address is 901 West Ridge Road. The property is legally described as being a 16.99 acre tract of land out of Lot 202 and 203, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The subject site currently consists of two (2) lots which has an entrance approximately 115 feet in width coming off of West Ridge Road onto a street that is approximately 55-60 feet in width and run approximately 355 feet into a proposed private subdivision. West Ridge Road is a 100' minor arterial which runs east and west 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 surrounding properties are zoned High-Density Multi-Family District (R-4) and Agricultural and/or Open Space District (A-O) to the west, Agricultural and/or Open Space District (A-O) to the north and east and Single-Family Residential District (R-1) and Residential Mobile Home District (R-MH) to the south. The property is generally designated for commercial and multi-family residential use in the Land Use Plan. On January 06, 2004, a portion of the property to the west was rezoned to High-Density Multi-Family District (R-4). A portion of the property to the south was rezoned to Single-Family Residential District (R-1) on March 05, 1996 and the other portion to Residential Mobile Home District (R-MH) on March 30, 1982, when the city adopted the current zoning ordinance we use today. There have been no other zoning requests within the general vicinity of the subject property since that time. The owner of the property is requesting a change of zone to a Medium-Density Multi-Family District (R-3) in order to develop the property into part of a seventy-four (74) lot medium-density multi-family residential subdivision. The medium-density multifamily district is established to provide adequate space and site diversification for medium-density areas that are a mixture of single-family, duplex, and multifamily dwelling units of up to eight units per lot. The area requirements in this district are based on multifamily dwelling units being built on smaller, individual lots and needing to coexist with single-family residences. Only one building will be allowed per lot, and the setbacks will be similar to that of the single-family district. This zone allows medium-density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage, and adequate open space are met. Multifamily developments are not a buffer between single-family and commercial uses, and should be properly buffered from nonresidential land uses and traffic, or from pollution and/or environmental hazards. Nineteen (19) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Two (2) individuals came in for information only and one individual signed up for the public hearing to speak against the item. Development Services is recommending approval of the request to re-zone to Medium-Density Multi-Family District (R-3) as the property meets area requirements has adequate ingress and egress. If

approved, applicant must comply with all City Ordinances and City Department requirements.

Della Robles advised this item will go before the City Commission meeting of February 05, 2018 at 4:00 p.m. and advised that the applicant was in the audience.

Danny Wylie advised this item requires a public hearing and asked if there was anyone in the audience wishing to address this item, either for or against, to please come forth. Rita Galvan, Administrative Assistant, advised there was 1 individual signed up for Public Hearing, Mr. Justino Garza representing Juan and Isabel Cerda. Danny Wylie called forth Justino Garza.

- Mr. Garza asked the Commission to consider the arguments he made in the previous public hearing item. He wanted to comment on the statement made that single families and multi-families can coexist stating that we did not write the rules on how single families' value of their homes would be affected by multi-families and the families that he representing will be monetarily affected and crime rate may also be an issue.
- He stated that in the previous item they had no choice but to approve the change of zone request from an R-4 to an R-3 but in this case he is asking the Commission to consider denying the request for a change of zone.

Danny Wylie closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

- Mr. Quintanilla stated that Mr. Cantu also lives in the Encanto Ridge subdivision.
- Tom Gruener asked Mr. Cantu why they could not swap the Multi-Family zone with the Single family zone. Mr. Cantu stated that this property was very expensive and doing that would cost an extra 500 thousand dollars and because of the area of the land it can't be done.
- Tom Gruener asked about the commercial property in the front of the area and if he owner that property. Mr. Cantu stated he was not the owner.

There being no further discussion, Luis Madrigal moved to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to Medium-Density Multi-Family District (R-3). Tom Greuner second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve
T. Greuner: Approve
L. Madrigal: Approve
A. Castro: Approve

C. Ramirez: Approve
R. Robles: Approve
R. Munguia: Absent
P. Rodriguez: Approve

Motion carried by unanimous vote to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to Medium-Density Multi-Family District (R-3).

