

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. April 12, 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 March 22, 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) Spoor Engineering Consultants, 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 Residential Multi-Family High-Density District (R-MFHD). The property is legally described as being a 6.93-acre tract of land, more or less, out of Lot 107, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 700-800 Block of West Nolana Loop. **COZ#210316**

5) AEC Engineering, 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 General Business District (C). The property is legally described as being a 0.25-acre tract of land, more or less, out of Lot 8, Block 12, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 7500-7600 Block of South Jackson Road. **COZ#210317**

6) Red Tape II, Inc., d/b/a Stilettos Gentlemen's Club, has filed with the Planning and Zoning Commission a request for renewal of a Sexually Oriented Business License in a General Business District (C). The property is legally described as being all of Lot 2, Albrad Subdivision Unit #3, Pharr, Hidalgo County, Texas. The property's physical address is 1050 North Sugar Road. **SOB#001254**

E. PLATS:

1) M Garcia Engineering, LLC., representing Natasha Del Barrio, Chief executive office for Midnight River, LLC, owners, is requesting preliminary plat approval of the proposed Master Plat of Bert Ogden Pharr Subdivision. The property is legally described as being a 28.45 acre tract of land out of Lot 76, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 5600-5700 Block of North IH 69C. **SUB#200516**

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.

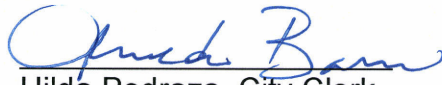
Pursuant to Section 551.087, the Commission may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion 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 9th day of April 2021 at 10:00 a.m., and on the City of Pharr web site (www.pharr-tx.gov)



for 
Hilda Pedraza, City Clerk

MINUTES PLANNING & ZONING COMMISSION

City Commissioner's Room

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, March 22, 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 Munguia

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Development Services Assistant Director
Roy Rodriguez, Assistant Director/Building Official
Eddie Martinez, Planner II
Della Robles, Planner I
Anaisa Licerio, 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 6:01 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 MARCH 08, 2021

Chairman, Danny Wylie, introduced the item.

There being no discussion Romeo Robles moved to approve the minutes of March 08, 2021. Charlie Ramirez 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) **GILMA T. RIVAS 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 10.00-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 119 KELLY PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3800 NORTH SUGAR ROAD. COZ#210214**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). On September 04, 1990, the property to the east was zoned to Single-Family Residential District (R-1). On May 06, 2003, property to the south was zoned to Residential Multi-Family District (R-MF) and on January 20, 2004, the property to the north was also zoned to Residential Multi-Family District (R-MF). The property to the west is zoned Agricultural and/or Open Space District (A-O). There have been no other rezoning 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 seventy-six (76) 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.

Della Robles, Planner I, further stated staff recommended 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 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.

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 to re-zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF). Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

- 5) **TELECOM STEWARDSHIP, L.L.C., D/B/A BRANDWOOD WIRELESS INC, 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 GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.01-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 8, JOHNSTONE SUPPLY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 971 WEST SHARM DRIVE. CUP#210215**

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, east and west and Heavy Commercial District (H-C) to the south. This area is generally designated for commercial and public/semi-public use in the Land Use Plan. She further reported six (6) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in a General Business District (C). If approved, the owner must comply with all City Ordinances and City Department requirements. She reiterated there will be no communication equipment on the tower, it will be solely for training purposes.

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.

Charlie Ramirez recommended the item be discussed in Executive Session.

ITEM E. 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 IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 6:10 p.m., Chairman Wylie stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087

ITEM F. RECONVENE:

The time being 6:30 p.m., Chairman Wylie stated the commission would be resuming the open meeting.

- 5) TELECOM STEWARDSHIP, L.L.C., D/B/A BRANDWOOD WIRELESS INC, 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 GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.01-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 8, JOHNSTONE SUPPLY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 971 WEST SHARM DRIVE. CUP#210215**

There being no further discussion Charlie Ramirez moved to **approve** the request for a Life Of Use Conditional Use Permit to allow a new telecommunications tower in a General Business District (C). Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM G. PLAT APPROVAL

- 1) PABLO SOTO, JR., P.E., REPRESENTING RAMON GUAJARDO, JR., OWNER, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED FERGUSON PLAZA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.00-ACRE TRACT OF LAND OUT OF LOT 147, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 429 EAST FERGUSON AVENUE. SUB#200824**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned General Business District (C). The adjacent zones are Agricultural and/or Open Space District (A-O) to the north, Heavy Commercial District (H-C) to the east and south and General Business District (C) and Agricultural and/or Open Space District (A-O) to the west. The property is designated for commercial and single-family use in the Land Use Plan. He added no variances were being requested and staff recommends final plat approval of the proposed Ferguson Plaza Subdivision subject to the listed conditions.

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

There being no discussion Luis Madrigal moved to approve the request for final plat approval of the proposed Ferguson Plaza Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

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

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned General Business District (C). The adjacent zones are City limits to the north and east and Agricultural Open Space District (A-O) to the south and west. The property is designated for commercial use in the Land Use Plan. He added no variances were being requested and staff recommends final plat approval of the proposed Lopezville Meadows Subdivision subject to the listed conditions.

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

There being no discussion Luis Madrigal moved to approve the request for staff plat final approval of the proposed Lopezville Meadows Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM H. ANNOUNCEMENTS/OTHER BUSINESS:

Roland Gomez, Development Services Assistant Director, stated it would be Della Robles, Planner I, last meeting as she was moving on to her next endeavor. He continued to wish her well and thanked her for her 11 years of service to the City of Pharr.

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 6:51 p.m.

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED:_____

MEMORANDUM

DATE: MONDAY, APRIL 12, 2021
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: LIFE-OF-THE-USE CONDITIONAL USE PERMIT FOR TOWER
FILE NO. CUP#201153 (CARMEN ANAYA ELEMENTARY)(TABLED)

GENERAL INFORMATION:

APPLICANT: 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).

LEGAL DESCRIPTION: The property is legally described as being a 0.01-acre tract of land, more or less, out of Lot 327, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1000 West Dicker Road.

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

NOTIFICATION OF PUBLIC: Six (6) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

DEVELOPMENT SERVICES RECOMMENDATIONS: Development Services is recommending approval of the 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) subject to the following conditions:

1. The applicant shall comply with all City of Pharr Ordinance requirements. Any violation of City Ordinance will terminate this Conditional Use Permit;
2. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
3. Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate this Conditional Use Permit;
4. Applicant will be required to comply with the City of Pharr landscaping and screening/buffering requirements.
5. The telecommunication tower must continue to comply with all setback and height requirements.
6. This Conditional Use Permit shall be issued for the Life-of-the-Use; and
7. The following shall be considered as grounds for the revocation of a Conditional Use Permit:
 - Any change in use or change in extent of use, area or location being used.
 - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
 - Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

NOTE: This item will go before the City Commission Meeting of **May 03, 2021** at **4:00 p.m.**

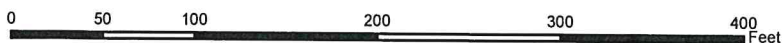


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|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot |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

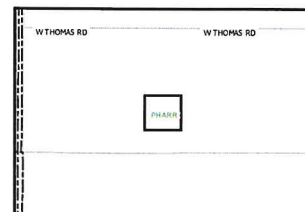
City of Pharr, Texas
Engineering Department
956.402.4242

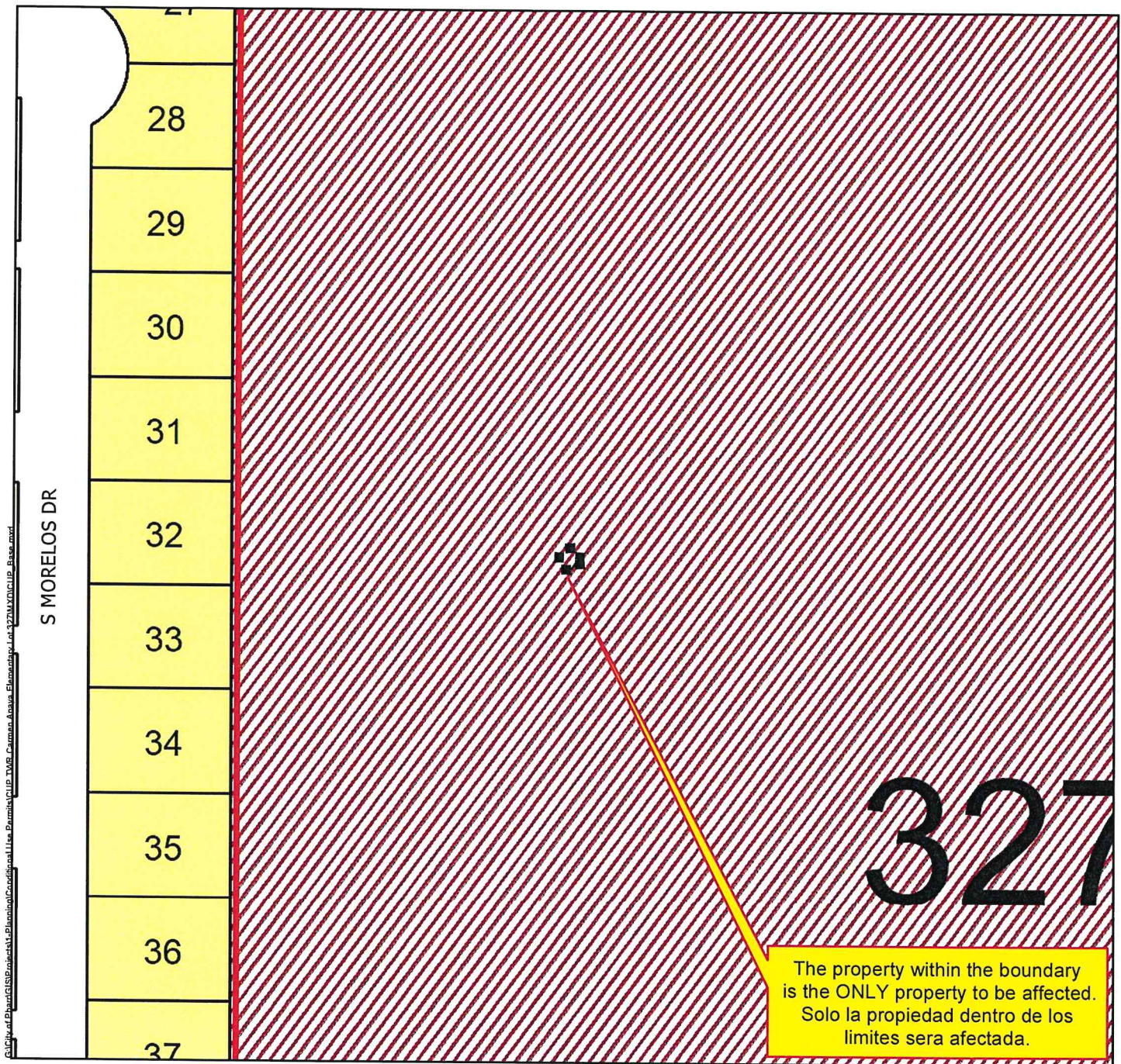
Date: 11/23/2020

Scale: 1 inch = 100 feet

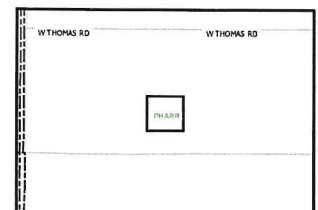


All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.





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



HIDALGO COUNTY WI-FI PROJECT

WI-FI TOWER

SITE: CARMEN ANAYA ELEMENTARY SCHOOL

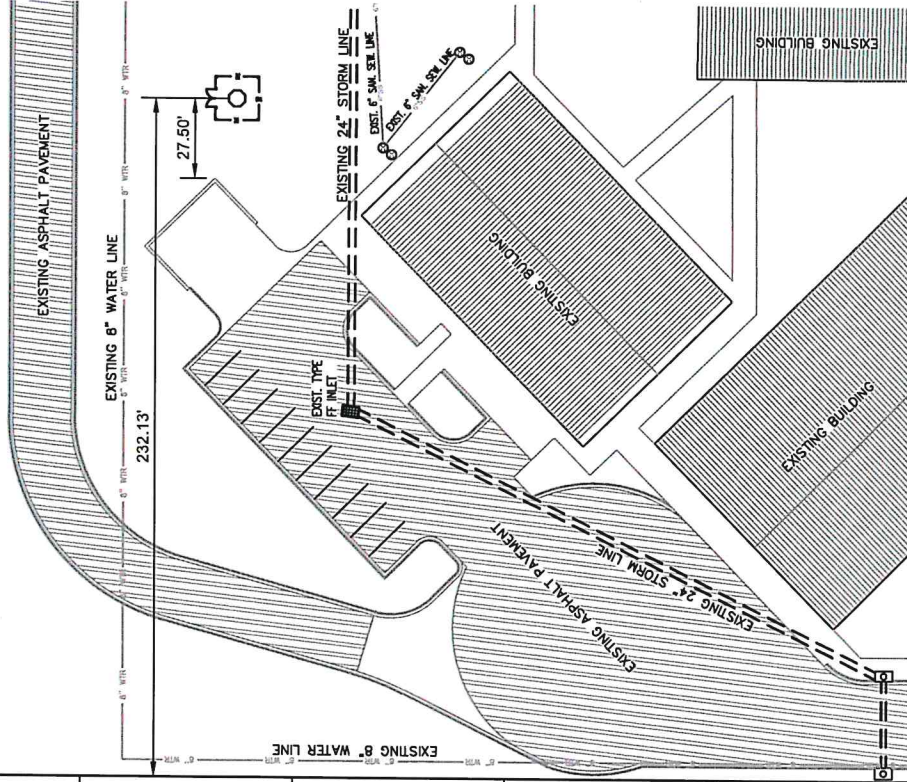
TOWER SHALL BE INSTALLED FOLLOWING DIMENSIONS TAKEN FROM THE CENTER OF THE CONCRETE FOUNDATION (AS INDICATED HEREIN).

BEARING BASIS AS PER:
COLONIA ESTRELLA SUBDIVISION
H.C.M.R., PAGE 167A, VOL. 23, REC. IN



SCALE: 1" = 50'

CARMEN ANAYA ELEMENTARY SCHOOL
P.S.J.A.



LEGEND

- PROPOSED WI-FI TOWER'S 66" CONC. FOUNDATION (OCTAGON IN SHAPE),
- PROPOSED CHAINLINK FENCE
- ⊙ EXIST. CLEANOUT

CALL BEFORE YOU DIG!

TEXAS 811

Know what's below.
Call before you dig. **811**

PARTICIPANTS REQUEST 48 HOURS NOTICE BEFORE YOU DIG. DRILL OR BLAST - STOP AND CALL CONSTRUCTION

THE LONE STAR NOTIFICATION COMPANY
AT 1-800-669-8344

NOTES TO INSTALLER:
INSTALLER SHALL CALL THE "TEXAS ONE CALL SYSTEM" PRIOR TO DRILLING POLE LOCATION.
AVOID TOWER INSTALLATION WHERE EVIDENCE OF ANY EXISTING WATER LINE, WATER SERVICE, WATER METER, SEWER MANHOLE, ELECTRICAL MANHOLE, ETC., ARE IN CONFLICT WITH SAID TOWER'S INSTALLATION LOCATION.
AVOID INSTALLATION WHERE TOWER'S LOCATION OBSTRUCTS ACCESS TO AND FROM ANY DRIVEWAYS, ROADS, STREETS, ETC.
CENTER OF TOWER SHALL BE LOCATED IN THE CENTER OF A 15'x15'x8" CHAINLINK FENCE, INCLUDING A GATE FOR ACCESS TO TOWER'S MAINTENANCE, ETC. (FENCE SPECIFICATIONS BY OTHERS).

AEC ENGINEERING, LLC.

