

MINUTES
PLANNING & ZONING COMMISSION

City Commissioner's Room
118 S. Cage Blvd. September 10, 2018 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, September 10, 2018 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Jonathan Larraga
 Luis Madrigal Romeo Robles
 Andy Castro

ABSENT: Charlie Ramirez Rafael Munguia

OTHERS PRESENT: See attached list

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

ITEM A. CALL TO ORDER

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

Luis Madrigal moved to excuse the absent members. Romeo Robles seconded the motion and when put to a vote it carried unanimously.

ITEM B. APPROVAL OF MINUTES

1) MINUTES OF August 13, 2018

Chairman, Danny Wylie, introduced the item.

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

ITEM C. PUBLIC COMMENTS

Kenneth C. Fletcher, residing at 504 South Diplomat, stated he is still trying to reside and have a quality life living right next to Costco. He then referred to CUP# 180749 and how the residents in the surrounding area are experiencing the same vibration, noise

and lights as the residents residing near Costco but thankfully they are not experiencing the dust the other residents are. He further stated both himself and the neighbors who reside at 3319 North Cage boulevard are being deprived of full use and enjoyment of their property. Dr. Fletcher mentioned after researching Central Materials, which is located at 3301 North Cage Boulevard, he found they have a Certificate of Occupancy but do not have a Conditional Use Permit for outside storage of materials. He further stated the fine for not having a Conditional Use Permit is \$200.00 a day and believes they owe the City of Pharr \$312,150.00. Dr. Fletcher closed by stating he signed up to speak during the Public Hearing portion of the meeting.

Roland Gomez, Assistant Director, advised the Commission there was one more person signed up to speak.

Angie Resio, Secretary, stated Janie Zamaripa signed up but was not present.

ITEM D. PUBLIC HEARING

- 1) IRAM A. LOPEZ HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A HOME OCCUPATION (TUTORING SERVICES) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING WEST ½ OUT OF LOT 4, BLOCK 6, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 214 EAST BELL AVENUE. CUP#180752**

Della Robles, Planner I, introduced the item and stated 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. She further reported forty-two (42) 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 one individual who called in opposition of the item and one person signed up for Public Hearing in opposition of the item.

Della Robles, Planner I, further stated staff recommended approval of the request for Conditional Use Permit to allow a Home Occupation (Tutoring Services) in a Single-Family Residential District (R-1) subject to the conditions.

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

Luis Madrigal asked to hear from the applicant on the request for a Conditional Use Permit.

Iram Alejandro Lopez, residing at 214 East Bell Avenue, stated only his wife, daughter and himself live at the residence. Mr. Lopez further stated he has provided tutoring services in the past in public places like Starbuck's but that is not always convenient, so he decided to submit an application for a Conditional Use Permit for a Home Occupation. He also stated that the front of his house would be used to conduct the tutoring services for students that attend South Texas College and UTRGV. He continued stating he would be providing tutoring for science and chemistry since that is his major.

Jonathana Larraga, asked applicant how many students would be tutoring at a time, if there was enough room to park the vehicles, and if the vehicles would be blocking the street.

Iram Lopez, stated he would tutor four to five students at the same time and they would be able to park their vehicle in the front driveway and he would park his truck in the back of the house. Mr. Lopez stated he would advise his students to car pool so that there would not be an issue with parking.

Roland Gomez, Assistant Director, advised the Commission that one person had signed up to speak in the Public hearing portion of the meeting and that person was Ramiro Zamarripa.

Luis Madrigal, asked staff if there will be multiple students attending tutoring at one time how would that affect item 2, which stated customers are to be taken by appointment one person at a time. He further asked if that item would have to be modified.

Della Robles, Planner I, stated tutoring would be by appointment and at a certain time. Ms. Robles further stated the students will be carpooling and would not have multiple vehicles at the location. She stated that issue was addressed to Mr. Lopez when he submitted the application for the Conditional Use Permit for Home Occupancy and the students attending the tutoring would have to be advised and only one vehicle would be parked at the location.

