

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. July 13, 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 June 29, 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) Angela Oliva 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 12 and 13, Ford's Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 410 West Sam Houston Avenue. **COZ#200628**

- 2) Little Explorers Development & Learning Center, LLC. has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) and Single-Family Residential District (R-1) to General Business District (C). The property is legally described as being a 2.499-acre tract of land, more or less, out of Lot 5, Block 8, A.J. McColl Subdivision and being a 0.458-acre tract of land, more or less, out of Lot 1, C.D. Subdivision, Pharr, Hidalgo County, Texas. The property is physically located 2301 South Jackson Road. **COZ#200629**

E. PLATS:

1) Melden and Hunt INC, representing 3100 Sugar Subdivision, Ltd., a Texas limited partnership, is requesting a preliminary plat approval of the proposed D & F Subdivision. The property is legally described as being a 5.458 acres of land, being part or portion out of Lot 135, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3106 North Sugar Road. **SUB#200414**

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 10th day of July 2020 at 4:00 p.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. June 29, 2020 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, June 29, 2020 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Charlie Ramirez

**MEMBERS PRESENT
VIA VIDEO**

CONFERENCE: Luis Madrigal Rafael Munguia

ABSENT: Romeo Robles Jonathan Larraga

OTHERS PRESENT: See attached list

STAFF PRESENT: Edward Wylie, Interim City Manager
Roy Rodriguez, Interim Assistant Director
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 6:04 p.m. Roll call established a quorum.

Charlie Ramirez moved to excuse the absent members. Luis Madrigal 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 JUNE 8, 2020

Chairman, Danny Wylie, introduced the item and noted a correction to the minutes of June 8, 2020.

Iris Mata, Secretary, stated the correction would be made.

There being no further discussion Danny Wylie moved to **approve** the minutes of June 8, 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) **JAVIER HINOJOSA ENGINEERING, REPRESENTING ILSE A. VIDAURRI, EXECUTIVE DIRECTOR FOR PHARR BRIDGE INVESTMENTS COMPANY, LP, IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED PHARR BRIDGE BUSINESS PARK PHASE III SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 7.78 ACRES OF LAND, BEING PART OR PORTION OF LOT 378, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 900 BLOCK OF WEST ZARAGOSA DRIVE. SUB#200517**

Della Robles, Planner I, introduced the item. She stated the property is currently zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the north, east, west and Agricultural and/or Open Space District (A-O) to the south. The property is designated for industrial use in the Land Use Plan. She added no variances were being requested and staff recommended preliminary and final plat approval of the proposed Pharr Bridge Business Park Phase III 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 Charlie Ramirez moved to **approve** the request for preliminary and final plat approval of the proposed Pharr Bridge Business Park Phase III Subdivision. Rafael Munguia 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 Charlie Ramirez moved to **adjourn** Luis Madrigal second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:10 p.m.

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED:_____



Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: July 13, 2020

ROUTE TO BOARD:

☐ CITY COMMISSION

AGENDA ITEM: COZ:#200628

☒ PLANNING & ZONING COMMISSION

DATE SUBMITTED: June 19, 2020

1. **Applicant:** Angela Oliva, owner.
2. **Requested Action:** Re-zoning request from Single-Family Residential District (R-1) to Neighborhood Commercial District (N-C).
3. **Nature / Intent of Request:** In order to establish a commercial daycare for the existing neighborhood on said property.

4. **Routing to Staff:**

A. Edward Wylie, Interim
Director, Interim City
Manager

EW
Initials

7-9-2020
Date

☒ Approval ☐ Denial

B. Planning Staff
Recommendations

Initials

Date

☒ Approval ☐ Denial

C. Planning and Zoning
Commission

Initials

Date

☐ Approval ☐ Denial

D. City Attorney

Initials

Date

☐ Approval ☐ Denial

E. City Manager



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JULY 13, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Single-Family Residential District (R-1) to Neighborhood Commercial District (N-C): Being Lots 12 and 13, Ford's Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 410 West Sam Houston Avenue.
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Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Angela Oliva 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) in order to establish a commercial daycare for the existing neighborhood on said property.

The subject site is located on the north side of West Sam Houston Avenue and physically located at 410 West Sam Houston Avenue. The property is legally described as being Lots 12 and 13, Ford's Subdivision, Pharr, Hidalgo County, Texas.

The property fronts West Sam Houston Avenue, an 80' major collector that runs east and west with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property and the surrounding properties to the north, east and west were zoned to Single-Family Residential District (R-1) on March 30, 1982, when the city adopted the current zoning ordinance we use today. A portion of the property to the south is zoned Agricultural and/or Open Space District (A-O) and the remaining portion of the property was rezoned to Office Professional District (O-P) on March 11, 2008. There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for commercial use in the Land Use Plan.

The Neighborhood Commercial District is established as a limited retail category intended for use near neighborhood areas for the purpose of supplying day-to-day retail needs of the residents in the area. The city will not zone for NC usage in advance unless asked to do so by the property owner. This district could therefore, be considered a "floating zone". Since the site is typically small, and surrounded by residential type land uses, this zoning would have the appearance of a spot zone. It is not an illegal spot zone, however, if it is called for in the comprehensive plan, or if it serves a need in the neighborhood.

Sixteen (16) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

Development Services is recommending **approval** of the request to re-zone from Single-Family Residential District (R-1) to Neighborhood Commercial District (N-C) as the property meets area requirements, has adequate ingress and egress and is compatible with the properties located on the west and south. The zoning will also allow for reasonable use of the property and will promote compatibility with adjacent and nearby uses. The zoning will not have a detrimental impact to the neighborhood character and is in line with the Future Land Use Plan. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **July 20, 2020 at 4:00 p.m.**

PLANNING COMMISSION OPTIONS:

1. Approve the rezoning request;
2. Table the item for:
 - a) consideration by the full board;
 - b) additional information;
 - c) additional time for applicant and adjacent property owners to meet;
3. Disapprove the request.



Pharr

Development Services



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Angela Oliva, owner.

APPLICANT

Single-Family Residential District (R-1)

CURRENT ZONE

410 West Sam Houston Avenue

ADDRESS

Neighborhood Commercial District (N-C)

PROPOSED ZONE

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?	X	
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?	X	
8 Will a buffer be required?	X	
9 Is the proposed change in line with the Future Land Use Plan?	X	

STAFF RECOMMENDATIONS:

Approval

The property meets area requirements, has adequate ingress and egress, is in line with the Future Land Use Plan.