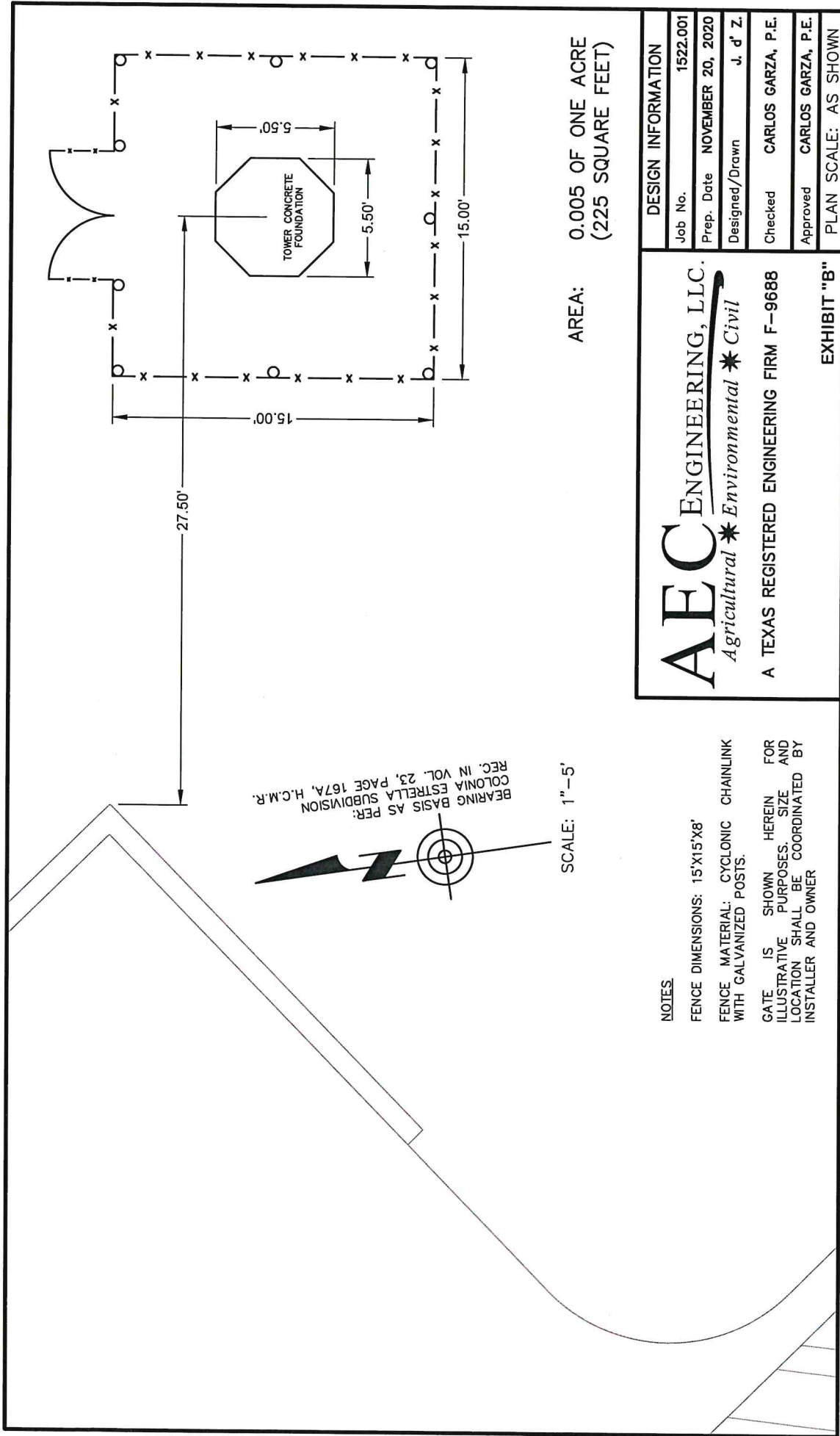
*Agricultural * Environmental * Civil*

A TEXAS REGISTERED ENGINEERING FIRM F-9688

EXHIBIT "A"

DESIGN INFORMATION

Job No.	1522.001
Prep. Date	NOVEMBER 20, 2020
Designed/Drawn	J. d' Z.
Checked	CARLOS GARZA, P.E.
Approved	CARLOS GARZA, P.E.
PLAN SCALE: AS SHOWN	



AREA: 0.005 OF ONE ACRE
(225 SQUARE FEET)

NOTES

FENCE DIMENSIONS: 15'X15'X8'

FENCE MATERIAL: CYCLONIC CHAINLINK
WITH GALVANIZED POSTS.

GATE IS SHOWN HEREIN FOR
ILLUSTRATIVE PURPOSES. SIZE AND
LOCATION SHALL BE COORDINATED BY
INSTALLER AND OWNER

AEC ENGINEERING, LLC.
*Agricultural * Environmental * Civil*

A TEXAS REGISTERED ENGINEERING FIRM F-9688

EXHIBIT "B"

DESIGN INFORMATION

Job No.	1522.001
Prep. Date	NOVEMBER 20, 2020
Designed/Drawn	J. d' Z.
Checked	CARLOS GARZA, P.E.
Approved	CARLOS GARZA, P.E.
PLAN SCALE:	AS SHOWN



December 21, 2020

Melanie Cano
City of Pharr
308 West Park Avenue
Pharr, TX 78577

RE: Hidalgo County WiFi Project - Tower Installations

Ms. Cano:

SmartWAVE is sending this letter in response to additional information requested for the proposed Tower Installations at Carmen Anaya Elementary School, JC Kelly Elementary School, and Cesar Chavez Elementary School.

This project is in support of the Hidalgo County WiFi Initiative to provide children and families with the necessary Internet connectivity required to sustain learning, employment and safety in the Pharr community during this Pandemic and for years to come.

These towers are being constructed for the sole purpose of supporting the County WiFi network and not designed for Commercial Cellular Services.

Please review the information requested in your email in response to Sec. 1.49.

Please note that none of these towers are within 1000 feet of an existing tower structure.

D1 – Existing Site Inventory

Hidalgo County or Pharr San Juan Independent School District does not own any existing towers in the coverage area that can be used to support the Hidalgo WiFi network design.

To provide the services required, the network design requires that 3 new towers are constructed in the coverage area to support a total of 466 WiFi Access Points installed on Street Lights throughout the coverage area.

The locations of the newly proposed sites are:

- | | |
|--|-----------------------|
| • Carmen Anaya Elementary School – 100FT Tower | 26.126962, -98.206964 |
| • JC Kelly Elementary School – 70FT Tower | 26.117547, -98.194668 |
| • Cesar Chavez Elementary School – 70FT Tower | 26.131229, -98.190077 |

D2 – Design Requirement

The towers to be constructed are not designed to support cellular communications. Due to the WiFi radio equipment required to support the coverage area, there is no space for other radio communications equipment.



D3 – Availability of Suitable Existing Structures

During the site survey for the design of the WiFi network, we were unable to locate any other towers in the area that can be used to support the WiFi network devices due to the short broadcast range of the tower radio equipment.

Since the towers proposed will be fully loaded with WiFi radio equipment, the addition of WiFi radio equipment will cause co-channel interference.

Since we could not identify any other towers within 1000 meters of the proposed tower locations, we could not identify a tower owner to negotiate a usage contract with.

The towers have been custom designed to support the exact radio/antenna inventory to support the specific WiFi application for the Hidalgo County WiFi network.

Summary

In providing additional supporting documentation, we are including a letter from the School District Director of IT Daniel Saenz. Please let me know if you have any questions regarding this letter or if you need additional information.

Sincerely,

Al Brown
404.731.9580
al.brown@smartwave.us



PHARR-SAN JUAN-ALAMO ISD

Assistant Superintendent of Technology

Lauro Dávalos, Ed.D.

December 21, 2020

The City of Pharr
Zoning and Planning Commission
Pharr, Texas

To the City of Pharr Zoning and Planning Commission,

This letter is in support of the County of Hidalgo's efforts to increase internet connectivity for PSJA ISD students through the Wifi Project. The Pharr-San Juan-Alamo ISD has been working with the County of Hidalgo to identify students who live in areas without access to the internet. The completion of this project will bring internet access to those identified students. More than 6,000 students living in South Pharr will have access to a reliable internet connection because of this effort.

As a result of the COVID-19 pandemic, we had to pivot towards virtual instruction from one day to the next. As we learned more about this virus, we realized that virtual instruction would be a long-term instructional approach. As a district, we decided to order one computer for every student. The Hidalgo County Wifi Project compliments our efforts to provide every student with the tools necessary to successfully engage in virtual instruction. In addition, these efforts will prove fruitful even after we return to in-person instruction. We believe that providing a device with access to the internet to every student is a great strategy to increase equity and provide the tools necessary to successfully engage in any type of instruction.

In conclusion, the Pharr-San Juan-Alamo Independent School District is in full support of the Hidalgo County Wifi Project. The completion of this project will provide free internet access to over 6,000 students living in the proposed area.

Thank you,

Daniel Saenz, M.Ed.

Technology | Director of IT

Pharr-San Juan-Alamo ISD

956.354.1013

Lauro Dávalos, Ed.D.

Technology | Assistant Superintendent of Technology

Pharr-San Juan-Alamo ISD

956.354.1013

START COLLEGE NOW! COMPLETE EARLY! GO FAR!

601 E. Kelly St., Pharr, TX 78577 P: (956) 354-2000 F: (956) 354-3006 www.psjaisd.us
It is the policy of Pharr-San Juan-Alamo ISD not to discriminate on the basis of sex, disability, race, color, religion, national origin or age.



November 10, 2020

Della Robles
Pharr Development Services
308 West Park Avenue
Pharr, TX 78577

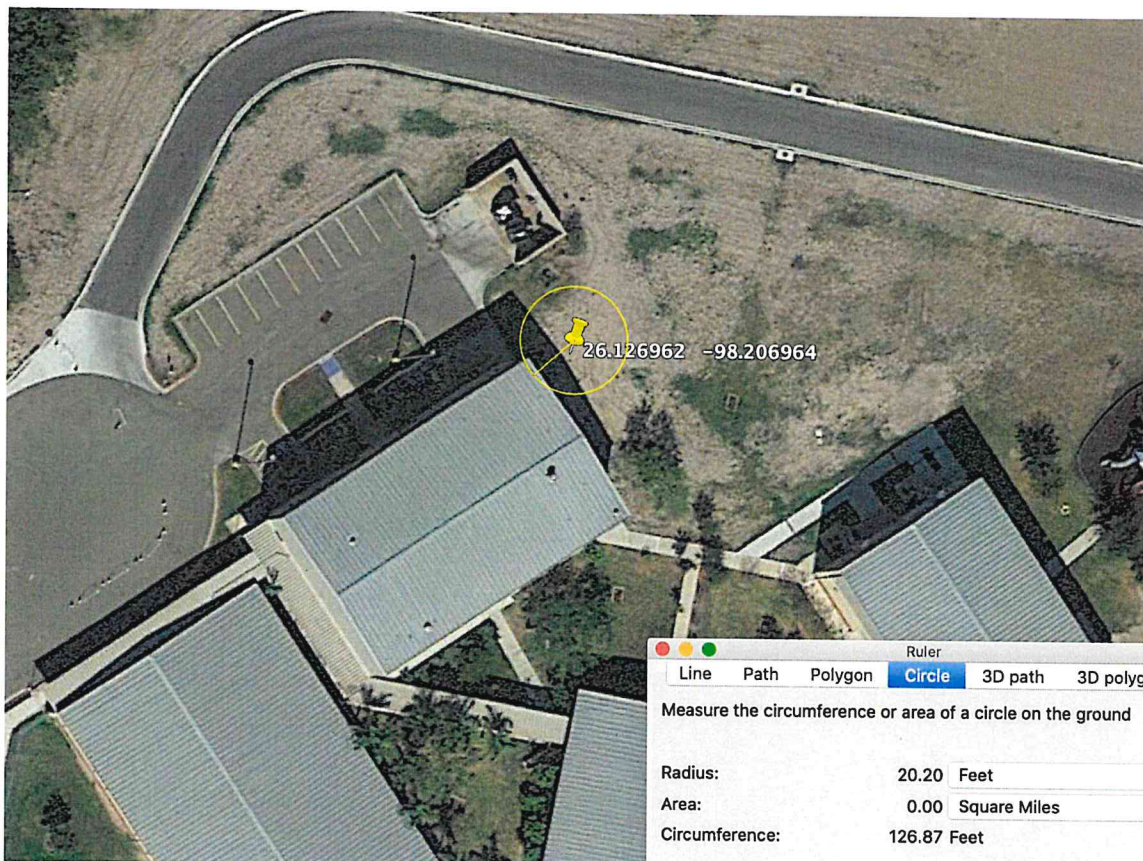
RE: Carmen Anaya ES Tower Installation

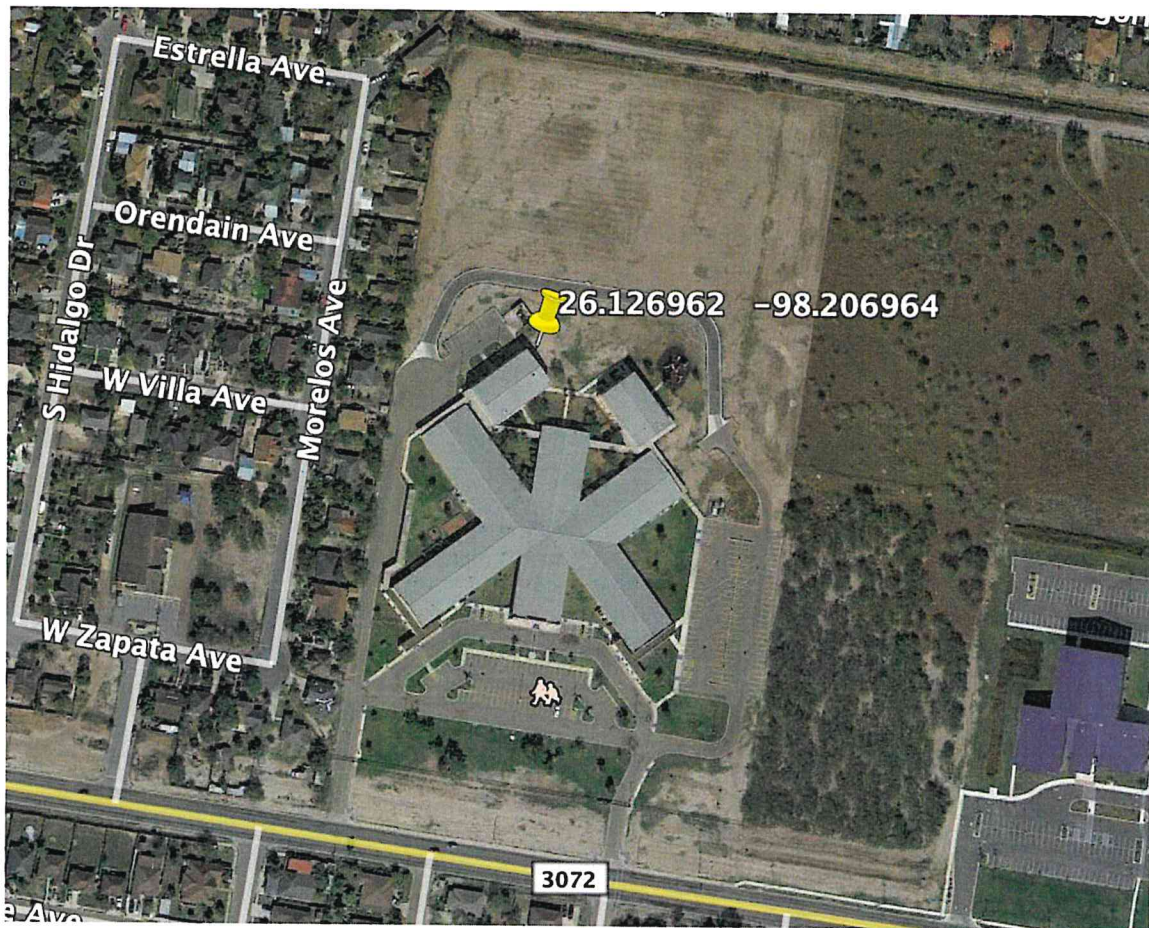
Ms. Robles:

SmartWAVE is sending the City of Pharr this information regarding the planned installation of a 100 Foot free standing tower at the Carmen Anaya Elementary School site located at 1000 W Dicker Road. This information provides you with location site information along with structural drawings and information regarding the foundation size.

This project is in support of the Hidalgo County WiFi Initiative to provide children and families with the necessary Internet connectivity required to sustain learning, employment and safety in the Pharr community during this Pandemic and for years to come.

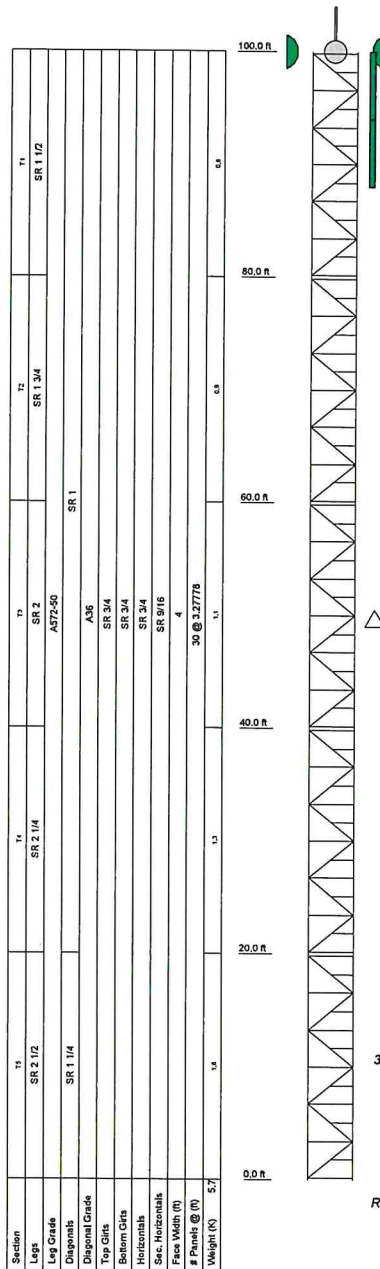
Tower Location







Tower Drawing



DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION
5/8" x 4" Lightning Rod	100	(6) NS-45x4 w/Mount	97
(2) VHLP3-11W	100	(6) Mimosa A5c w/Mount	94
VHLP3-16	100	Mimosa B24 w/Mount	91
VHLP2-11W/A	100		

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	50 ksi	65 ksi	A36	36 ksi	58 ksi

TOWER DESIGN NOTES

1. Tower is located in Hidalgo County, Texas.
2. Tower designed for Exposure C to the TIA-222-H Standard.
3. Tower designed for a 131 mph basic wind in accordance with the TIA-222-H Standard.
4. Tower is also designed for a 30 mph basic wind with 0.50 in ice. Ice is considered to increase in thickness with height.
5. Deflections are based upon a 60 mph wind.
6. Tower Risk Category II.
7. Topographic Category 1 with Crest Height of 0.00 ft.
8. Connections use galvanized A325 bolts, nuts and locking devices. Installation per TIA/EIA-222 and AISC Specifications.
9. Tower members are "hot dipped" galvanized in accordance with ASTM A123 and ASTM A153 Standards.
10. Depicted antennas are for visual loading representation only. Refer to bid for supplied items.
11. Tower design is 3 Faced Self-support Tower with solid round legs.
12. Tower design is "Conceptual Only - Not For Construction".
13. Final design may change due to increased analysis for performance and efficiency.
14. TOWER RATING: 94%