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

Esponjas Development, Ltd., representing Lynn Tract, LP, a Texas Limited Partnership, 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 Single-Family Residential District (R-1). The subject site is located on the south side of West Ridge Road and the property's physical address is 901 West Ridge Road. The property is legally described as being a 24.15 acre tract of land out of Lot 203, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The subject site currently consists of one (1) lot which has two entrances each approximately 115 feet in width coming off of West Ridge Road onto streets that are approximately 60 feet in width and run approximately 330 feet which lead into a proposed private subdivision. The area that is to be used for residential lots is approximately 896 feet in depth and 1,124 feet in width. West Ridge Road is a 100' minor arterial which runs east and west 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 surrounding properties are zoned Agricultural and/or Open Space District (A-O) and General Business District (C) to the north General Business District (C) to the east, Agricultural and/or Open Space District (A-O) to the west and Residential Mobile Home District (R-MH) to the south. The property is generally designated for general business district and multi-family residential use in the Land Use Plan. The property to the south was rezoned to Residential Mobile Home District (R-MH) on March 30, 1982, when the city adopted the current zoning ordinance we use today. A portion of the property to the north was rezoned to General Business District (C) on February 17, 2015 and the property to the east was rezoned to General Business District (C) on October 21, 2003. There have been no other zoning requests within the general vicinity of the subject property since that time. 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 ninety-seven (97) 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. Forty-eight (48) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Two (2) individuals came in for information only and two (2) individuals signed up for speak at the Public Hearing. Development Services 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 comply with all City Ordinances and City Department requirements

Della Robles advised this item will go before the City Commission meeting of February 05, 2018 at 4:00 p.m. and advised that the applicant was in the audience.

Danny Wylie advised this item requires a public hearing and asked if there was anyone in the audience wishing to address this item, either for or against, to please come forth. Rita Galvan, Administrative Assistant, advised Janet Higgs and Dennis Wilczek signed up but were not present in the audience. Danny Wylie closed the Public Hearing and opened the item to the Planning and Zoning Commission for discussion and action.

- Tom Greuner stated he had a question for the Developer and Mr. Quintanilla and Cruz Cantu approached the podium. Mr. Gruener asked how the gated community would be accessed and if the multi-family subdivision would have access to it. Mr. Cantu explained how two separate gates would open to the street and the two would not have access to the separate subdivisions.
- John Rigney, City Attorney, asked Mr. Quintanilla to approach the bench and explain how the gates worked separately. Mr. Quintanilla explained how the two gates would be separate and would open to the street for access into and out of the subdivisions.
- Porfirio Rodriguez asked if provisions were made for school buses and public transportation. Mr. Quintanilla stated the main road leading to the subdivisions would be wider than most roads and the roads are 34 feet wide to accommodate the buses, sanitation, and fire trucks.
- Luis Madrigal asked what they would be doing with the heavy brush that is currently in the area. Mr. Quintanilla stated they would remove it, clear it and haul it out of the area.
- Tom Gruener asked if there was an ordinance requiring them to put a park in the subdivision. Della Robles stated they could either pay a parkland fee or construct a park in the area and Mr. Cantu chose to pay the Parkland Fee.

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

D. Wylie: Approve
T. Greuner: Approve
L. Madrigal: Approve
A. Castro: Approve

C. Ramirez: Approve
R. Robles: Approve
R. Munguia: Absent
P. Rodriguez: Approve

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

PLAT APPROVAL:

Heriberto Martinez introduced himself as Planner II for the City of Pharr and advised he had three (3) items to be presented to the Commission and proceeded to introduce the plat as follows:

Perez Consulting Engineers, representing Carlos Canales Melhem, Owner, is requesting preliminary plat approval of the proposed Trancasa Subdivision. The property is legally described as being a tract of land containing 7.21 acres being a part or portion of Lot 377, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1400 Block of West HI-Line Road. The property is currently zoned Agricultural & Open Space District (A-O). The adjacent zones are Limited Industrial District (L-I) and Agricultural & Open Space District (A-O) to the north and east and Agricultural & Open Space District (A-O) to the south and west. The property is designated for industrial use in the Land Use Plan. The property's proposed use is for a truck yard. No variances are being requested. Development Services recommends preliminary plat approval of the proposed Trancasa Subdivision subject to the following conditions:

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

1. Shall escrow 1/3 of street R.O.W.

EASEMENTS:

2. Provide a 15' utility easement exclusive to the City of Pharr.
3. Off-site utility easement shall be recorded prior to water installation.
4. All easements dedicated to the city of Pharr shall be minimum 15-ft. and exclusive.
5. Show all existing easements.

**SIDEWALK:
ADA:**

1. 5' sidewalk with A.D.A ramps and landings will be required to be constructed during construction permit phase along any street.

FIRE PROTECTION:

1. See attach comments.

WATER:

1. 24" water line to have 12' separation from 12" water line (center to center).
2. Will need to contact Evergreen Subdivision engineer to connect 12" water line to newly installed 12" water line on the north side of W. Hi-Line Rd.
3. Will need flush out valve to be installed on south side of "Tee" on west side of property.
4. Will need to install valves on south and west side of "Tee" on east side of property.
5. Follow City of Pharr construction standards manual.

SEWER:

1. Sewer crossing to be open cut on W. Hi-Line Rd.
2. Sewer service to property line only.
3. Sewer service to remain private.

