

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. February 22, 2021 – 6:00 PM

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:

In accordance with social distancing guidelines, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of community, city staff, and city council. The meeting will be held via videoconference and broadcast at <http://www.pharr-tx.gov>

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 February 8, 2021.

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) Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 0.01 acres, more or less, out of Lot 327, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 West Dicker Road. **CUP#201153**
(TABLED)

2) Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in a Single-Family Residential District (R-1) and Residential Multi-Family High Density District (R-HDMF). The property is legally described as being a 0.01 acres, more or less, out of 24.05 acres, PSJA I.S.D. Elementary No. 9 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 401 East Thomas Road. **CUP#201154**
(TABLED)

3) Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 0.01 acres, more or less, out of Lot 1, J. Connally Kelly Elementary Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 201 East Las Milpas Road. **CUP#201155** **(TABLED)**

4) Garman Investments, LP, a Texas Limited Partnership, 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) to Residential Multi-Family District (R-MF). The property is legally described as being a 10-acre tract of land, more or less, out of Lot 248, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1400 West Javelina Drive. **COZ#210106**

5) Marco Antonio Alvarado, owner, 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 48, Block 1, Hidalgo Park Estates Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6617 South St. Marie Drive. **COZ#210108**

E. PLATS:

1) Nain Engineering, L.L.C., representing Jorge Kamel, President for 1500 Hall Acres, L.L.C., is requesting final plat approval of the proposed 1500 Hall Acres Subdivision. The property is legally described as being a 13.785 acre tract of land out of Lots 5 and 6, Block 8, A.J. McCOLL Subdivision and Lot 113, Dunlyn Estates Phase II, Pharr, Hidalgo County, Texas. The property is within the 1500 Block of West Hall Acres Road. **SUB#170924**

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.

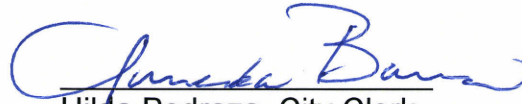
H. RECONVENE: *into Regular Session, and consider action, if necessary on any items(s) discussed in closed session.*



I. ADJOURNMENT:

I, certify that the above notice of public hearing was posted on the bulletin board at City Hall on this the 19th day of February 2021 at 3:00 p.m., and on the City of Pharr web site (www.pharr-tx.gov)




Hilda Pedraza, City Clerk
for

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. February 8, 2021 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, February 08, 2021 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Charlie Ramirez
 Romeo Robles Andy Castro

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

ABSENT: Rafael Mungia

OTHERS PRESENT: See attached list

STAFF PRESENT: Melanie Cano, Development Services Director
 Roy Rodriguez, Assistant Director/Building Official
 Eddie Martinez, Planner II
 Della Robles, Planner I
 Iris Mata, Administrative Assistant
 Carolina Herrera, Secretary
 Daniel Gonzalez, Assistant 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. Romeo Robles seconded the motion and when put to a vote it carried unanimously.

ITEM B. PUBLIC TESTIMONY

ITEM C. APPROVAL OF MINUTES

1) MINUTES OF JANUARY 25, 2021

Chairman, Danny Wylie, introduced the item.

There being no discussion Charlie Ramirez moved to approve the minutes of January 25, 2021. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) INSIGHT PUBLIC SECTOR HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A NEW TELECOMMUNICATIONS TOWER IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.01 ACRES, MORE OR LESS, OUT OF LOT 327, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1000 WEST DICKER ROAD. CUP#201153**

Della Robles, Planner I, introduced the item and stated the item would continue to be tabled.

- 2) INSIGHT PUBLIC SECTOR HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A NEW TELECOMMUNICATIONS TOWER IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) AND RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (R-HDMF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.01 ACRES, MORE OR LESS, OUT OF 24.05 ACRES, PSJA I.S.D. ELEMENTARY NO. 9 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 401 EAST THOMAS ROAD. CUP#201154**

Della Robles, Planner I, introduced the item and stated the item would continue to be tabled.

- 3) INSIGHT PUBLIC SECTOR HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A NEW TELECOMMUNICATIONS TOWER IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.01 ACRES, MORE OR LESS, OUT OF LOT 1, J. CONNALLY KELLY ELEMENTARY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 201 EAST LAS MILPAS ROAD. CUP#201155**

Della Robles, Planner I, introduced the item and stated the item would continue to be tabled.

- 4) **D&GS, L.L.C., D/B/A EL TÓXICO DRIVE THRU, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR CONDITIONAL USE AND LATE HOURS 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 0.05 OF AN ACRE, MORE OR LESS, OUT OF LOT 203, VALLE DE LA PRIMAVERA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 6713 SOUTH JACKSON ROAD. CUP#210101**

Luis Madrigal arrived at 6:03 p.m. virtually.

Della Robles, Planner I, introduced the item and stated the property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north and south, Single-Family Residential District (R-1) to the east and City of Pharr limits lie to the west. This area is generally designated for commercial use in the Land Use Plan. She further reported thirty-seven (37) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She staff received no response to the letter or legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request for a Conditional Use Permit and Late Hours 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.

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 items for discussion.

There being no discussion Charlie Ramirez moved to **approve** the request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

- 5) **JOSE MARTINEZ, VICE PRESIDENT OF UMOs MIGRANT AND COMMUNITY PROGRAMS, REPRESENTING UNITED MIGRANT OPPORTUNITY SERVICES/UMOS, INC., HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN INSTITUTION IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 20, LAS FUENTES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 210 WEST NAVARRO STREET. CUP#210102**

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, east, and west. This area is generally designated for public/semi-public the Land of use. She further reported fifty-seven (57) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She staff received no response to the letter or legal notice.

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

Jose Martinez, Vice president of UMOS Migrant and Community Programs, residing at 110 S. Salinas, Donna, TX, introduced himself and wanted to clarify that they are an institution providing Migrant Early Head Start Programs.

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 items for discussion.

Chairman, Danny Wylie, asked if the applicant was a new applicant or new owner.