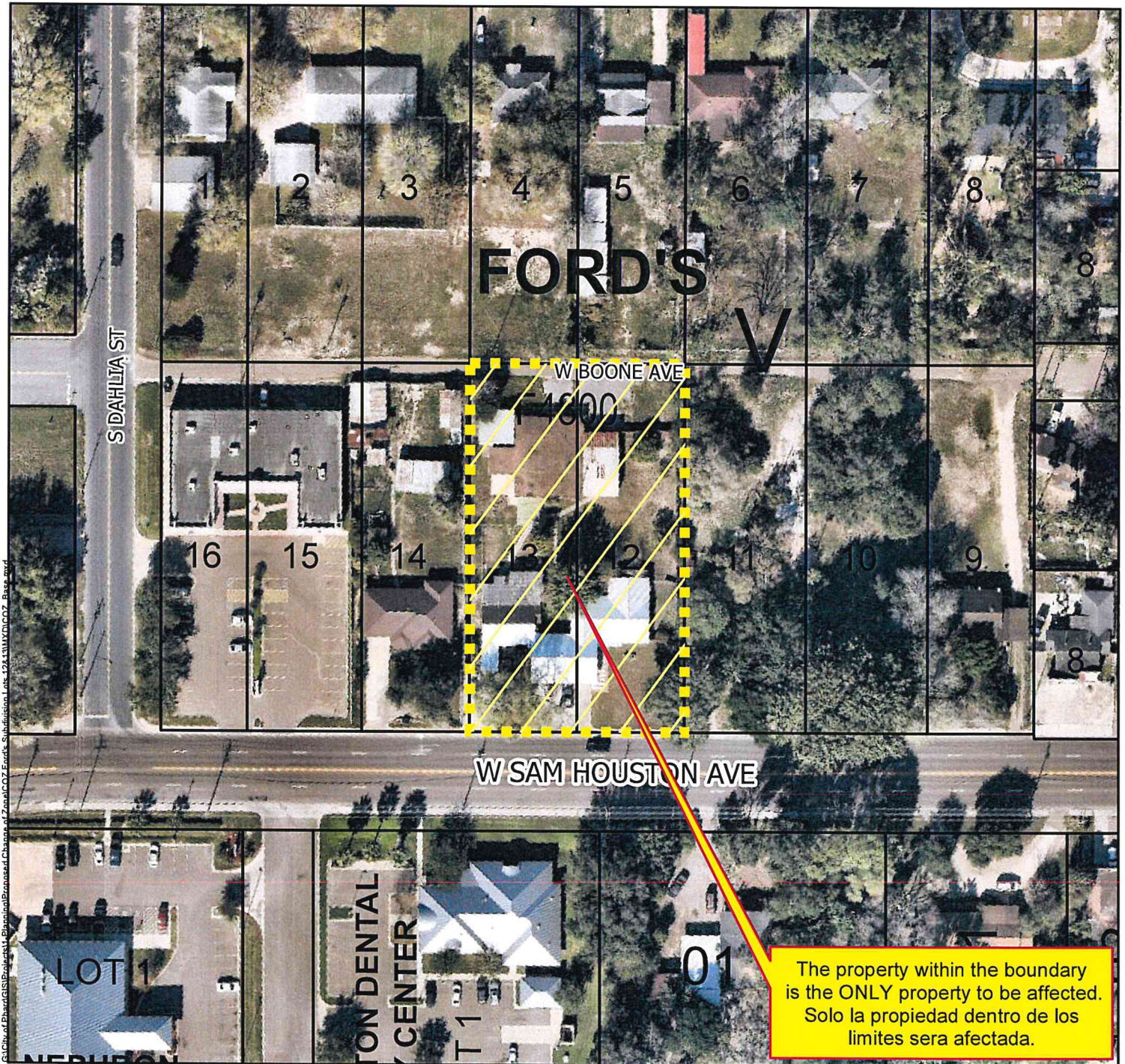
This zoning would allow for reasonable use of the property, the zoning is compatible with adjacent and nearby zoning districts, land uses and development intensities and it will not result in detrimental impact to the neighborhood character.