ALL REACTIONS
ARE FACTORED

MAX. CORNER REACTIONS AT BASE:

DOWN: 131 K
SHEAR: 3 K

UPLIFT: -125 K
SHEAR: 3 K

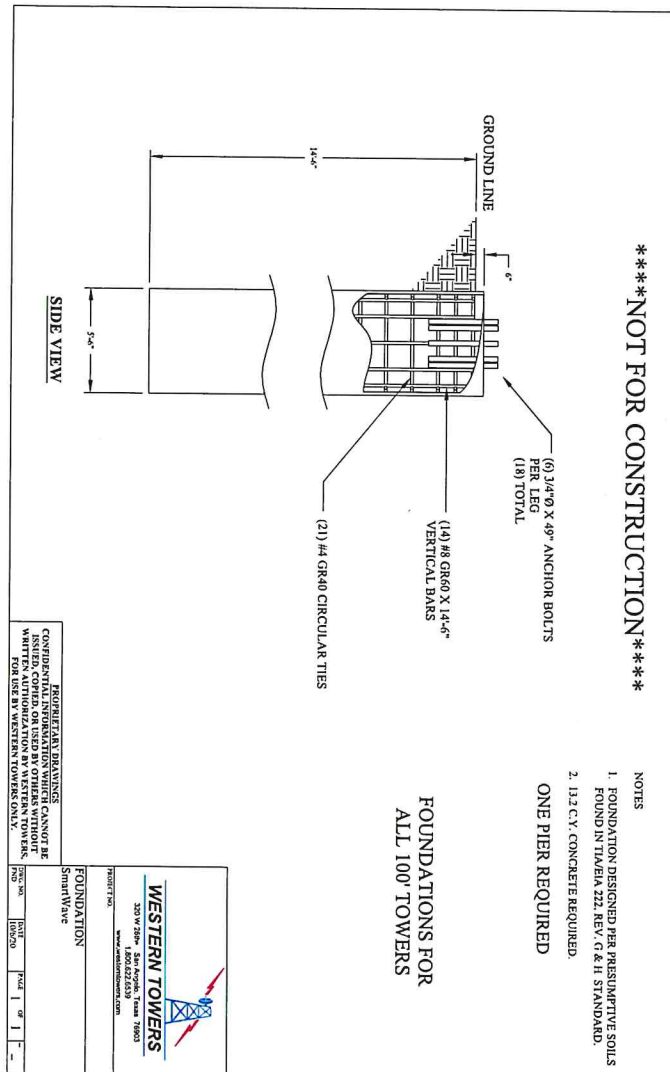
AXIAL
12 K
SHEAR
1 K
MOMENT
39 kip-ft
TORQUE 0 kip-ft
30 mph WIND - 0.5000 in ICE

AXIAL
10 K
SHEAR
6 K
MOMENT
444 kip-ft
TORQUE 4 kip-ft
REACTIONS - 131 mph WIND

Western Towers 320 W. 26th Street San Angelo, TX www.WesternTowers.com Phone: (325) 658-6539 FAX: (325) 655-1185		Carmen Anaya Client: SmartWave Technologies Code: TIA-222-H Path: C:\Users\SmartWave\Documents\11015-County Rd. 2662-1007 & W11015.ctb		Drawn by: pedram.sadr Date: 10/06/20 Scale: NTS Dwg No. E-1
--	--	---	--	--



Tower Foundation



Please let me know if you have any questions regarding this letter or if you need additional information.

Sincerely,

Al Brown
404.731.9580
al.brown@smartwave.us



MEMORANDUM

DATE: MONDAY, APRIL 12, 2021
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: LIFE-OF-THE-USE CONDITIONAL USE PERMIT FOR TOWER FILE NO. CUP#201154 (CESAR CHAVEZ ELEMENTARY)(TABLED)

GENERAL INFORMATION:

APPLICANT: 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-MFHD).

LEGAL DESCRIPTION: The property is legally described as being a 0.01-acre tract of land, more or less, out of 24.05 acres, PSJA I.S.D. Elementary No. 9 Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 401 East Thomas Road.

ZONING: The property is currently zoned Single-Family Residential District (R-1) and Residential Multi-Family High Density District (R-MFHD). The surrounding area is zoned Agricultural and/or Open Space District (A-O) to the north, Single-Family Residential District (R-1) to the south and west, and Residential Multi-Family High Density District (R-MFHD) to the east. This area is generally designated for public/semi-public use in the Land Use Plan.

NOTIFICATION OF PUBLIC: Eleven (11) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

**DEVELOPMENT
SERVICES**

RECOMMENDATIONS:

Development Services is recommending **approval** of the 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-MFHD) subject to the following conditions.

1. The applicant shall comply with all City of Pharr Ordinance requirements. Any violation of City Ordinance will terminate this Conditional Use Permit;
2. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
3. Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate this Conditional Use Permit;
4. Applicant will be required to comply with the City of Pharr landscaping and screening/buffering requirements.
5. The telecommunication tower must continue to comply with all setback and height requirements.
6. This Conditional Use Permit shall be issued for the Life-of-the-Use; and
7. The following shall be considered as grounds for the revocation of a Conditional Use Permit:
 - Any change in use or change in extent of use, area or location being used.
 - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
 - Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

NOTE: This item will go before the City Commission Meeting of **May 03, 2021 at 4:00 p.m.**

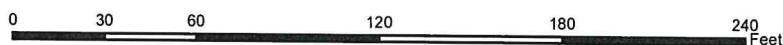


- | | | |
|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential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

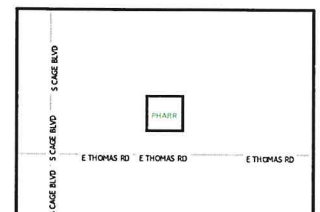
City of Pharr, Texas
Engineering Department
956.402.4242

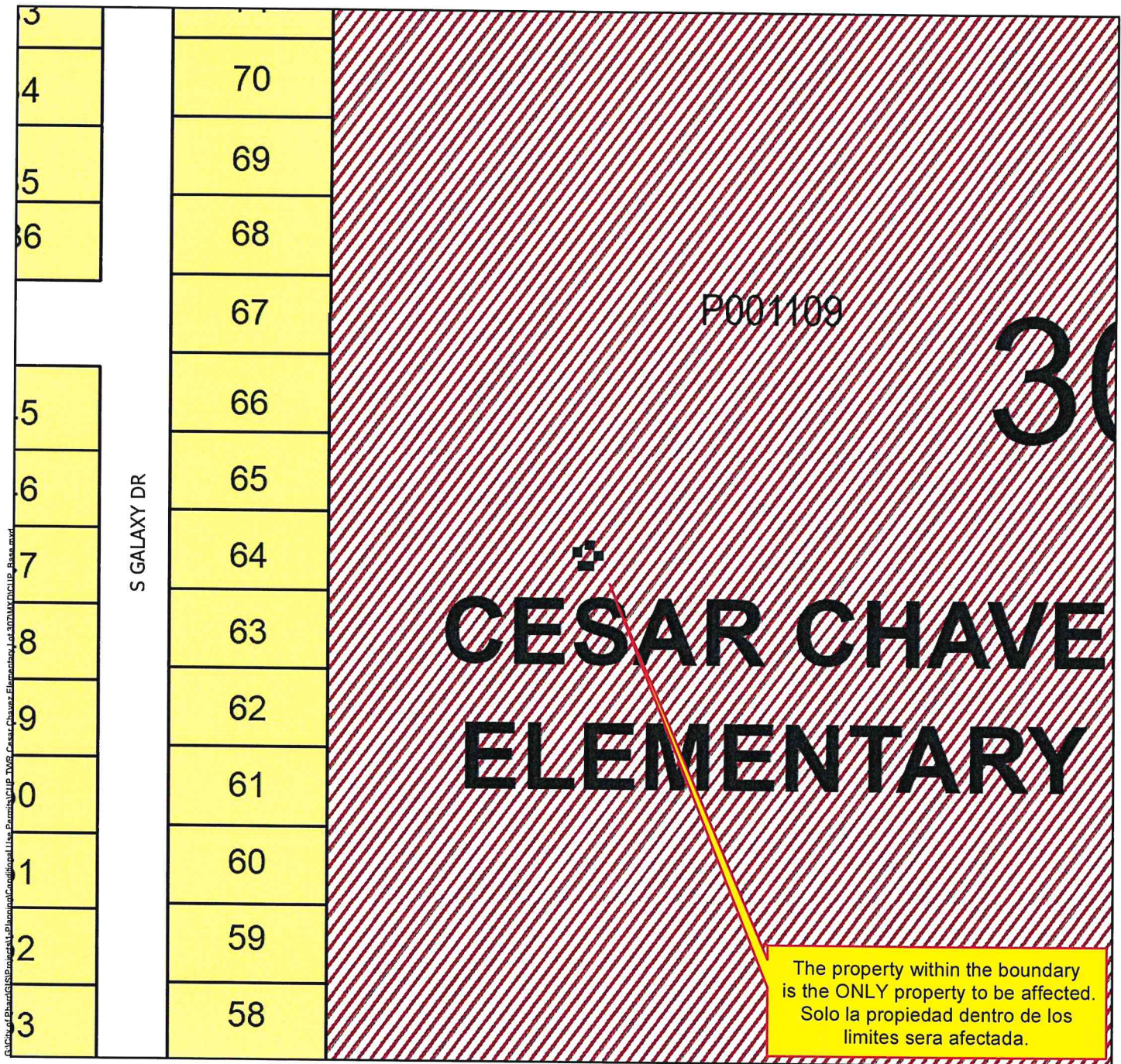
Date: 11/23/2020

Scale: 1 inch = 60 feet



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 |
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| Mobile Home | Heavy Commercial | Planned Unit Development |
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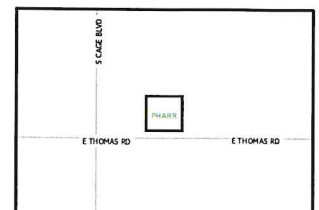
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 11/23/2020

Scale: 1 inch = 100 feet



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.



HIDALGO COUNTY WI-FI PROJECT

WI-FI TOWER

SUBDIVISION: PSJA I.S.D. ELEMENTARY No. 9,
RECORDED IN VOLUME 36, PAGE 141A, HIDALGO COUNTY,
MAP RECORDS.

TOWER SHALL BE INSTALLED FOLLOWING DIMENSIONS TAKEN
FROM THE CENTER OF THE CONCRETE FOUNDATION
(AS INDICATED HEREIN).



SCALE: 1" = 30'

NOTES TO INSTALLER:

INSTALLER SHALL CALL THE "TEXAS ONE CALL SYSTEM"
PRIOR TO DRILLING POLE LOCATION.

AVOID TOWER INSTALLATION WHERE EVIDENCE OF ANY
EXISTING WATER LINE, WATER SERVICE, WATER METER,
SANITARY SEWER MANHOLE, ELECTRICAL MANHOLE,
ETC., ARE IN CONFLICT WITH TOWER'S INSTALLATION
LOCATION.

AVOID INSTALLATION WHERE TOWER'S LOCATION
OBSTRUCTS ACCESS TO AND FROM ANY DRIVEWAYS,
ROADS, STREETS, ETC.

CENTER OF TOWER'S CONCRETE FOUNDATION SHALL BE
ALIGNED WITH THE NORTH SIDE OF BUILDING "A"

CENTER OF TOWER SHALL BE LOCATED IN THE CENTER
OF A 15'x15' CHAINLINK FENCE, INCLUDING A GATE
FOR ACCESS TO TOWER'S MAINTENANCE, ETC. (FENCE
SPECIFICATIONS BY OTHERS).

LEGEND

PROPOSED WI-FI TOWER'S
66" CONC. FOUNDATION
(OCTAGON IN SHAPE).

— x — x — x — x — PROPOSED CHAINLINK FENCE

CALL BEFORE YOU DIG!



Know what's below.
Call before you dig.

811

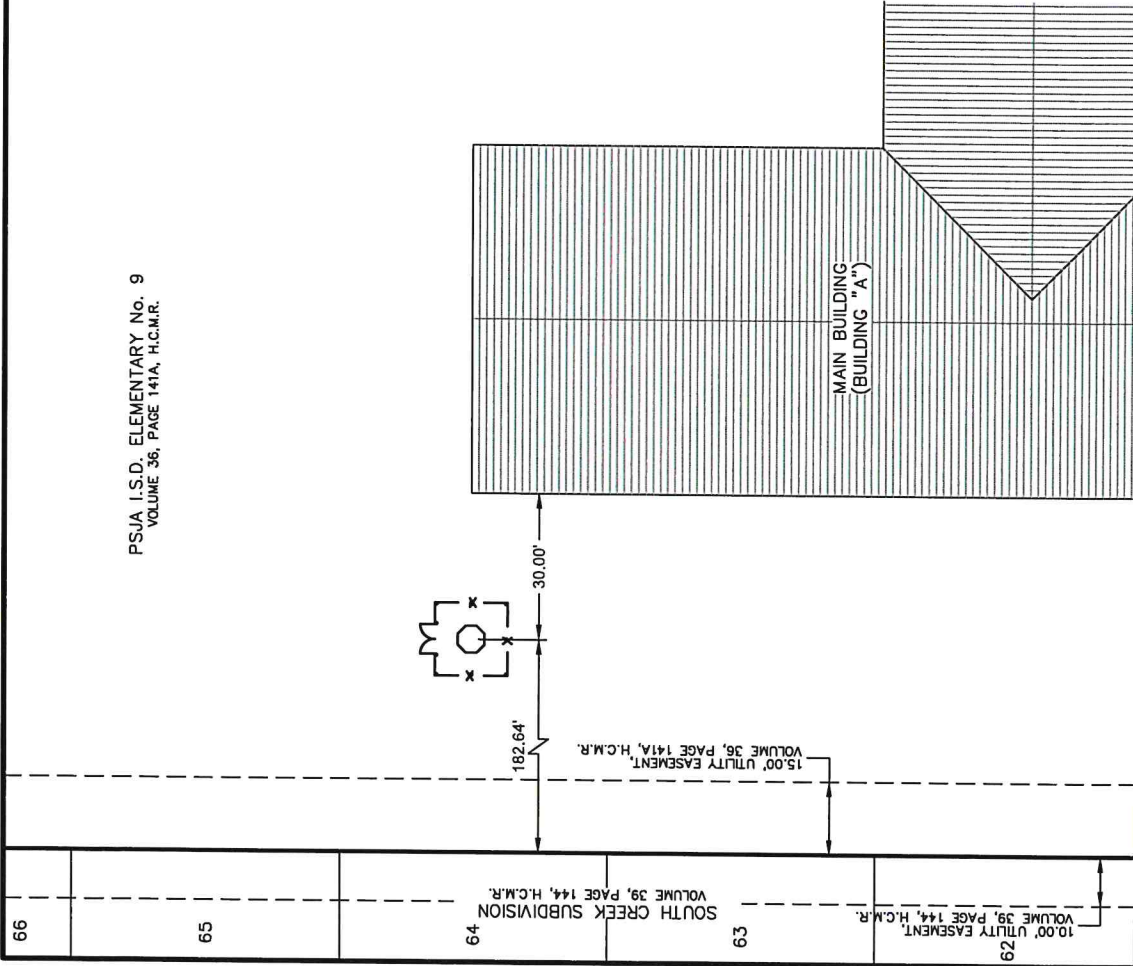
THE LONE STAR NOTIFICATION COMPANY
AT 1-800-669-8344

DESIGN INFORMATION	
Job No.	1522.001
Prep. Date	NOVEMBER 20, 2020
Designed/Drawn	J. d' Z.
Checked	CARLOS GARZA, P.E.
Approved	CARLOS GARZA, P.E.
PLAN SCALE: AS SHOWN	

AEC ENGINEERING, LLC.
*Agricultural * Environmental * Civil*

A TEXAS REGISTERED ENGINEERING FIRM F-9688

EXHIBIT "A"



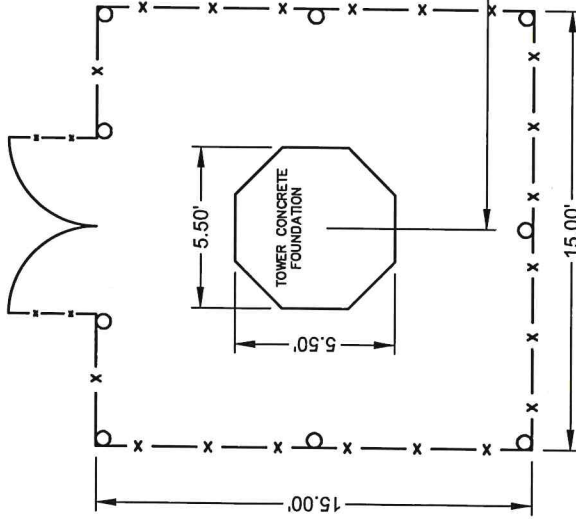
HIDALGO COUNTY WI-FI PROJECT

WI-FI TOWER

SUBDIVISION: PSJA I.S.D. ELEMENTARY No. 9,
RECORDED IN VOLUME 36, PAGE 141A, HIDALGO COUNTY,
MAP RECORDS.



BEARING BASIS AS PER:
PSJA I.S.D. ELEMENTARY No. 9
REC. IN VOL. 36, PAGE 141A, H.C.M.R.



SCALE: 1"=5'

30.00'

15.00'

NOTES

FENCE DIMENSIONS: 15'X15'X8'

FENCE MATERIAL: CYCLONIC CHAINLINK
WITH GALVANIZED POSTS.

