

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. June 25, 2018 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, June 25, 2018 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Jonathan Larraga
 Charlie Ramirez Rafael Munguia
 Luis Madrigal Romeo Robles
 Andy Castro

ABSENT: None

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Assistant Director
 Cristina Garcia, Senior Planner
 Eddie Martinez, Planner II
 Della Robles, Planner I
 Rita Galvan, Administrative Assistant

ITEM A. CALL TO ORDER

Chairman, Danny Wylie, called the meeting to order at 6:00 p.m. Roll call established a quorum.

ITEM B. APPROVAL OF MINUTES

1) MINUTES OF JUNE 11, 2018

Chairman, Danny Wylie, introduced the item.

Chairman, Danny Wylie, stated there was a correction to be made on page seven (7), the last sentence states Mr. Ramirez and should state Mr. Wylie.

Rita Galvan, Administrative Assistant, stated the correction would be made.

There being no further discussion, Rafael Munguia **moved** to approve the minutes of June 11, 2018, with corrections. Charlie Ramirez seconded the motion and when put to a vote, it carried by majority with five (5) ayes and one (1) abstention to approve the minutes. Andy Castro abstained from voting.

ITEM C. PUBLIC COMMENTS

Kenneth C. Fletcher, residing at 504 South Diplomat, stated he was a product of a poor Planning and Zoning Commission that allowed Costco's dock to be built too close to his neighborhood. Dr. Fletcher stated he would like to correct the minutes because he stated he would like an acoustical buffer wall instead of the chain link fence that is currently behind Costco because it does not block the sound coming from the trucks at all hours of the night that are parked directly behind his home. Dr. Fletcher further stated the trucks that deliver to Costco are often blocking the fire hydrant and are also parking in the fire lane. He continued stating that the fire lane was not painted properly because although it is red, the words fire lane or no parking are not present so if the Police Department would try to issue a citation they would not be able to because it is not labeled correctly. Dr. Fletcher also stated he signed up to speak during the Public Hearing portion of the meeting and does so for every meeting and if he is not permitted again he would like to speak about the drainage ditch that is located near the Owassa Idea School. Dr. Fletcher stated the drainage ditch has no outlet and the citizens that live in that area see that as a problem and the Planners should be looking into the public interest and not the corporate interest. Dr. Fletcher further stated the same engineering firm that developed the property where Owassa Idea School is located would be developing the land for the COZ# 180540 and he believes the plans need to be carefully reviewed because it could be a mosquito disaster.

ITEM D. PUBLIC HEARING

- 1) MELDEN & HUNT INC., REPRESENTING MARIA ELENA RAMIREZ LOPEZ, MARIA TERESA RAMIREZ LOPEZ AND MARIA EUGENIA RAMIREZ LOPEZ, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 10 AC OF THE W352'-E660'-S1,237.5' OUT OF LOT 82, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 1000 BLOCK OF EAST MINNESOTA ROAD. COZ#180540**

Della Robles, Planner I, introduced the item and stated the property was currently zoned Agricultural and/or Open Space District (A-O). The surrounding properties are zoned Agricultural and/or Open Space District (A-O) to the east and south, Single Family Residential District (R-1) to the west and Heavy Commercial District (H-C) to the north. The property is generally designated for single-family residential use in the Land Use Plan. She further reported forty (40) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She stated one (1) person called in for information only.

Della Robles, Planner I, further stated staff recommended approval of the request to re-zone to Single-Family Residential District (R-1) as the property meets area requirements has adequate ingress and egress. If approved, applicant must comply with all City Ordinances and City Department requirements. The item will be presented to the City Commission meeting of July 2, 2018 for final approval.

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak. There being no one who signed up, the public hearing was closed. Mr. Wylie opened the item for discussion and action.

There being no 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). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) **MELDEN & HUNT, INC., REPRESENTING PHARR ECONOMIC DEVELOPMENT CORPORATION II, 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 7.69 ACRE TRACT OF LAND OUT OF NORTH LATERAL F-2, AND 0.44 ACRE TRACT SOUTH OF THE NORTH LATERAL F-3, BLOCK "D" KELLY PHARR LETTERED BLOCKS, OR A PORTION OF LOTS 2 AND 3, BLOCK "D", LYING NORTH OF LATERAL "F" SUBDIVISION OF PORCIONES 69 AND 70, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED 601 WEST POLK AVENUE. COZ#180534**

Della Robles, Planner I, introduced the item and stated 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 High Density Multi-Family District (R-4) to the east, Two Family Residential District (R-2) to the west, Single Family Residential District (Small Lots) (R-1A) to the south and General Business District (C) and Single-Family Residential District (R-1) to the north. The property is generally designated for single family residential use in the Land Use Plan. She further reported fifty-two (52) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. One (1) individual signed up to speak at the Public Hearing in opposition of the item.

Della Robles, Planner I, further stated staff recommended 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 comply with all City Ordinances and City Department requirements. The item will be presented to the City Commission meeting of July 2, 2018 for final approval.

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak.

Rita Galvan, Administrative Assistant, stated there were four (4) individuals signed up to speak at the Public Hearing.

Rosaisela Castro signed up to speak but was not present at the meeting.

Jesus Villanueva, residing at 802 N. Erica, approached the podium and spoke in Spanish.

San Juanita Cerda, residing at 809 N. Erica, stated her concern was the amount of traffic the development may cause in the area. Ms. Cerda stated Polk Avenue and Flag Street are too narrow for the size of the proposed structure. Ms. Cerda asked if the City planned to widen the roads before the development of the property. Ms. Cerda also stated that currently there are vehicles parked on both sides of each street which raises a concern for the safety of the children of the neighborhood along with the children attending Napper Elementary. Ms. Cerda closed in stating that although the City has made improvements to the drainage system in the past year, flooding still occurs and she is concerned that the flooding will be worse with the proposed development of the said property.