Della Robles, Planner I

PREPARED BY

April 7, 2020

DATE

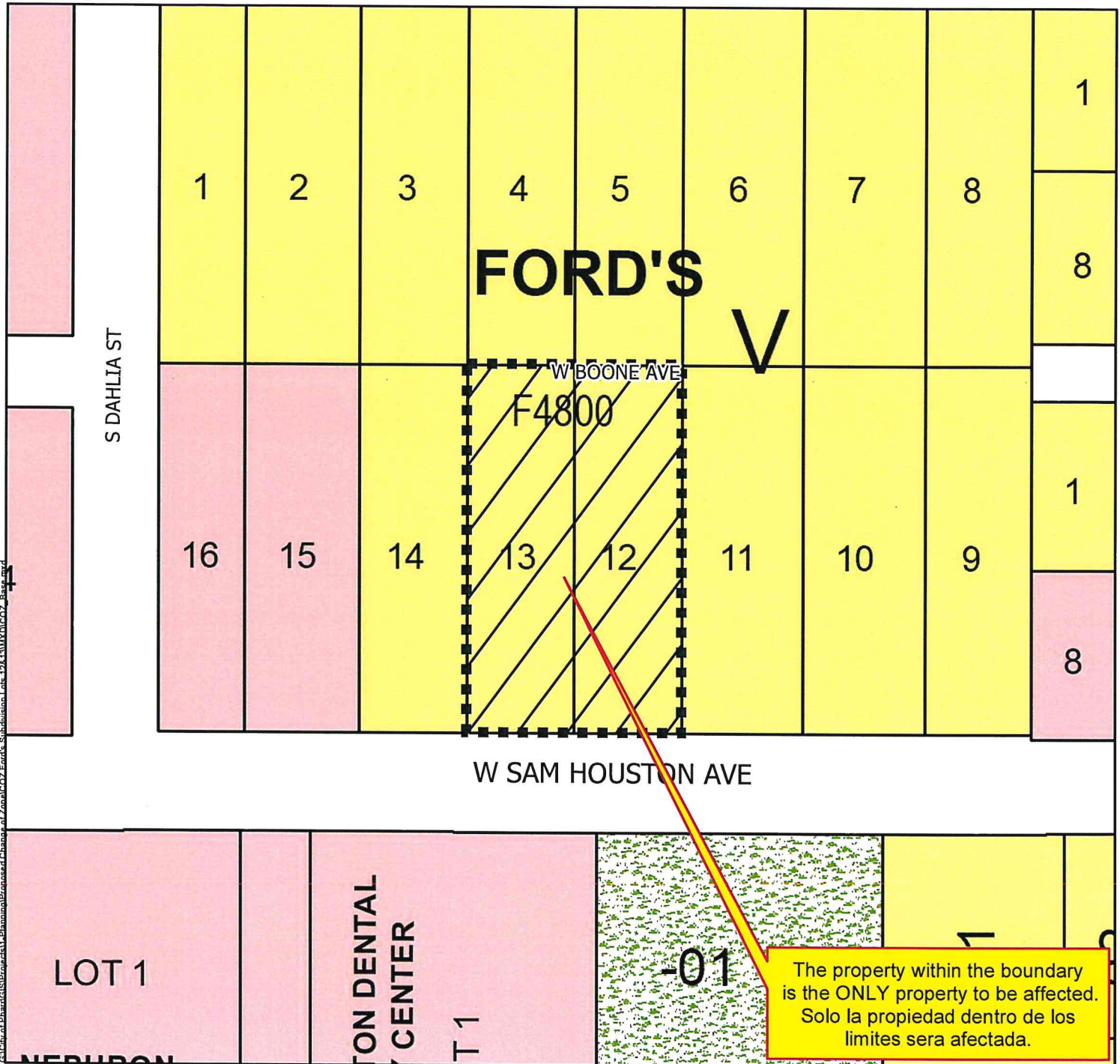


The property within the boundary
is the **ONLY** property to be affected.
Solo la propiedad dentro de los
limites sera afectada.

- | | | |
|---------------------------------------|--------------------|--------------------------|
| 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 | |

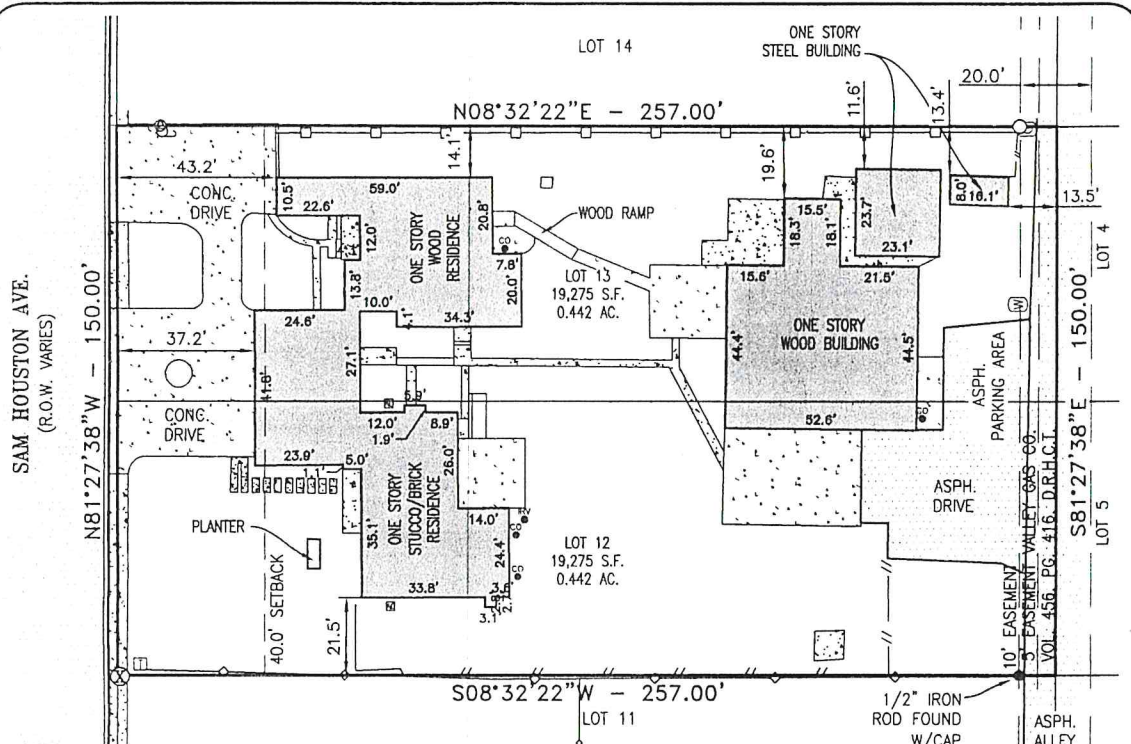
All information displayed on this map is subject
to verification by field survey or by the agency
responsible for maintaining the information.
This map is intended for general information only.





- | | | |
|---------------------------------------|--------------------|--------------------------|
| 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 | |





NOTES:

1. BEARINGS ARE GRID NORTH, BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203) NADB3(2007). ALL BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE GRID.
2. THIS PROPERTY APPEARS TO LIE WITHIN ZONE "B" (AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD (MEDIUM SHADING) ACCORDING TO THE FLOOD INSURANCE RATE MAP OF COMMUNITY PANEL NO. 480347 0005 C, REVISED OCTOBER 19, 1982. FLOOD ZONE IS DETERMINED BY GRAPHIC PLOTTING ONLY. SOUTHPOINT TEXAS SURVEYING, LLC DOES NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
3. FIELD SURVEY COMPLETED ON SEPTEMBER 6, 2019.
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF COMMITMENT FOR TITLE INSURANCE. THE FOLLOWING PERMITTED EXCEPTIONS FROM WARRANTY DEED WITH VENDOR'S LIEN, DOCUMENT NUMBER 2943279, OFFICIAL RECORDS, TRAVIS COUNTY, TEXAS, AFFECT THIS PROPERTY:

DOCUMENT NUMBER 2943279 - EXCEPTIONS TO CONVEYANCE AND WARRANTY:

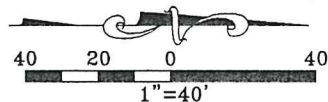
- A. RESTRICTIVE COVENANTS AS RECORDED IN VOLUME 454, PAGE 167 DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- C. EASEMENT DATED JUNE 2, 1939, EXECUTED BY PAUL L. FORD TO RIO GRANDE VALLEY GAS COMPANY IN VOLUME 456, PAGE 416, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- D. EASEMENT AND RESERVATION AS SHOWN ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 7, PAGE 20 MAP RECORDS OF HIDALGO COUNTY, TEXAS.
- E. FRONT YARD SETBACK LINE AS SHOWN IN RESTRICTIONS RECORDS IN VOLUME 454, PAGE 167, DEED RECORDS OF HIDALGO COUNTY, TEXAS.
- H. BUILDING, ZONING, PLATTING AND/OR REGULATORY LAWS AND/OR ORDINANCES OF THE CITY OF PHARR AND/OR OTHER GOVERNMENT AUTHORITY.