GATE IS SHOWN HEREIN FOR
ILLUSTRATIVE PURPOSES. SIZE AND
LOCATION SHALL BE COORDINATED BY
INSTALLER AND OWNER

AREA: 0.005 OF ONE ACRE
(225 SQUARE FEET)

MAIN BUILDING
(BUILDING "A")

DESIGN INFORMATION	
Job No.	1522.001
Prep. Date	NOVEMBER 20, 2020
Designed/Drawn	J. d' Z.
Checked	CARLOS GARZA, P.E.
Approved	CARLOS GARZA, P.E.
PLAN SCALE: AS SHOWN	

AEC ENGINEERING, LLC.
*Agricultural * Environmental * Civil*

A TEXAS REGISTERED ENGINEERING FIRM F-9688

EXHIBIT "B"



December 21, 2020

Melanie Cano
City of Pharr
308 West Park Avenue
Pharr, TX 78577

RE: Hidalgo County WiFi Project - Tower Installations

Ms. Cano:

SmartWAVE is sending this letter in response to additional information requested for the proposed Tower Installations at Carmen Anaya Elementary School, JC Kelly Elementary School, and Cesar Chavez Elementary School.

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These towers are being constructed for the sole purpose of supporting the County WiFi network and not designed for Commercial Cellular Services.

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| • Cesar Chavez Elementary School – 70FT Tower | 26.131229, -98.190077 |

D2 – Design Requirement

The towers to be constructed are not designed to support cellular communications. Due to the WiFi radio equipment required to support the coverage area, there is no space for other radio communications equipment.



D3 – Availability of Suitable Existing Structures

During the site survey for the design of the WiFi network, we were unable to locate any other towers in the area that can be used to support the WiFi network devices due to the short broadcast range of the tower radio equipment.

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Summary

In providing additional supporting documentation, we are including a letter from the School District Director of IT Daniel Saenz. Please let me know if you have any questions regarding this letter or if you need additional information.

Sincerely,

Al Brown
404.731.9580
al.brown@smartwave.us



PHARR-SAN JUAN-ALAMO ISD

Assistant Superintendent of Technology

Lauro Dávalos, Ed.D.

December 21, 2020

The City of Pharr
Zoning and Planning Commission
Pharr, Texas

To the City of Pharr Zoning and Planning Commission,

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In conclusion, the Pharr-San Juan-Alamo Independent School District is in full support of the Hidalgo County Wifi Project. The completion of this project will provide free internet access to over 6,000 students living in the proposed area.

Thank you,

Daniel Saenz, M.Ed.

Technology | Director of IT

Pharr-San Juan-Alamo ISD

956.354.1013

Lauro Dávalos, Ed.D.

Technology | Assistant Superintendent of Technology

Pharr-San Juan-Alamo ISD

956.354.1013

START COLLEGE NOW! COMPLETE EARLY! GO FAR!

601 E. Kelly St., Pharr, TX 78577 P: (956) 354-2000 F: (956) 354-3006 www.psjaisd.us
It is the policy of Pharr-San Juan-Alamo ISD not to discriminate on the basis of sex, disability, race, color, religion, national origin or age.



November 10, 2020

Della Robles
Pharr Development Services
308 West Park Avenue
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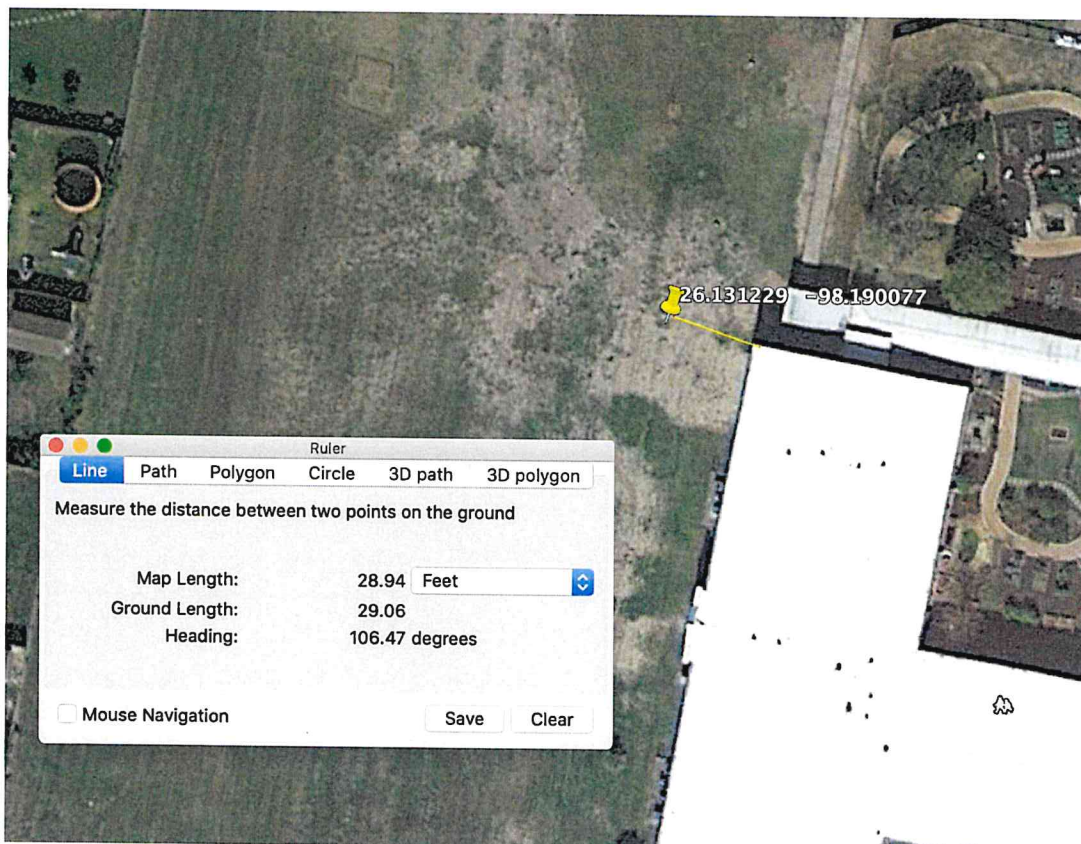
RE: Cesar Chavez ES Tower Installation

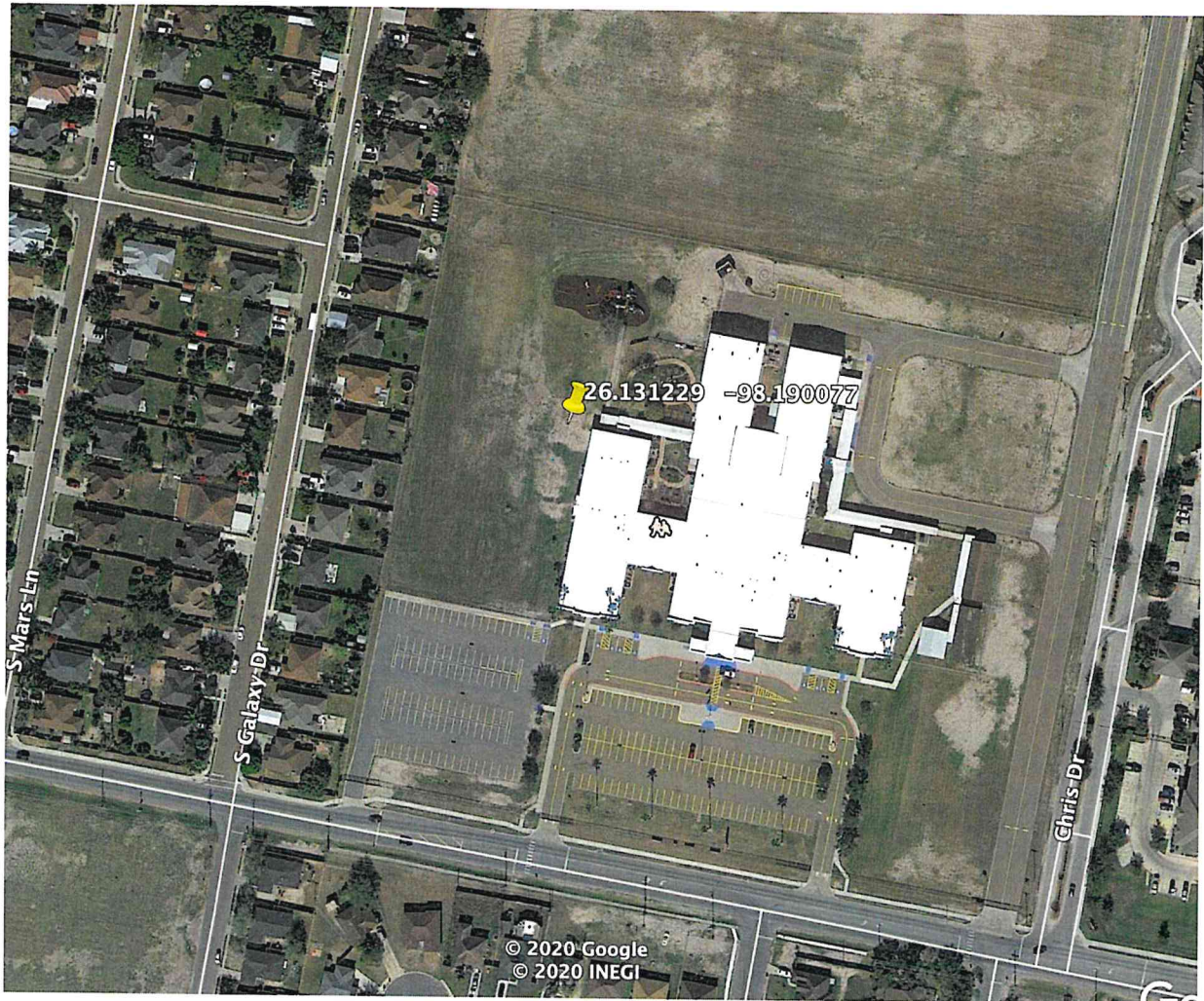
Ms. Robles:

SmartWAVE is sending the City of Pharr this information regarding the planned installation of a 70 Foot free standing tower at the Cesar Chavez Elementary School site located at 401 E Thomas Drive. This information provides you with location site information along with structural drawings and information regarding the foundation size.

This project is in support of the Hidalgo County WiFi Initiative to provide children and families with the necessary Internet connectivity required to sustain learning, employment and safety in the Pharr community during this Pandemic and for years to come.

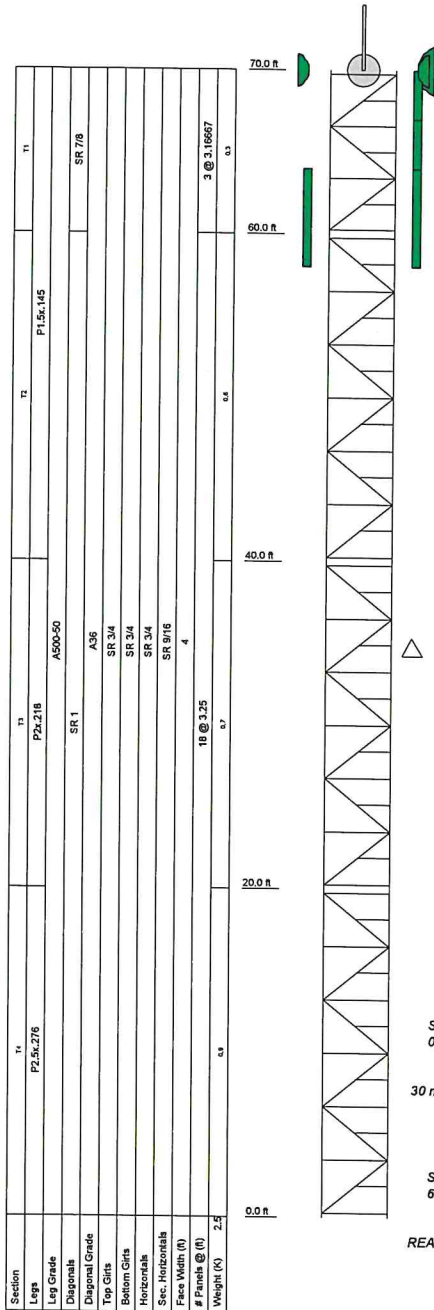
Tower Location







Tower Drawing



DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION
5/8" x 4' Lightning Rod	70	(6) Mimosa A5c w/Mount	67
VHLP3-11W	70	(6) NS-45x4 w/Mount	64
(2) VHLP2-18/C	70	C5c	61
KP-SPDC5C-2	70	(2) B5c	61
(2) HDDASW-29-CP	70		

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A500-50	50 ksi	62 ksi	A36	36 ksi	58 ksi

TOWER DESIGN NOTES

1. Tower is located in Hidalgo County, Texas.
2. Tower designed for Exposure C to the TIA-222-H Standard.
3. Tower designed for a 135 mph basic wind in accordance with the TIA-222-H Standard.
4. Tower is also designed for a 30 mph basic wind with 0.50 in ice. Ice is considered to increase in thickness with height.
5. Deflections are based upon a 60 mph wind.
6. Tower Risk Category II.
7. Topographic Category 1 with Crest Height of 0.00 ft
8. Connections use galvanized A325 bolts, nuts and locking devices. Installation per TIA/EIA-222 and AISC Specifications.
9. Tower members are "hot dipped" galvanized in accordance with ASTM A123 and ASTM A153 Standards.
10. Tower design is ****Conceptual Only - Not For Construction****
11. TOWER RATING: 95.4%

ALL REACTIONS
ARE FACTORED

MAX. CORNER REACTIONS AT BASE:

DOWN: 80 K
SHEAR: 2 K

UPLIFT: -76 K
SHEAR: 3 K

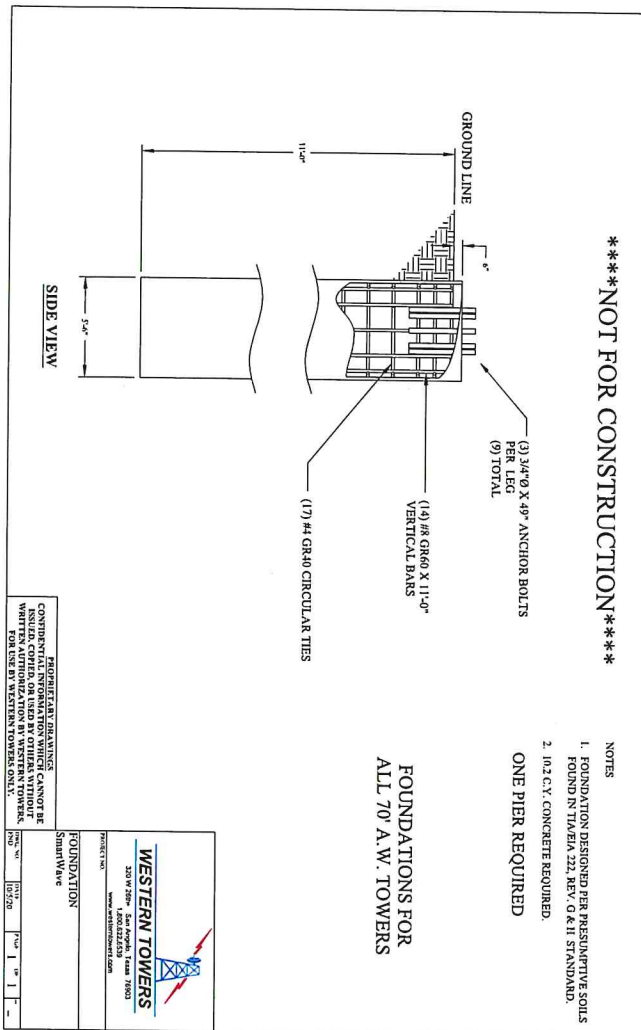
AXIAL
7 K
SHEAR
0 K
MOMENT
22 kip-ft
TORQUE 0 kip-ft
30 mph WIND - 0.5000 in ICE

AXIAL
5 K
SHEAR
6 K
MOMENT
272 kip-ft
TORQUE 4 kip-ft
REACTIONS - 135 mph WIND

Western Towers 320 W. 26th Street San Angelo, TX www.WesternTowers.com Phone: (325) 658-6539 FAX: (325) 655-1185		Cesar Chavez Client: SmartWave Technologies Code: TIA-222-H Date: 10/05/20 Scale: NTS Dwg No: E-1	
---	--	--	--



Tower Foundation



Please let me know if you have any questions regarding this letter or if you need additional information.

Sincerely,

Al Brown
404.731.9580
al.brown@smartwave.us

MEMORANDUM

DATE: MONDAY, APRIL 12, 2021
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: LIFE-OF-THE-USE CONDITIONAL USE PERMIT FOR TOWER
FILE NO. CUP#201155 (J. CONNALLY KELLY ELEMENTARY)(TABLED)

GENERAL INFORMATION:

APPLICANT: 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).

LEGAL DESCRIPTION: The property is legally described as being a 0.01-acre tract of land, more or less, out of Lot 1, J. Connally Kelly Elementary Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 201 East Las Milpas Road.