Della Robles, Planner I, stated the head start program started in 1996 and was renewed in 2007 due to extension of classrooms. In 2018 there was a change of ownership, but the property had been in compliance all those years.

Chairman, Danny Wylie, closed the public hearing and opened the item for discussion and action.

There being no further discussion Andy Castro moved to **approve** the request for Life-of-the-Use Conditional Use Permit to allow a school in a Single-Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 6) MELDEN & HUNT INC., REPRESENTING ADELANTE HOLDINGS, LTD., 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 RESIDENTIAL TOWNHOUSE DISTRICT (R-TH) TO RESIDENTIAL MULTI-FAMILY HIGH-DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.17 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 151, KELLY PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 2605 NORTH SUGAR ROAD. COZ#210103**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O) and Residential Townhouse District (R-TH). On March 03, 1987, the E185' of the w690' of the N145' of the subject property was zoned to Residential Townhouse District (R-TH). On November 27, 1984 the property to the north was zoned to Residential-Mobile Home District (R-MH), and on January 25, 2000, the property to the south was zoned to Residential Multi-Family District (R-MF). The property to the west was zoned from General Business District (C) to Single-Family Residential District (R-1) on March 15, 2005, and the property to the east is zoned Agricultural and/or Open Space District (A-O). 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 forty-five (45) 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 (3) telephone calls in response to the letters, one (1) in opposition and two (2) for information only.

Della Robles, Planner I, further stated staff recommended approval of the request to re-zone to Residential Multi-Family High-Density District (R-MFHD) 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.

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 items for discussion.

Chairman, Danny Wylie, asked if the opaque buffer fence would be required on all four sides of property.

Della Robles, Planner I, clarified it would be required on Sugar Road by the Mobile Homes.

Jonathan Larraga questioned if the caller gave a reason for the opposition

Della Robles, Planner I, explained the resident wanted a buffer between her property, which is required.

There being no further discussion Charlie Ramirez moved to **approve** the rezoning request from Agricultural and/or Open Space District (A-O) and Residential Townhouse District (R-TH) to Residential Multi-Family High-Density District (R-MFHD). Romeo Robles 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 6:15 p.m.

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED:_____



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.1.

DATE SUBMITTED: February 18, 2021

MEETING DATE: February 22, 2021

FROM: Carolina Herrera, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 0.01 acres, more or less, out of Lot 327, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 West Dicker Road. **CUP#201153 (TABLED)**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in an Agricultural and/or Open Space District (A-O).

Fiscal Consideration:

Staff Recommendation: The items that were submitted are currently under review. Staff is recommending for the item to remain tabled.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Carolina Herrera
Iris Mata
Roland Gomez
Melanie Cano

Created/Initiated - 2/18/2021
Approved - 2/19/2021
Approved - 2/19/2021
Final Approval - 2/19/2021



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.

DATE SUBMITTED: February 18, 2021

MEETING DATE: February 22, 2021

FROM: Carolina Herrera, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in a Single-Family Residential District (R-1) and Residential Multi-Family High Density District (R-HDMF). The property is legally described as being a 0.01 acres, more or less, out of 24.05 acres, PSJA I.S.D. Elementary No. 9 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 401 East Thomas Road. **CUP#201154 (TABLED)**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in a Single-Family Residential District (R-1) and Residential Multi-Family High Density District (R-HDMF).

Fiscal Consideration:

Staff Recommendation: The items that were submitted are currently under review. Staff is recommending for the item to remain tabled.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Carolina Herrera
Iris Mata
Roland Gomez
Melanie Cano

Created/Initiated - 2/18/2021
Approved - 2/19/2021
Approved - 2/19/2021
Final Approval - 2/19/2021



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.3.

DATE SUBMITTED: February 18, 2021

MEETING DATE: February 22, 2021

FROM: Carolina Herrera, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 0.01 acres, more or less, out of Lot 1, J. Connally Kelly Elementary Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 201 East Las Milpas Road. **CUP#201155 (TABLED)**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Insight Public Sector has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in an Agricultural and/or Open Space District (A-O) .

Fiscal Consideration:

Staff Recommendation: The items that were submitted are currently under review. Staff is recommending for the items to remain tabled.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Carolina Herrera
Iris Mata
Roland Gomez
Melanie Cano

Created/Initiated - 2/18/2021
Approved - 2/19/2021
Approved - 2/19/2021
Final Approval - 2/19/2021



Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: February 22, 2021

ROUTE TO BOARD:

☐ CITY COMMISSION AGENDA ITEM: COZ:#210106
☒ PLANNING & ZONING COMMISSION DATE SUBMITTED: January 15, 2021

1. **Applicant:** Garman Investments, LP, a Texas Limited Partnership, owners.
2. **Requested Action:** Re-zoning request from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF).
3. **Nature / Intent of Request:** In order to develop the property into a 30-lot subdivision for multi-family use.

4. **Routing to Staff:**

A. **Melanie Cano, Director**


Initials

2/17/2021
Date

☒ Approval ☐ Denial

B. **Planning Staff
Recommendations**


Initials

2-17-2021
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



MEMORANDUM

DATE: MONDAY, FEBRUARY 22, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF): Being a 10-acre tract of land, more or less, out of Lot 248, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1400 West Javelina Drive.

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:

Garman Investments, LP, a Texas Limited Partnership, 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) to Residential Multi-Family District (R-MF in order to develop the property into a 30-lot subdivision for multi-family use.

The subject site is located on the north side of West Javelina Drive with the physical address of 1400 West Javelina Drive. The property is legally described as being a 10-acre tract of land, more or less, out of Lot 248, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts West Javelina Drive a 70' minor collector that runs east and west with a posted speed limit of a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). The property to the north was zoned to Single-Family Residential District (R-1) on February 21, 1995, and City of Pharr limits lie to the south, east 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 single-family use in the Land Use Plan.

The Residential Multi-Family District is established to provide adequate space and site diversification for low to medium density residential development where adequate streets and other community facilities are available for present and future needs. This district is established for duplex-fourplex development as low to medium-density use, and additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met before zoning to such use. It is established to protect residential areas as far as possible against heavy traffic and zoned to promote the most desirable use of land and direction of building development not in conflict with the city's comprehensive plan.