I, R. MICHAEL WOOD, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT, SHOWS ALL IMPROVEMENTS LOCATED ON THE PROPERTY, WAS PREPARED USING INFORMATION OBTAINED BY AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND THAT THERE ARE NO ENCROACHMENTS, BOUNDARY CONFLICTS, PROTRUSIONS, OR VISIBLE OR APPARENT EASEMENTS, EXCEPT SHOWN HEREON.

R. Michael Wood
R. MICHAEL WOOD, RPLS



LOT 12 & 13 9/17/2019
FORD'S SUBDIVISION
VOLUME 7, PAGE 20, MAP RECORDS
HIDALGO COUNTY, TEXAS



LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET WITH RED SURVEYOR'S CAP STAMPED "WOOD 5974"
- ⊗ "X" MARK FOUND
- ⊙ MAG-NAIL FOUND
- ⊙ CLEAN OUT
- ⊙ IRRIGATION CONTROL VALVE
- ⊙ TELEPHONE PEDESTAL
- ⊙ WATER METER
- ⊙ POWER POLE
- ⊙ GAS METER

Southpoint
Texas Surveying, LLC

22374 Briggs Coleman Rd
Harlingen, TX 78550

(956) 245-1937
T&PLS Firm No. 101943568

SURVEYED FOR: ANGELA ALIVA



Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: July 13, 2020

ROUTE TO BOARD:

☐ CITY COMMISSION

AGENDA ITEM: COZ:#200629

☒ PLANNING & ZONING COMMISSION

DATE SUBMITTED: June 19, 2020

1. **Applicant:** Little Explorers Development & Learning Center, LLC, owners.
2. **Requested Action:** Re-zoning request from Agricultural and/or Open Space District (A-O) and Single-Family Residential District (R-1) to General Business District (C).
3. **Nature / Intent of Request:** In order to establish a commercial daycare on said property.

4. **Routing to Staff:**

A. Edward Wylie, Interim
Director/Interim City
Manager

EW
Initials

7-9-2020
Date

☒ Approval ☐ Denial

B. Planning Staff
Recommendations

Initials

Date

☒ Approval ☐ Denial

C. Planning and Zoning
Commission

Initials

Date

☐ Approval ☐ Denial

D. City Attorney

Initials

Date

☐ Approval ☐ Denial

E. City Manager

Initials

Date

☐ Approval ☐ Denial



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JULY 13, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) and Single-Family Residential District (R-1) to General Business District (C): Being a 2.499-acre tract of land, more or less, out of Lot 5, Block 8, A.J. McColl Subdivision and being a 0.458-acre tract of land, more or less, out of Lot 1, C.D. Subdivision, Pharr, Hidalgo County, Texas. The property is physically located 2301 South Jackson Road.

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Little Explorers Development & Learning Center, LLC, owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) and Single-Family Residential District (R-1) to General Business District (C) in order to establish a commercial daycare on said property.

The subject site is located on the east side of South Jackson Road and physically located at 2301 South Jackson Road. The property is legally described as being a 2.499-acre tract of land, more or less, out of Lot 5, Block 8, A.J. McColl Subdivision and being a 0.458-acre tract of land, more or less, out of Lot 1, C.D. Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Jackson Road, a 120'-150' principal arterial that runs north and south with a posted speed limit of 40-55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The front portion of the property is currently zoned Agricultural and/or Open Space District (A-O) and the remaining portion along with the property to the east was zoned to Single-Family Residential District (R-1) on August 06, 1985. The property to the north was zoned to Residential Multi-Family High Density (R-MFHD) on December 21, 1982. On January 08, 1985, the property to the south was zoned to Townhouse Residential District (R-TH) and Pharr city limits lie to the west. There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for commercial and multi-family use in the Land Use Plan.

The General Business District is established to provide adequate space and site diversification for most types of commercial development in the City of Pharr. Larger shopping centers and most existing commercial strips along major arterials would be included in this district. The noise, traffic, litter, late-night hours, and possible blighting influences require adequate buffering from residential areas, and the traffic from such uses should not pass through residential areas, except on arterials or major collectors.

Forty-seven (47) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received 5 telephone calls in opposition to the item and 1 individual has signed up to speak at the public hearing.

Development Services is recommending **approval** of the request to re-zone from Agricultural and/or Open Space District (A-O) and Single-Family Residential District (R-1) to General Business District (C) as the property meets area requirements, has adequate ingress and egress and is in line with the future land use plan. The zoning will also allow for reasonable use of the property. The zoning will not have a detrimental impact to the neighborhood character and is in line with the Future Land Use Plan. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **July 20, 2020 at 4:00 p.m.**

PLANNING COMMISSION OPTIONS:

1. **Approve the rezoning request;**
2. **Table the item for:**
 - a) **consideration by the full board;**
 - b) **additional information;**
 - c) **additional time for applicant and adjacent property owners to meet;**
3. **Disapprove the request.**



Pharr

Development Services



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Little Explorers Development & Learning Center, LLC, owners
APPLICANT

2301 South Jackson Road
ADDRESS

Agricultural and/or Open Space District (A-O)
and Single-Family Residential District (R-1)
CURRENT ZONE

General Business District (C)
PROPOSED ZONE

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?	X	
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?	X	
8 Will a buffer be required?	X	
9 Is the proposed change in line with the Future Land Use Plan?	X	

STAFF RECOMMENDATIONS:

Approval

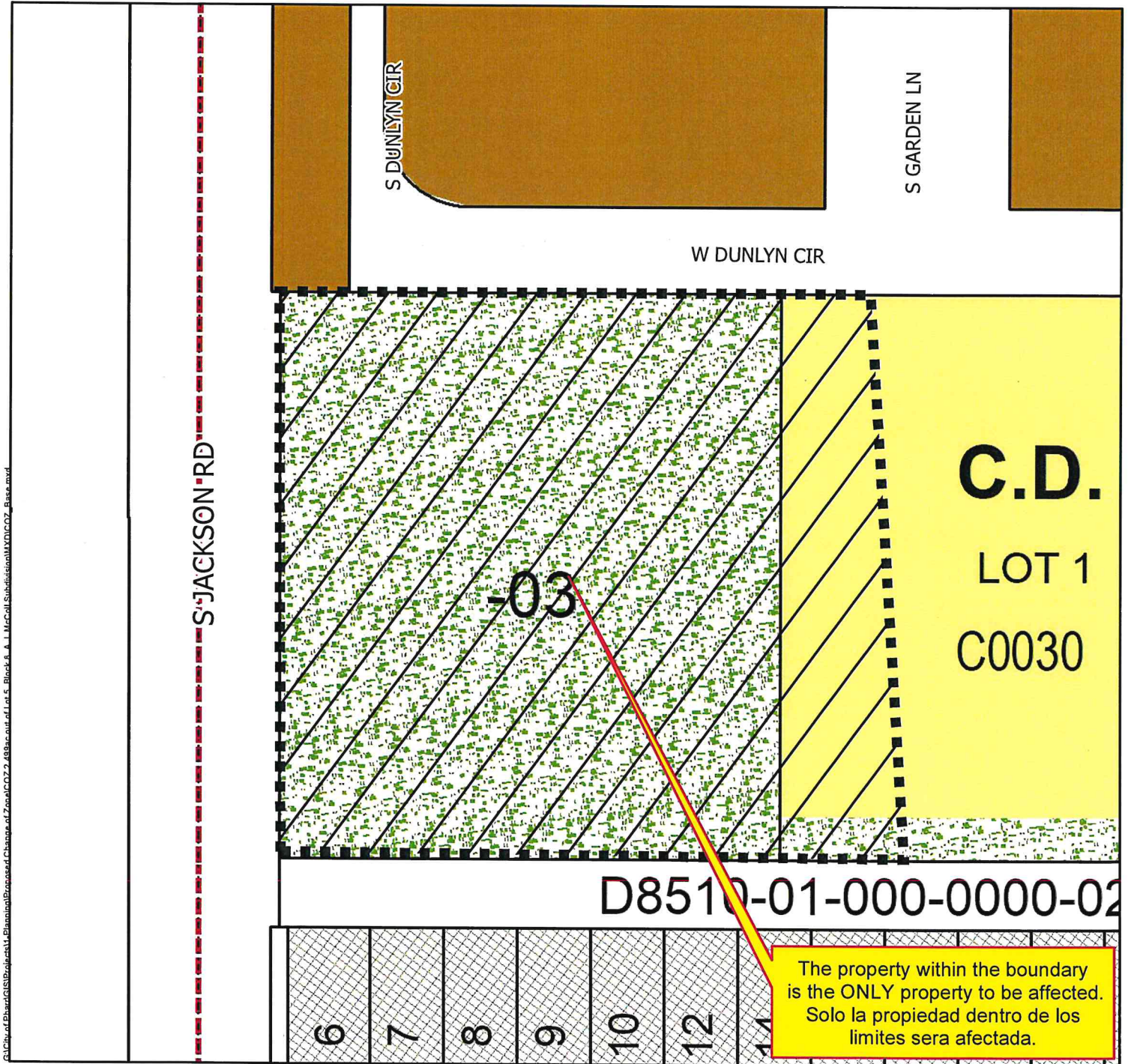
The property meets area requirements, has adequate ingress and egress, is in line with the Future Land Use Plan.

This zoning would allow for reasonable use of the property, this zoning will also promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersection of arterials and major collectors.

Della Robles, Planner I
PREPARED BY

April 7, 2020
DATE

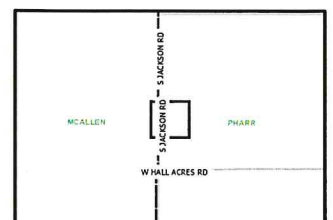
Proposed Change of Zone
 2.50ac out of Lot 5, Block 8, AJ McColl Subdivision and .458ac out of Lot 1 C.D Subdivision
 Little Explorers Development & Learning Center LLC. /
 Deyanira I Guerrero



- | | | |
|---------------------------------------|--------------------|--------------------------|
| 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 | |



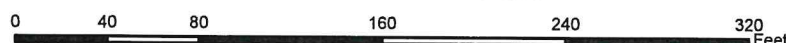
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



City of Pharr, Texas
 Engineering Department
 956.402.4242

Date: 6/25/2020

Scale: 1 inch = 83 feet



Proposed Change of Zone

2.50ac out of Lot 5, Block 8, AJ McColl Subdivision and .458ac out of Lot 1 C.D. Subdivision

Little Explorers Development & Learning Center LLC. /

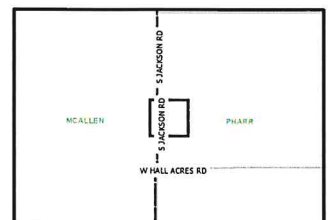
Deyanira I Guerrero



- | | | |
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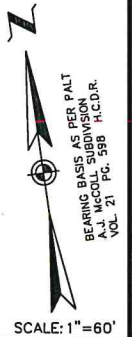
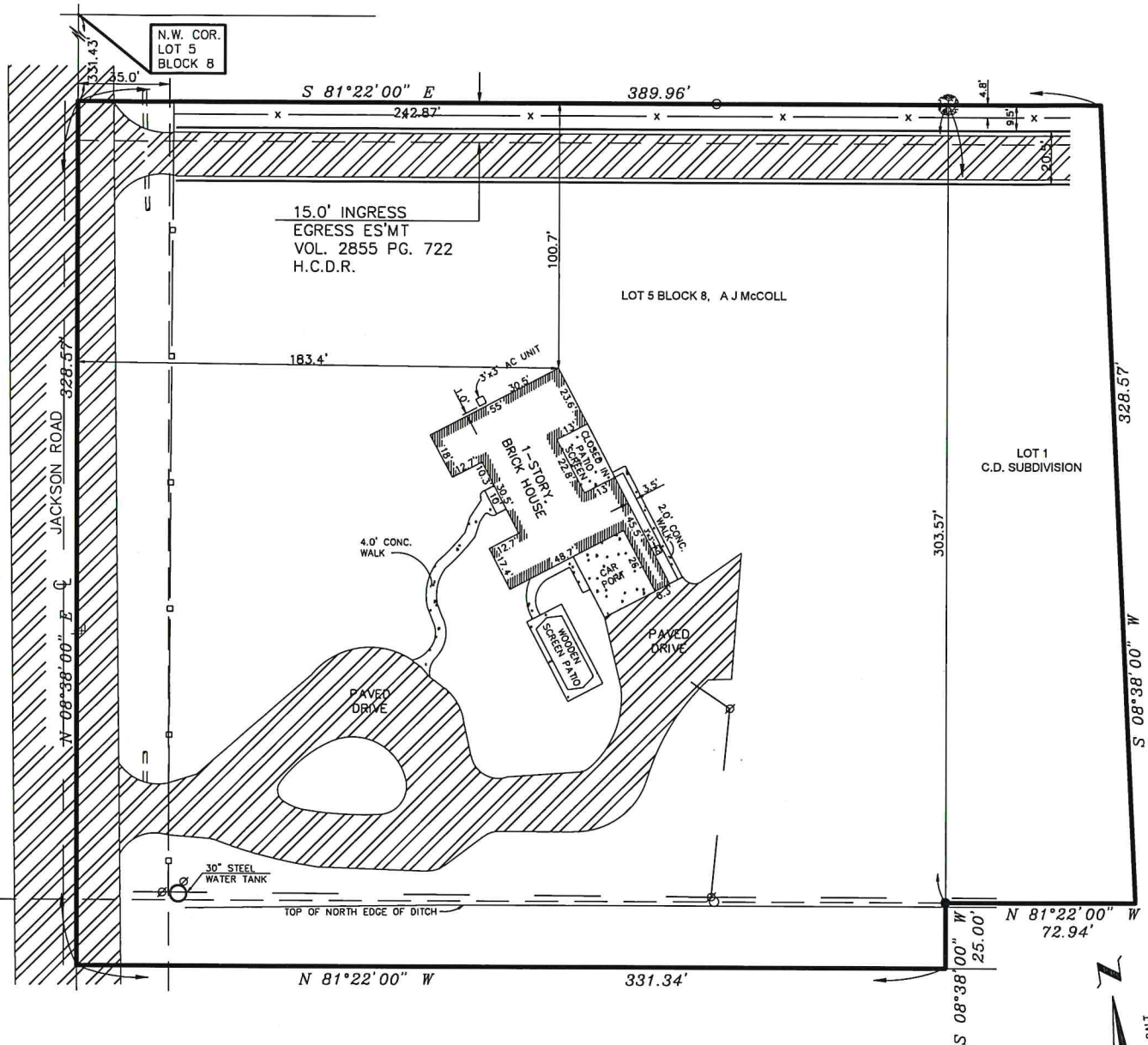