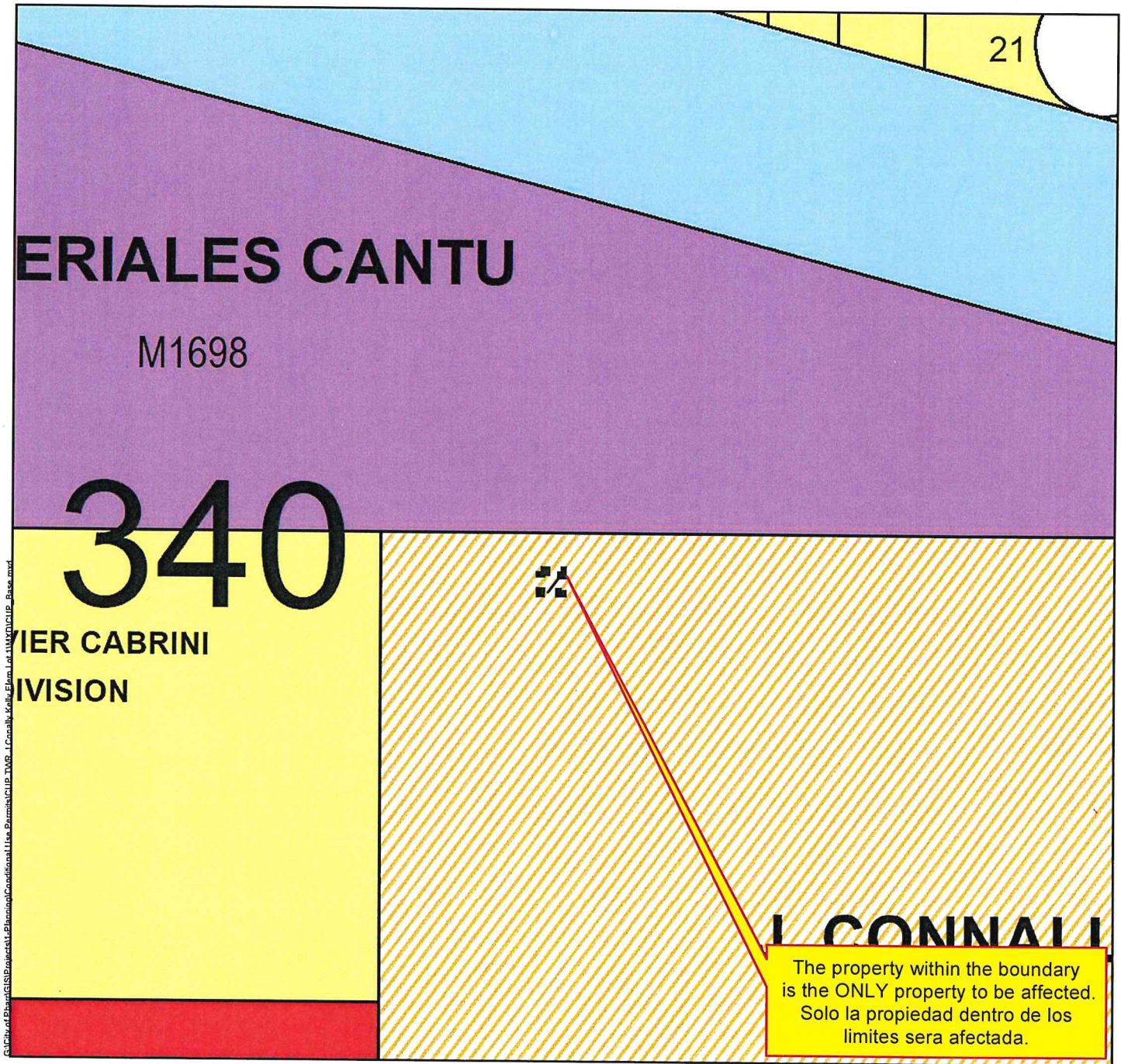
ZONING: The property is currently zoned Agricultural and/or Open Space District (A-O). The surrounding area is zoned Heavy Commercial District (H-C) to the north, Agricultural and/ or Open Space District (A-O) to the east, Single-Family Residential District (R-1) to the south and General Business District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

NOTIFICATION OF PUBLIC: Three (3) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

DEVELOPMENT SERVICES RECOMMENDATIONS: Development Services is recommending approval of the Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in an Agricultural and/or Open Space District (A-O) subject to the following conditions:

1. The applicant shall comply with all City of Pharr Ordinance requirements. Any violation of City Ordinance will terminate this Conditional Use Permit;
2. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
3. Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate this Conditional Use Permit;
4. Applicant will be required to comply with the City of Pharr landscaping and screening/buffering requirements.
5. The telecommunication tower must continue to comply with all setback and height requirements.
6. This Conditional Use Permit shall be issued for the Life-of-the-Use; and
7. The following shall be considered as grounds for the revocation of a Conditional Use Permit:
 - Any change in use or change in extent of use, area or location being used.
 - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
 - Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

NOTE: This item will go before the City Commission Meeting of **May 03, 2021 at 4:00 p.m.**

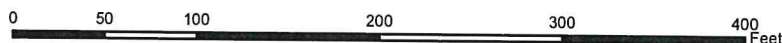


- | | | |
|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential 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: 11/23/2020

Scale: 1 inch = 100 feet



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.



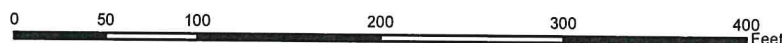


- | | | |
|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential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

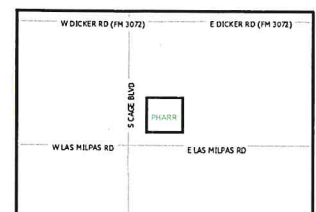
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 11/23/2020

Scale: 1 inch = 100 feet



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HIDALGO COUNTY WI-FI PROJECT

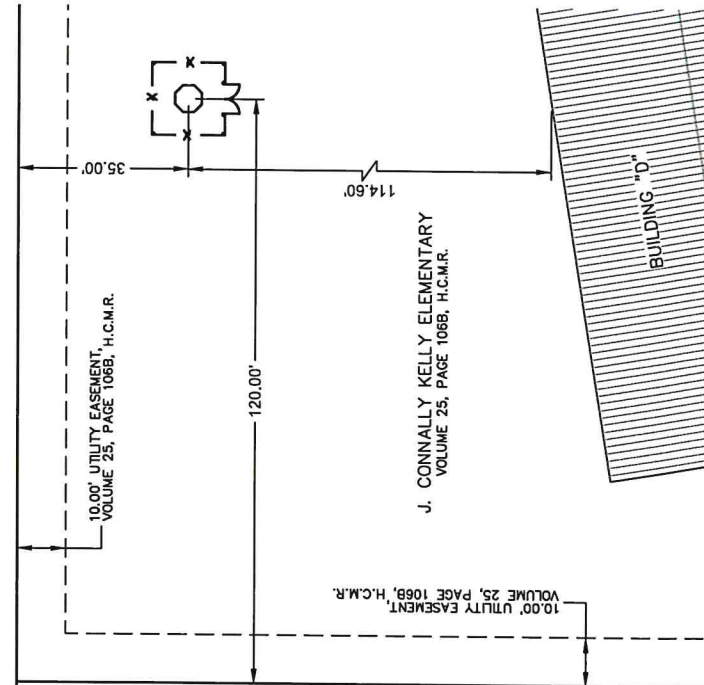
WI-FI TOWER

SUBDIVISION: J CONNALLY KELLY ELEMENTARY,
RECORDED IN VOLUME 25, PAGE 106B, HIDALGO COUNTY,
MAP RECORDS.

TOWER SHALL BE INSTALLED FOLLOWING DIMENSIONS TAKEN
FROM THE CENTER OF THE CONCRETE FOUNDATION
(AS INDICATED HEREIN).



SCALE: 1" = 30'



LEGEND

○ PROPOSED WI-FI TOWER'S
66" CONC. FOUNDATION
(OCTAGON IN SHAPE).

— x — x — x — PROPOSED CHAINLINK FENCE

CALL BEFORE YOU DIG!



Know what's below.
Call before you dig. 811

THE LONE STAR NOTIFICATION COMPANY
AT 1-800-669-8344

AEC ENGINEERING, LLC.
*Agricultural * Environmental * Civil*

A TEXAS REGISTERED ENGINEERING FIRM F-9688

EXHIBIT "A"

DESIGN INFORMATION

Job No.	1522.001
Prep. Date	NOVEMBER 20, 2020
Designed/Drawn	J. d' Z.
Checked	CARLOS GARZA, P.E.
Approved	CARLOS GARZA, P.E.
PLAN SCALE:	AS SHOWN

BISHOP OF THE ROMAN CATHOLIC DIOCESE OF BROWNSVILLE, TEXAS
(SAINT FRANCES XAVIER CABRINI CATHOLIC CHURCH)
PROPERTY ID 1013312
GRAPHIC ID S0028-00-000-0001-00

MATERIALES CANTU SUBDIVISION
VOLUME 29, PAGE 155B, H.C.M.R.

15.00' UTILITY EASEMENT
VOLUME 29, PAGE 155B, H.C.M.R.



J. CONNALLY KELLY ELEMENTARY
VOLUME 25, PAGE 106B, H.C.M.R.

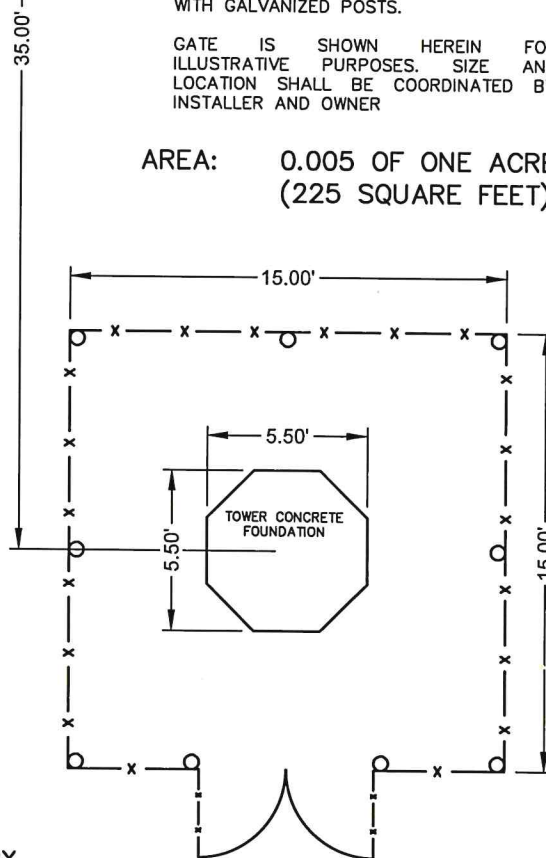
NOTES

FENCE DIMENSIONS: 15'X15'X8'

FENCE MATERIAL: CYCLONIC CHAINLINK
WITH GALVANIZED POSTS.

GATE IS SHOWN HEREIN FOR
ILLUSTRATIVE PURPOSES. SIZE AND
LOCATION SHALL BE COORDINATED BY
INSTALLER AND OWNER

AREA: 0.005 OF ONE ACRE
(225 SQUARE FEET)



**HIDALGO COUNTY WI-FI
PROJECT**

WI-FI TOWER

SUBDIVISION: J CONNALLY KELLY ELEMENTARY,
RECORDED IN VOLUME 25, PAGE 106B,
HIDALGO COUNTY, MAP RECORDS.

AEC ENGINEERING, LLC.
*Agricultural * Environmental * Civil*

A TEXAS REGISTERED ENGINEERING FIRM F-9688

DESIGN INFORMATION

Job No. 1522.001

Prep. Date NOVEMBER 20, 2020

Designed/Drawn J. d' Z.

Checked CARLOS GARZA, P.E.

Approved CARLOS GARZA, P.E.

PLAN SCALE: AS SHOWN

EXHIBIT "B"



December 21, 2020

Melanie Cano
City of Pharr
308 West Park Avenue
Pharr, TX 78577

RE: Hidalgo County WiFi Project - Tower Installations

Ms. Cano:

SmartWAVE is sending this letter in response to additional information requested for the proposed Tower Installations at Carmen Anaya Elementary School, JC Kelly Elementary School, and Cesar Chavez Elementary School.

This project is in support of the Hidalgo County WiFi Initiative to provide children and families with the necessary Internet connectivity required to sustain learning, employment and safety in the Pharr community during this Pandemic and for years to come.

These towers are being constructed for the sole purpose of supporting the County WiFi network and not designed for Commercial Cellular Services.

Please review the information requested in your email in response to Sec. 1.49.

Please note that none of these towers are within 1000 feet of an existing tower structure.

D1 – Existing Site Inventory

Hidalgo County or Pharr San Juan Independent School District does not own any existing towers in the coverage area that can be used to support the Hidalgo WiFi network design.

To provide the services required, the network design requires that 3 new towers are constructed in the coverage area to support a total of 466 WiFi Access Points installed on Street Lights throughout the coverage area.

The locations of the newly proposed sites are:

- | | |
|--|-----------------------|
| • Carmen Anaya Elementary School – 100FT Tower | 26.126962, -98.206964 |
| • JC Kelly Elementary School – 70FT Tower | 26.117547, -98.194668 |
| • Cesar Chavez Elementary School – 70FT Tower | 26.131229, -98.190077 |

D2 – Design Requirement

The towers to be constructed are not designed to support cellular communications. Due to the WiFi radio equipment required to support the coverage area, there is no space for other radio communications equipment.



D3 – Availability of Suitable Existing Structures

During the site survey for the design of the WiFi network, we were unable to locate any other towers in the area that can be used to support the WiFi network devices due to the short broadcast range of the tower radio equipment.

Since the towers proposed will be fully loaded with WiFi radio equipment, the addition of WiFi radio equipment will cause co-channel interference.

Since we could not identify any other towers within 1000 meters of the proposed tower locations, we could not identify a tower owner to negotiate a usage contract with.

The towers have been custom designed to support the exact radio/antenna inventory to support the specific WiFi application for the Hidalgo County WiFi network.

Summary

In providing additional supporting documentation, we are including a letter from the School District Director of IT Daniel Saenz. Please let me know if you have any questions regarding this letter or if you need additional information.

Sincerely,

Al Brown
404.731.9580
al.brown@smartwave.us



PHARR-SAN JUAN-ALAMO ISD

Assistant Superintendent of Technology

Lauro Dávalos, Ed.D.

December 21, 2020

The City of Pharr
Zoning and Planning Commission
Pharr, Texas

To the City of Pharr Zoning and Planning Commission,

This letter is in support of the County of Hidalgo's efforts to increase internet connectivity for PSJA ISD students through the Wifi Project. The Pharr-San Juan-Alamo ISD has been working with the County of Hidalgo to identify students who live in areas without access to the internet. The completion of this project will bring internet access to those identified students. More than 6,000 students living in South Pharr will have access to a reliable internet connection because of this effort.

As a result of the COVID-19 pandemic, we had to pivot towards virtual instruction from one day to the next. As we learned more about this virus, we realized that virtual instruction would be a long-term instructional approach. As a district, we decided to order one computer for every student. The Hidalgo County Wifi Project compliments our efforts to provide every student with the tools necessary to successfully engage in virtual instruction. In addition, these efforts will prove fruitful even after we return to in-person instruction. We believe that providing a device with access to the internet to every student is a great strategy to increase equity and provide the tools necessary to successfully engage in any type of instruction.

In conclusion, the Pharr-San Juan-Alamo Independent School District is in full support of the Hidalgo County Wifi Project. The completion of this project will provide free internet access to over 6,000 students living in the proposed area.

Thank you,

Daniel Saenz, M.Ed.

Technology | Director of IT

Pharr-San Juan-Alamo ISD

956.354.1013

Lauro Dávalos, Ed.D.

Technology | Assistant Superintendent of Technology

Pharr-San Juan-Alamo ISD

956.354.1013

START COLLEGE NOW! COMPLETE EARLY! GO FAR!

601 E. Kelly St., Pharr, TX 78577 P: (956) 354-2000 F: (956) 354-3006 www.psjaisd.us
It is the policy of Pharr-San Juan-Alamo ISD not to discriminate on the basis of sex, disability, race, color, religion, national origin or age.



November 10, 2020

Della Robles
Pharr Development Services
308 West Park Avenue
Pharr, TX 78577

RE: J.C. Kelley ES Tower Installation

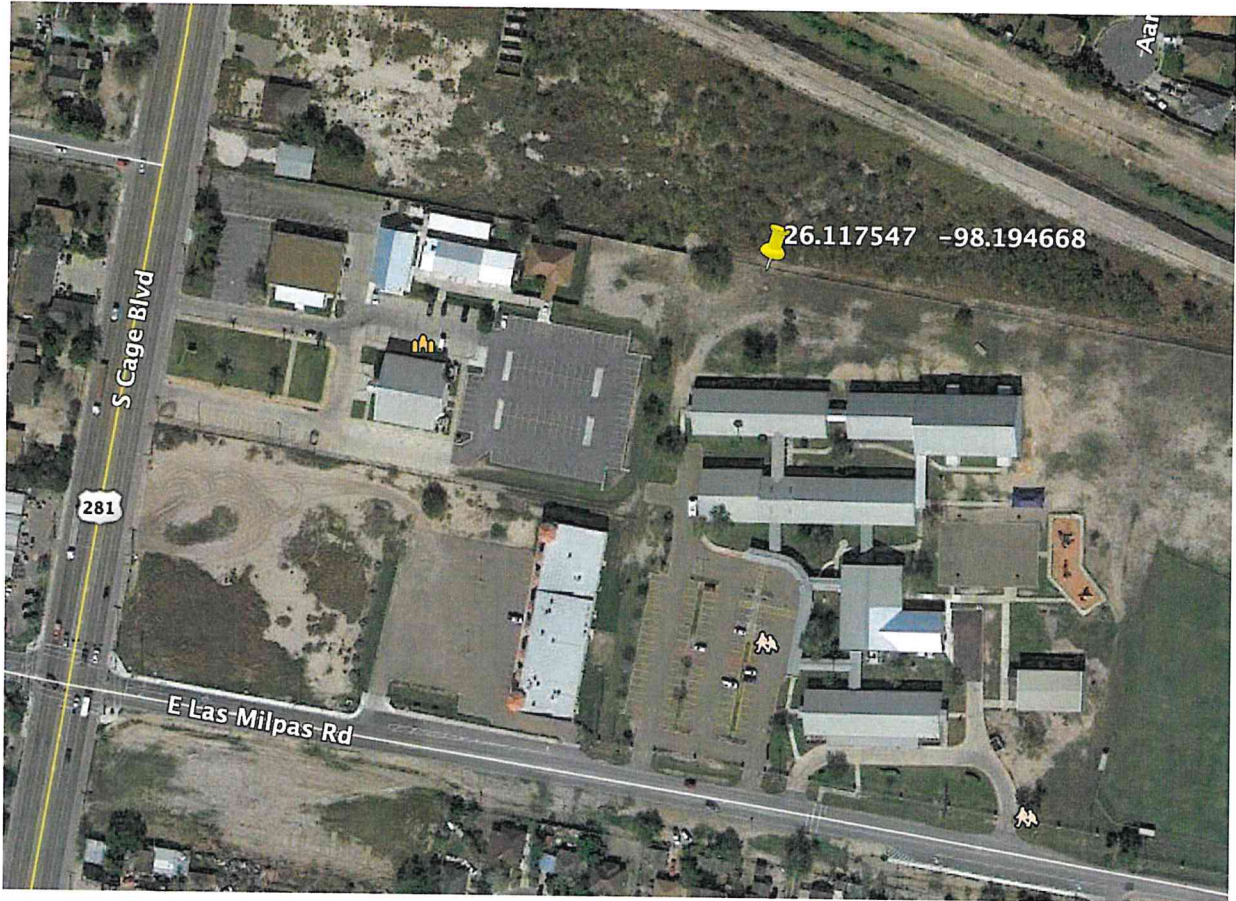
Ms. Robles:

SmartWAVE is sending the City of Pharr this information regarding the planned installation of a 70 Foot free standing tower at the J. C. Kelley Elementary School site located at 201 Las Milpas. This information provides you with location site information along with structural drawings and information regarding the foundation size.

