

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. June 8, 2020 – 6:00 PM

In accordance with social distancing guidelines, the Planning and Zoning Commission meeting will not be open to the public, except for individuals who have elected to appear in person for Public Testimony and Public Hearing. The meeting will be via Videoconference and streamed live at www.pharr-tx.gov

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and city ordinances. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law.

If during the course of the meeting, the PLANNING & ZONING COMMISSION should determine that a closed, or executive session of the COMMISSION is required, then such closed or executive session or meeting is authorized by Sections 551.071 et seq. of the Texas Government Code. Notice of closed or executive session will be given after the commencement of the meeting covered by this notice.

Should any final action, decision, or vote be required in the opinion of the Commission with regard to any item during the meeting, then such final action, final decision, or final vote shall be made during the open meeting covered by this notice upon the reconvening of the public meeting.

In compliance with Section 551.041 et seq. of the Texas Government Codes, VTCS (Open Meetings Act), notice is given that the Planning & Zoning Commission will meet to consider and act upon the following:

PRESIDING:

A. CALL TO ORDER:

- 1) Roll call and possible action on the excusing of any absent member.

B. PUBLIC TESTIMONY: (Ordinance No. O-2019-45). A person intending on addressing the governing body may speak at a scheduled meeting of the governing body following registration with the presiding clerk and prior to the scheduled meeting. A registered speaker may speak only on items on the agenda and may not exceed 1.5 minutes when addressing the board regarding an agenda item. A registered speaker may not donate time to another speaker. A sign-in form for public testimony shall be promulgated by the presiding clerk and be made available at the city clerk's office. A person may sign up for public testimony beginning at the time the agenda is posted for the meeting. A person may not sign up later than one hour before the posted meeting is scheduled to begin. No registered speaker may be allowed to speak regarding an item once the public testimony portion of the agenda has ended.

C. APPROVAL OF MINUTES:

- 1) Minutes of May 26, 2020.

D. PUBLIC HEARING: (Ordinance No. O-2019-31). A registered speaker during the public hearing may not exceed 1.5 minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the presiding clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.

- 1) Kans & Kegs #2 LLC. has filed with the Planning and Zoning Commission a request for 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 a 0.035 acre tract of land, more or less, out of Lot 1, Block 2, Los Marineros Subdivision Phase 1, Pharr, Hidalgo County, Texas. The property's physical address is 2508 South Cage Boulevard. **CUP#200524**

- 2) Kans & Kegs #4 LLC. has filed with the Planning and Zoning Commission a request for 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 Lots 30 and 31, Block 5, Evans Subdivision No. 3, Pharr, Hidalgo County, Texas The property's physical address is 6804 South Cage Boulevard. **CUP#200525**

E. PLATS:



1) M Garcia Engineering LLC, representing Ruben Fonseca, Vice President of EAT Fonseca, LLC, a Texas limited liability company is requesting final plat approval of the proposed East Park Subdivision. The property is legally described as a tract of land containing 2.09 acres of land and being part or portion of Lots 13 and 14, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1700 Block of North Veterans Boulevard ("I" Road). **SUB#200618**

F. ANNOUNCEMENTS/OTHER BUSINESS:

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.*

Pursuant to Section 551.071, the Commission may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the Commission may convene in a closed, non-public meeting to discuss any matters related to real property and deliberate the purchase, exchange, lease, or value of **real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the Commission may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the Commission may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the Commission may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.087, the Commission may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

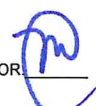
H. RECONVENE: *into Regular Session, and consider action, if necessary on any items(s) discussed in closed session.*

I. ADJOURNMENT:

I, certify that the above notice of public hearing was posted on the bulletin board at City Hall on this the 5th day of June 2020 at 10:00 a.m., and on the City of Pharr web site (www.pharr-tx.gov)




Hilda Pedraza, City Clerk



MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. May 26, 2020 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, May 11, 2020 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Romeo Robles
 Charlie Ramirez Rafael Munguia

**MEMBERS PRESENT
VIA VIDEO
CONFERENCE:** Jonathan Larraga

ABSENT: Luis Madrigal Andy Castro

OTHERS PRESENT: See attached list

STAFF PRESENT: Melanie Cano Director
Eddie Martinez, Planner II
Della Robles, Planner I
Iris Mata, Secretary
Patricia Rigney, City Attorney

ITEM A. CALL TO ORDER

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

Charlie Ramirez moved to excuse the absent members. Rafael Munguia 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 MAY 11, 2020

Chairman, Danny Wylie, introduced the item.

There being no discussion Romeo Robles moved to **approve** the minutes of May 11, 2020. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

None.