City of Pharr, Texas
Engineering Department
956.402.4242

Date: 6/25/2020

Scale: 1 inch = 83 feet





SCALE: 1"=60'

PLAT SHOWING
SITE PLAN OF
2.957 ACRES OUT OF
LOT 5, BLOCK 8,
A.J. McCOLL SUBDIVISION
AND
0.458 OF ONE ACRE OUT OF
LOT 1, C.D. SUBDIVISION
HIDALGO COUNTY, TEXAS



TBPLS No. 10096900

MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

BOOK T-, PG.
DATE: 5-20-2020
JOB No. 20109.02
FILE NAME: SITE PLAN.DWG
DRAWN BY: FP4

115 W. MCINTYRE
EDINBURG, TX 78541
PH: (956) 381-0981
FAX: (956) 381-1839
ESTABLISHED 1947
www.meldenandhunt.com

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MEMORANDUM

DATE: MONDAY, JULY 13, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: D & F SUBDIVISION
FILE NO. **SUB#200414**

GENERAL INFORMATION:

APPLICANT: Melden and Hunt INC, representing 3100 Sugar Subdivision, Ltd., a Texas limited partnership, is requesting a preliminary plat approval of the proposed D & F Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a 5.458 acres of land, being part or portion out of Lot 135, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 3106 North Sugar Road.

ZONING: The property is currently zoned Agricultural and/or Open Space District (A-O). The adjacent zones are Heavy Commercial District (H-C) to the north, east, and south and Heavy Commercial District (H-C) and General Business District (C) to the west. The property is designated for industrial use in the Land Use Plan.

PROPERTY PROPOSED USE: Warehouse.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends preliminary plat approval of the proposed D & F Subdivision subject to the following conditions set before you:

STREETS, PAVING AND R.O.W.:

1. See attached comments.
2. Provide Street Light Layout

- EASEMENTS:** 1. Need to obtain off-site easement for water & sewer
- SIDEWALK:** 1. In compliance.
- ADA:**
- FIRE PROTECTION:** 1. See attached comments.
- WATER:** 1. See attached comments.
2. Follow City of Pharr construction Standards Manual.
- SEWER:** 1. See attached comments.
2. Follow City of Pharr construction Standards Manual.
- DRAINAGE:** 1. See attached comments from engineering department and public works.
- OTHER:** 1. Provide all details, street, sewer and water.
2. Need to apply for a Change of Zone
3. Provide signatures from engineer and surveyor

This item will go before the City Commission meeting on July 20, 2020 at 4:00 p.m.

To: Mario Reyna, P.E.
From: Heriberto Martinez, Planner II
Date: 06/17/2020
Re: **D & F SUBDIVISION – (Staff review Comments 6-16-2020)**

Below are the following comments by staff for the above mentioned subdivision:

GENERAL PLAT NOTE:

1. Verify bearing from existing recorded subdivision 3100 Sugar Subdivision to proposed they do not match.
2. Verify the additional R.O.W., with Lot 1, 3100 Sugar Subdivision, does not align.
3. Label easement on Lot 1, 3100 Sugar Subdivision.
4. Change scale to 1" = 100'.
5. Update location map to recorded subdivision north of property and add the street directions.
6. Label net or gross for acres on plat layout.
7. Need to obtain off-site easement for water & sewer.
8. What's the extra easement for on lot 1, 3100 Sugar subdivision.
9. Lot 3, where will the access be from?
10. Provide signatures from engineer and surveyor.
11. Provide street light layout.
12. Provide all details, street, sewer and water.
13. Need to apply for a change of zone.
14. Staff plat comments are attached.

FIRE DEPARTMENT:

1. See attach comments.

PUBLIC UTILITIES WATER & SEWER:

1. See attach comments.

PUBLIC WORKS:

1. See attach comments.

ENGINEERING DEPARTMENT:

1. See attach comments.

801 E. SAM HOUSTON
PHARR, TEXAS 78577
PHONE: 956-402-4300
FAX: 956-783-4688



Omar Anzaldua
Interim Public Utilities Director

STAFF REVIEW FOR: *D & F SUBDIVISION*

COMMENTS: Initials: I.R. June 17, 2020

WATER:

- See Fire Department comments
- Follow City of Pharr Construction Standards Manual

SEWER:

- Already Existing Private sanitary sewer line in this area
- Follow City of Pharr Construction Standards Manual

Developer/Owner/Responsible Party must comply with the conditions stated above. WATER METERS WILL NOT BE INSTALLED IF THERE IS A failure to comply with ANY OF THE conditions. METERS WILL BE INSTALLED UPON PAYMENT AND COMPLIANCE WITH ALL CONDITIONS STATED. By signing this you understand you must comply with the condition(s) or the water meter(s) will not be installed.