This project is in support of the Hidalgo County WiFi Initiative to provide children and families with the necessary Internet connectivity required to sustain learning, employment and safety in the Pharr community during this Pandemic and for years to come.

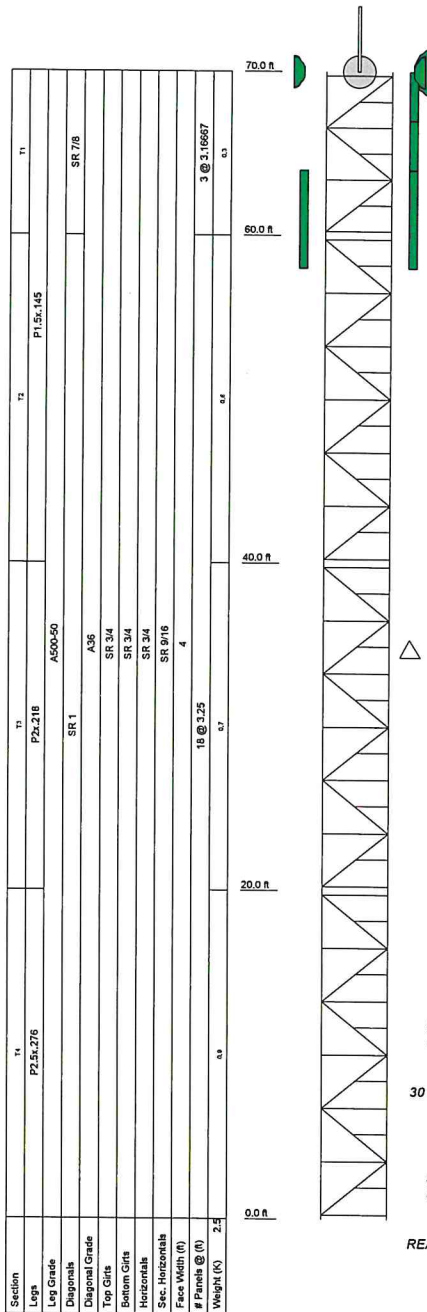
Tower Location







Tower Drawing



DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION
5/8" x 4" Lightning Rod	70	(6) Mimosa A5c w/Mount	67
VHLP2-11W	70	(6) N5-45x4 w/Mount	64
(2) VHLP2-18C	70	C5c	61
KP-SPDCSC-2	70	(2) B5c	61
(2) HDDASW-29-DP	70		

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A500-50	50 ksi	62 ksi	A36	36 ksi	58 ksi

TOWER DESIGN NOTES

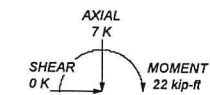
1. Tower is located in Hidalgo County, Texas.
2. Tower designed for Exposure C to the TIA-222-H Standard.
3. Tower designed for a 135 mph basic wind in accordance with the TIA-222-H Standard.
4. Tower is also designed for a 30 mph basic wind with 0.50 in ice. Ice is considered to increase in thickness with height.
5. Deflections are based upon a 60 mph wind.
6. Tower Risk Category II.
7. Topographic Category 1 with Crest Height of 0.00 ft
8. Connections use galvanized A325 bolts, nuts and locking devices. Installation per TIA/EIA-222 and AISC Specifications.
9. Tower members are "hot dipped" galvanized in accordance with ASTM A123 and ASTM A153 Standards.
10. Tower design is ****Conceptual Only - Not For Construction****
11. TOWER RATING: 95.4%

ALL REACTIONS
ARE FACTORED

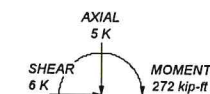
MAX. CORNER REACTIONS AT BASE:

DOWN: 80 K
SHEAR: 2 K

UPLIFT: -76 K
SHEAR: 3 K



TORQUE 0 kip-ft
30 mph WIND - 0.5000 in ICE



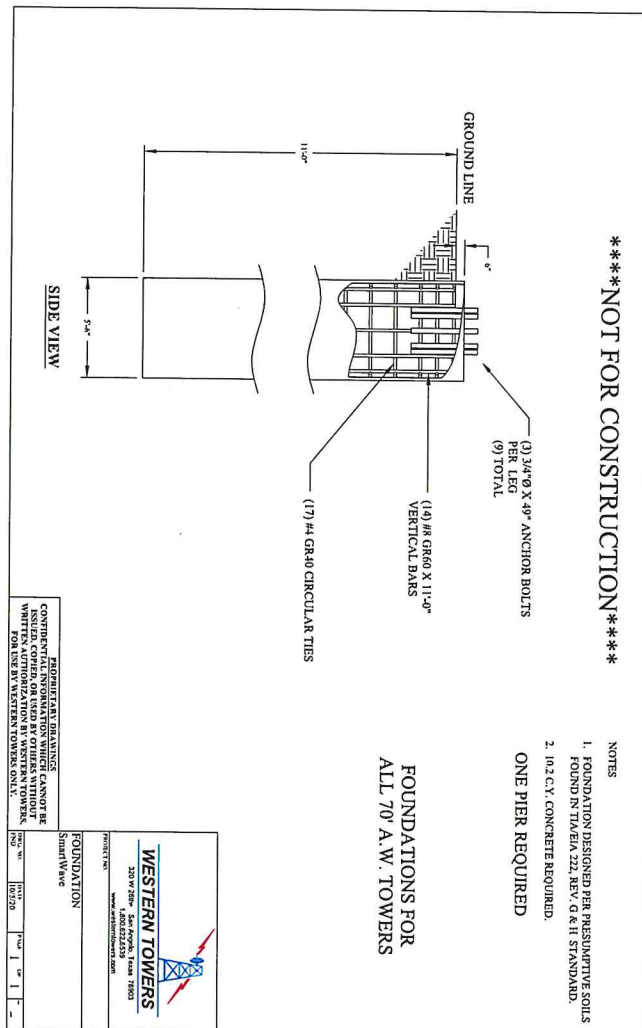
TORQUE 4 kip-ft
REACTIONS - 135 mph WIND

Western Towers 320 W. 26th Street San Angelo, TX www.WesternTowers.com Phone: (325) 658-6539 FAX: (325) 655-1185		J.C. Kelley Client: SmartWave Technologies Code: TIA-222-H Date: 10/05/20 Path: C:\NewSmartWave Technologies\10294 - SIG Substation - 27 A\10294.dwg		Drawn by: pedram.sadr App'd: Scale: NTS Dwg No: E-1
--	--	--	--	--



2662 Holcomb Bridge Rd #340
Alpharetta, GA 30022
www.smartwave.us

Tower Foundation



Please let me know if you have any questions regarding this letter or if you need additional information.

Sincerely,



Al Brown
404.731.9580
al.brown@smartwave.us



Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: April 12, 2021

ROUTE TO BOARD:

☐ CITY COMMISSION AGENDA ITEM: COZ:#210316
☒ PLANNING & ZONING COMMISSION DATE SUBMITTED: March 4, 2021

1. **Applicant:** Spoor Engineering Consultants, Inc., representing The William & Betty Arnold Family L.P., owners.
2. **Requested Action:** Re-zoning request from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD).
3. **Nature / Intent of Request:** In order to develop and construct 150-unit apartment complex, Three (3) story height.

4. **Routing to Staff:**

A. **Melanie Cano, Director**



Initials

3/31/21

Date

☒ Approval ☐ Denial

B. **Planning Staff
Recommendations**



Initials

3-31-21

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, APRIL 12, 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 High-Density District (R-MFHD). The property is legally described as being a 6.93-acre tract of land, more or less, out of Lot 107, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 700-800 Block of West Nolana Loop.

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:

Spoor Engineering Consultants, 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 Residential Multi-Family High-Density District (R-MFHD) in order to develop and construct a 150 unit apartment complex, three story height.

The subject site which is located on the south side of West Nolana Loop and physically located within the 700-800 Block of West Nolana Loop. The property is legally described as being a 6.93-acre tract of land, more or less, out of Lot 107, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts West Nolana Loop, a 120' – 150' principal arterial that runs east and west with a posted speed limit of 40-55 miles per hour 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 and the property to the east, south, and a portion to the west were zoned to Agricultural and/or Open Space District (A-O), a portion to the west was zoned to Single Family Residential District (R-1), and the property to the north was zoned General Business District (C) when the property was annexed on October 3, 1989. Later the property to the south was zoned to Single Family Residential on September 20, 1994. 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 Residential Multi-Family High Density District is established to provide adequate space and site diversification for medium to high density areas. This may be a zone for transitional areas developed for single-family usage, but because of the need for rehabilitation, or changes in the character of the neighborhood, are now deemed suitable for some multifamily development. This zone allows medium to high density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met. R-MFHD uses should not run traffic over long distances of single-family residential-sized streets or neighborhoods and should be located close to arterials or collectors capable of carrying the additional traffic. Multi-family developments are not a buffer between single-family and commercial uses and should be property buffered from nonresidential land uses and traffic, or from pollution and environmental hazards.

Twenty four (24) 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 Agricultural and/or Open Space District (A-O) 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.

NOTE: This item will go before the City Commission Meeting of **April 19, 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

Spoor Engineering Consultants, inc., representing The William & Betty Arnold Family L.P., owners

APPLICANT

Within the 700-800 Block of West Nolana Loop

ADDRESS

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

CURRENT ZONE

Residential Multi-Family High Density District (R-MFHD)

	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:

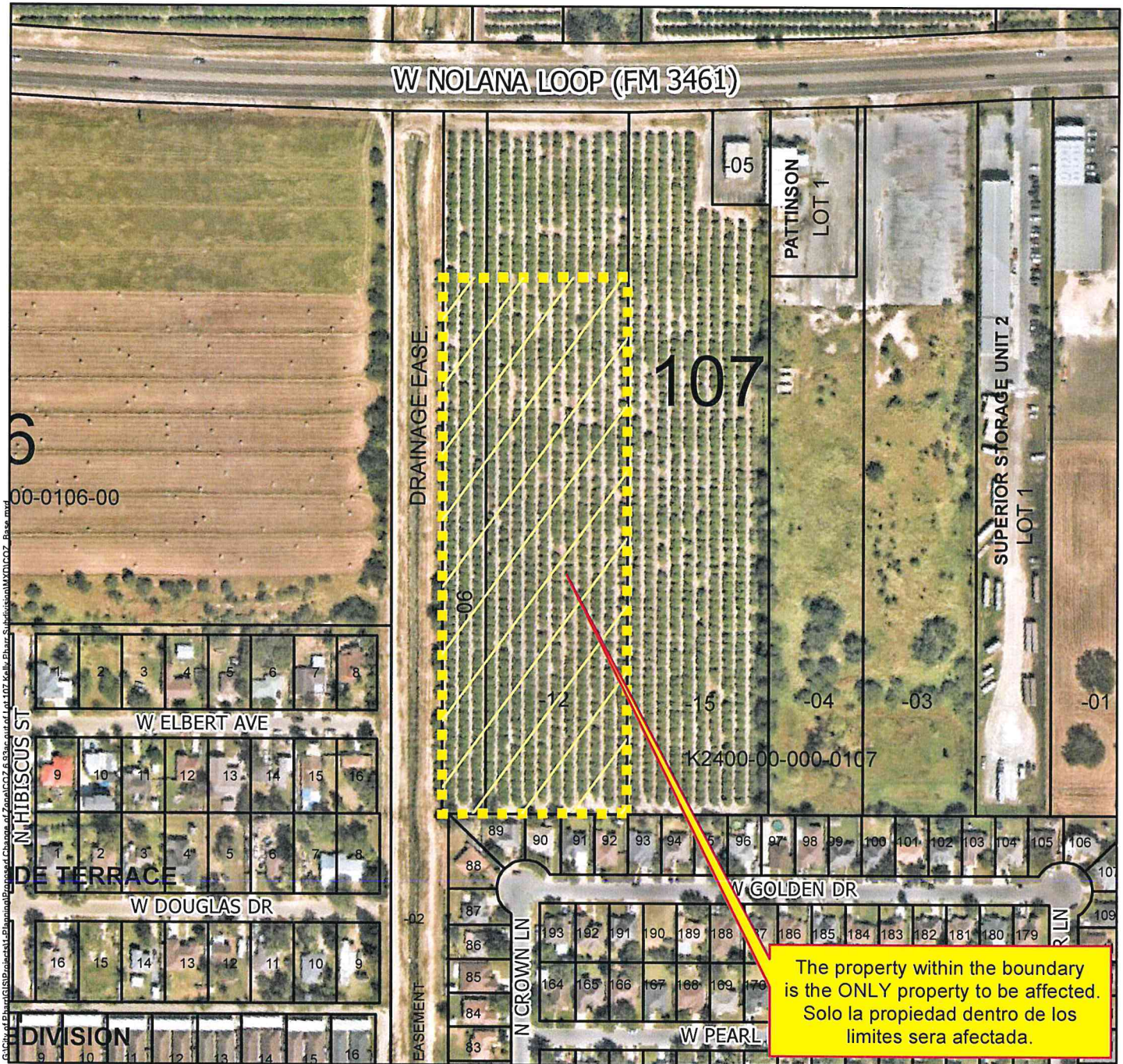
Approval

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. If approved, the owner must comply with all City Ordinances and City Department requirements.

Anaisa Licerio
PREPARED BY

March 31, 2021
DATE

Proposed Change of Zone
6.93ac out of Lot 107 Kelly Pharr Subdivision
William & Betty Arnold Family LP/
Spoor Engineering Consultants, Inc.



The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los límites será 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 | |

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/18/2021

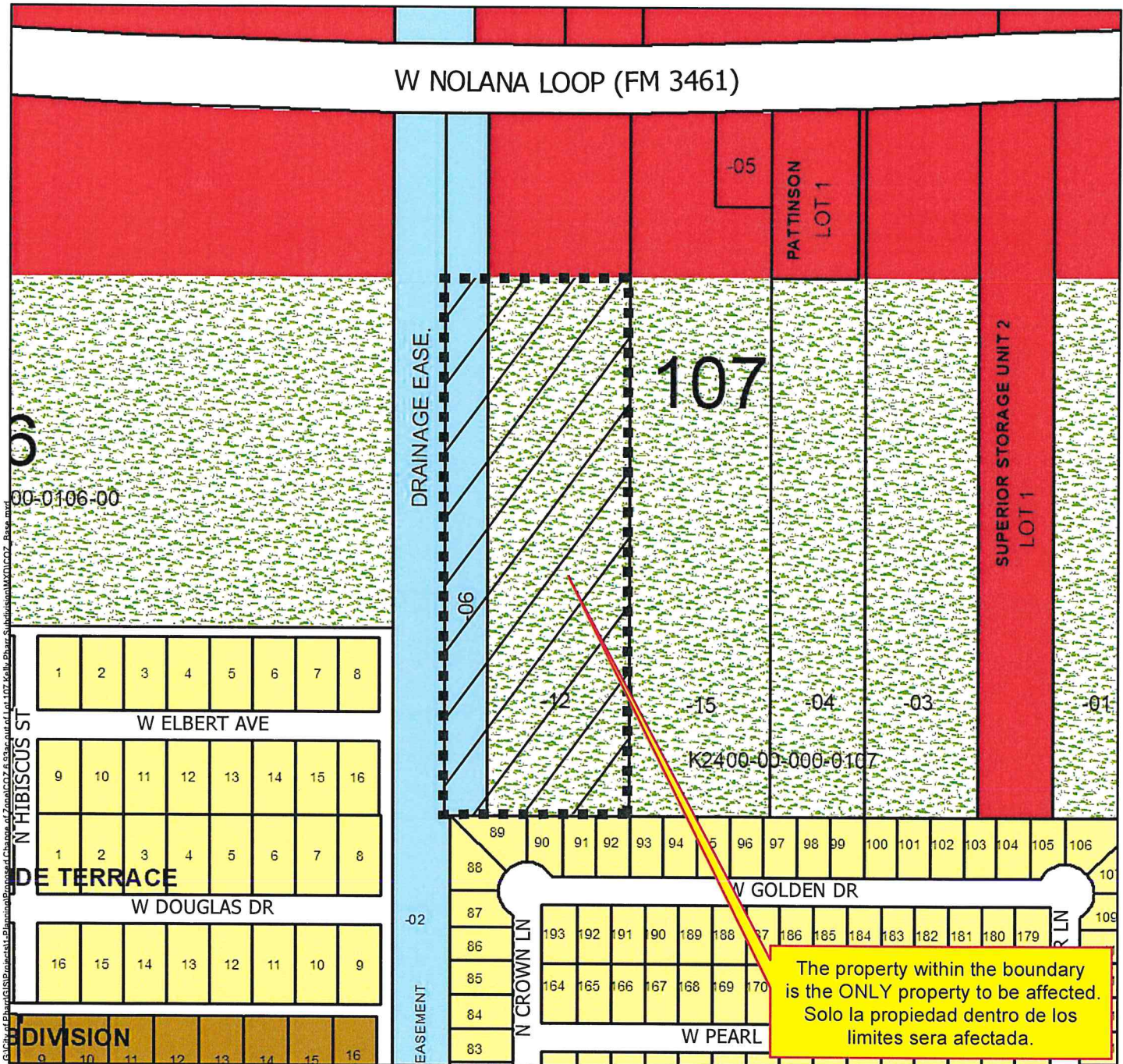
Scale: 1 inch = 250 feet



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Proposed Change of Zone
6.93ac out of Lot 107 Kelly Pharr Subdivision
William & Betty Arnold Family LP/
Spoor Engineering Consultants, Inc.