4. Follow City of Pharr construction standards manual.

DRAINAGE:

1. Need approved drainage report.
2. Plat note #4, numbers must match drainage report.
3. Drainage plan will be reviewed and approved at building permit stage. No detention will be allowed on easements.

OTHER:

1. Label net or gross for acres on metes & bounds.
2. Need to apply for a change of zone.
3. Refer to set and found monuments on metes and bounds description.
4. Property borders should exclude existing R.O.W. since it has already been dedicated or purchased by the City.
5. Add "W" for West Hi Line Rd.
6. Re-word plat note #5, Owners to maintain detention areas.
7. Provided 3 hard copies SWPPP with N.O.I.
8. Re-word plat note #9, Erosion and sediment control shall be in accordance with the current Texas Pollution Discharge Elimination System (TPDES).
9. Show easement and name of gas company line.
10. On plat layout and metes & bounds show only surveyed bearings & distances.
11. On general notes remove # 5, 6 and 9.
12. Plat note #8 remove "or lot line".
13. Need to correct Planning & Zoning last name "Wylie".
14. Remove "Amos" from Mayors name.
15. Need to correct Benchmark: Elevation:95.72, Easting:1077655.765, Northing:16563137.028
16. Need to provide letter from gas company that allowed parking on top of gas line easement.
17. Need to provide tree survey, if no trees exists on property please provide a letter stating that no trees exist on said property, please sign & seal letter.

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

- Luis Madrigal asked when this subdivision had initially been present to the Commission. Melanie Cano stated it was sometime last year.
- Luis Madrigal asked the project engineer what material was being used to pave the area. Mr. Rene Gonzalez stated that the most common material used is caliche but they are using reclaimed concrete. He explained the material works better than caliche, almost as well as limestone, and provides a very stable surface.
- Danny Wylie asked if they had resolved the problem with the dust being blown in surrounding areas had been addressed. Melanie Cano stated that yes they would be required to be in compliance.

- Tom Greuner asked if they needed to apply for a change of zone. Melanie Cano, advised that was a requirements listed in the packet and the engineer was in the process of applying for one.

There being no further discussion, Luis Madrigal **moved** to approve the request for preliminary plat approval of the proposed Trancasa Subdivision. Charlie Ramirez second the motion and when put to a vote, it polled as follows:

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

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

SPOOR ENGINEERING CONSULTANTS
Rep. CARLOS CANALES MELHEM, OWNER

LE BARON NO 2
SUB#170927

Eddie Maritnez, Planner II, introduced the second item as follows:

Spoor Engineering Consultants, Inc., representing Martin Patrocinio Garza Jr., is requesting preliminary plat approval of the proposed Le Baron No. 2 Subdivision. The property is legally described as being a 2.06 acre tract of land out of Lot 7, Block 6, A.J. McCOLL Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1600 Block of West Polk Avenue. The property is currently zoned General Business District (C). The adjacent zones are General Business District (C) to the north and west, Limited Industrial District (L-I) to the east and Heavy Commercial District (H-C) to the south. The property is designated for industrial use in the Land Use Plan. The property's proposed use is for an Office/storage. No variances are being requested. Development Services recommends preliminary plat approval of the proposed Trancasa Subdivision subject to the following conditions:

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

1. Total R.O.W., shall be 50' from centerline of W. Polk Ave. a total of 16-ft. additional shall be dedicated by this plat.

EASEMENTS:

1. All City utility easements to be 15' Exclusive to City of Pharr.
2. Need to provide offsite easement prior to construction or installation of water line.
3. Need to verify with HCID #2, blanket easements and easements, as per Javier Lopez from HCID #2, no easements from other entities shall be recorded or no improvements to be done until blanket easement are

resolved.

SIDEWALK:
ADA:

1. Plat note #4, add: ADA compliance, after 5' and delete the last sentence.

FIRE PROTECTION:

1. See attached comments.

WATER:

1. 6-inch water line to be abandoned in place.
2. Will need to be relocated in to the 10' utility easement.
3. Will need to install 12-inch C900 DR18 water line to and through the property.
4. Need to show water line on south west corner of property.
5. Need a "T" on north east corner of property with a 2-inch flush out.
6. Need to install water line reducers before 12-inch gate valves on south west corner of property for waterlines running west and south.
7. Need to install a reducer on the south east corner of the property for the water line running east.
8. Will require casing under driveway for water line
9. Follow City of Pharr construction standard manual.

SEWER:

1. Will have the option to remove sewer line on west side of the property.
2. Sewer service will be to property line only.
3. Sewer service to remain private.
4. Follow City of Pharr construction standard manual.

DRAINAGE:

1. Provide approved drainage report.
2. Plat note #5, shall include detention numbers stated on the drainage report, they do not match.
3. Show how is the property going to drain onto an existing drainage system, show proposed public improvements.