ITEM E. PLAT APPROVAL

- 1) RIO DELTA ENGINEERING, REPRESENTING JACINTO CANO JR., OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MCALLEN HYDRAULICS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.56 ACRE TRACT OF LAND OUT OF LOT SIX (6), BLOCK FIVE (5), A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1700 BLOCK OF WEST SIOUX RD. SUB#190820**

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 and West and Residential Multi-family High Density (RMFHD) to the East and South. The property is designated for multi-family residential use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed McAllen Hydraulics 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 McAllen Hydraulics Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) RIO DELTA ENGINEERING, REPRESENTING JUAN AURELIO CADENA, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED CADENA AUTO SALES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.88 OF AN ACRE TRACT OF LAND BEING ALL OF LOTS 1 - 8, AND LOTS 23 - 32 AND A 20 FOOT STRIP OF LAND, FORMERLY AN ALLEY, LYING BETWEEN LOTS 1 - 8 AND LOTS 25 - 32, BLOCK A, ORIGINAL TOWNSITE OF PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 200 BLOCK OF EAST BUSINESS HWY 83. SUB#200210**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned General Business District (C) and Business District (C-2). The adjacent zones are Heavy Commercial District (HC) to the north, General Business District (C) to the east and south and Business District (C-2) 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 Cadena Auto Sales 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.

Chairman, Danny Wylie, asked if this item had been presented to the Planning & Zoning Commission previously.

Eddie Martinez, Planner II, stated this item had not been presented to the Planning & Zoning Commission.

Chairman, Danny Wylie, asked if this was the same location the GCR Tire Company was located.

Eddie Martinez, Planner II, stated it was the Goodyear store.

Chairman, Danny Wylie, recalled the item being presented to the city council and it was a part of the Original Townsite.

Melanie Cano, Director of Development Services, stated motor vehicles are not allowed in the downtown area, but in 2019 a resolution was passed to exclude a portion of the East side which is what Mr. Wylie may have seen on the City Commission agenda.

Rafael Munguia asked to confirm if the property was included in the downtown district prior to 2019 when the resolution was passed.

Chairman, Danny Wylie, asked which portion of the property was included in the downtown district.

Melanie Cano, Director of Development, stated all the property was included in the downtown district until it was excluded in 2019.

There being no further discussion Charlie Ramirez moved to **approve** the request for preliminary plat approval of the proposed Cadena Auto Sales Subdivision. Jonathan Larraga 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 6:09 p.m.

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED:_____



MEMORANDUM

DATE: MONDAY, JUNE 08, 2020
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC FILE NO. CUP#200524 (KANS & KEGS #2, LLC)

GENERAL INFORMATION:

APPLICANT: Kans & Kegs #2 LLC. has filed with the Planning and Zoning Commission a request for Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being a 0.035 acre tract of land, more or less, out of Lot 1, Block 2, Los Marineros Subdivision Phase 1, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 2508 South Cage Boulevard.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north and east, Single-Family Residential District (R-1) and Neighborhood Commercial District (N-C) to the west, and Agricultural and or Open Space District (A-O) to the south. This area is generally designated for commercial use in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Pending Re-inspection for the Conditional Use Permit.
	CODE COMPLIANCE DIVISION:	Recommends approval of the Conditional Use Permit.

HEALTH DIVISION:

Recommends approval of
the Conditional Use Permit.

PLANNING DIVISION:

Recommends approval of
the Conditional Use Permit.

**HOURS OF
OPERATION:**

Hours of operation will be Sunday through Monday from 9:00
a.m. to 11:00 p.m. and from Friday through Saturday from 9:00
a.m. to 12:00 a.m.

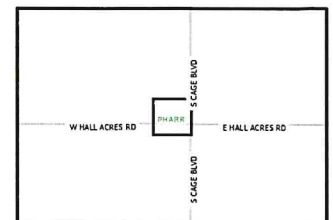
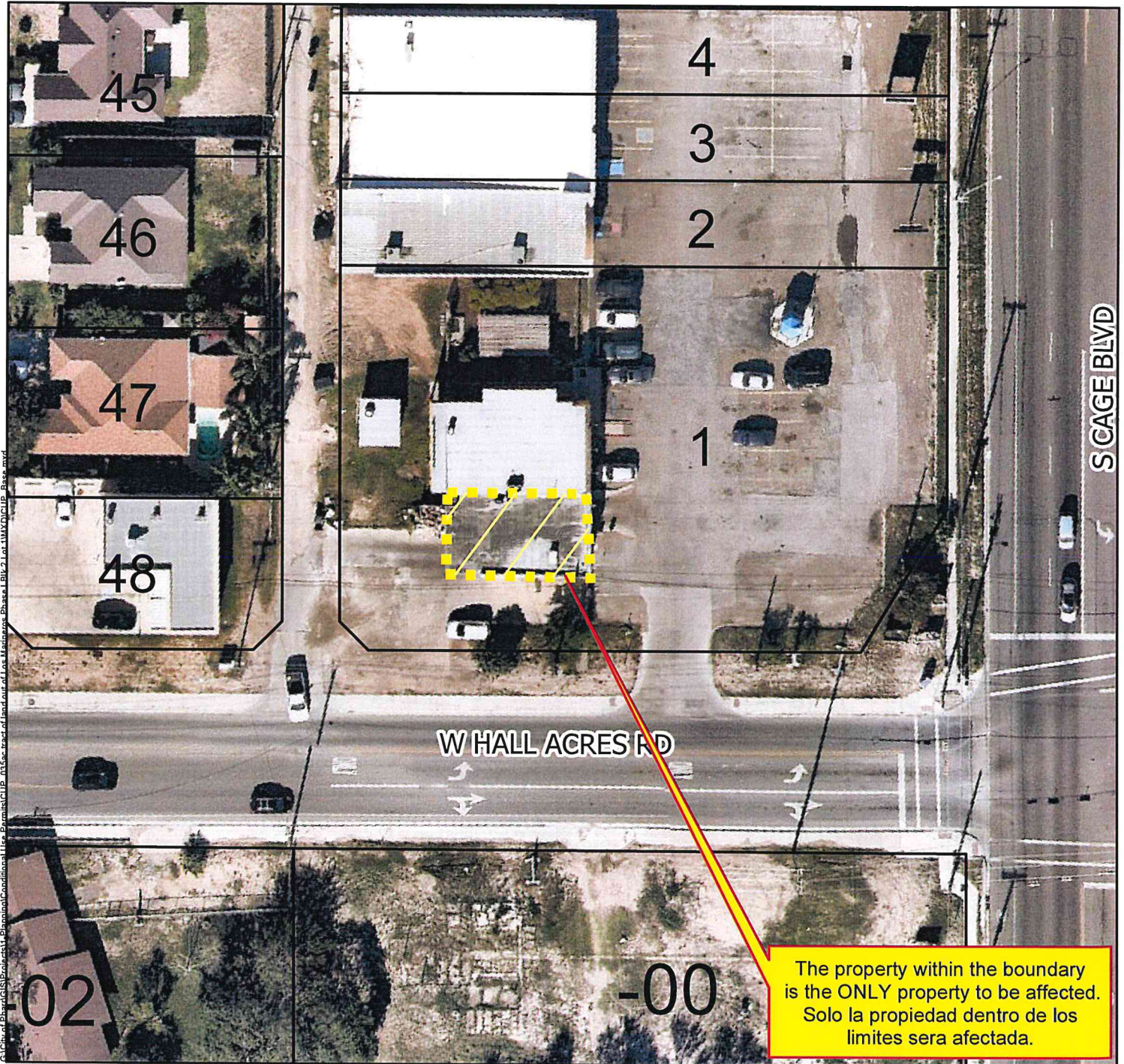
**NOTIFICATION
OF PUBLIC:**

