

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. February 11, 2019 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, February 11, 2019 and following is the record of attendance.

MEMBERS PRESENT: Charlie Ramirez Jonathan Larraga
 Rafael Munguia Porfirio Rodriguez
 Romeo Robles Andy Castro

ABSENT: Danny Wylie Luis Madrigal

OTHERS PRESENT: See attached list

STAFF PRESENT: Cristina Garcia, Senior Planner
 Della Robles, Planner I
 Rogelio Rodriguez, Interim Building Official
 Rita Galvan, Administrative Assistant

ITEM A. CALL TO ORDER

Vice Chairman, Charlie Ramirez, called the meeting to order at 6:00 p.m. Roll call established a quorum.

Jonathan Larraga moved to excuse the absent members. Rafael Munguia seconded the motion and when put to a vote it carried unanimously.

ITEM B. APPROVAL OF MINUTES

1) MINUTES OF JANUARY 28, 2019

Vice Chairman, Charlie Ramirez, introduced the item.

There being no discussion Rafael Munguia moved to approve the minutes of January 28, 2019. Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

ITEM C. PUBLIC HEARING

**1) CRAFTON COMMUNICATIONS, REPRESENTING T-MOBILE, HAS
FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST
FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW**

THE CO-LOCATION OF TELECOMMUNICATION EQUIPMENT ON AN EXISTING TOWER IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.11 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 1, IGLESIA APOSTOLIC DE LA FE EN CRISTO JESUS SUBDIVISION, PHARR HIDALGO COUNTY, TEXAS. THE PROPERTY PHYSICALLY LOCATED AT 8801 SOUTH CAGE BOULEVARD. CUP#190101

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 General Business District (C) to the north and west, Heavy Commercial District (H-C) to the south, and Limited Industrial District (L-I) to the west. This area is generally designated for commercial use in the Land Use Plan. She further reported six (6) surrounding property owners were notified of the request by letter and a legal notice was published in the Monitor. She stated staff received no response to the letter or the legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request for Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on an existing tower in an Agricultural and/or Open Space District (A-O) 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 and City Department requirements.

Vice Chairman, Charlie Ramirez, asked the applicant if he would like to comment on the request for a Conditional Use Permit.

Vice Chairman, Charlie Ramirez, 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. Ramirez opened the item for discussion and action.

Jonathan Larraga asked staff if they were going to add equipment to the towers.

Della Robles, Planner I, stated yes they're going to add a ground box at the bottom and change out antennas.

Porfirio Rodriguez asked staff because of the height of the towers and the possibility of high wind gusts do they have liability provisions, and would they be required to have a buffer wall.

Della Robles, Planner I, stated the towers are engineered within the required distance of residences and businesses and are also required to provide windstorm plans to the Building Safety Division for approval.

There being no further discussion Romeo Robles moved to approve the request for Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on an existing tower in an Agricultural and/or Open Space District (A-O). Andy Castro seconded the motion and when put to a vote, it carried unanimously.

- 2) **ILLENIUM EVENT CENTER 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 BUSINESS DISTRICT (C-2). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 26 AND 27, BLOCK 2, J.T. DOSTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 125 EAST NEWCOMBE AVENUE (PARK). CUP#190102**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Business District (C-2). The surrounding area is zoned Business District (C-2) to the north, south, east and west. This area is generally designated for commercial use in the Land Use Plan. She further reported thirty-one (31) surrounding property owners were notified of the request by letter and a legal notice was published in the Monitor. She stated staff received no response to the letter or the legal notice.

Della Robles, Planner I, further stated staff recommended approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2) subject to applicant and site being in compliance with all City Ordinances and City Department requirements. If approved, the owner must comply with all City Ordinances and City Department requirements.

Vice Chairman, Charlie Ramirez, asked the applicant if he would like to comment on the request for a Conditional Use Permit.

Vice Chairman, Charlie Ramirez, 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. Ramirez opened the item for discussion and action.

There being no discussion Romeo Robles moved to approve the request for Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

- 3) **VICENT GERARD & ASSOCIATES, INC., REPRESENTING VERIZON WIRELESS, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR THE LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A NEW TELECOMMUNICATION TOWER IN A SINGLE-FAMILY RESIDENTIAL**

DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.04 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 1, GRACE COMMUNITY CHURCH SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 133 NORTH SUGAR ROAD. CUP#190104

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, General Business District (C) to the south and General Business District (C) and Single-Family Residential District (R-1) to the east and west. This area is generally designated for manufactured home use in the Land Use Plan. She further reported sixteen (16) surrounding property owners were notified of the request by letter and a legal notice was published in the Monitor. She stated staff received one telephone call for information only.

Della Robles, Planner I, further stated staff recommended approval of the request for Life-of-the-Use Conditional Use Permit to allow a new telecommunication tower in a Single-Family Residential District (R-1) subject to applicant and site being in compliance with all City Ordinances and City Department requirements. If approved, the owner must comply with all City Ordinances and City Department requirements.

Vice Chairman, Charlie Ramirez, asked the applicant if he would like to comment on the request for a Conditional Use Permit.

Vice Chairman, Charlie Ramirez, 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. Ramirez opened the item for discussion and action.

Vincent Huebinger, representing Verizon Wireless and Grace Community Church, greeted the Board members and stated that the closest tower site is approximately half (1/2) a mile away from Business 83 and the new site would be that of a larger range of capacity. He referred to a map and pointed out the areas and the quality of coverage they currently have and stated that many surrounding areas had poor coverage. Mr. Huebinger stated that years ago when the iPhone was introduced to AT&T within a year it caused their system to crash because of the high capacity of cellular network it requires. Mr. Huebinger continued stating that smart phones and applications cause towers to take a beating on the infrastructure that was originally designed for a mobile network and now is being used for cellular data as well. He further stated he would like to present the slide that shows highway corridor located on IH 83 and US 281 that has an immense amount of traffic that also slows down the network and emergency calls that come in through 911 may be delayed without enough surrounding cellular network. Mr. Huebinger continued stating that is why we are here requesting the site at that location and most importantly we will comply with the City of Pharr ordinance. He further stated, referring to the slide, that this location is residential use and that is why we are requesting

a Conditional Use Permit. He closed by stating if there is any question with the structure or anything else to please let him know.

There being no further discussion Jonathan Larraga moved to approve the request for Life-of-the-Use Conditional Use Permit to allow a new telecommunication tower in a Single-Family Residential District (R-1). Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PLAT APPROVAL

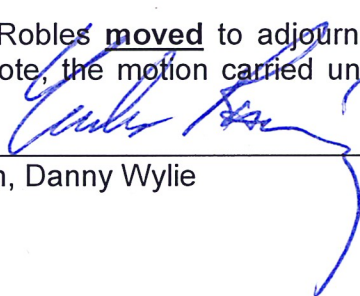
None.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS

Vice Chairman, Charlie Ramirez, stated he would like to take a moment in respect of the loss of Dr. Kenneth C. Fletcher. Mr. Ramirez continued stating Dr. Fletcher was a permanent fixture here and advocate for the public. He commented Dr. Kenneth Fletcher was a crusader in his words and would like to take a moment of silence.

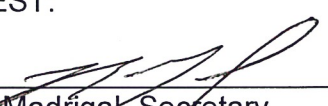
ITEM I. ADJOURNMENT

There being no further business Romeo Robles moved to adjourn. Jonathan Larraga second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:14 p.m.



Chairman, Danny Wylie

ATTEST:



Luis Madrigal, Secretary

APPROVED: 3.11.19