City Attorney, John Rigney, stated that the recommendation from Development Services states that the Conditional Use Permit for Home Occupancy states that customers should be seen by appointment only and one customer at a time.

Roland Gomez, Assistant Director, stated Development Services recommendation is one customer by appointment at a time, but the Planning and Zoning Commission can recommend multiple customers with the condition they would be carpooling.

City Attorney, John Rigney, asked staff to clarify that the applicant's intent is to tutor four or five students at a time, so legally he needs to understand what the board is approving.

Chairman, Danny Wylie, stated it could be one or more students attending the class, but they would have to carpool to park one vehicle at location.

Iram Lopez, stated if he has multiple students attending the tutoring class for one or two hours he would notify them to carpool so there would not be multiple vehicles parked at the residence.

Chairman, Danny Wylie, asked staff if the Commission needed to specify the conditions in the outline of the Conditional Use Permit.

City Attorney, John Rigney, stated he would suggest the Planning and Zoning Commission and Development Services specify the conditions that will be approved. He further stated this will let the applicant and the City Commission know what is being approved and what conditions need to be followed whether it be one customer at a time or multiple customers with the condition they carpool.

Roland Gomez, Assistant Director, stated yes sir and that requirement will be outlined in the Conditional Use Permit that we issue out.

Luis Madrigal stated to the applicant that the Commission would like him to understand that there should not be multiple vehicles at the residence.

Iram Lopez, stated he understood the conditions and that he would park his vehicles in the back of his residence so that he does not cause any inconvenience to his neighbors.

Roland Gomez, Assistant Director, stated one of the main focuses for a home occupancy is to ensure all vehicles are parked on the property and not on the street.

Iram Lopez, stated he would have the student's park in his driveway and in front of his driveway.

Chairman, Danny Wylie asked applicant what he meant when stating they would be parking in front of his driveway and if that would be blocking other vehicles.

Roland Gomez, Assistant Director, stated that would be on the street and we need to make sure the vehicles are off the street.

Chairman, Danny Wylie, stated to the applicant he cannot block the driveway, or the side walk and do if the Commission needs to change this stipulation.

Roland Gomez, Assistant Director, stated what the Planning and Zoning Commission approves will be specified on the Conditional Use Permit as a requirement.

There being no further discussion Luis Madrigal moved to approve the request for a Conditional Use Permit to allow a Home Occupation (Tutoring Services) in a Single-Family Residential District (R-1) with the condition of a maximum of one vehicle on site

and call their customers to carpool. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

- 2) **NSGI LLC, A TEXAS LIMITED LIABILITY COMPANY, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM NEIGHBORHOOD COMMERCIAL DISTRICT (N-C) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 7, TARA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1032 WEST SAM HOUSTON. COZ#180753**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Neighborhood Commercial District (N-C). The surrounding properties are zoned General Business District (C) to the north and east, Office Professional District (O-P) to the west and Residential Mobile Home District (R-MH) to the south. The property is generally designated for commercial use in the Land Use Plan. She further reported eleven (11) 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 is recommending approval of the request to re-zone to General Business District (C) 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 and advised the item will be presented to the City Commission meeting of September 17, 2018 for final approval.

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

Chairman, Danny Wylie, asked the applicant if he would like to comment on the request for a Change of Zone Permit.

Abelino Olivarez, residing at 303 South Ridge, San Juan, stated he represents the owners and would like to be able to lease the commercial property. Mr. Olivarez further stated he would like to maybe open up a drive thru cleaners and open it up to more businesses. He continued stating he hopes they have met all the conditions that required to comply with the city ordinance. Mr. Olivarez further stated there is another property east of that location and would like to do more. He closed by stating NSGI, LLC is owned by Dr. Antonio Esparza and he has done everything required to comply.

Chairman, Danny Wylie, stated the City of Pharr welcomes new businesses.

