



PLANNING & ZONING COMMISSION

City Commissioner's Room

118 S. Cage Blvd. June 26, 2017 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, June 26, 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
Rafael Munguia
Charlie Ramirez
Tom Greuner
Romeo Robles
Andy Castro
Porfirio Rodriguez

ABSENT: Luis Madrigal

OTHERS PRESENT: See attached list

STAFF PRESENT: Edward Wylie, Assistant City Manager
Melanie Cano, Director of Development Services
Roland Gomez, Assistant Director of Development Services
Cristina Garcia, Senior Planner
Heriberto Martinez, Planner II
Della Robles, Planner I
George Martinez, Building Official
Janie Benedict, Administrative Assistant
Officer Mata

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 June 12, 2017.

There being no discussion, Romeo Robles **moved** the minutes of June 12, 2017, be approved as submitted. Charlie Ramirez second the motion and when put to a vote, it polled as follows:

D. Wylie: Approved as submitted
T. Greuner: Absent (*Late Arrival*)
R. Munguia: Absent (*Late Arrival*)
A. Castro: Approved as submitted

C. Ramirez: Approved as submitted
R. Robles: Approved as submitted
L. Madrigal: Absent
P. Rodriguez: Approved as submitted

The motion carried unanimously to approve the minutes of June 12, 2017, as submitted.

(Commissioner Rafael Munguia arrived at 6:02 p.m. and Commissioner Tom Greuner arrived at 6:04 p.m.)

PUBLIC COMMENTS:

Danny Wylie asked if anyone had signed up for the Public Comments. Janie Benedict stated no one signed up to speak.

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

PUBLIC HEARING:

Della Robles introduced herself as Planner I for the City of Pharr and advised there were four (4) items for recommendation.

WILLIAM BEBB FRANCIS, III
Rep. AMERICAN TOWER ASSET SUB, LLC

LIFE-OF-THE-USE EXISTING
TELECOMMUNICATION TOWER
CUP#170210

Della Robles, Planner I, introduced the first item and advised the item would remain tabled and no action was needed.

Della Robles announced that the applicant was present.

A gentlemen approached the podium and introduced himself as Bebb Francis, of 120 E. Pecan in San Antonio, Texas. He stated he is the attorney for American Tower Asset and presented to the Commission:

- Agrees the tower is in a non-conforming status;
- Planning staff has advised him of the need for a Conditional Use Permit and he has worked towards obtaining this;
- Conditions imposed have caused issues he feels need to be addressed;
- Case has morphed into a situation requiring meetings with Assistant City Manager and city staff;
- An ordinance is being required and worked on;
- Has not heard back from staff and there are still questions he would like addressed;
- Supports the tabling of the item but is requesting help in getting a meeting with the

City Manager and his team to meet with staff of American Tower Corporation who would be willing to fly in and work out the case issues.

Danny Wylie thanked Mr. Francis for his submittal but advised the Commission could not have any dialogue with him.

JOHN M. GARCIA
REP. AEP TEXAS

SPECIAL USE PERMIT
ELECTRICAL SUBSTATION
SUP#170318

Della Robles, Planner I, introduced the second item and advised the item would remain tabled and no action was needed.

EMMA E. GUERRA

CUP: OVERSIZE STORAGE UNIT
CUP#170529

Della Robles, Planner I, introduced the third item and advised the item was a tabled item and would need to be un-tabled. Tom Greuner **moved** that Emma E. Guerra's request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (14' x 19') in a Single-Family Residential District (R-1) be un-tabled. Rafael Munguia second the motion and when put to a vote it polled as follows:

D. Wylie: Approve to Un-table
T. Greuner: Approve to Un-table
R. Munguia: Approve to Un-table
A. Castro: Approve to Un-table

C. Ramirez: Approve to Un-table
R. Robles: Approve to Un-table
L. Madrigal: Absent
P. Rodriguez: Approve to Un-table

Motion carried by unanimous vote to un-table the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (14' x 19') in a Single-Family Residential District (R-1).

Della Robles, Planner I, read as follows:

Emma E. Guerra has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (14' x 19') in a Single-Family Residential District (R-1). The property is legally described as being Lot 83, Pecan Plantation Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 7711 South Pecan Plantation Circle. The property is currently zoned Single-Family Residential District (R-1). The surrounding area is zoned Single-Family Residential District (R-1) to the north, south, east and west. This area is generally designated for single-family residential use in the Land Use Plan. Fifty (50) surrounding property owners were notified by letter and a legal notice was published in the Advance News Journal. Staff received two (2) telephone calls and one (1) walk in for information only. Development Services is recommending approval of the request for the Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (14' x 19') in a Single-Family Residential District (R-1) subject to the following conditions:

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

This item will go before the City Commission meeting of July 03, 2017, at 4:00 p.m.

ADDITIONAL COMMENTS:

On May 09, 2017, Ms. Guerra submitted plans to the city for an after the fact outside storage unit. Application was placed on pending by the Building Official until a Life-of-the-Use Conditional Use Permit for an Oversized Storage Unit was applied for and a windstorm report was obtained for the project since the building was taller than 10 feet. On, June 16, 2017, staff contacted Ms. Guerra who stated that she would modify the building down to the approved 10 feet to comply with the building code standards. Ms. Guerra submitted the revised plans on June 22, 2017, to the Permits Division which were approved by the Building Official with the condition that Ms. Guerra apply for and obtain a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit.