Thirteen (13) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received one (1) telephone call in favor of the item.

Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF) as the property meets area requirements and has adequate ingress and egress. The property is not in line with the future land use plan; however, based on the surrounding area, Development Services staff has given reasonable consideration that there is a basis for change to the originally established comprehensive plan. The zoning will allow for reasonable use of the property, is adjacent to compatible uses and will not result in detrimental impact to the neighborhood character. 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 **March 01, 2021** 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

Garman Investments, LP, a Texas Limited Partnership, owners.
APPLICANT

Agricultural and/or Open Space District (A-O)
CURRENT ZONE

1400 West Javelina Drive.
ADDRESS

Residential Multi-Family District (R-MF)

	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:

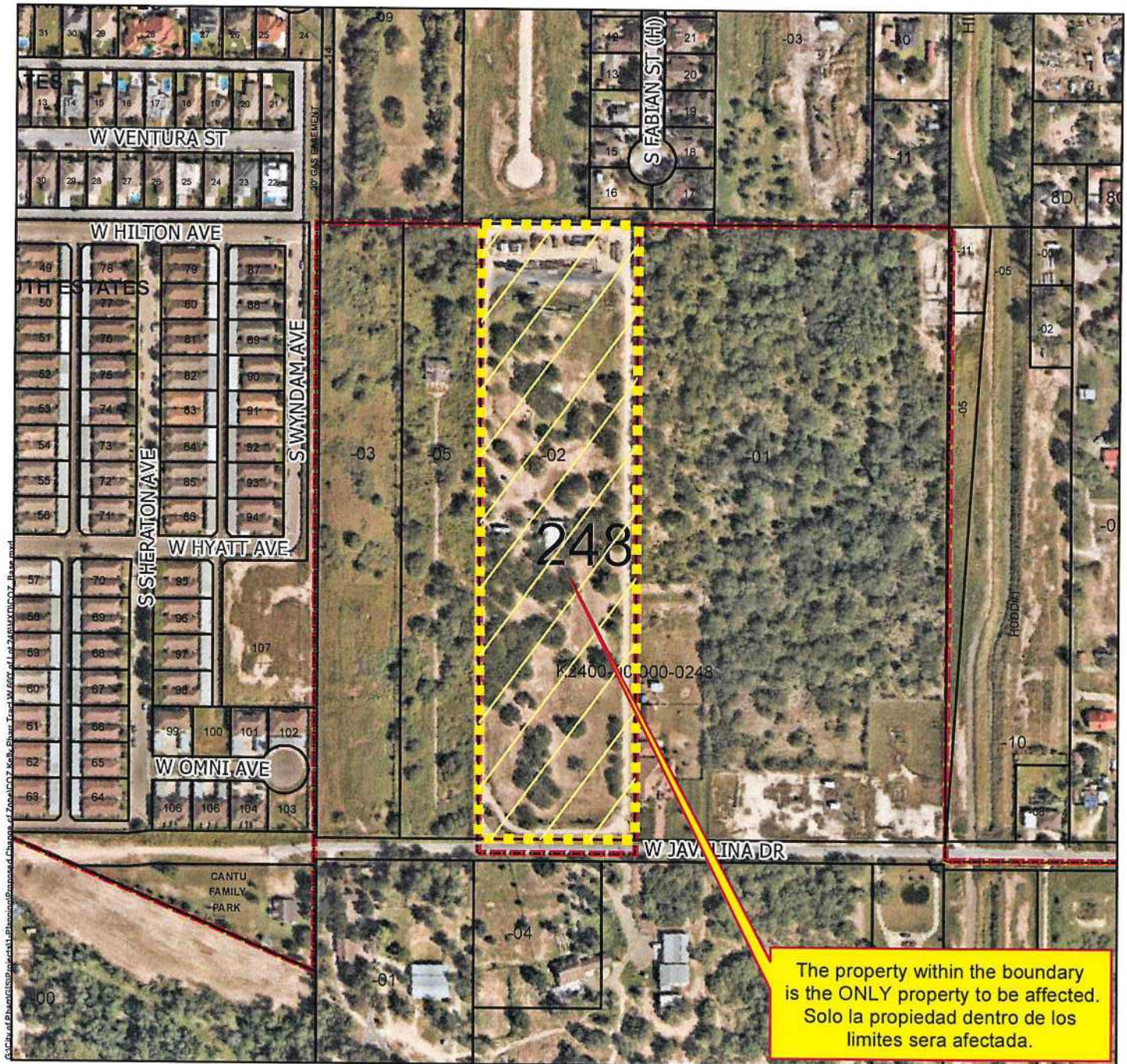
Approval

The property meets area requirements and has adequate ingress and egress. The property is not in line with the future land use plan; however, based on the surrounding area, Development Services Staff has given reasonable consideration that there is a basis for change to the originally established comprehensive plan. The zoning will allow for reasonable use of the property, is adjacent to compatible uses and will not result in detrimental impact to the neighborhood character.

