MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. November 13, 2018 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Tuesday, November 13, 2018 and following is the record of attendance.

MEMBERS PRESENT:	Danny Wylie	Jonathan Larraga
	Charlie Ramirez	Romeo Robles
	Luis Madrigal	Rafael Munguia
ABSENT:	Andy Castro	
OTHERS PRESENT:	See attached list	
STAFF PRESENT:	Roland Gomez, Assistant Director	
	Cristina Garcia, Senior Planner	
	Eddie Martinez, Planner II	
	Della Robles, Planner I	
	George Martinez, Building Official	
	Rita Galvan, Administrative Assistant	
	Angie Resio, Secretary	

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. Charlie Ramirez seconded the motion and when put to a vote it carried unanimously.

ITEM B. APPROVAL OF MINUTES

1) MINUTES OF OCTOBER 22, 2018

Chairman, Danny Wylie, introduced the item.

There being no further discussion Luis Madrigal **moved** to approve the minutes of October 22, 2018. Charlie Ramirez 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 experiencing

the noise, lights and vibration nuisance from Costco. Dr. Fletcher continued stating he would like for both the City of Pharr and Costco to build a fifteen (15) foot tall wall to separate from all the semi-truck noises in his neighborhood. Dr. Fletcher stated he would like to direct everyone's attention to a picture he thought would be up on the screen because he feels it is a similar case with semi-trucks of Trancasa. Dr. Fletcher continued stating it took three (3) years to move Trancasa from putting dust down a neighborhood, noises, and lights from the semi-trucks. Dr. Fletcher stated passing by Trancasa's new location and receiving the training while on the Planning and Zoning Commission for almost two (2) years he believes the banner measures more than three (3) feet wide and needs to have a sticker stating it has a permit but feels that the banner does not have one. He continued stating the entrance at Trancasa lacks a fire lane and business sign on location. Dr. Fletcher mentioned George Martinez, Building Official for City of Pharr, can state there is a mobile home located in the back for office use but believes there is no Conditional Use Permit for it and believes the facility is a Limited Industrial area, so the semi-trucks should not be visible from the road. He continued stating there should be an opaque fence at the old location for the next tenants. Dr. Fletcher closed by stating he signed up to speak during the Public Hearing portion of the meeting.

Chairman, Danny Wylie asked if anyone else signed up to speak during the Public Comment portion of the meeting.

Angie Resio, Secretary, stated Heriberto Perez and Cris Garcia signed up to speak but were not present.

ITEM D. PUBLIC HEARING

1) QUINTA REAL EVENTS LLC 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 LOT 1, AND 2, SAVE AND EXCEPT THE S32' OUT OF LOT 2, SING'S SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS 2620 SOUTH GARDENIA STREET. CUP#180864 (TABLED)

Della Robles, Planner I, advised the item was tabled in the previous meeting and required a motion to untable the item.

Luis Madrigal **moved** to untable the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

Della Robles, Planner I, introduced the item and stated the property is currently zoned General Business District (C). The surrounding area is zoned Single-Family Residential District (R-1) to the north, south and west and Single-Family Residential District (R-1) and Office Professional District (O-P) to the east. This area is generally

designated for single-family residential use in the Land Use Plan. She further reported thirty-four (34) 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 in response to the letters or the legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request for Conditional Use Permit and Late Hours 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. If approved, the owner must comply with all City Ordinances, City Department requirements and must complete the subdivision process and advised the item will be presented to the City Commission meeting of November 19, 2018 for final approval.

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

Norma Rodriguez, operating at 2620 South Gardenia, spoke in Spanish. Mr. Rodriguez spoke Spanish.

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.

Angie Resio, Secretary, stated Rosanna Flores signed up to speak but was not present.

Luis Madrigal, asked staff if the parking lot was paved.

Della Robles, Planner I, stated yes the parking lot is paved.

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

2) **DANNENBAUM ENGINEERING COMPANY- MCALLEN, LLC, REPRESENTING LYNN TRACT, LP, A TEXAS LIMITED PARTNERSHIP, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FOR THE FOLLOWING TRACTS OF LAND: TRACT 1: FROM AN AGRICULTURAL OPEN-SPACE DISTRICT (A-O) TO A GENERAL BUSINESS DISTRICT (C), A 0.727 ACRE TRACT OF LAND OUT OF LOT 203, KELLY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS; 425 AND 435 WEST RIDGE ROAD., TRACT 2: FROM AN AGRICULTURAL OPEN-SPACE DISTRICT (A-O) TO A GENERAL BUSINESS DISTRICT (C), A 6.788 ACRE TRACT OF LAND OUT OF**

LOT 202 AND 203, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS; 800 BLOCK OF WEST RIDGE ROAD., TRACT 3: FORM AN AGRICULTURAL OPEN-SPACE DISTRICT (A-O) TO A GENERAL BUSINESS DISTRICT (C), A 5.360 ACRE TRACT OF LAND OUT OF LOT 203, KELLY –PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS 600 BLOCK WEST RIDGE ROAD. COZ#181069

Della Robles, Planner I, introduced the item and stated the property currently zoned Agricultural Open-Space District (A-O).The properties are generally designated for commercial use in the Land Use Plan. She further reported five (5) 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 from Agricultural and/or Open Space District (A-O) to General Business District (C) as the property meets area requirements and has adequate ingress and egress. If approved, applicant must subdivide and comply with all City Ordinances and City Department requirements and must complete the subdivision process and advised the item will be presented to the City Commission meeting of November 19, 2018 for final approval.

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

Rafael Munguia asked to abstain from this item.