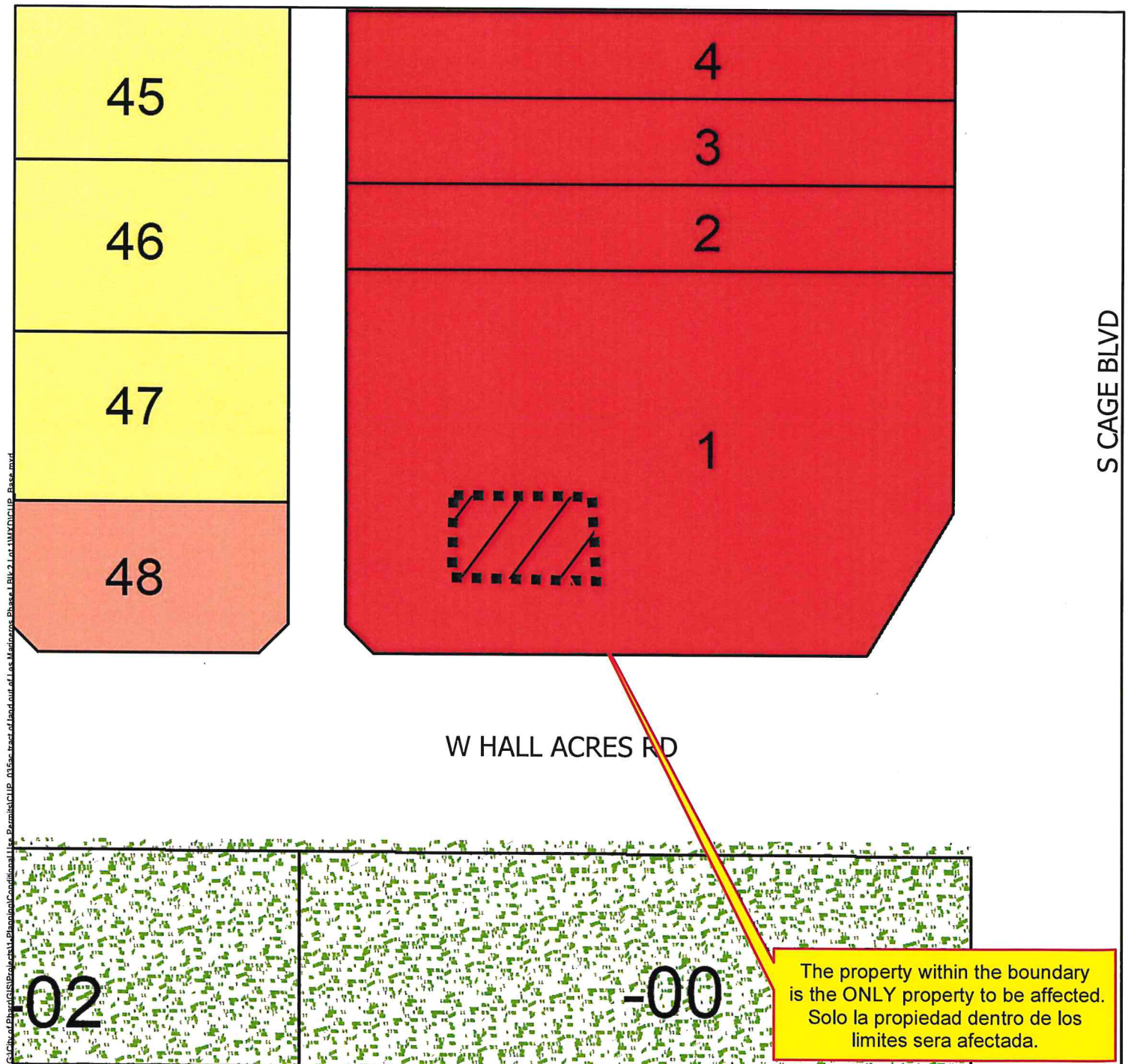
Twenty-two (22) surrounding property owner was notified of the
request by letter and a legal notice was published in the Advance
News Journal. Staff received no response to the letters or the
legal notice.