Della Robles
PREPARED BY

February 16, 2021
DATE

Proposed Change of Zone
Kelly Pharr Tract E330'- W 660' out of Lot 248
Garman Investments, LP

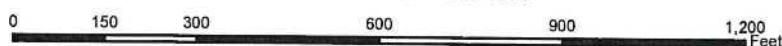


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|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | 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 | |

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 1/22/2021

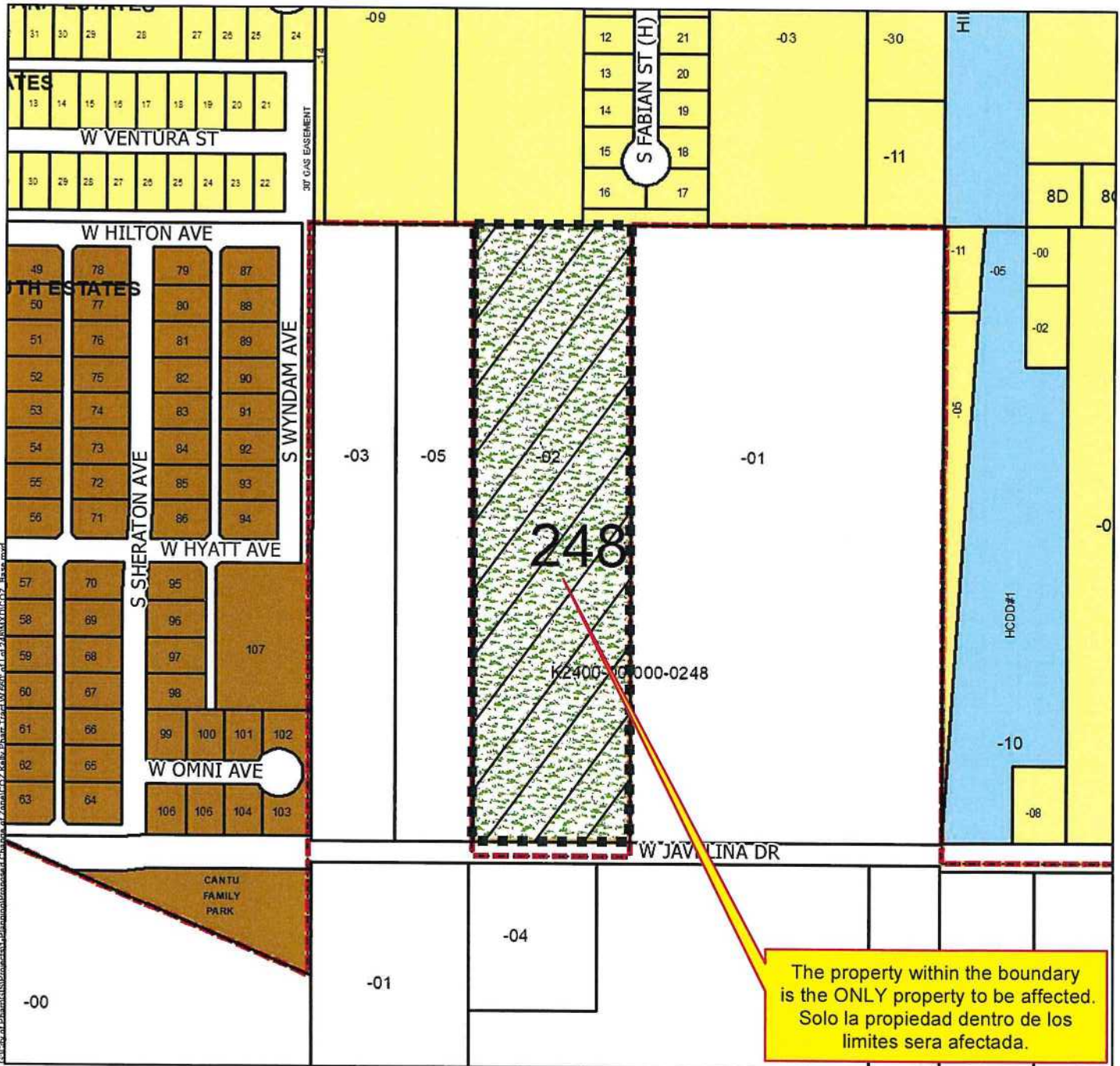
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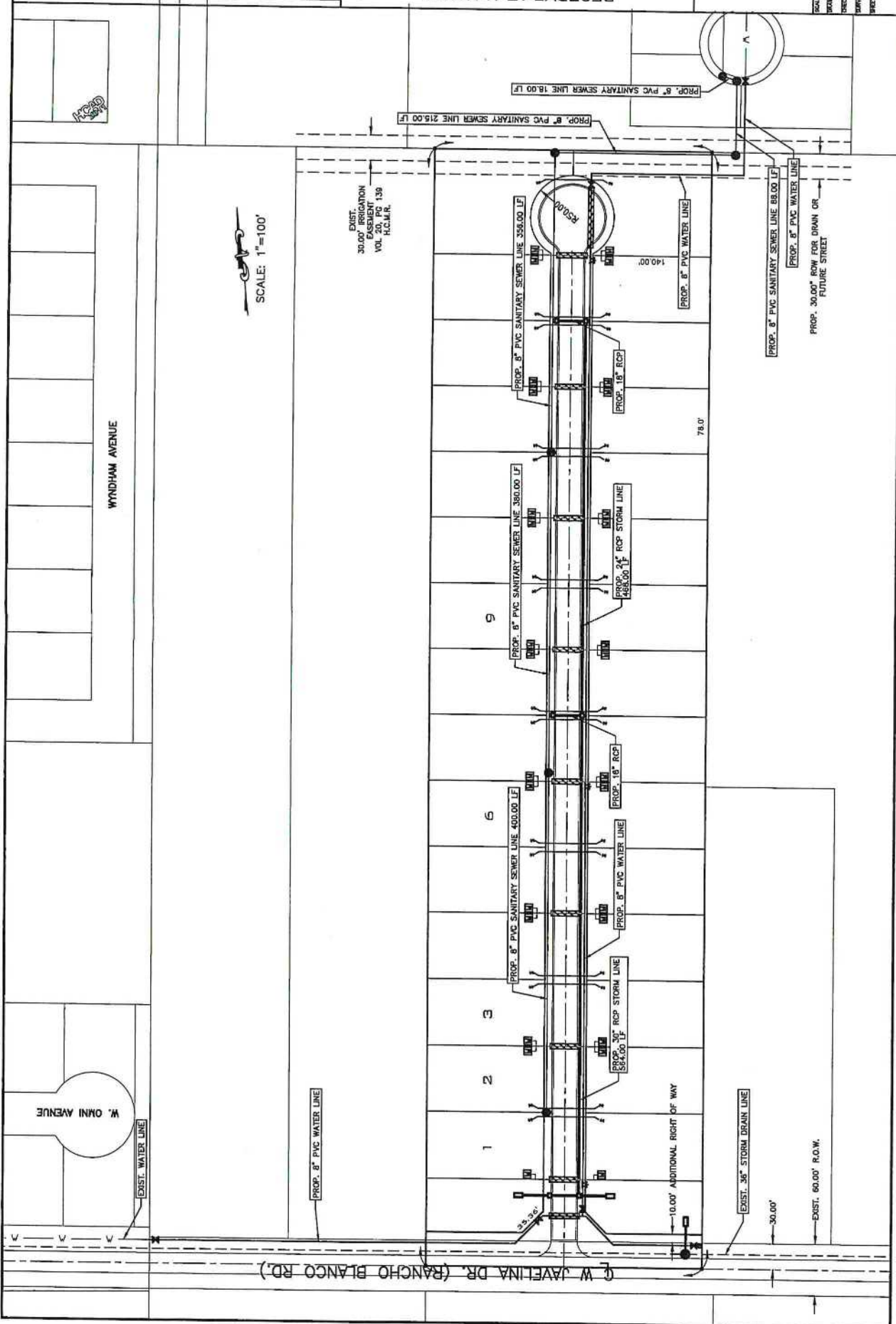