- | | | |
|---------------------------------------|--------------------|--------------------------|
| 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 |
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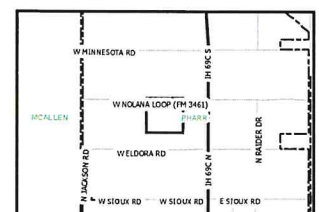
City of Pharr, Texas
Engineering Department
956.402.4242

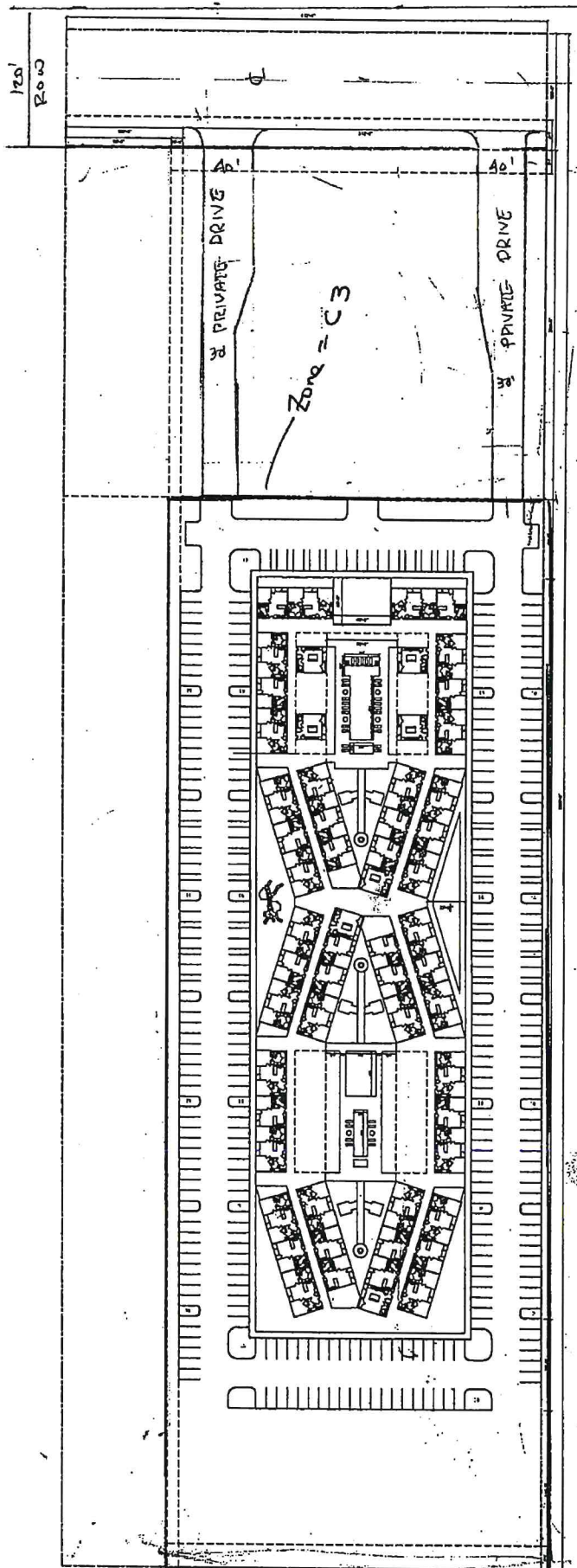
Date: 3/18/2021

Scale: 1 inch = 250 feet



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700-800 W.
NOLANA LOOP

128.5

SITE PLAN
for
700 to 800 W.
Nolana Loop
1"=100'



Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: April 12, 2021

ROUTE TO BOARD:

☐ CITY COMMISSION

AGENDA ITEM: COZ:#210317

☒ PLANNING & ZONING COMMISSION

DATE SUBMITTED: March 11, 2021

1. **Applicant:** AEC Engineering, LLC., representing Jaime and Sandra G. Galpern, owners.
2. **Requested Action:** Re-zoning request from Agricultural and/or Open Space District (A-O) to General Business District (C).
3. **Nature / Intent of Request:** In order to develop and construct a restaurant with a drive thru.

4. **Routing to Staff:**

A. Melanie Cano, Director



Initials

3/31/21

Date

☒ Approval ☐ Denial

B. Planning Staff
Recommendations



Initials

3-31-21

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, APRIL 12, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to General Business District (C). The property is legally described as being a 0.25-acre tract of land, more or less, out of Lot 8, Block 12, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 7500-7600 Block of 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:

AEC Engineering, 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 General Business District (C) in order to develop and construct a restaurant with a drive thru.

The subject site which is located on the east side of South Jackson Road and physically located within the 7500-7600 Block of South Jackson Road. The property is legally described as being a 0.25-acre tract of land, more or less, out of Lot 8, Block 12, A.J. McColl 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 property is currently zoned Agricultural and/or Open Space District (A-O). The property and the property to the north, south, east, and west were zoned Agricultural and/or Open-Space (A-O) when it was annexed to the City of Pharr on November 1, 1994. On February 21, 1995 the properties to the north and west were rezoned to General Business District (C). There has been no other zoning request 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.

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.

Two (2) 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 Agricultural and/or Open Space District (A-O) to General Business District (C) 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.

NOTE: This item will go before the City Commission Meeting of **April 19, 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

AEC Engineering, LLC., representing Jaime and Sandra G. Galpern,
owners.

APPLICANT

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

CURRENT ZONE

Within the 7500-7600 Block of South Jackson Road

ADDRESS

General Business District (C)

	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:

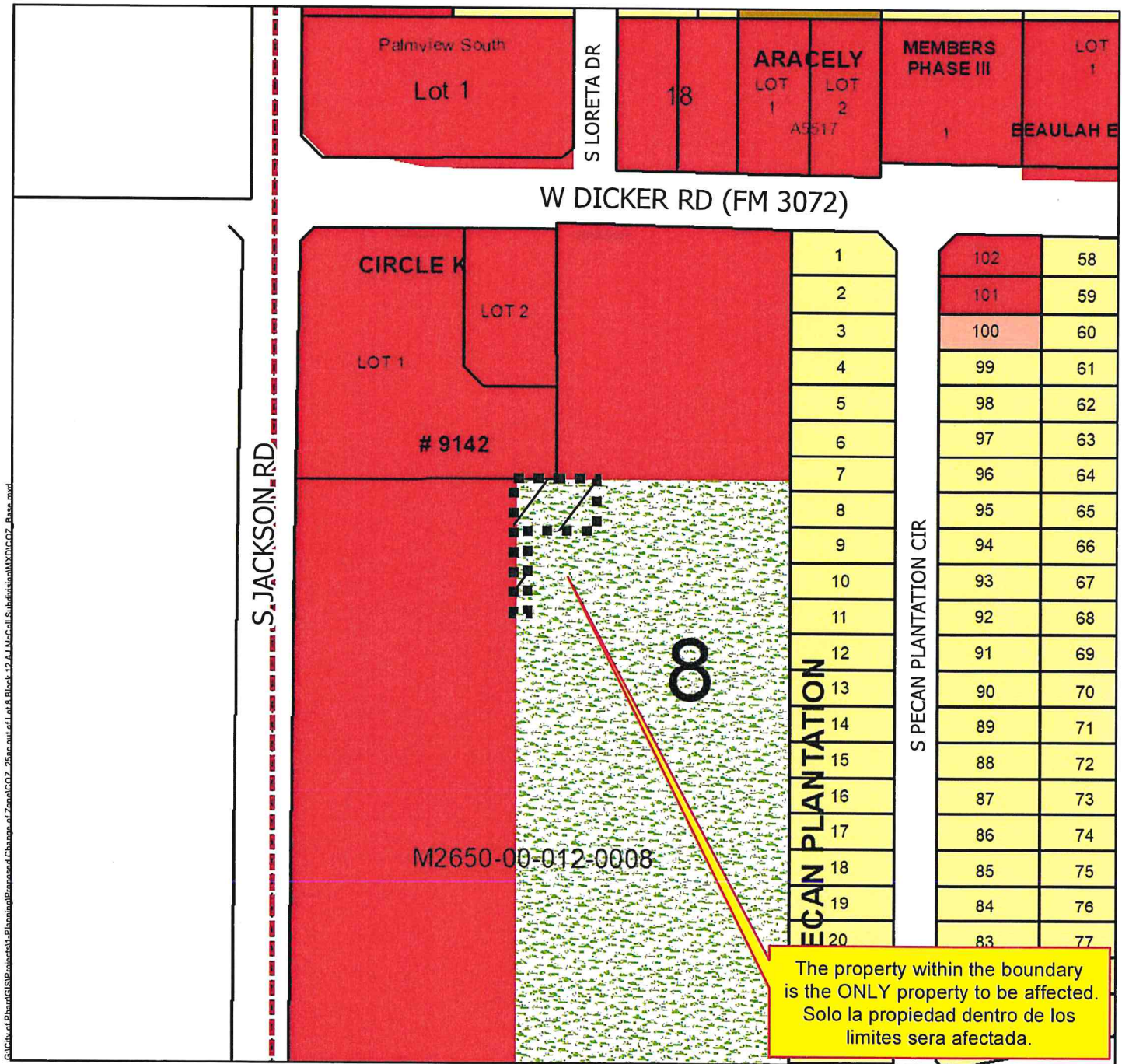
Approval

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. If approved, the owner must comply with all City Ordinances and City Department requirements.

Anaisa Licerio
PREPARED BY

March 31, 2021
DATE

Proposed Change of Zone
 .25ac out of Lot 8 Block 12, AJ McColl Subdivision
 Roel Hernandez/ Jaime & Sandra Galpern

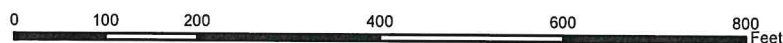


- | | | |
|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential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

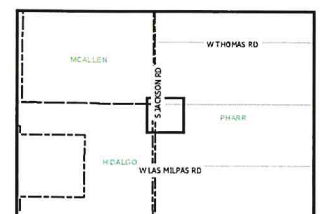
City of Pharr, Texas
 Engineering Department
 956.402.4242

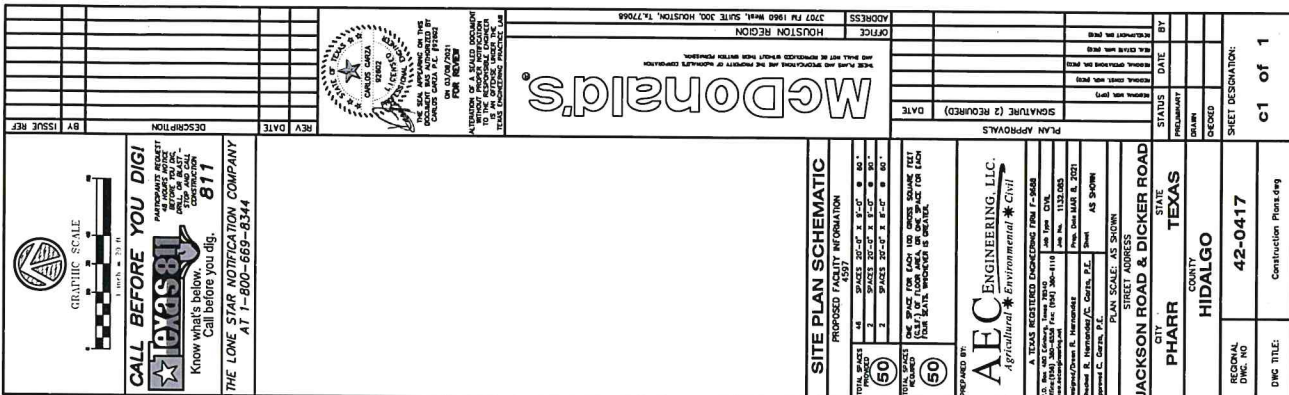
Date: 3/16/2021

Scale: 1 inch = 200 feet



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.







Pharr

Development Services



MEMORANDUM

DATE: MONDAY, APRIL 12, 2021

TO: PLANNING & ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: SEXUALLY ORIENTED BUSINESS LICENSE RENEWAL – FILE NO. SOB#001254 (STILETTOS GENTLEMEN'S CLUB)
--

GENERAL INFORMATION:

APPLICANT: Red Tape II, Inc., d/b/a Stilettos Gentlemen's Club is requesting renewal of the Sexually Oriented Business License in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as all of Lot 2, Albrad Subdivision Unit #3, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1050 North Sugar Road.

ZONING: The property is currently zoned General Business District (C). The surrounding area to the North, South, East and West is zoned General Business District (C). The area is generally designated for commercial use in the Land Use Plan.

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

PLANNING DIVISION:

Recommends approval of
the Conditional Use Permit.

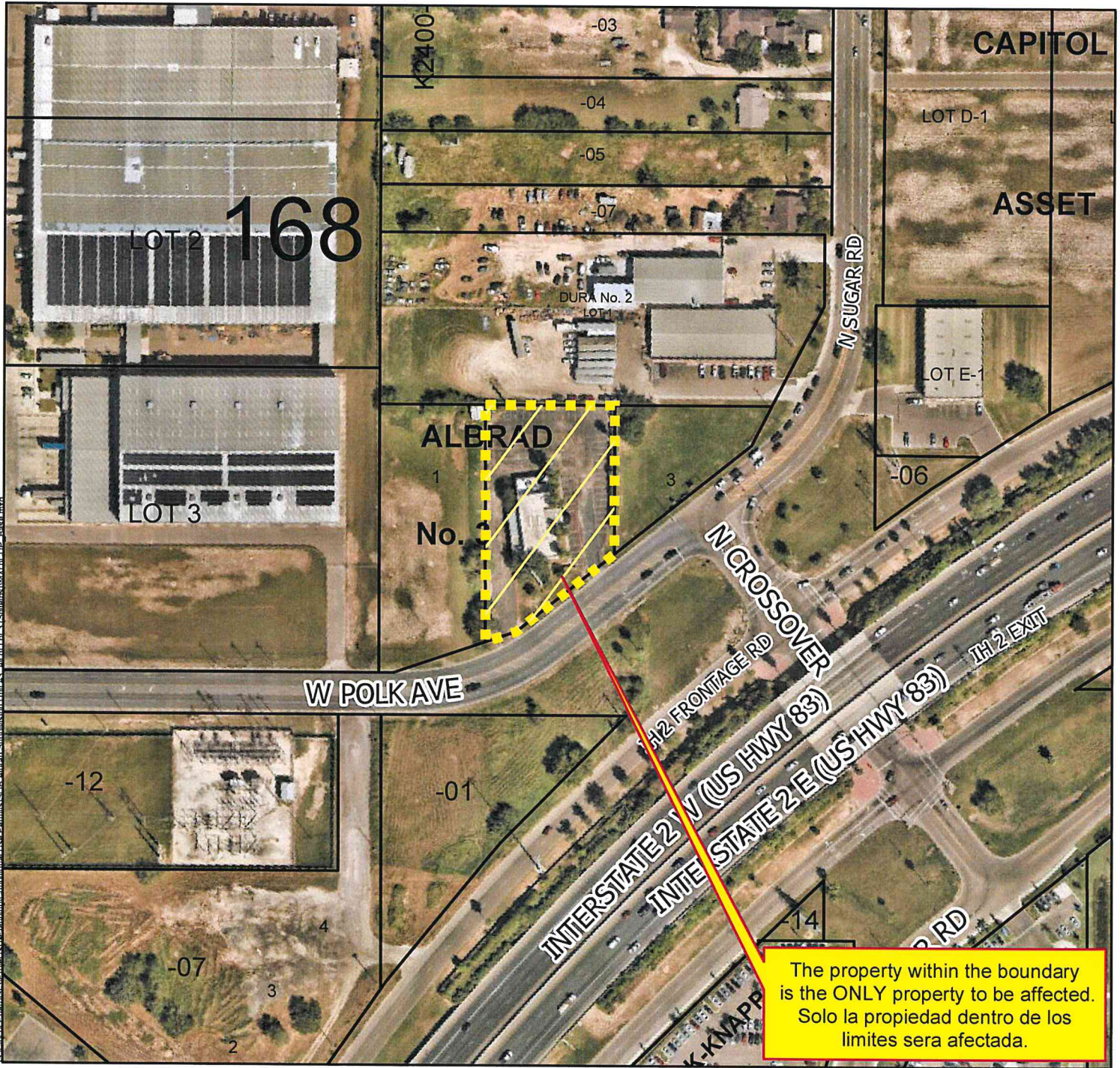
**DEVELOPMENT
SERVICES**

Development Services is recommending **approval** of the renewal request for the Sexually Oriented Business License subject to the **RECOMMENDATIONS:** following conditions:

- 1) Applicant shall comply with all Sexually Oriented Business License requirements; any violation will terminate the Sexually Oriented Business License;
- 2) Applicant shall comply with all City of Pharr Ordinance requirements;
- 3) Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Sexually Oriented Business License;
- 4) Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate the Sexually Oriented Business License;
- 5) This Sexually Oriented Business License shall be issued for a period of one (1) year. It shall be the owner's responsibility to apply for renewal ninety (90) days before its expiration date;
- 6) An opaque buffer will be required;
- 7) The premise should not have any public display of any sign, banner, flag, pennant, balloon, photograph, symbol, neon light, fluorescent color indicating that the nature of the use may be a Sexually Oriented Business; and
- 8) All employees must wear name tags or uniforms identifying them as employees of the establishment
- 9) The following shall be considered as grounds for the revocation of the Sexually Oriented Business License:
 - Any change in use or change in extent of use, area or location of the building being used.
 - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
 - Failure to pay the annual renewal fee shall result in the assessment of an additional five dollars (\$5.00) per business day late fee up to thirty (30) days after the date of expiration of the Sexually Oriented Business License; or revocation of the permit if not paid by the 31st day.
 - Sexually Oriented Business License that has been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

NOTE: This item will go before the City Commission Meeting of **April 19, 2021 at 4:00 p.m.**

Proposed Conditional Use Permit
All of Lot 2, Albrad Subdivision Unit #3
Stilletos Cabaret



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

Scale: 1 inch = 200 feet

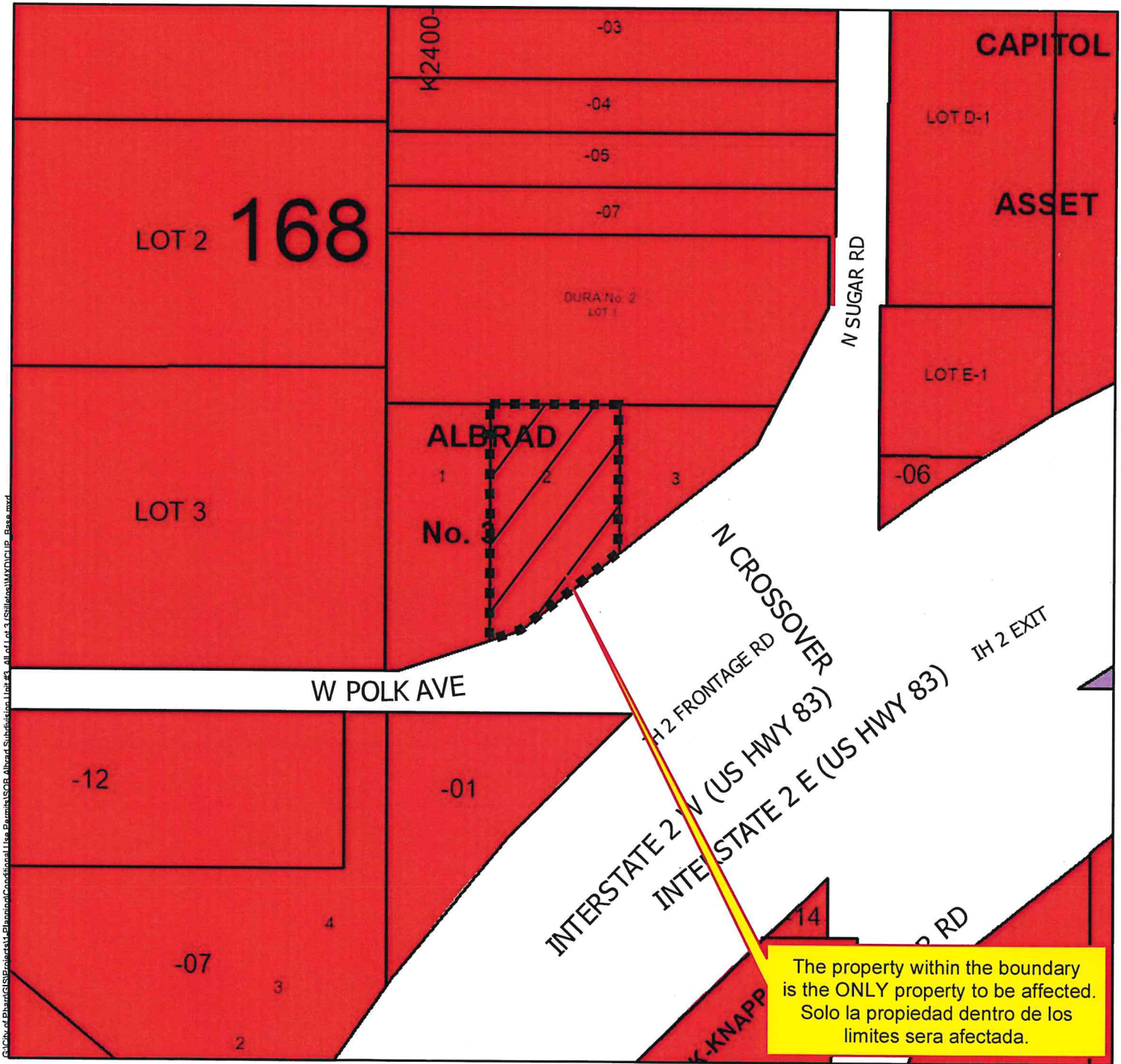


The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

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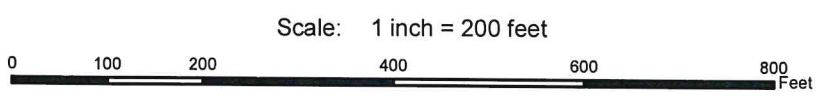
Proposed Conditional Use Permit
All of Lot 2, Albrad Subdivision Unit #3
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City of Pharr, Texas
Engineering Department
956.402.4242
Date: 3/12/2021



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to verification by field survey or by the agency
responsible for maintaining the information.
This map is intended for general information only.





MEMORANDUM

DATE: MONDAY, APRIL 12, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: MASTER PLAT OF BERT OGDEN PHARR SUBDIVISION FILE NO. SUB#200516

GENERAL INFORMATION:

APPLICANT: M Garcia Engineering, LLC., representing Natasha Del Barrio, Chief Executive Officer for Midnight River, LLC, owners, is requesting preliminary plat approval of the proposed Master Plat of Bert Ogden Pharr Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a 28.45 acre tract of land out of Lot 76, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 5600-5700 Block of North IH 69C.

ZONING: The property is currently zoned Limited Industrial District (L-I). The adjacent zones are City limits to the north, General Business District (C) and Limited Industrial District (L-I) to the east, Limited Industrial District (L-I) to the south and Residential Mobile Homes District (R-MH) to the west. The property is designated for industrial and commercial use in the Land Use Plan.

PROPERTY PROPOSED USE: Auto dealership.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends preliminary plat approval of the proposed Master Plat of Bert Ogden Pharr Subdivision subject to the following conditions:

**STREETS, PAVING
AND R.O.W.:**

1. Provide streetlight layout.
2. Provide 30'x30' corner clips on new street and W. Owassa Rd. and frontage.
3. Provide street names North Connie Street to be dedicated by plat.

EASEMENTS:

1. Must add a 5' ft landscape easement along North I-69 and a 10' ft landscape easement along W. Owassa Rd.
2. Label and show all existing easements.
3. Need to remove the word proposed from dedicated easements and only show dedicated by plat.

**SIDEWALK:
ADA:**

1. Follow City of Pharr Construction Standards Manual.

**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. Provide drainage report.
2. Follow engineering comments.

OTHER:

1. Change name of subdivision in owners block to match subdivision name.
2. Update location map with recorded subdivisions and label directions for West Owassa Rd.
3. On location map show true north.
4. Label and show all recorded subdivisions on location map.
5. Show the directional east and west for Owassa Rd.
6. On metes & bounds add west for Owassa Rd.
7. On plat layout label ½ iron rods.
8. On metes & bounds paragraph #7 verify the radius with table.
9. Remove the word proposed from plat and just leave dedicated by plat.
10. Label phases for future development.
11. Update benchmark for plat note #9, provide northing, easting and the location description for B.M.
12. Revise plat note #8, to include sidewalks along all R.O.W. streets.

13. Natasha del Barrio – managing partner is not shown on the unanimous consent of the members and managers of Mittanck Investments, LLC. Need to provide articles of incorporation.
14. Provide signatures for engineer and surveyor.
15. Plat note #4, provide numbers.
16. Provide all details for street, sewer and water.
17. Staff plat notes are attached.

This item will go before the City Commission meeting of April 19, 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: Master Plat of Bert Ogden Pharr Subdivision

Reviewed by: Mike Navarro

April 7, 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:

- **Shall Add on Plat Notes: All Fire lines shall be installed by a licensed Sprinkler company.**
 - **Shall Provide Fire Hydrant every 300ft. recommended Mueller brand fire hydrant**
 - **Shall provide detail connection of the water loop.**
 - **Shall Call out existing Fire Hydrants on the Utility Plan**
-

STAFF MEETING REVIEW FOR: *MASTER PLAT OF BERT OGDEN PHARR SUBDIVISION*

COMMENTS: **Initials:** R.R. / J.R. / R.B. **MARCH 30, 2021**

WATER:

- Will need to show details to all connections of water lines to all corners of the property
- Will need to show details of A/C line connections to remain
- Will possibly need a UIR for water line installation
- TX Dot will determine the Abandonment or Removal of A/C lines in the area
- All entrances will require Steel Casing on water line locations
- Will need 20' UI on the west side of the property
- Follow City of Pharr Construction Standards Manual

SEWER:

- Will need to show details of all sewer connections
- All Manhole Ring and Covers will need to be Composite Based with City Logo
- Will need projected Flow and Peak Flow and capacity of subdivisions sewer
- 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 REVIEW COMMENTS

PHARR ENGINEERING • 118 S. CAGE BLVD., 1ST FLOOR • PHARR, TX 78577 • 956.402.4221

SUBDIVISION: Master Plat of Bert Orden

DATE: April 1, 2021

Pharr Subdivision

REVIEW: Preliminary (comments plans dated 3-22-2021)

PLAT

1. Note No. 4---Use City of Pharr drainage directive: *Storm Water detention is required for this property. The engineer of record for this subdivision plat has estimated that an area of approximately _____ acres and a volume of approximately _____ acre feet will be required for this use. This is an estimate only and detailed analysis may reveal different requirements. No Building permit shall be issued for this platted property until a storm water detention system design has been approved by the City of Pharr for this commercial development.*
2. Note No. 8---Revise note to say... "5.0'-ft sidewalk with ADA compliant ramps and landings will be required to be constructed along all streets at the time of building permit phase.
3. Note No. 9---Verify City of Pharr benchmark and include northing & easting.
4. Show all existing subdivisions on location map.
5. Signature and seal from R.P.L.S.
6. Signature from P.E.
7. Verify proposed 70.0'-ft R.O.W.

SITE PLAN

1. Include all pertinent City of Pharr details at the time of each phase. (Access road cross-section with all layers, curb & gutter with continuous rebar, concrete apron, sidewalk with ADA wheel chair ramps and landings, sanitary sewer services, sanitary sewer manholes with composite lids that show City of Pharr logo, mandrel, water services, Type "A" inlet & tie-in, profile of utility crossings if any & storm sewer manhole)

DRAINAGE

1. Drainage plan to be reviewed and approved by H.C.D.D. No. 1.

- | |
|--|
| 2. Drainage plan to be reviewed and approved at building permit stage. |
|--|

CLOSEOUT DOCUMENTS

- | |
|---|
| <ul style="list-style-type: none">• All As-builts must have the following requirements:<ul style="list-style-type: none">• As-builts must reflect current field changes. Mark all field changes as existing.• Must be Geo referenced, and in an AUTOCAD file.• Submit a physical and electronic copy (USB or CD). |
|---|

ADDITIONAL COMMENTS

- Mandrel test and low air pressure test will be required for sanitary sewer line.
- Bacteriological test will be required for waterline.
- Lab for site work will be required for the following items: backfill material, paving items and concrete items.
- Curb & gutter and sidewalk shall meet a 3000-psi design strength.
- Concrete apron shall meet a design strength of 4000-psi



Pharr Public Work



Telephone (956) 402-4350 | 1015 E. Ferguson | Pharr, Texas 78577

SUBDIVISION: Plat review meeting:

Date: 04/06/2021

Master Plat of Bert Ogden Pharr Subdivision
W. Owassa Rd.
Pharr, TX 78577

Plat Notes:

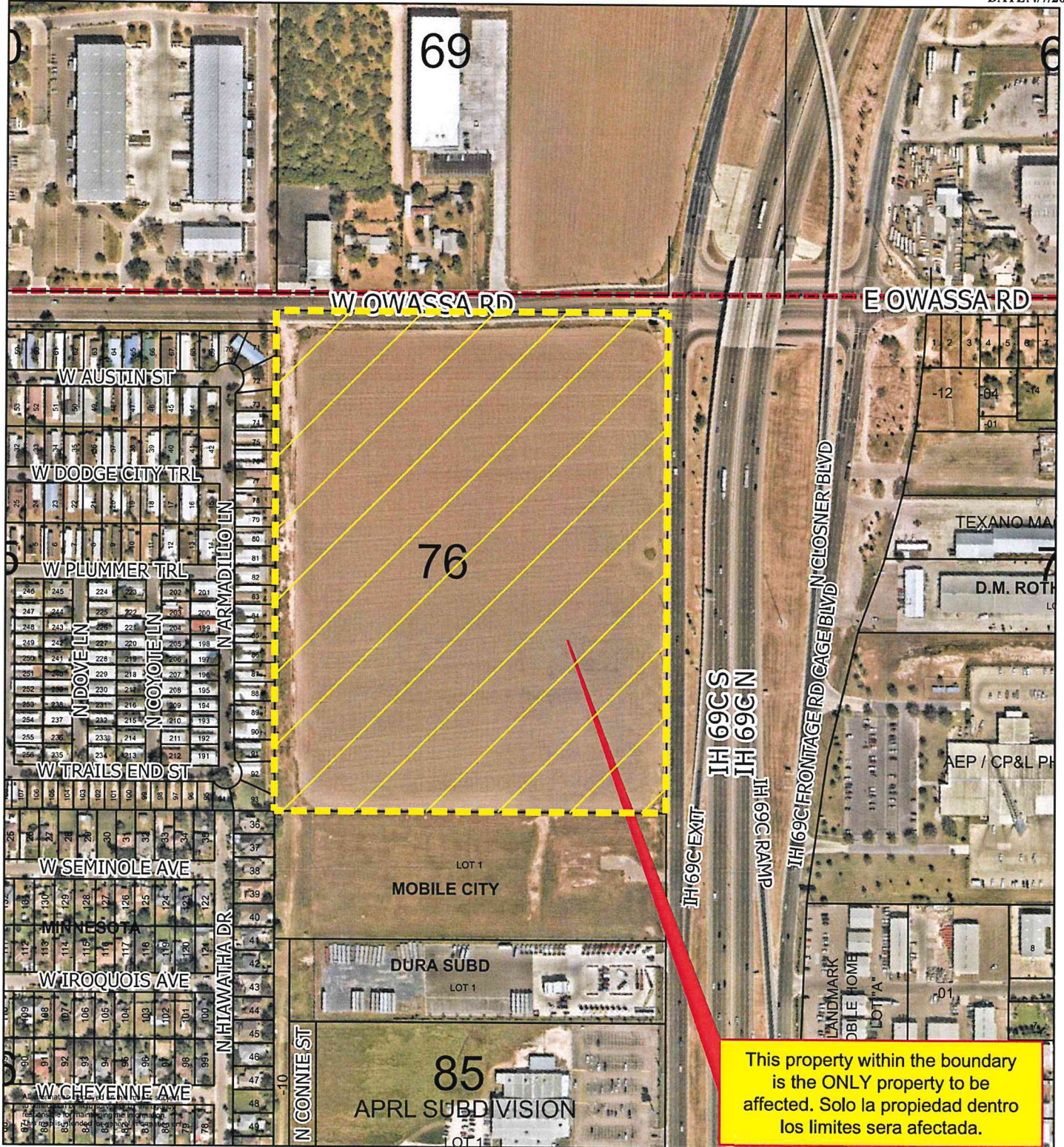
- None

General Notes:

- Correct misprint on 6" and 8' storm sewer line west of property to 36' and 48' storm sewer line.
- Submit for open cut permit- Public Works
- Detail on detention/retention and outfall, UIR for TxDot if tie-in to frontage.

Telephone (956) 402-4350 | 1015 E. Ferguson | Pharr, Texas 78577

NAME _____
 OWNER: MARSHALL BAY L.L.C.
 ADDRESS: 1510 MARSHALL BLVD., SUITE 100, DALLAS, TEXAS 75201
 PHONE: (214) 353-1211
 FAX: (214) 353-1211
 MAIL: MARSHALL BLVD., SUITE 100, DALLAS, TEXAS 75201
 MAIL: (214) 353-1211
 MAIL: (214) 353-1211



 **Pharr**
Engineering  

DATE: 4/7/2021