**DEVELOPMENT
SERVICES
RECOMMENDATIONS:**

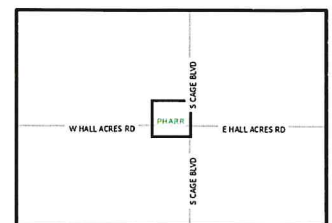
Development Services is recommending approval of the
Conditional Use Permit to allow the sale of alcoholic beverages
for on-premise consumption in a General Business District (C)
subject to applicant and site being in compliance with all City
Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **June 15, 2020 at 4:00
p.m.**





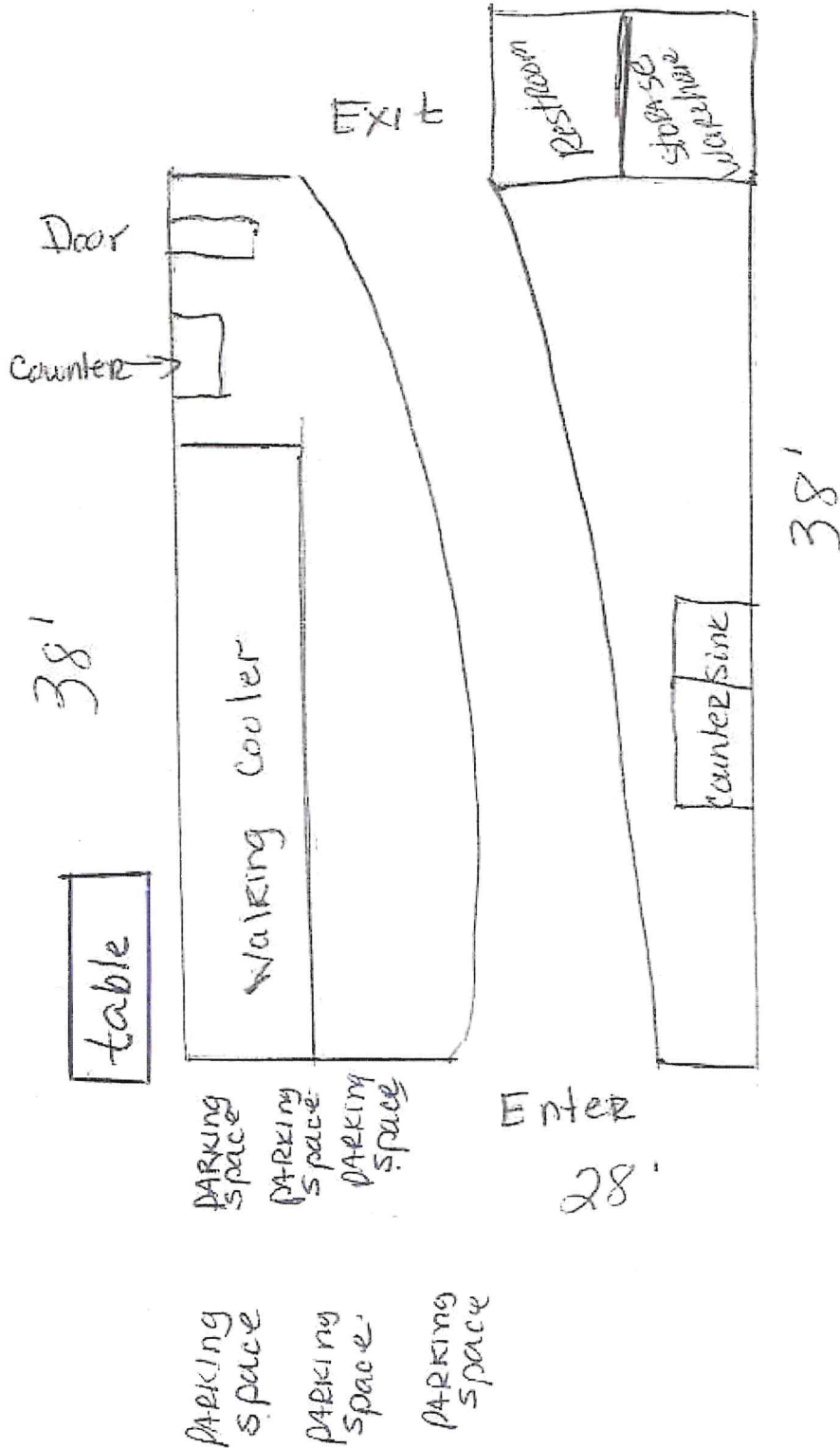
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|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential Multi-Family | Business District | Hidalgo ISD |
| Residential Multi-Family High Density | Drainage Easement | Valley View ISD |
| Mobile Home | Heavy Commercial | Planned Unit Development |
| Townhouse | Heavy Industrial | |
| HUD Code | Limited Industrial | |



Alley

28'

Hall Acres Rd.



