

MINUTES PLANNING & ZONING COMMISSION

City Commissioner's Room

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, August 24, 2020 and following is the record of attendance.

MEMBERS PRESENT: Rafael Munguia
Romeo Robles

Charlie Ramirez

**MEMBERS PRESENT
VIA VIDEO
CONFERENCE:**

Luis Madrigal

ABSENT: Danny Wylie
Jonathan Larraga

Andy Castro

OTHERS PRESENT: See attached list

STAFF PRESENT: Melanie Cano, Development Services Director
Roy Rodriguez, Building Official
Eddie Martinez, Planner II
Della Robles, Planner I
Anaisa Licerio, Planner I
Iris Mata, Secretary
Patricia Rigney, City Attorney

ITEM A. CALL TO ORDER

Vice Chairman, Rafael Munguia, called the meeting to order at 6:01 p.m. Roll call established a quorum.

Charlie Ramirez moved to excuse the absent members. Romeo Robles 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 AUGUST 10, 2020

Vice Chairman, Rafael Munguia, introduced the item.

There being no discussion Charlie Ramirez moved to approve the minutes of August 10, 2020. Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) MELDEN & HUNT, INC. HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 21.958 ACRES TRACT OF LAND, MORE OR LESS, OUT OF LOT 97, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 4700-4900 BLOCK OF NORTH VETERANS BOULEVARD. COZ#200731**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). The property and the property to the west was zoned to Agricultural and/or Open Space District (A-O) and the property to the south was zoned to General Business District (C), September 04, 1990, when the property was annexed into the City of Pharr. The property to the north was zoned to Agricultural and/or Open Space (A-O) on August 20, 1991 when the property was annexed into the City of Pharr, later on September 21, 1999 a portion was rezoned to General Business District (C) and the city limits lie to the east. The property is generally designated for multi-family and commercial use in the Future Land Use Plan. She further reported fourteen (14) 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 with concerns and that individual signed up to speak at public hearing.

Anaisa Licerio, Planner I, further stated staff recommended approval of the request to re-zone to Single-Family Residential District (R-1) as the property meets area requirements, has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Vice Chairman, Rafael Munguia, opened the public hearing and asked if anyone signed up to speak.

Iris Mata, Secretary, stated one (1) person signed up to speak.

Anaisa Licerio, Planner I, representing Alma Caso, residing at 1101 E. Nolana Loop, read Ms. Caso's statement. Ms. Caso stated the proposed action did not negatively affect her business and welcomed the change of zone. She continued to state that her business, Plaza Sports Center, has regular late-night operations during the week and would not be adjusting their business activities.

Vice Chairman, Rafael Munguia, closed the public hearing and opened the item for discussion and action.

There being no discussion Romeo Robles moved to **approve** the rezoning request for a change of zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) CAMPERO HOLDINGS COMPANY, 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) TO LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 26.67-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 359 AND A 4.64-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 358, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 700-1200 BLOCK OF WEST ANAYA ROAD. COZ#200732**

Anaisa Licerio, Planner I, introduced the item and stated the applicant withdrew the request. No further action was needed.

- 3) TERESA H. RIOS 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 LOT 1, RIOS ESTATE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED 407 NORTH IRIS STREET. COZ#200733**

Anaisa Licerio, 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, east, south 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. One of the properties to the north was later rezoned to Residential Multi-Family District (R-MF) on March 21, 2006. 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 twenty-five (25) 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.

Anaisa Licerio, Planner I, further stated staff recommended **denial** of the request to re-zone from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF) as the property is not compatible with the surrounding properties and is not in line with the Future Land Use Plan. If approved, the owner must comply with all City Ordinances and City Department requirements.

Vice Chairman, Rafael Munguia, opened the public hearing and asked if anyone signed up to speak.

Iris Mata, Secretary, stated one (1) person signed up to speak.

Robert Helbing, residing at 820 Tamarack, McAllen, Texas, stated the property was at the north portion of his fence line and requested eight (8) items for the new construction project. Mr. Helbing requested that all building access be limited to Iris Street, a single story duplex for two families, a flat south wall surface facing his north fence line, and no sidewalk or access openings allowing garbage, recycle dumpster or parking along the building's south wall. Mr. Helbing continued to request a twelve (12) foot distance between the building and his fence line, no overhead or buried utility lines over to Hawk Street, no excavation for access to Hawk Street, and if fence need to be removed it would be restored at no expense to him.

Vice Chairman, Rafael Munguia, closed the public hearing and opened the item for discussion and action.

Charlie Ramirez asked staff if Mr. Helbing owned the multi-family lot next to the property requesting the change of zone.

Melanie Cano, Development Services Director, stated Mr. Helbing's property was to the south of the proposed change of zone.

Luis Rios, residing at 407 North Iris, approached the Commission and stated Mr. Robert Helbing was on the south side of the property which was zoned residential and Mr. Jose Cuellar was on the north side which was zoned multi family. Mr. Rios continued to state Mr. Helbing had two (2) apartments on his property.

Charlie Ramirez asked Mr. Rios how many apartments he was planning to place on the property.

Luis Rios stated he would place a structure similar to a cottage/guest house should he have guests visit. He continued to state his home was situated in the center of the property and could not build anything too large. Mr. Rios continued to state that the cottage/guest house would be used for private use and not rented out. He also stated he didn't have enough room to build apartments on the property due to the easements and location of his home on the property.

Charlie Ramirez asked Mr. Rios if he listened to Mr. Helbing's conditions.

Luis Rios acknowledged Mr. Helbing's requests and stated they planned to build a fence on his side of the property. Mr. Rios continued to state he didn't think they it would require much to build the proposed cottage/guest house.