There being no further discussion Andy Castro moved to approve request for a change of zone from Neighborhood Commercial District (N-C) to General Business

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

- 3) **SHAVI MAHTANI/ DOMAIN DEVELOPMENT, REPRESENTING GARY A. HOSMER, TRUSTEE OF THE HOSMER LIVING TRUST, AND BARBARA A. SMITH, HAS FILED WITH THE PLANNING AND ZONING COMMISSION REQUEST FOR A 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 17.272 ACRES, MORE OR LESS, OUT OF LOT 90, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 800 BLOCK OF WEST MINNESOTA ROAD. COZ#180855**

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) to the north, south and east and Single-Family Residential District (R-1) to the west. The property is generally designated for commercial use in the Land Use Plan. She further reported ten (10) 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 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 and advised the item will be presented to the City Commission meeting of September 17, 2018 for final approval.

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

Chairman, Danny Wylie, asked the applicant if he would like to comment on the request for a Conditional Use Permit.

There being no further discussion Jonathan Larraga 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). Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

- 4) **RAMON ROQUE 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 (LARGER THAN 120 SQUARE FEET) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY'S IS LEGALLY DESCRIBED AS BEING LOT 72, LOS EBANOS SUBDIVISION PHASE I, PHARR,**

**HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS
IS 713 EAST ANAYA ROAD. CUP#180856**

Della Robles, Planner I, introduced the item and stated 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, east and west and Agricultural and/or Open Space District (A-O) to the south. The area is generally designated for single-family residential use in the Land Use Plan. She further reported forty-two (42) 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 one telephone call for information only.

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 (larger than 120 square feet) in a Single-Family Residential District (R-1) subject to the conditions and advised the item will be presented to the City Commission meeting of September 17, 2018 for final approval.

Chairman, Danny Wylie, asked the applicant if he would like to comment on the request for a Conditional Use Permit.

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

Andy Castro, asked staff, referring to the picture on the screen if there is another storage unit on location.

Della Robles, Planner I, stated no that is the storage unit the applicant applied for approval and it has already been built.

There being no further discussion Luis Madrigal moved to approve the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (larger than 120 square feet) in a Single-Family Residential District (R-1). Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

Luis Madrigal recommend presenting the agenda items D-8 and D-9 before D-5, D-6, and D-7.

- 8) **BENITO LOPEZ 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 (LARGER THAN 120 SQUARE FEET) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING THE N180'-W100', BLOCK U, PHARR ORIGINAL TOWNSITE, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 229 WEST JONES AVENUE. CUP#180860**

Della Robles, Planner I, introduced the item and stated 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 and west, High Density Multi-Family Residential District (R-4) to the east and Two-Family Residential District (R-2) to the south. This area is generally designated for single-family residential use in the Land Use Plan. She further reported twenty-eight (28) 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 (larger than 120 square feet) in a Single-Family Residential District (R-1) subject to the conditions and advised the item will be presented to the City Commission meeting of September 17, 2018 for final approval.

Chairman, Danny Wylie, asked the applicant if he would like to comment on the request for a Conditional Use Permit.

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

Romeo Robles asked if Dr. Fletcher would be allowed to speak about this case.

Chairman, Danny Wylie, stated Dr. Fletcher does not live in the affected area and the process is the individual must live in the affective area to be able to speak about the item.

City Attorney, John Rigney, stated the City of Pharr Ordinance states that only individuals that live in the affected area are allowed to speak during the Public Hearing portion of the meeting, but the Chairman may allow him to speak if he wishes too.

Chairman, Danny Wylie, stated he would not allow it and would follow the City's ordinance.

There being no further discussion Luis Madrigal moved to approve the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (larger than 120 square feet) in a Single-Family Residential District (R-1). Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

- 9) **DELFINA VILLALOBOS 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 (LARGER THAN 120 SQUARE FEET) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 59, SAN GABRIEL PHASE I SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE**

**PROPERTY'S PHYSICAL ADDRESS IS 901 WEST STARR AVENUE.
CUP#180539**

Della Robles, Planner I, introduced the item and stated 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. The area is generally designated for single-family residential use in the Land Use Plan. She further reported forty-seven (47) 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 (larger than 120 square feet) in a Single-Family Residential District (R-1) subject to the conditions and advised the item will be presented to the City Commission meeting of September 17, 2018 for final approval.