Print Name: _____

Signature: _____

Date: _____



Pharr Fire – Rescue

118 S. Cage Blvd. 3rd Floor
Pharr, Texas 78577

Tel: (956) 402-4400 Fax: (956) 475-3433



Subdivision: **D & F Subdivision**

Reviewed By: **Mike Navarro**

Date: **06-16-2020**

1. All designed waterlines shall be a minimum of **eight (8) inch** for residential and (8-12) inch in diameter for commercial and (12) inch of better for industrial areas unless fire flow requires larger lines for commercial areas.
2. All designed waterlines shall be looped on a fire department approved water main (Utilities shall be in place including fire hydrants before any construction above the slab)
3. Fire hydrants shall be installed at a **maximum of 300 ft.** intervals in any mercantile district and every 600 ft. in residential areas and shall **be FACTORY YELLOW** from the manufacture with a minimum arrangement being so as to have a hydrant available for distribution to hose to any portion of any building in the premises at distances not exceeding 400 ft., but in no case shall hose lengths be greater than 400 ft. The distance shall be measured on a roadway surface meeting the fire department access requirements of 503.1 International Fire Code 2012.
4. All premises where building or portions of buildings are located more than 300 ft. from a main street fire hydrant: system shall be provided with approved on-site fire hydrant (s) and water mains capable of supplying adequate fire flow approved by the Fire Officials.
5. Street names shall be provided prior to or during the per-construction meeting for review and approval. No street name shall be duplicated within the City of Pharr and its E.T.J. Alignment of new streets with existing streets shall take precedence over new street name assignment.
6. During construction, when combustibles are brought on the site in such quantities as deemed hazardous by the Fire Official, access roads and a suitable temporary supply of water acceptable to the Fire Department shall be provided and maintained.
7. \$25.00 fee for each Blue Marker to be affixed on payment by city to indicate location of a fire hydrant. FIRE HYDRANT COLOR MUST BE FACTORY YELLOW FROM MANUFACTURE PRIOR TO INSTALLATION.
8. Contractor testing waterlines shall dispose highly chlorinated water. (Hazardous Waste)
9. Fire lanes must be painted RED: 15 feet on each side of hydrant (total 30 feet) * with lettering at least 3 inches tall. FIRE LANE – TOW AWAY ZONE.
10. Any new subdivision with GATED COMMUNITY SECURITY SYSTEMS must obtain the **Fire Department approved Knox Box Switch –Rapid Entry System made by the Knox Company** (Phone Number 800-552-5669 Fax 949-623-4647) or an approved fire department siren system before subdivision's final approval of 503.5 in International Fire Code 2012: Where security gates are installed, with a **minimum of 20 ft.** (6096 mm) clearance shall be maintained and a means for emergency operations shall be provided and maintained as approved by the fire official.
11. **Designed fire lanes or roads deemed necessary for fire department access by the fire official shall be established and maintained in an operable condition. 503.1 International Fire Code 2012: All weather surfaces** must be in place before any final inspection is approved. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to the department apparatus by a way of an approved fire apparatus access road with an asphalt, or concrete driving surface capable of supporting the imposed load of fire apparatus weighting at least **75,000 pounds.**
12. **Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.**
13. All water valves (hydrant and main) shall be open prior to final inspection.
14. Public utilities personnel must be advised prior to opening and closing existing water valves.
15. Must meet City of Pharr Standards Manual Construction & Development Guide.

Additional Comments:

- 8in water line to be extended from sugar to Hibiscus for a True Looped water source to service Fire hydrants that are needed every 300ft.
- Shall call out existing fire hydrant on plans on sugar road.
- 2 additional fire hydrants to be added and spaced 300 feet for proper coverage of building for fire suppression.
- Eliminate 8 in water line running north on sugar road.
- Access road shall be extended from the end of existing paved surface to Hibiscus or provide a turnaround for Fire Apparatus.
- Call out existing size of water line on Hibiscus.
- Shall provide emergency access for First responders, knox rapid entry switch at gates, siren activated, or Knox gate pad locks.

SUBDIVISION: D & F Subdivision**DATE: 6/16/2020**

Residential/Commercial: _5.458_ acres

Staff review:

Plat Notes:

- No comments.

General Notes:

- All drainage construction shall comply with City of Pharr Standards.
- Storm water drainage requirements not considered through the subdivision process will be addressed at building permit stage.
- An approved drainage report is required for all new subdivisions and/or development(s).
- Need a digital copy (in USB) and three (3) hard copies of SWPPP.
- SWPPP will be required before Notice to Proceed (NTP) is issued; SWPPP will be submitted at Pre-Construction Meeting.
- City of Pharr Discharge permit required if discharging to city owned storm drain system.
- Culverts shall be RCP w/Safety End Treatment (S.E.T.).
- Any detention control/structure shall bleed out via an 8" diameter pipe into an existing storm water system (public or private).
- Street light detail plans to be included at building permit.
- Erosion and sediment control plan.

SUBDIVISION: D & F Subdivision**DATE:** June 16, 2020**REVIEW:** Preliminary (revised comments plans dated 6-9-2020)**PLAT**