Maria Elena Cantu, residing at 906 N. Flag, approached the podium and spoke in Spanish.

Mario Reyna, representing Melden and Hunt Inc., approached the podium and stated he would like to address the concerns that the residents have expressed and any that the Commission may have. Mr. Reyna stated he would like to address the concern about traffic and stated they are required to conduct a (TIA) Traffic Impact Analysis with this type of project and depending on the findings of the analysis it may warrant a traffic light, deceleration lane, or a center lane that may help the traffic problem in the area. Mr. Reyna stated that although the design has not been completed, the bus pick-up and drop-off would be conducted at the club house so that the flow of traffic would not be affected by that. Mr. Reyna stated that although the structure may be at a higher level than the current homes around the area, the drainage would not drop off into the surrounding properties because that is not allowed in the City of Pharr and if anything, the drainage system in the area would be an improvement. Mr. Reyna further stated that the City of Pharr has a Tree Ordinance in which certain trees cannot be removed, and they would comply with the ordinance and submit landscaping plans to Development Services. Mr. Reyna continued stating that there would be a main entrance off Polk and a fire entrance off Flag.

Luis Madrigal asked if Mr. Reyna could explain in more detail the drainage detention and how it would positively impact the current drainage system.

Mario Reyna stated currently the land is flat, but it does have a small slope towards Polk Street so the run off goes onto Polk which attributes to the drainage problems the area is currently experiencing. Mr. Reyna also stated their plan has an area hatched out for detention on the southeast corner to transfer one (1) CFS per minute into the City's drainage system which is less than what is currently in the area.

Chairman, Danny Wylie, asked what the duration of the traffic study is and if the study would be conducted while school is in session and when businesses in the area are open.

Mario Reyna stated that the study would cover a radius around the proposed development and would include the school and surrounding business traffic.

Charlie Ramirez stated that what Mr. Wylie was trying to clarify was that if school is not in session right now, would the school traffic be included in the study.

Roland Gomez, Assistant Director, stated the Traffic Impact Analysis (TIA) is done by a traffic engineer and the study takes the parameters of the school and business during peak hours and generates a report with the findings on how the traffic of the area will be impacted. Mr. Gomez further stated that the finding may require a deceleration lane, a traffic light at the corner of Flag street and Polk, or maybe an improvement on Sugar Road.

Chairman, Danny Wylie, asked that because of the width of Polk, would a turning lane or deceleration lane be feasible.

Mario Reyna stated if the findings of the study required a center turning lane or deceleration lane additional right away would be part of the subdivision plan.

There being no one else signed up to speak, the public hearing was closed. Mr. Wylie opened the item for discussion and action.

At this time, Rafael Munguia recommended the item be discussed in executive session. There was no objection.

ITEM G. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PLANNING AND ZONING COMMISSION HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW:

The time being 6:30 p.m., Chairman, Danny Wylie, stated the commission would be entering closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087

ITEM H. RECONVENE:

The time being 6:52 p.m., Chairman, Danny Wylie stated the commission would be resuming the open meeting.

- 2) **MELDEN & HUNT, INC., REPRESENTING PHARR ECONOMIC DEVELOPMENT CORPORATION II, 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 7.69 ACRE TRACT OF LAND OUT OF NORTH LATERAL F-2, AND 0.44 ACRE TRACT SOUTH OF THE NORTH LATERAL F-3, BLOCK "D" KELLY PHARR LETTERED BLOCKS, OR A PORTION OF LOTS 2 AND 3, BLOCK "D", LYING NORTH OF LATERAL "F" SUBDIVISION OF PORCIONES 69 AND 70,**

**PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY
LOCATED 601 WEST POLK AVENUE. COZ#180534**

Luis Madrigal asked staff if they would be available to the citizens in the surround area to answer any questions or concerns they may have.

Della Robles, Planner I, stated yes herself along with Cristina Garcia and Eddie Martinez would be available to answer any question or concerns they may have.

Luis Madrigal moved to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to High Density Multi-Family District (R-4). Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) **QUINTANILLA, HEADLY & ASSOCIATES, INC., REPRESENTING JUDGE RAMON GARCIA, FOR THE COUNTY OF HIDALGO, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED LAS MILPAS PARK YOUTH FACILITY SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS A 6.00 ACRE TRACT OF LAND BEING THE NORTH 776.65 FEET AND THE EAST 336.52 FEET OUT OF LOT 8, BLOCK 13, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1600 BLOCK OF WEST ANAYA ROAD. SUB# 180206**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Agriculture and/or Open Space District (A-O). The adjacent zones are Agricultural and/or Open Space District (A-O) to the north, south and west, and Limited Industrial District (L-I) to the east. The property is designated for Public/Semi-public use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Las Milpas Park Youth Facility Subdivision subject to the conditions.

At this time Chairman, Danny Wylie, advised a public hearing was not required and opened the item for discussion and action.

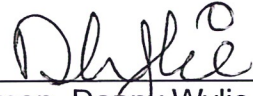
There being no discussion Rafael Munguia moved to approve the request for preliminary plat approval of the proposed Las Milpas Park Youth Facility Subdivision. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS

Roland Gomez, Assistant Director announced our newest member for our Planning and Zoning Commission, Mr. Jonathan Larraga.

ITEM I. ADJOURNMENT

There being no further business, Andy Castro moved to adjourn. Romeo Robles second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:57 p.m.



Chairman, Danny Wylie

ATTEST:



Secretary

APPROVED: _____

7-9-18