All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Proposed Change of Zone
Kelly Pharr Tract E330'- W 660' out of Lot 248
Garman Investments, LP







Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: February 22, 2021

ROUTE TO BOARD:

☐ CITY COMMISSION AGENDA ITEM: COZ:#210108
☒ PLANNING & ZONING COMMISSION DATE SUBMITTED: January 22, 2021

1. Applicant: Marco Antonio Alvarado, owner.
2. Requested Action: Re-zoning request from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF).
3. Nature / Intent of Request: In order to develop and construct a duplex on said property.

4. Routing to Staff:

A. Melanie Cano, Director

MC
Initials

2/17/2021
Date

☒ Approval ☐ Denial

B. Planning Staff
Recommendations

[Signature]
Initials

2-17-2021
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



MEMORANDUM

DATE: MONDAY, FEBRUARY 22, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF): Being Lot 48, Block 1, Hidalgo Park Estates Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6617 South Saint Marie Drive.
--

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:

Marco Antonio Alvarado, owner, 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) in order to develop and construct a duplex on said property.

The subject site is located on the east side off South Saint Marie Drive with the physical address of 6617 South Saint Marie Drive. The property is legally described as being Lot 48, Block 1, Hidalgo Park Estates Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Saint Marie Drive a 50' local street that runs north and south with a posted speed limit of 20-30 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Single-Family Residential District (R-1). On December 15, 1987, the property and the surrounding property to the north, south and west were zoned to Single-Family Residential District (R-1). On April 06, 1999, the property to the north was re-zoned to Residential Multi-Family District (R-MF). 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 use in the Land Use Plan.

The Residential Multi-Family District is established to provide adequate space and site diversification for low to medium density residential development where adequate streets and other community facilities are available for present and future needs. This district is established for duplex-fourplex development as low to medium-density use, and additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met before zoning to such use. It is established to protect residential areas as far as possible against heavy traffic and zoned promote the most desirable use of land and direction of building development not in conflict with the city's comprehensive plan.

Twenty (20) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received one (1) telephone call for information only.

Development Services is recommending approval of the request to re-zone from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF) as the property meets area requirements and has adequate ingress and egress. The property is not currently compatible with the future land use plan; however, the zoning will allow for reasonable use of the property and granting the request results in equal treatment of similarly situated properties. 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 **March 01, 2021** 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

Marco Antonio Alvarado, owner
APPLICANT

Single-Family Residential District (R-1)
CURRENT ZONE

6617 South Saint Marie Drive
ADDRESS

Residential Multi-Family District (R-MF)

	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 and has adequate ingress and egress. The property is not currently compatible with the future land use plan; however, the zoning will allow for reasonable use of the property and granting the request results in equal treatment of similarly situated properties.

Della Robles
PREPARED BY

February 16, 2021
DATE

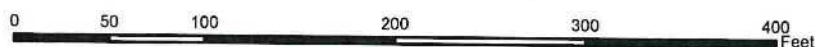


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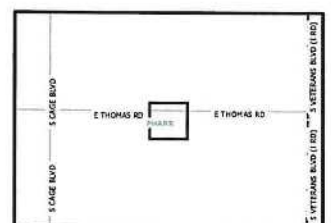
City of Pharr, Texas
Engineering Department
956.402.4242