OTHER:

1. Need to specify set or found monument on metes & bounds.
2. Provide bearings on plat layout and add to metes & bounds.
3. Label net or gross for acres on metes & bounds.
4. Plat note #5, verify the amount of acreage.
5. Remove plat note #7.
6. Show true north on plat.
7. Plat note #8, show full decimal numbers for northing & easting.

8. Remove plat note #12.
9. Provide one hard copy of the SWPPP, for review and redlines and for final will need to provide three hard copies.
10. Property borders should exclude existing ROW since it has already been dedicated or purchased by the City.
11. Add plat note, Owners are to maintain R.O.W and perimeter of subdivision.
12. Engineer seal is overlapping other signature blocks need to fix.
13. Add plat note, Owners are to maintain detention areas.

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

There being no discussion, Luis Madrigal moved to approve the request for preliminary plat approval of the proposed Le Baron No. 2 Subdivision. Charlie Ramirez second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve
T. Greuner: Approve
L. Madrigal: Approve
A. Castro: Approve

C. Ramirez: Approve
R. Robles: Approve
R. Munguia: Absent
P. Rodriguez: Approve

Motion carried unanimously to approve the request for preliminary plat approval of the proposed Le Baron No. 2 Subdivision.

J.E. SAENZ & ASSOCIATES, INC
Rep. BERHARDO J. GUBSER, PRESIDENT

TRANSMARITIME SUBDIVISION
SUB#130410

Eddie Maritnez, Planner II, introduced the third item as follows:

J.E. Saenz & Associates, Inc., representing Berhardo J. Gubser, President of Gallus properties LTD., is requesting final plat approval of the proposed Transmaritime Subdivision. The property is legally described as being a 17.87 acre tract of land being a portion of Lot Seven (7), Block One (1), a Re-subdivision of Closner Subdivision of Porcion 70, Pharr, Hidalgo County, Texas. The property's physical address is 901 E. Military HWY. The property is zoned Limited Industrial District (L-I) and Heavy Industrial District (H-I). The adjacent zones are Limited Industrial District (L-I) to the north and east, Limited Industrial District (L-I) and Agricultural Open Space District (A-O) to the south and Agricultural Open Space District (A-O) to the west. The property is designated for industrial use in the Land Use Plan. The property's proposed use is for an existing trucking business. No variances are being requested. Development Services recommends final plat approval of the proposed Transmaritime Subdivision subject to the following conditions:

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

Eddie Martinez advised this item will go before the City Commission meeting of February 05, 2018 at 4:00 p.m. and advised that the applicant was in the audience.

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

- Luis Madrigal asked if the property was currently paved and if it would be paved 100 percent. Eddie Martinez stated it was currently going through the process and would be 100 percent paved.
- Danny Wylie was asking why the Commission was approving a property that already existed. Eddie Martinez stated that there was an addition made to the warehouse that required a CO and they were not in compliance which triggered the subdivision process.
- Danny Wylie asked how long they had not been in compliance. Melanie Cano stated there was litigation involved prior to her being Department Head and that delayed the subdivision process.

There being no further discussion, Luis Madrigal **moved** to approve the request for final plat approval of the proposed Transmaritime Subdivision. Andy Castro second the motion and when put to a vote, it polled as follows:

D. Wylie: Approve
T. Greuner: Approve
L. Madrigal: Approve
A. Castro: Approve

C. Ramirez: Approve
R. Robles: Approve
R. Munguia: Absent
P. Rodriguez: Approve

Motion carried unanimously to approve the request for final plat approval of the proposed Transmaritime Subdivision.

ANNOUNCEMENTS/OTHER BUSINESS: None.

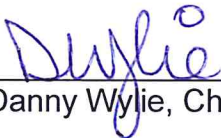
- Mr. Castro asked how the city could educate the community on code compliance so the Commission doesn't see as many after the fact permits. Melanie Cano stated the department was going to start having block parties to educate the citizens.
- Mr. Castro suggested using our City channel and water bills to educate the community.
- John Rigney, City Attorney, stated that the Code Compliance department is taking a proactive approach in citing violations and that is why they are coming in for after the fact permits.

ABSENTEE REPORT: Rita Galvan stated Rafael Munguia was working in Brownsville and was not able to attend. Luis Madrigal moved the absent member be excused. Charlie Ramirez second the motion and when put to a vote, it polled as follows:

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

Motion carried unanimously to excuse absent member.

ADJOURNMENT: There being no further business, Romeo Robles moved that the meeting be adjourned. Andy Castro second the motion. All members unanimously consented, the Planning and Zoning Meeting adjourned at 7:07 p.m.



Danny Wylie, Chairman

ATTEST:



Tom Greuner, Secretary