Cage Blvd

Kans



Kegs

ENTER

250-A

Low Sign

ACCEPTED HERE





MEMORANDUM

DATE: MONDAY, JUNE 08, 2020
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC FILE NO. CUP#200525 (KANS & KEGS #4, LLC)

GENERAL INFORMATION:

APPLICANT: Kans & Kegs #4 LLC. has filed with the Planning and Zoning Commission a request for Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being all of Lots 30 and 31, Block 5, Evans Subdivision No. 3, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 6804 South Cage Boulevard.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, south, and east and Single-Family Residential District (R-1) to the west. This area is generally designated for commercial use in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Pending Re-Inspection for the Conditional Use Permit.
	CODE COMPLIANCE DIVISION:	Recommends approval of the Conditional Use Permit.

HEALTH DIVISION:

Recommends approval of
the Conditional Use Permit.

PLANNING DIVISION:

Recommends approval of
the Conditional Use Permit.

**HOURS OF
OPERATION:**

Hours of operation will be from Sunday through Monday from 9:00 a.m. to 11:00 p.m. and from Friday through Saturday from 9:00 a.m. to 12:00 a.m.

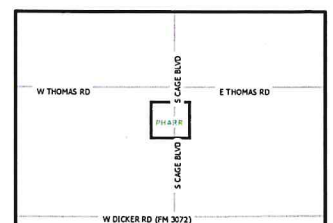
**NOTIFICATION
OF PUBLIC:**

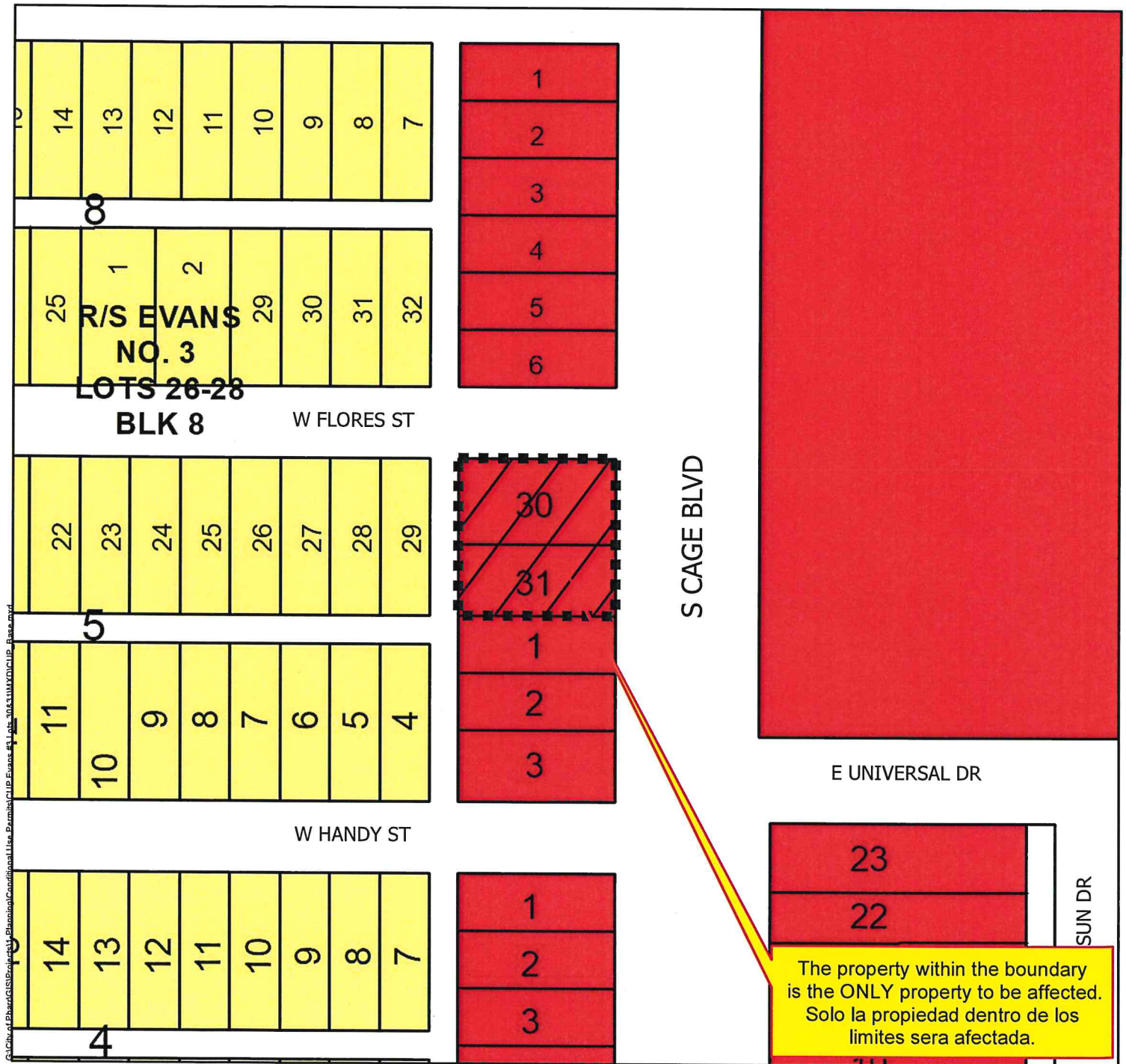
Thirty-three (33) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received one (1) telephone call for information and one (1) telephone call in favor. .