Della Robles announced that the applicant was present.

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 to come forth, Danny Wylie closed the public hearing and opened the item to the Planning and Zoning Commission for discussion and action

Danny Wylie asked staff if the permit being requested is for a Life-of-the-Use Conditional Use Permit for an over-sized storage unit and if it was going to be renovated to come into compliance with code. Melanie Cano, Development Services Director, affirmed this to be

the case and added that the applicant has one month to comply. If such does not occur, the case would be forwarded to the court.

There being no further discussion, Charlie Ramirez **moved** to approve the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (14' x 19') in a Single-Family Residential District (R-1) subject to staff's recommendations. Tom Greuner 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
R. Munguia: Approve	L. Madrigal: Absent
A. Castro: Approve	P. Rodriguez: Approve

Motion carried by unanimous vote to approve the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (14' x 19') in a Single-Family Residential District (R-1) subject to staff's recommendations.

MGE
Rep. SOUTH TEXAS COLLEGE

COZ: A-O TO C
COZ#170634

Della Robles, Planner I, introduced the fourth item and read as follows:

Halff & Associates, Inc., representing South Texas College, a Political Subdivision / Shirley A. Reed, M.B.A., Ed. D. President, 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 General Business District (C). The property is legally described as being the West 330' of Lot 255, and a tract of land containing 54.06 acres, more or less, out of Lots 258, 259 and 260, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 3900 Block of South Cage Boulevard.

Della Robles, Planner I, stated Planning staff is requesting the item be tabled with no action to be taken at this time.

There being no discussion, Andy Castro **moved** to table the request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C). Tom Greuner second the motion and when put to a vote it polled as follows

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

Motion carried by unanimous vote to table the request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C).

PLAT APPROVAL:

Heriberto Martinez introduced himself as Planner II for the City of Pharr and advised one plat submitted for recommendation.

**MGE
Rep. CITY OF PHARR**

**PHARR DEVELOPMENT AND RESEARCH
CENTER SUBDIVISION
SUB#151127**

Heriberto Martinez, Planner II, introduced the first plat as follows:

MGE, representing City of Pharr, is requesting final plat approval of the proposed Pharr Development and Research Center Subdivision. The property is legally described as being a tract of land containing 5.00 acres, also being a part or portion of Lot 327, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 900 Block of West Dicker Road. 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) to the north and west, Single-Family Residential District (R-1) to the south, and Limited Industrial District (L-I) to the east. The property is designated for commercial and public/semi public use in the Land Use Plan. Property's proposed use – Development and Research Center. Variances requested – none. Development Services recommends final plat approval of the proposed Pharr Development and Research Center 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.

This item will go before the City Commission meeting of July 03, 2017, at 4:00 p.m.

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

There being no discussion, Charlie Ramirez **moved** to approve the final plat approval of the proposed Pharr Development and Research Center Subdivision. Rafael Munguia second the motion and when put to a vote it polled as followed:

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

C. Ramirez: Approve
R. Robles: Approve
L. Madrigal: Absent
P. Rodriguez: Approve

Motion carried unanimously to approve the request for final plat approval of the proposed Pharr Development and Research Center Subdivision subject to staff's recommendations.

ANNOUNCEMENTS/OTHER BUSINESS:

1. Melanie Cano, Development Services Director, advised the Commission of an upcoming workshop to be held in August from 9:00 a.m. to 4:00 p.m. The information was provided to the members and they were asked to consider attending and to get with Janie Benedict, Administrative Assistant, for her to address enrollment procedures.
2. Melanie Cano, Development Services Director, announced to the Commission that the City of Pharr would be holding the 4th of July festivities this coming Saturday (July 1, 2017) at the Dr. Long Park. Live music, food booths, family fun, and fireworks would be provided for family enjoyment from 6:00 p.m. to 10:00 p.m. and invited all members and their families to attend and enjoy the festivities.
3. Melanie Cano, Development Services Director, announced that with Budget Year 2017-2018 needing to be addressed, the Planning and Zoning Commission would participate in a small presentation at the next regular meeting.

ABSENTEE REPORT:

Janie Benedict announced that Luis Madrigal was the absent member. With no one making any motion the Commission polling took place and votes were as follows:

D. Wylie: Approve the absence
T. Greuner: Approve the absence
R. Munguia: Approve the absence
A. Castro: Approve the absence

C. Ramirez: Approve the absence
R. Robles: Approve the absence
L. Madrigal: Absent
P. Rodriguez: Approve the absence

By unanimous consent the commission excused the absent member.

ADJOURNMENT:

There being no further business, Charlie Ramirez **moved** the meeting be adjourned. Porfirio Rodriguez second the motion and by unanimous consent, the Planning and Zoning Commission adjourned the meeting at 6:13 p.m.

Danny Wylie, Chairman

ATTEST:

Tom Greuner, Secretary