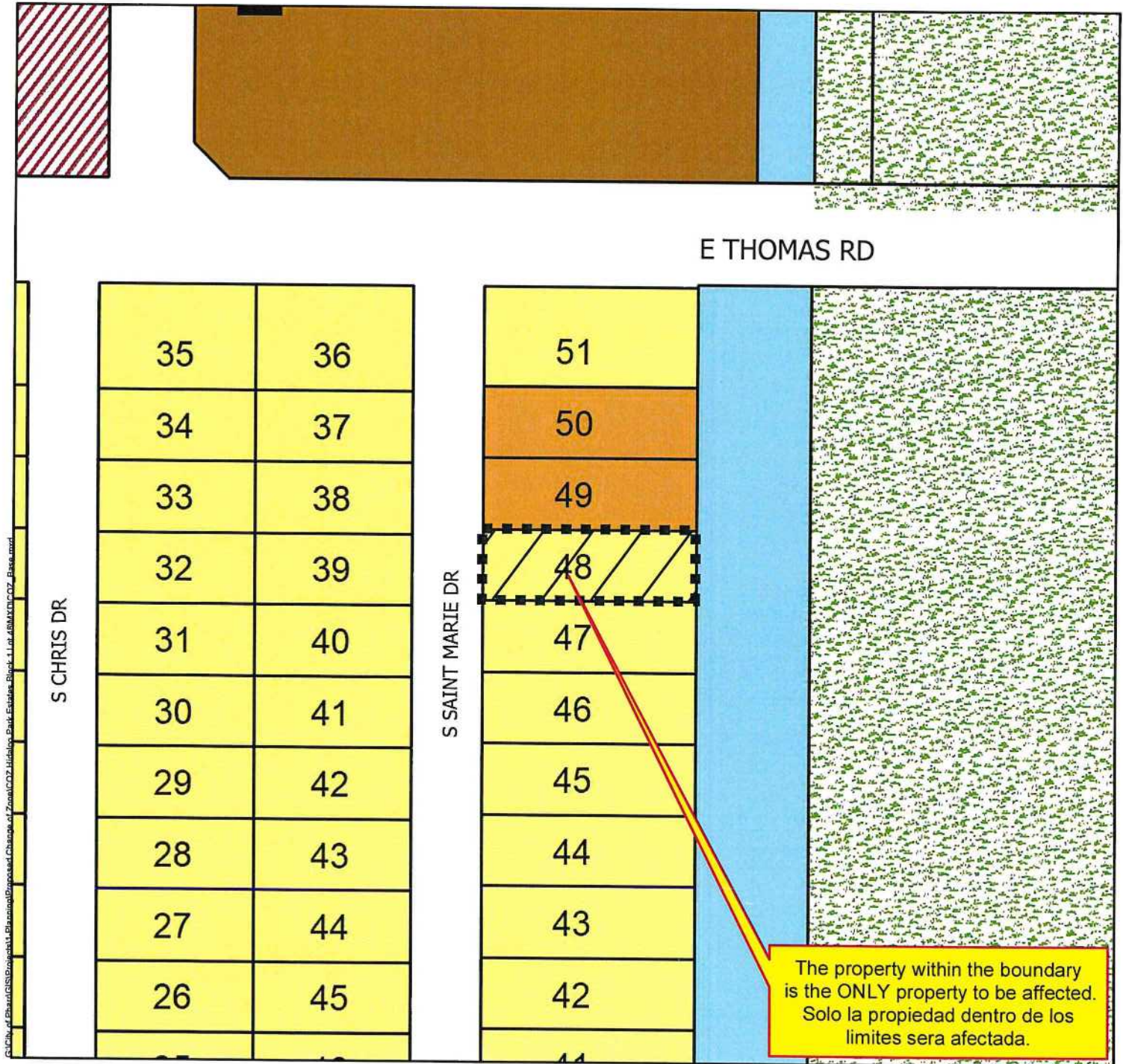
Date: 1/28/2021

Scale: 1 inch = 100 feet

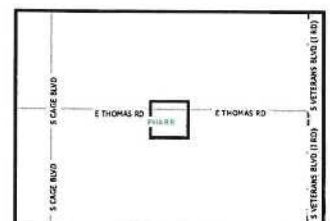


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MEMORANDUM

DATE: MONDAY, FEBRUARY 22, 2021
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: 1500 HALL ACRES SUBDIVISION FILE NO. SUB#170924

GENERAL INFORMATION:

APPLICANT: Nain Engineering, L.L.C., representing Jorge Kamel, President for 1500 Hall Acres, L.L.C., is requesting final plat approval of the proposed 1500 Hall Acres Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a 13.785 acre tract of land out of Lots 5 and 6, Block 8, A.J. McCOLL Subdivision and Lot 113, Dunlyn Estates Phase II, Pharr, Hidalgo County, Texas.

LOCATION: The property is within the 1500 Block of West Hall Acres Road.

ZONING: The property is currently zoned Residential Multi-family high Density District (R-MFHD). The adjacent zones are Agricultural and/or Open Space District (A-O) to the north, Single Family Residential District (R-1) and Townhouses Residential District (R-TH) to the East, General Business District (C) and Townhouses Residential District (R-TH) to the South and Residential Multi-family high Density District (R-MFHD), Townhouses Residential District (R-TH) and Agricultural and/or Open Space District (A-O) to the West. The property is designated for multi-family, commercial and public/semi public use in the Land Use Plan.

PROPERTY PROPOSED USE: Multifamily.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed 1500 Hall Acres 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. 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. In compliance.

OTHER: 1. In compliance.

This item will go before the City Commission Meeting of **March 01, 2021** at **4:00 p.m.**



Pharr

Fire Department



118 S. Cage Blvd. 3rd Floor

Pharr, Texas 78577

Phone: (956) 402-4400 Fax; (956) 475-3433

Subdivision: 1500 W. HALL ACRES SUBDIVISION PASSED W/COND.

Reviewed by: Dago Soto

February 17, 2021

1. All designed waterlines shall be a minimum of eight (8) inches for residential and eight-twelve (8-12) inches in diameter for commercial and twelve (12) inches or 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 hydrant shall be installed at a maximum of 300 feet intervals in any mercantile district and every 600 feet 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 feet, but in no case shall hose lengths be greater than 400 feet. The distance shall be measured on a roadway surface meeting the Fire Department access requirements of 503.1 International Fire Code 2012. Preferably Mueller Brand Fire Hydrant or equivalent.
4. All premises where building or portions of building are located more than 300 feet 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. Shall meet the Fire Flow rate of 20 psi of residual pressure for firefighting.
6. Street names shall be provided prior to or during the pre-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.
7. 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.
8. A \$25.00 fee for each **BLUE MARKER** to be affixed on payment by city to indicate location of the fire hydrant. **FIRE HYDRANT COLOR MUST BE FACTORY YELLOW FROM MANUFACTURE PRIOR TO INSTALLATION.**
9. Contractor testing waterlines shall dispose highly chlorinated water (Hazardous Waste).
10. Fire lanes must be painted **RED**: 15 feet on each side of hydrant (total of 30 feet). *With lettering at least 3 inches tall (**FIRE LANE – TOW AWAY ZONE**).
11. 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: 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 feet (6096 mm) clearance shall be maintained and a means for emergency operations shall be provided and maintained as approved by the Fire Official.