Charlie Ramirez asked Mr. Rios to acknowledge that the Commission could place requirements on him, and he would need to follow up with the Development Services Planners for specifics.

Luis Rios acknowledged Mr. Ramirez's statement and stated he understood there could be other requirements.

Melanie Cano, Development Services Director, stated the City has ordinances and standards in place to promote orderly growth. She continued to state that changing to a multi-family development was for uses such as duplex and four plex style. Ms. Cano continued to state that for Mr. Rios' case, the correct process would be to re-subdivide the land and make it into two (2) lots for his proposed use. She continued to state the other option would be to apply for a Conditional Use Permit for a guest house.

Luis Rios stated he was not aware of the Conditional Use Permit option.

Vice Chairman, Rafael Munguia, stated the multi-family option did not fit Mr. Rios' needs and noted the Conditional Use Permit option would better suit his proposed use.

There being no further discussion Charlie Ramirez moved to **deny** the rezoning request from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF). Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

- 4) **THE CITY OF PHARR, FOR THE BETTERMENT OF THE CITY, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO GENERAL BUSINESS DISTRICT (C) AND SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY PROPOSED FOR ZONING TO GENERAL BUSINESS DISTRICT (C) IS LEGALLY DESCRIBED AS BEING A 32.27-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 5 AND LOT 6, BLOCK 3, A.J. MCCOLL TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 5400-6100 BLOCK OF NORTH JACKSON ROAD. THE PROPERTY PROPOSED FOR ZONING TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) IS LEGALLY DESCRIBED AS BEING A 38.20-ACRE TRACT OF LAND, MORE OR LESS OUT OF LOT 5 AND LOT 6, BLOCK 3, A.J. MCCOLL TRACT AND A 24.62-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 73, KELLY-PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 1300-1800 BLOCK OF WEST OWASSA ROAD. COZ#200734**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). The property to the south is zoned Agricultural and/or Open Space District (A-O) with a portion of it zoned to General Business District (C) on November 20, 2012. The property to the east is zoned Agricultural

and/or Open Space District (A-O) with several of the properties zoned to Residential Multi-Family High Density District (RMFHD) one dated August 25, 2015 and four dated March 21, 2016. Pharr city limits lie to the north and 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 single-family residential use in the Land Use Plan. She further reported twenty-eight (28) 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) letter of objection.

Anaisa Licerio, Planner I, further stated staff recommended approval of the request to re-zone to Agricultural and/or Open Space District (A-O) to General Business District (C) and Single-Family Residential District (R-1) as the property meets area requirements, has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Vice Chairman, Rafael Munguia, 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. Munguia opened the item for discussion and action.

There being no discussion Charlie Ramirez moved to **approve** the rezoning request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C) and Single-Family Residential District (R-1). Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) BARRERA INFRASTRUCTURE GROUP, INC., REPRESENTING ADOLFO CAMPERO, MANAGER FOR CAMPERO HOLDINGS COMPANY, LLC, OWNERS, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MASTER SUBDIVISION PLAT OF PHARR LOGISTIC CENTER. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 31.31 ACRE GROSS (27.10 AC. NET) TRACT OF LAND, BEING 26.67 ACRES OUT OF LOT 359 AND 4.64 ACRES OUT OF LOT 358, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 800-900 BLOCK OF WEST ANAYA ROAD. SUB#200312**

Della Robles, Planner I, introduced the item. She stated the property is currently zoned Agricultural and/or Open Space District (A-O). The adjacent zones are Limited Industrial District (L-I) to the south and east, Agricultural and/or Open Space District (A-O) and Limited Industrial District (L-I) to the west, and Agricultural and/or Open Space District (A-O) and Single-Family Residential District (R-1) to the north. The property is designated for industrial use in the Land Use Plan. She added no variances were being requested and staff recommended final plat approval of the proposed Master Subdivision Plat of Pharr Logistic Center subject to the conditions.

Rene Barrera, representing Adolfo Campero, approached the Commission and stated the property would be used for cold storage and there were no objections to the staff's requirements.

At this time Vice Chairman, Rafael Munguia, advised a public hearing was not required and opened the item for discussion and action.

There being no discussion Romeo Robles moved to **approve** the request for preliminary plat approval of the proposed Master Subdivision Plat of Pharr Logistic Center. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) NAIN ENGINEERING, L.L.C., REPRESENTING CIPRIANO GARZA BARAJAS, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED MAQUILA TRADES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS 8.53 ACRES OF LAND BEING A RE-PLAT OF LOT 3, P.E.D.C. SUBDIVISION #1, A RE-PLAT OF LOT 7, BONA TERRA SUBDIVISION AND ALSO, 3.86 ACRES OUT OF LOT 363, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 700 BLOCK OF WEST ANAYA ROAD. SUB#170103**

Della Robles, Planner I, introduced the item. She stated the property is currently zoned Limited Industrial District (L-I) and Planned Unit Development District (PUD). The adjacent zones are Limited Industrial District (L-I) to the north and west, Planned Unit Development District (PUD) and Limited Industrial District (L-I) to the south and east. The property is designated for industrial use in the Land Use Plan. She added no variances were being requested and staff recommended final plat approval of the proposed Maquila Trades Subdivision subject to the conditions.

At this time Vice Chairman, Rafael Munguia, advised a public hearing was not required and opened the item for discussion and action.

There being no discussion Romeo Robles moved to **approve** the request for final plat approval of the proposed Maquila Trades Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS

None.

ITEM G. CLOSED SESSION

None.

ITEM H. RECONVENE

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 6:31 p.m.

ATTEST:



Andy Castro, Secretary



Chairman, Danny Wylie

APPROVED: September 14, 2020