**DEVELOPMENT
SERVICES
RECOMMENDATIONS:**

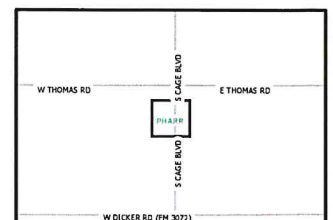
Development Services is recommending approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **June 15, 2020 at 4:00 p.m.**



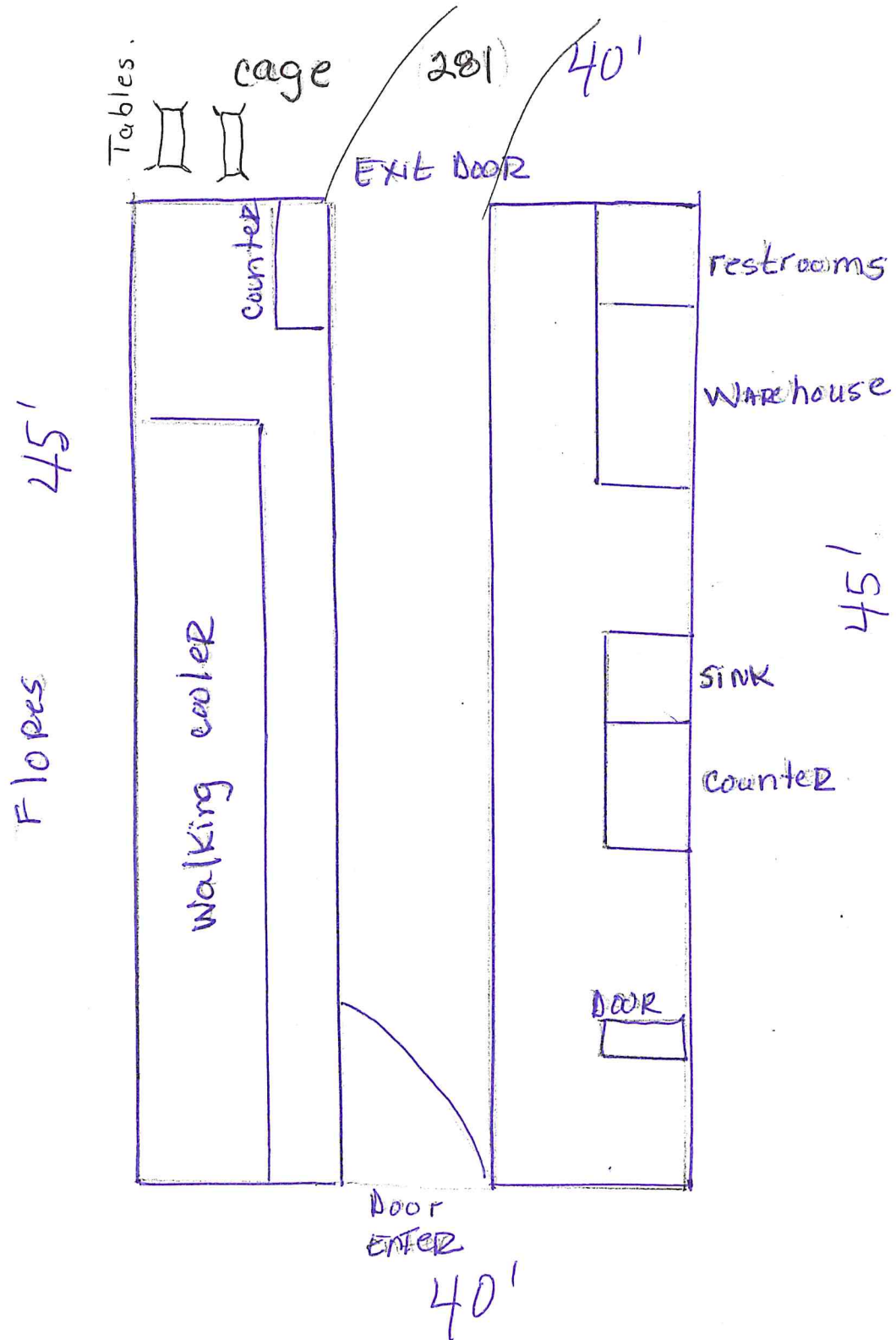


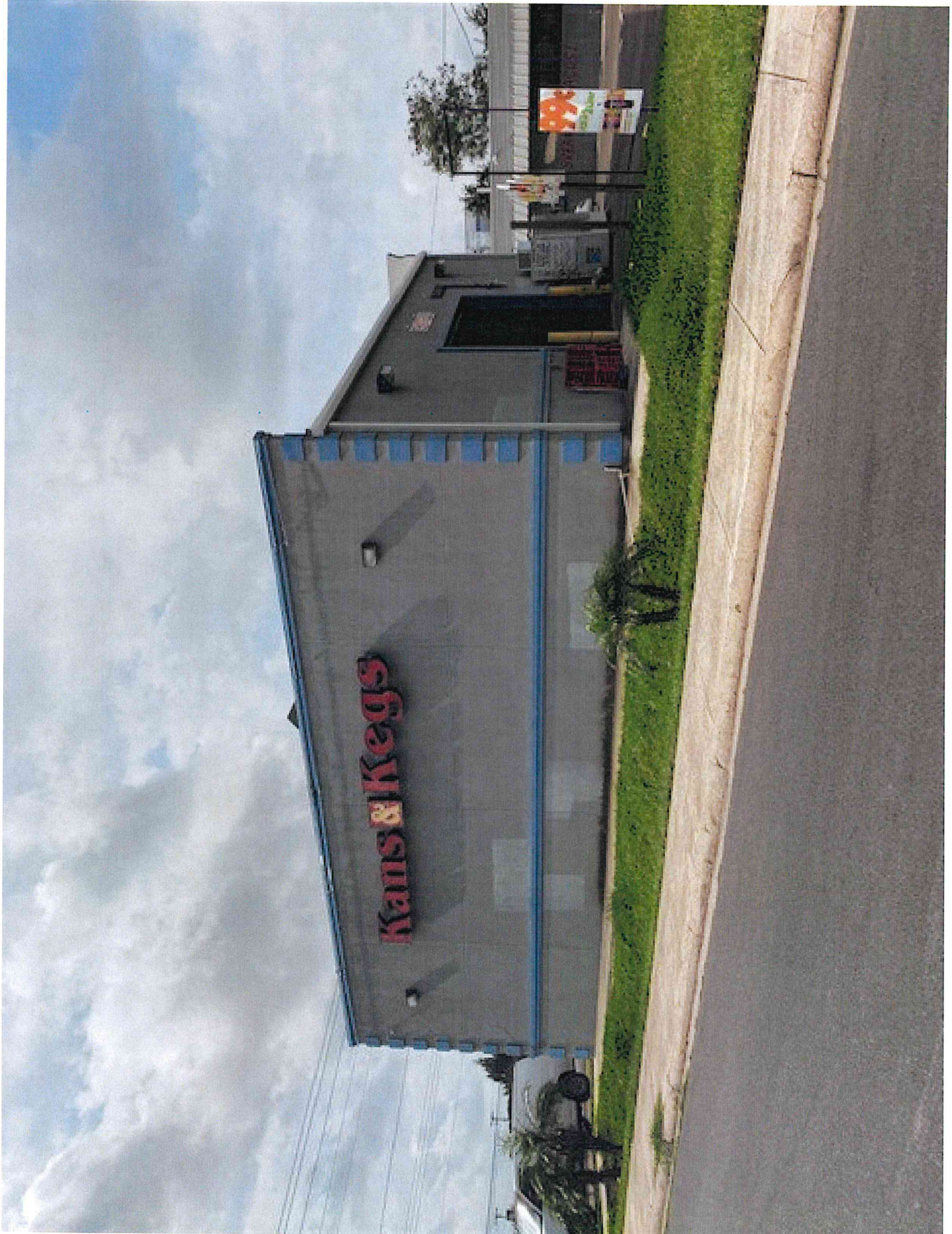
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| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential Multi-Family | Business District | Hidalgo ISD |
| Residential Multi-Family High Density | Drainage Easement | Valley View ISD |
| Mobile Home | Heavy Commercial | Planned Unit Development |
| Townhouse | Heavy Industrial | |
| HUD Code | Limited Industrial | |



6804 S. cage Blvd.
Pharr, TX. 78587

#4







Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JUNE 08, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: EAST PARK SUBDIVISION FILE NO. SUB#200618

GENERAL INFORMATION:

APPLICANT: M Garcia Engineering LLC, representing Ruben Fonseca, Vice President of EAT Fonseca, LLC., is requesting final plat approval of the proposed East Park Subdivision.

LEGAL DESCRIPTION: The property is legally described as a tract of land containing 2.09 acres of land and being part or portion of Lots 13 and 14, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 1700 Block of North Veterans Boulevard ("I" Road).

ZONING: The property is currently zoned General Business District (C). The adjacent zones are General Business District (C) to the north, Single Family Residential District (R-1) to the south, Agricultural and/or Open Space District (A-O) to the west and City limits to the east. The property is designated for commercial and single family residential use in the Land Use Plan.

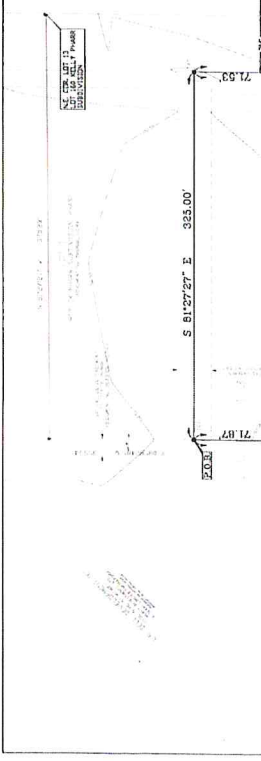
PROPERTY PROPOSED USE: Retail.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed East Park Subdivision subject to the following conditions set before you.