12. 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 the way of an approved fire apparatus access road with an asphalt, or concrete driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.
13. Access road width with hydrant; where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
14. All water valves (hydrant and main) shall be open prior to final inspection.
15. Public Utilities personnel must be advised prior to opening and closing existing water valves.
16. Must meet City of Pharr Standards Manual Construction & Development Guide.

Additional Comments:

- **LETTERING SHALL BE, FIRE LANE NO PARKING TOWAWAY ZONE.**
- **REMOVED PROHIBITED FROM FIRE LANE LETTERING.**
- **ALL THE HAMMERHEAD (TURNAROUND) SHALL BE PAINTED RED WITH THE LETTERING, FIRE LANE NO PARKING TOWAWAY ZONE.**
- **15 FEET BEFORE THE HAMMERHEAD, SHALL BE PAINTED RED WITH THE LETTERING, FIRE LANE NO PARKING TOWAWAY ZONE.**

➤

FINAL INSPECTION

1500 HALL ACRES SUBDIVISION

COMMENTS: Initials: J.R. / R.B. JANUARY 10, 2021

☐ Approve ☒ Approved with Conditions ☐ Denied

WATER:

- Will need to engrave on curb a "W" on all water service locations
- Will need to engrave on curb a "V" on all water valves
- Will need to clean all water valves from debris and block to be visible
- Will need to paint valve locations in blue 30" x 30" x 6"
- Will need to show all water valves in the area "As-Builts"
- As-Builts to be revised
- Follow City of Pharr Construction Standards Manual

SEWER:

- All sewer services to remain private
- Will need to engrave on curb "M/H" on all manhole locations
- Will need to cap F.M. at M/H located on the N. side of W. More
- As-Builts to be revised
- 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: _____

SUBDIVISION: 1500 Hal Acres Subdivision

DATE: February 10, 2021

1st Walk Thru – **APPROVED W/CONDITIONS**

PLAT

SITE PLAN

1. General maintenance, clear all construction debris from curb and gutter area.
2. Ensure that all valve lids are clear of concrete material. Make sure that valve nut is visible and cleared of dirt.

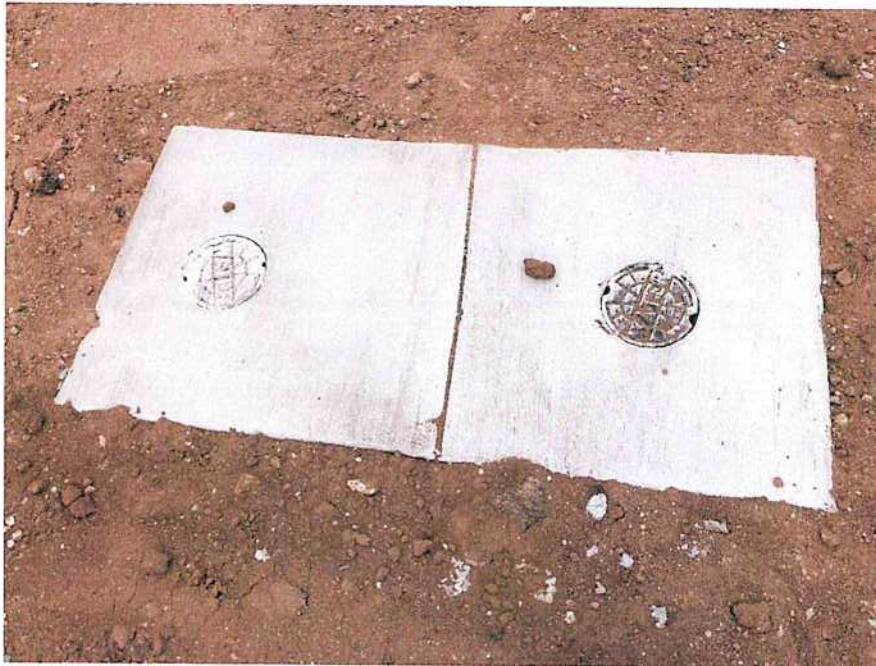
DRAINAGE

ADDITIONAL COMMENTS

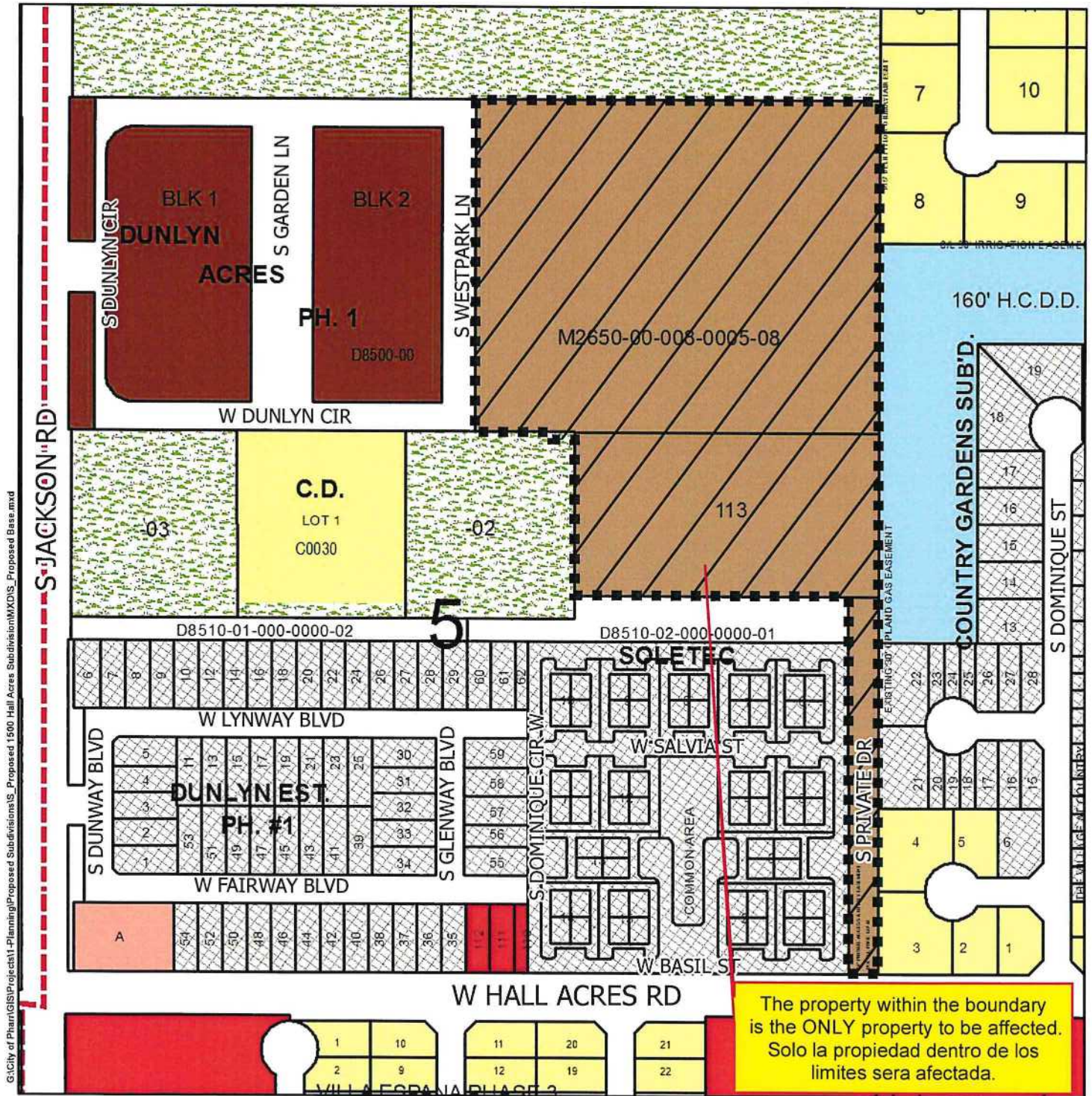
- As-built file will need to be georeferenced.