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 Luis Madrigal **moved** to approve the request from Agricultural and/or Open Space District (A-O) to General Business District (C). Jonathan Larraga seconded the motion and when put to a vote, it carried by majority with five (5) of the members voting yea and one (1) member abstaining. Rafael Munguia abstained from voting.

3) **MARIA ISABEL ARANDA HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO NEIGHBORHOOD COMMERCIAL DISTRICT (N-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 16 & 17, BLOCK 10, EVANS SUBDIVISION NO. 4, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS 253 WEST THOMAS ROAD. COZ#181070**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Single-Family Residential District (R-1). The surrounding properties are zoned Single Family Residential District (R-1) to the north, south and east and Agricultural and/or Open Space District (A-O) to the west. The property is generally designated for single-family residential use in the Land Use Plan. She further reported twenty-two (22) 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 (1) telephone call for information only.

Della Robles, Planner I, further stated staff recommended approval of the request to re-zone to Neighborhood Commercial District (N-C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements. If approved, applicant must subdivide and comply with all City Ordinances and City Department requirements and must complete the subdivision process and advised the item will be presented to the City Commission meeting of November 19, 2018 for final approval.

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

Maria Isabel Aranda, residing at 229 West Thomas Road spoke in Spanish.

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 staff what is the difference neighborhood commercial district and the floating zone and if it is the same concept.

Della Robles, Planner I, stated it is a floating zone due to all the surrounding properties being Single-Family Residential District but the City of Pharr will not change the zone unless the land owner requests it and Neighborhood Commercial is usually on the corner lot. She continued stating it services the community and the subdivision that it is close to for convenient needs like bakeries, daycares, barber shops, and laundromats.

Chairman, Danny Wylie, asked if it is required to be on a corner lot or can it be anywhere else within the subdivision.

Della Robles, Planner I, stated yes it is usually on a corner lot.

Rafael Munguia, asked staff if there would be any alcohol sold on premise and if there is any restriction for alcohol.

Della Robles, Planner I, stated if it is a convenient store the applicant is able to sell alcohol and it would be just like a normal convenient store without selling gasoline.

Rafael Munguia, asked staff even with the close proximity being residential are able to sell alcohol.

Della Robles, Planner I, stated they are able to sell alcohol because the clients will not be consuming alcohol on premises and the customers would go into the convenient store to purchase the alcohol and consume it off premise.

There being no further discussion Jonathan Larraga **moved** to approve the request for a change of zone from Single-Family Residential District (R-1) to Neighborhood Commercial District (N-C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

Luis Madrigal stated before we get started on our plats if he may change the order of the plats to get reorganized from E1, E2, E3 and E4 to be E3, E4, E1, and E2.

ITEM E. PLAT APPROVAL

3) BARRERA INFRASTRUCTURE GROUP, INC., REPRESENTING CLEMENTE PONCE, MEMBER OF NEXTGEN INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED NEXTGEN SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.235 ACRES GROSS, SITUATED IN HIDALGO COUNTY AND ALSO BEING A PART OR PORTION OF LOT 237, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 2700 BLOCK OF SOUTH CAGE BOULEVARD. SUB# 180929

Eddie Martinez, Planner II, introduced the item. He stated property is currently zoned Planned Unit Development District (PUD). The adjacent zones are Planned Unit Development District (PUD) to the north, south and east, General Business District (C), Medium Density Multi-family District (R-3) and Agricultural Open Space District (A-O) 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 Nextgen 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 Nextgen Subdivision. Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

4) MELDEN & HUNT, INC., REPRESENTING BEATRICE QUESADA, OWNER, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED QUESADA PLAZA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RESUBDIVISION OF 0.380 OF

ONE ACRE OUT OF LOT 99, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 500 BLOCK OF EAST NOLANA LOOP. SUB# 180614

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned General Business District (C). The adjacent zones are General Business District (C) to the north, east and west and Agricultural and/or Open Space District (A-O) to the south. The property is designated for public/semipublic use in the Land Use Plan. He added no variances were being requested and staff recommended final plat approval of the proposed Quesada Plaza 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 final plat approval of the proposed Quesada Plaza Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

1) **MELDEN & HUNT, INC., REPRESENTING LARRY SCHNEIER, SENIOR V.P., OF PHARR TERMINALS LLC, IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED TRI-NATIONAL SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RESUDIVISION OF 2.574 ACRES UT OF LOT 100, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 200 BLOCK OF EAST NOLANA LOOP (FM 3461). SUB# 170716**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the north, south and west, Heavy Commercial District (H-C) to the east. The property is designated for industrial use in the Land Use Plan. He added variances, listed in the packet, were being requested and staff recommended preliminary and final plat approval of the proposed Tri-National 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 and final plat approval of the proposed Tri-National Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

2) **SALINAS ENGINEERING & ASSOCIATES, REPRESENTING VICTOR RIOS, SR. OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED LOTS 44A, 44B, 44C, AND 44D, REPLAT OF LOT 44, BEAMSLEY SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.235 ACRES GROSS, SITUATED IN HIDALGO COUNTY AND ALSO BEING A PART OR PORTION OF LOT**

237 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 500 BLOCK OF EAST NOLANA LOOP. 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 Single Family Residential District (R-1) to the south and east and General Business District (C) to the west and north. 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 Lots 44A, 44B, 44C, and 44D, Replat of Lot 44, Beamsley 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 Lots 44A, 44B, 44C, and 44D, Replat of Lot 44, Beamsley Subdivision. Charlie Ramirez 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. Charlie Ramirez second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:30 p.m.

Chairman, Danny Wylie

ATTEST:

Luis Madrigal, Secretary

APPROVED: 11-26-18