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

There being no discussion Andy Castro moved to approve the request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (larger than 120 square feet) in a Single-Family Residential District (R-1). Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

- 5) TROPICAL ISLAND #2 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 BEING ALL OF LOT 2-B, JACKSON RIDGE COURT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1801 WEST RIDGE ROAD. CUP#180857**

Della Robles, Planner I, introduced the item and stated the property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north and west and Agricultural and/or Open Space District (A-O) to the east and west. The area is generally designated for commercial use in the Land Use Plan. She further reported thirteen (13) 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 is recommending approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements and advised the

item will be presented to the City Commission meeting of September 17, 2018 for final approval.

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

Chairman, Danny Wylie, asked the applicant if he would like to comment on the request for a Conditional Use Permit.

Ivan Cavazos, residing at 1801 West Ridge Road, stated the business currently holds a BQ license that allows the sale of alcoholic beverages for off premise consumption and they would like to change it to a BG license in order to sell for off and on-premise consumption that would include mix drinks on the go. Mr. Cavazos stated the alcohol will be wine and alcohol based lower than fourteen or seventeen percent alcohol. He further stated hard liquor, such as tequila or rum, would not be allowed and the main drink they would be selling would be micheladas that would come in a sealed bottle with a tamper evident seal. He further stated he's had a TABC license for three years without any incidents and Tropical Island #1 has had their TABC license for twelve years without any incidents. Mr. Cavazos closed by stating he would be glad to answer any question the Commission might have.

Romeo Robles asked in order for you to be able to sell mix drinks for on premise consumption wouldn't there need to be an area for customers to sit and consume the beverages.

Ivan Cavazos stated TABC requires a sitting area that includes picnic tables and that is what they would be using. He further stated their main use is for off premise consumption because they are a drive-thru but in order to be allowed to mix drink they would need to obtain a BG permit which includes off premise consumption.

At this time, Luis Madrigal recommended the item be discussed in closed 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 6:39 p.m., Chairman Wylie stated the commission would be entering into 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 7:25 p.m., Chairman Wylie stated the commission would be resuming the open meeting.

- 5) **TROPICAL ISLAND #2 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 BEING ALL OF LOT 2-B, JACKSON RIDGE COURT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1801 WEST RIDGE ROAD. CUP#180857**

There being no further discussion Andy Castro moved to table the request for Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

- 6) **TROPICAL ISLAND 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 HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT B-1, NORTHPOINT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1911 NORTH VETERANS BOULEVARD. CUP#180858**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Heavy Commercial District (H-C). The surrounding area is zoned General Business District (C) to the north, south, Two-Family residential District (R-2) to the west and City limits of Pharr lie to the east. The area is generally designated for single-family residential use in the Land Use Plan. She further reported nineteen (19) 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 is recommending approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements and advised the item will be presented to the City Commission meeting of September 17, 2018 for final approval.

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

There being no discussion Andy Castro moved to table the request for Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C). Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

- 7) **ELENA OCHOA-GUDINO HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW THE OUTSIDE STORAGE OF MATERIALS AND/OR EQUIPMENT IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 20.31 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOTS 5 & 6, BLOCK 13, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 901 WEST STARR AVENUE. CUP#180589**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). The surrounding area is zoned Limited Industrial District (L-I) to the north, Limited Industrial District (L-I) and General Business District (C) to the south and west, and Agricultural and/or Open Space District (A-O) to the east. This area is generally designated for industrial use in the Land Use Plan. She further reported eighteen (18) 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 the outside storage of materials and/or equipment in an Agricultural and/or Open Space District (A-O) subject to the conditions and advised the item will be presented to the City Commission meeting of September 17, 2018 for final approval.

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

Chairman, Danny Wylie, asked the applicant if he would like to comment on the request for a Conditional Use Permit.

Mario Reyna, with Melden and Hunt, Inc., stated the property is currently going through the subdivision process. He further stated it will be an industrial subdivision where the applicant would store structural steel at the location. Mr. Reyna stated the applicant is going to take down another building and would like to store it there in the meantime and closed by stating you will see this in a month or so.