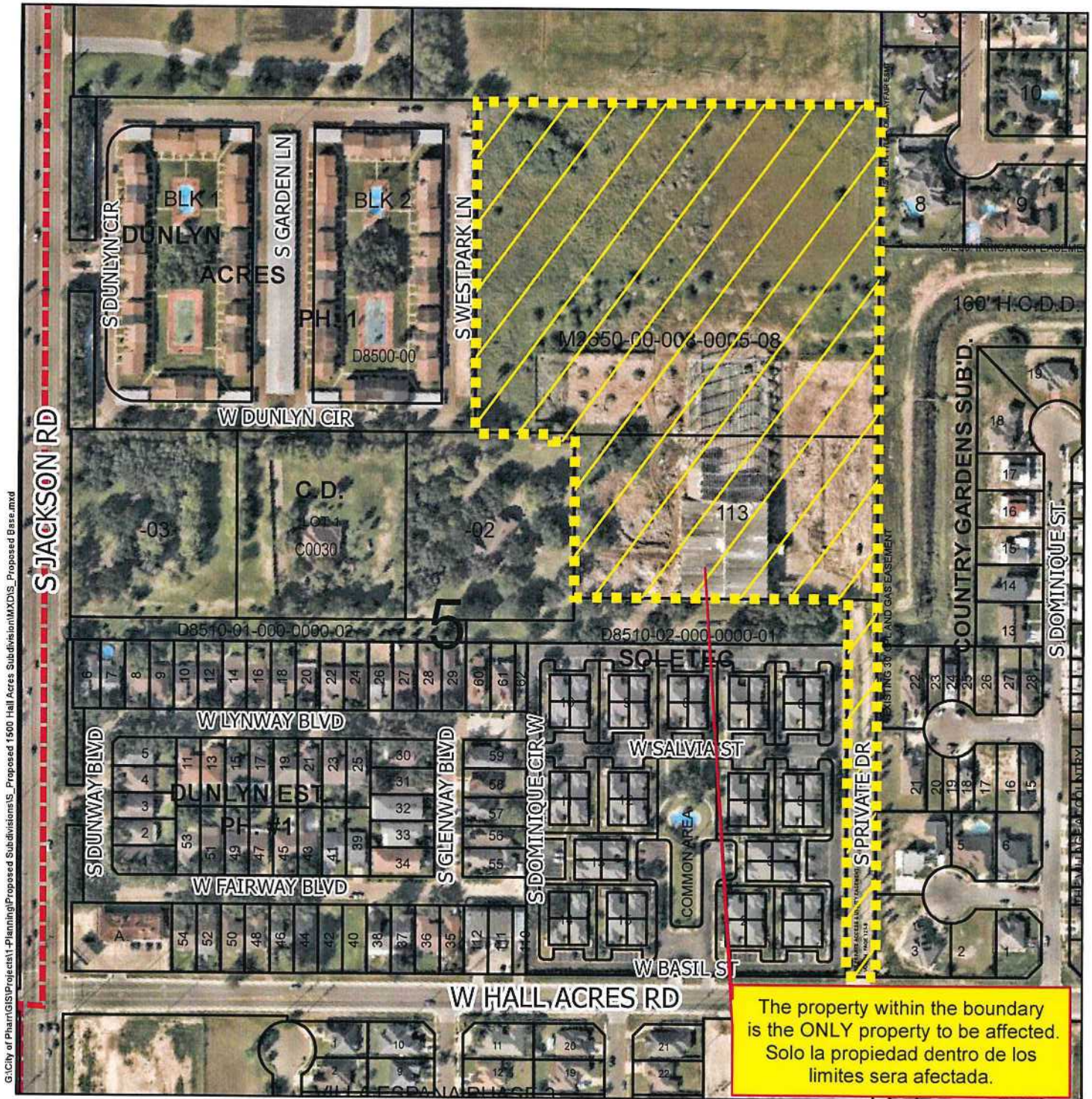
General maintenance,
clear all construction
debris from curb and
gutter area.



Ensure that all valve
lids are clear of
concrete material.
Make sure that valve
nut is visible and
cleared of dirt.



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



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Solo la propiedad dentro de los limites sera afectada.