

MINUTES PLANNING & ZONING COMMISSION

118 S. Cage Blvd. March 09, 2020 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, March 09, 2020 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Romeo Robles
 Charlie Ramirez Luis Madrigal

ABSENT: Rafael Munguia Jonathan Larraga
Andy Castro

OTHERS PRESENT: See attached list

STAFF PRESENT: Patricia Rigney, City Attorney
Melanie Cano, Director
Eddie Martinez, Planner II
Della Robles, Planner I
Anaisa Licerio, Planner I
Alvaro DeLeon, Building Inspector
Iris Mata, 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. PUBLIC TESTIMONY

None.

ITEM C. APPROVAL OF MINUTES

1) MINUTES OF FEBRUARY 24, 2020

Chairman, Danny Wylie, introduced the item.

Romeo Robles stated that a correction needed to be made as the minutes stated he adjourned the meeting; however, he was not present.

Iris Mata, Secretary, stated a correction to the minutes would be made.

There being no further discussion Romeo Robles moved to **approve** the minutes of February 24, 2020 with corrections. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) **CRYSTAL LEDESMA MARTINEZ, D/B/A TOMORROW'S LEADERS CHILD CARE, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW A HOME OCCUPATION (DAYCARE) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 29, BLOCK 5, SAN PATRICIA ACRES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1008 WEST LEE STREET. CUP#200208**

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 south, east and west and General Business District (C) to the north. This area is generally designated for single-family residential use in the Land Use Plan. She further reported forty-nine (49) 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 opposition of the item.

Della Robles, Planner I, further stated staff recommended approval of the request for a Conditional Use Permit to allow a home occupation (Daycare Center) in a Single-Family Residential District (R-1) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

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 staff if the caller in opposition of the item had stated their concerns.

Della Robles, Planner I, stated she was not aware of the concerns since she did not take the call.

Eddie Martinez, Planner II, stated he spoke to the caller and no concerns were stated and a Public Hearing form was not submitted prior to the meeting time.

There being no further discussion Luis Madrigal moved to **approve** the request for a Conditional Use Permit to allow a home occupation (Daycare Center) in a Single-Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) **TOTAL RETIREMENT SOLUTIONS, INC. HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 2 AND 3, BLOCK 1, VALENCIA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 313 WEST POLK AVENUE. COZ#200209**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Single-Family Residential District (R-1). The property and the properties to the north, south and west were zoned to Single-Family Residential District (R-1) and the property to the east was zoned to Residential Multi-Family (R-MF) on March 30, 1982, when the city adopted the current zoning ordinance we use today. There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for single-family residential 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 three (3) telephone calls, two (2) for information only and one (1) in opposition of the item.

Della Robles, Planner I, further stated staff recommended approval of the request to re-zone to Residential Multi-Family District (R-MF) as the property meets area requirements, have adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

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, questioned staff about citizens being concerned with flooding in the area.

Della Robles, Planner I, stated that Mr. Wylie was referring to a property farther west.

There being no discussion Luis Madrigal moved to **approve** the rezoning request for a change of zone from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 3) **MARCELINO RICHIE HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN ACCESSORY USE STRUCTURE (GUEST HOUSE) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 17, SING'S #2 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 407 WEST RAMOS STREET. CUP#200210**

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 and west, and Agricultural and/or Open Space District (A-O) and General Business District (C) to the east. This 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 one telephone call in opposition of the item.

Della Robles, Planner I, further stated staff recommended approval of the request for a Life-of-the-Use Conditional Use Permit to allow an Accessory Use Structure (Guest House) in a Single-Family Residential District (R-1) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

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 for a Life-of-the-Use Conditional Use Permit to allow an Accessory Use Structure (Guest House) in a Single-Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) MELDEN & HUNT, INC., REPRESENTING CITY OF PHARR, IS REQUESTING FINAL 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 final plat approval of the proposed P.S.J.A. Ag Barn 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.

Luis Madrigal asked if the P.S.J. A. Ag Barn was already built.

Eddie Martinez, Planner II, stated that the P.S.J.A. Ag Barn was built.

There being no further discussion Luis Madrigal moved to **approve** the request for final plat approval of the proposed P.S.J.A. Ag Barn Subdivision. Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

- 2) LINFIELD, HUNTER & JUNIUS INC., REPRESENTING GORDON & CATHERINE JENKINS FAMILY LTD. PARTNERSHIP ARE REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED LOPEZVILLE MEADOWS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.739 ACRE TRACT OF LAND IN THE ANTONIO VELASCO SURVEY, ABSTRACT AND BEING A PORTION OF LOT 96, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED AT THE 5200 BLOCK OF NORTH VETERANS BOULEVARD ("I" ROAD). SUB#190101**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned General Business District (C). The adjacent zones are City limits to the north and east and Agricultural Open Space District (A-O) to the south and 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 Lopezville Meadows 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 and final plat approval of the proposed Lopezville Meadows Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 3) MELDEN & HUNT INC., REPRESENTING ZAED VIRGEN, MANAGER FOR FLAG POLK, L.L.C., A TEXAS LIMITED LIABILITY COMPANY, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED BGRR MIDTOWN SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RE-SUBDIVISION OF 7.906 ACRES OUT OF LOTS 2 AND 3, BLOCK D, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 601 WEST POLK AVENUE. SUB#191227**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Residential Multi-Family High Density District (R-MFHD). The adjacent zones are General Business District (C) and Single Family Residential District (R-1) to the north, Residential Multi-Family High Density District (R-MFHD) and Agricultural and/or Open Space District (A-O) to the East, Single Family Residential District for Lots less than 50 feet in width District (R-1A) to the south and Agricultural and/or Open Space District (A-O) and Single Family Residential District for Lots less than 50 feet in width District (R-1A) 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 BGRR Midtown 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 approval of the proposed BGRR Midtown Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. ANNOUNCEMENTS/OTHER BUSINESS

None.

ITEM F. CLOSED SESSION

None.

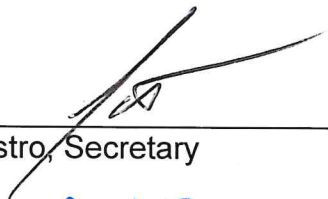
ITEM G. RECONVENE

None.

ITEM H. 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 6:18 p.m.

ATTEST:



Andy Castro, Secretary



Chairman, Danny Wylie

APPROVED: April 13, 2020