There being no further discussion Luis Madrigal moved to approve the request for a request for a Special Use Permit to allow the outside storage of materials and/or equipment in an Agricultural and/or Open Space District (A-O). Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) **MELDEN & HUNT, INC., REPRESENTING SHAVI MAHTANI, PRESIDENT OF DOMAIN DEVELOPMENT CORP., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED WEST RIDGE ESTATES PHASE II SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 17.727 ACRES OF LAND, MORE OR LESS, BEING OUT OF LOT 90, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 800 AND 900 BLOCK OF WEST MINNESOTA ROAD. SUB# 180718**

Eddie Martinez, Planner II, introduced the item. He stated 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, east, and south and Single-Family Residential District (R-1) to the west. The property is designated for commercial use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed West Ridge Estates Phase II 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 Jonathan Luis Madrigal moved to approve the request for preliminary plat approval of the proposed West Ridge Estates Phase II Subdivision. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

- 2) **MELDEN & HUNT, INC., REPRESENTING MARIA ELENA RAMIREZ LOPEZ, MARIA TERESA RAMIREZ LOPEZ AND MARIA EUGENIA RAMIREZ LOPES, ALL TRUSTEES ARE REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED SHADDAI ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RE-SUBDIVISION OF 10.00 ACRES OUT OF LOT 82, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED AT THE 100 BLOCK OF EAST MINNESOTA ROAD. SUB# 180716**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Single-Family Residential District (R-1). The adjacent zones are Heavy Commercial District (H-C) to the north, Agricultural and/or Open Space District (A-O) to the east and south and Single-Family Residential District (R-1) to the west. The property is designated for single family residential use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Shaddai Estates 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 Luis Madrigal moved to approve the request for preliminary plat approval of the proposed Shaddai Estates Subdivision. Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

- 3) **MELDEN & HUNT, INC., REPRESENTING CITY OF PHARR, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED P.S.J.A. AG BARN SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A SUBDIVISION OF 19.434 ACRES BEING A PART OR PORTION OUT OF LOT 224, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 2100 BLOCK OF SOUTH VETERANS BOULEVARD ("I" ROAD). SUB#180823**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Agricultural and/or Open Space District (A-O). The adjacent zones are Medium Density Multi-Family District (R-3) to the north, Agricultural and/or Open Space District (A-O) to the south and west and City limits 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 P.S.J.A. AG Barn Subdivision subject to the conditions.

Chairman, Danny Wylie, asked the applicant if he would like to comment on the request for preliminary plat approval.

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 Jonathan Larraga moved to approve the request for preliminary plat approval of the proposed P.S.J.A. AG Barn Subdivision. Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

- 4) **MELDEN & HUNT, INC., REPRESENTING SHAVI MAHTANI, PRESIDENT OF DOMAIN DEVELOPMENT CORP., IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED WEST RIDGE ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RE-SUBDIVISION OF 17.727 ACRE OUT OF LOT 90, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 5100 BLOCK OF NORTH SUGAR ROAD. SUB#170410**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Single-Family Residential District (A-O). The adjacent zones are Agricultural and/or Open Space District (A-O) to the north, east, and south, Heavy Commercial District (H-C) and Medium Density Multi-Family District (R-3) to the west. The property is designated for commercial use in the Land Use Plan. He added no variances were being requested and staff recommended final plat approval of the proposed West Ridge

Estates Subdivision subject to the conditions and advised the item will be presented to the City Commission meeting of September 17, 2018 for final approval.

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

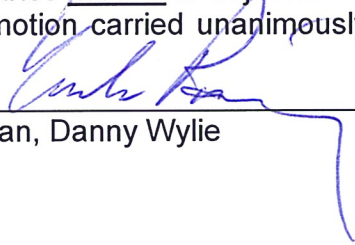
There being no discussion Luis Madrigal moved to approve the request for final plat approval of the proposed West Ridge Estates Subdivision. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS

None.

ITEM I. ADJOURNMENT

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 7:40 p.m.


Chairman, Danny Wylie

ATTEST:


Luis Madrigal, Secretary

APPROVED: 9-24-18