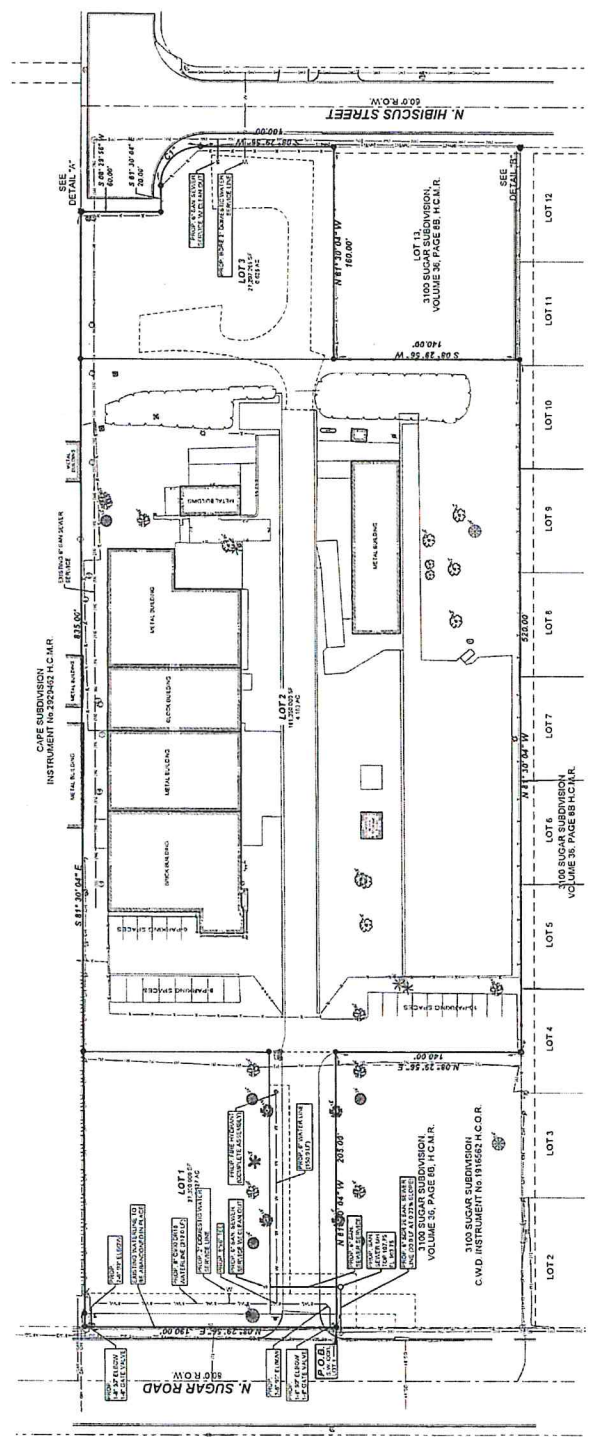
1. Provide P.E. signature.
2. Provide RPLS signature.
3. Note No. 4--- Please verify total drainage volume.
4. Note No. 12---Check spelling for word "area" on second to last sentence.
5. Note No. 14---Revise note to include "...will be required to be constructed during building permit phase along east side of N. Sugar Rd."

SITE PLAN

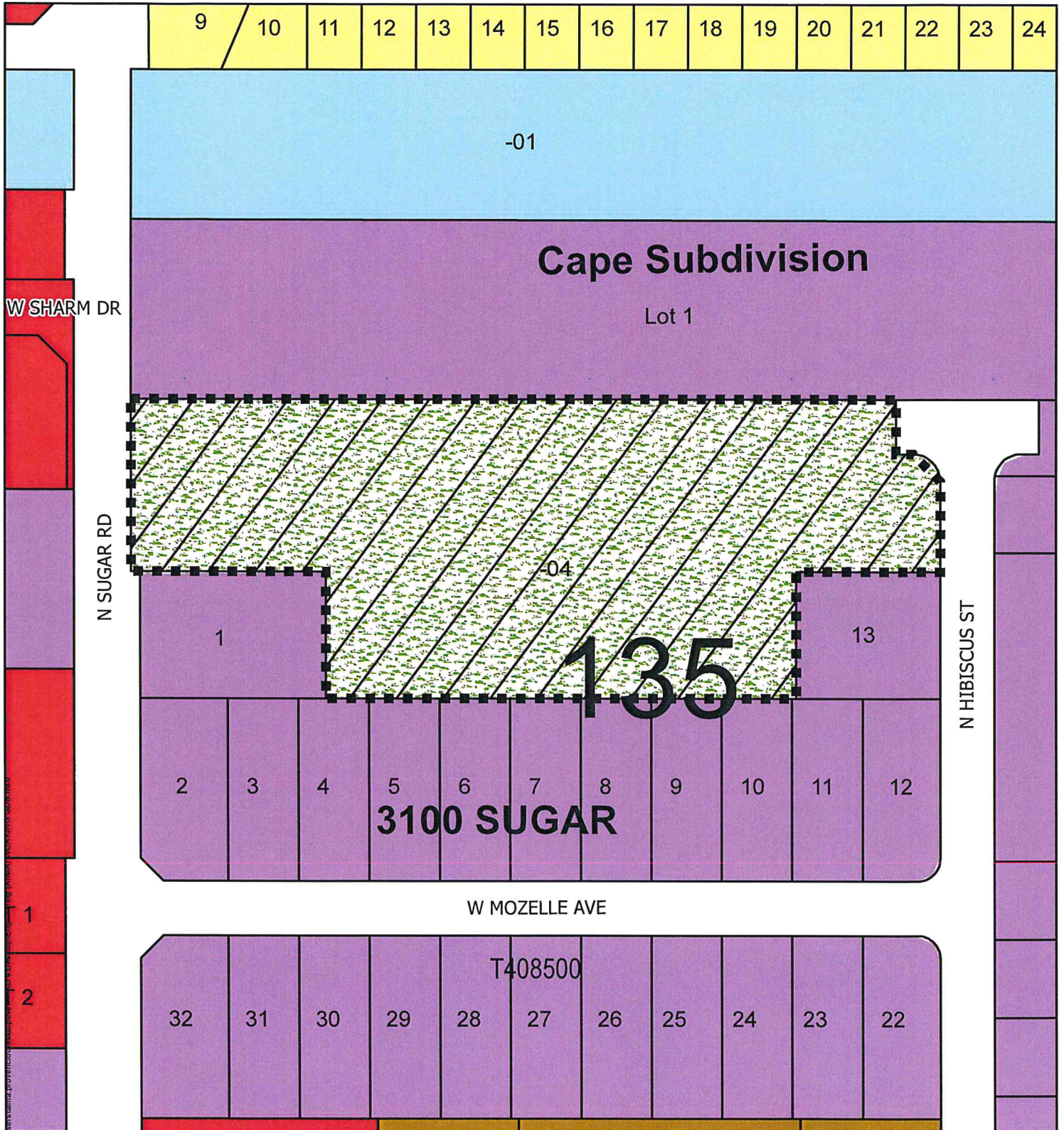
1. Please include all pertinent City of Pharr details (waterline bedding, fire hydrant, valve box with concrete collar dimensions, water service, sanitary sewer service with cleanout, sidewalk, ADA ramps and landing, curb and gutter, profile detail of waterline crossing over sanitary sewer line, sanitary sewer composite manhole cover).
2. Change layout of proposed waterline to extend to N. Hibiscus St. along south side of access road as per Public Utilities.
3. Provide access from front gate and to lot 3 as requested by Fire Department.

DRAINAGE**ADDITIONAL COMMENTS**

D & F SUBDIVISION

[illegible]

- [illegible]



- | | | | | |
|---------------------------------------|------------------|-------------------|-------------------------|--------------------------|
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