STREETS, PAVING AND R.O.W.:	1. In compliance.
EASEMENTS:	1. In compliance.
SIDEWALK: ADA:	1. In compliance.
FIRE PROTECTION:	1. In compliance.
WATER:	1. In compliance.
SEWER:	1. In compliance.
DRAINAGE:	1. In compliance.
OTHER:	1. In compliance.

This item will go before City Commission meeting on June 15, 2020 at 4:00 p.m.






THE STATE OF FLORIDA
 COUNTY OF _____
 I, _____, Clerk of the Court,
 do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the Court.
 In testimony whereof, I have hereunto set my hand and the seal of the Court at _____, Florida, this _____ day of _____, 19____.

 Clerk of the Court

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 19____, at _____, Florida.

 Notary Public for Florida

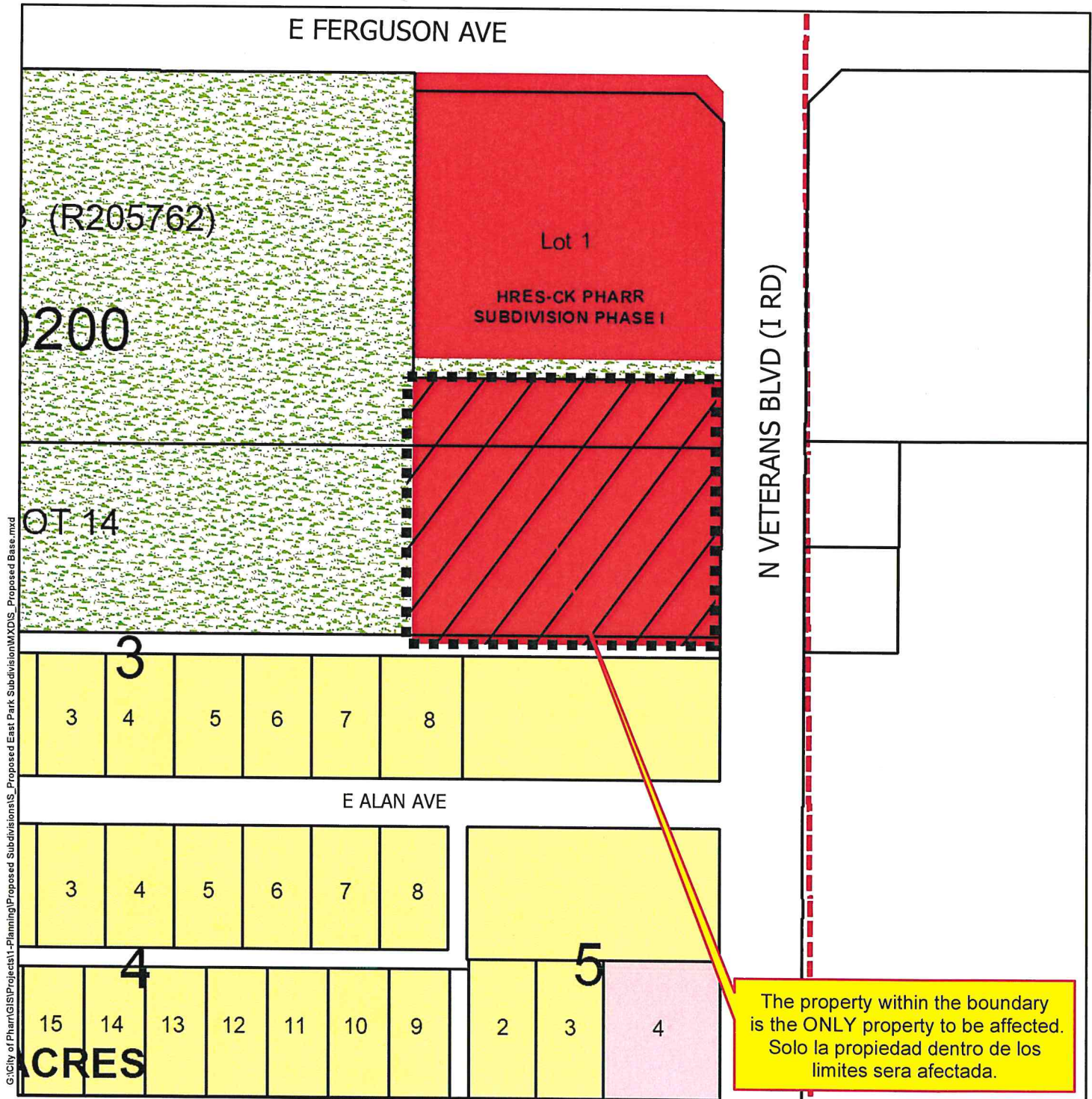
I, _____, Clerk of the Court,
 do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the Court.
 In testimony whereof, I have hereunto set my hand and the seal of the Court at _____, Florida, this _____ day of _____, 19____.

 Clerk of the Court

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 19____, at _____, Florida.

 Notary Public for Florida

[illegible]





The property within the boundary is the **ONLY** property to be affected.
Solo la propiedad dentro de los limites sera afectada.