

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. July 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:

A. CALL TO ORDER:

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

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

C. APPROVAL OF MINUTES:

- 1) Minutes of June 28, 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) Melden & Hunt, Inc., representing Maria D. Alvarez, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being .538 acres, more or less, out of Lots 1 and 2, Block 1, The Van Williams Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 229 West Sam Houston Avenue. **COZ#210634**

2) Dr. Narciso Garcia, representing Vanguard Academy Inc., owner, has filed with the Planning and Zoning Commission a request for a Life of Use Conditional Use Permit to allow an Institutional Use in an Agricultural and/or Open Space District (A-O). The property is legally described as being all of Lot 1, Oratory Academy of St. Philip Neri Subdivision and a 10.56 acres tract of land, more or less, out of Lot 6, Block 8, AJ. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1407 West Moore Road. **CUP#210635**

E. PLATS:

1) Nain Engineering, L.L.C., representing Raul Bocanegra, President for Bocanegra Investments, L.L.C., is requesting preliminary plat approval of the proposed Bocanegra Subdivision. The property is legally described as being a 0.54 acre tract of land being all of Lots 1, 2 and the west 22.80 feet of Lot 3 and all of Lot 23 and the west 16.80 feet of Lot 22, Block 1, Eula Young Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 700 Block of West Business Hwy 83. **SUB#210514**

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 July 2021 at 10:00 a.m., and on the City of Pharr web site (www.pharr-tx.gov)



Imelda Barrera, Assistant City Clerk

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. June 28, 2021 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, June 28, 2021, and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Romeo Robles
 Charlie Ramirez Rafael Munguia

ABSENT: Luis Madrigal Andy Castro
Jonathan Larraga

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Development Services Interim Director
Roy Rodriguez, Assistant Director/Building Official
Eddie Martinez, Planner II
Anaisa Licerio, Planner I
Nelly Terrazas, Planner I
Carolina Herrera, Secretary
Daniel Gonzalez, Assistant City Attorney

ITEM A. CALL TO ORDER

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

Rafael Munguia moved to excuse the absent members. Charlie Ramirez seconded the motion and when put to a vote it carried unanimously.

ITEM B. PUBLIC TESTIMONY

None.

ITEM C. APPROVAL OF MINUTES

1) MINUTES OF JUNE 14, 2021

Chairman, Danny Wylie, introduced the item.

There being no discussion Rafael Munguia moved to approve the minutes of June 14, 2021. Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) **ELV VENTURES LLC., D/B/A LA BELLA CASA FLOORING STUDIO, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT FOR OUTSIDE STORAGE OF MATERIALS AND/OR EQUIPMENT IN A HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 1, VALENTINA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1403 WEST FERGUSON AVENUE. CUP#210532**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned Heavy Commercial District (H-C). The surrounding area is zoned Agricultural and/or Open Space District (A-O) to the North, General Business District (C) and Agricultural and/or Open Space District (A-O) to the East and General Business District (C) to the South and West. This area is generally designated for commercial use in the Land Use Plan. She further reported fourteen (14) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received (1) one telephone call for information only.

Anaisa Licerio, Planner I, further stated staff recommended approval of the request for a Conditional Use Permit to allow the outside storage of materials and/or equipment in a Heavy Commercial District (H-C). Applicant shall obtain a Certificate of Occupancy and meet all City Department requirements prior to the issuance of the Conditional Use Permit as well as being subject to the listed conditions.

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.

Rafael Munguia asked if the Conditional use Permit would be issued for one year.

Anaisa Licerio, Planner I, confirmed the Conditional Use Permit would be for one year.

There being no further discussion Rafael Munguia moved to approve the request for a Conditional Use Permit to allow the outside storage of materials and/or equipment in a Heavy Commercial District (H-C). Charlie Ramirez second the motion and when put to a vote, it carried unanimously.

ITEM G. PLAT APPROVAL

- 1) **J&R ENGINEERING, LLC, REPRESENTING CITY OF PHARR, IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED LOT 1A & LOT 1B REPLAT OF LOT 1, TIP-O-TEXAS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 4.050 ACRE TRACT OF LAND, BEING A REPLAT OF ALL OF LOT 1, TIP-O-TEXAS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 3000 BLOCK OF NORTH IH 69C. SUB#210411**

Anaisa Licerio, Planner I, introduced the item. She stated the property is currently zoned General Business District (C). The adjacent zones are Agricultural Open Space District (A-O) to the north, Residential Mobile Home District (R-MH) to the east, Limited Industrial District (L-I) to the south and General Business District (C) and Limited Industrial District (L-I) to the west. The property is designated for commercial and public/semipublic use in the Land Use Plan. She added no variances were being requested and staff recommends preliminary and final plat approval of the proposed Lot 1A & Lot 1B Replat of Lot 1, Tip-O-Texas 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 Rafael Munguia moved to approve the request for preliminary and final plat approval of the proposed Lot 1A & Lot 1B Replat of Lot 1, Tip-O-Texas Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

None.

ITEM G. CLOSED SESSION

None.

ITEM H. RECONVENE

None.

ITEM I. ADJOURNMENT

There being no further business Romeo Robles moved to adjourn. Charlie Ramirez second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:06 p.m.

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED: _____



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.1.

DATE SUBMITTED: July 7, 2021

MEETING DATE: July 12, 2021

FROM: Carolina Herrera, Secretary

DEPARTMENT: Development Services

DIRECTOR: Roland Gomez

Agenda Item: Melden & Hunt, Inc., representing Maria D. Alvarez, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being .538 acres, more or less, out of Lots 1 and 2, Block 1, The Van Williams Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 229 West Sam Houston Avenue. **COZ#210634**

Classification: Regular

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

Issue: Melden & Hunt, Inc., representing Maria D. Alvarez, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD).

Fiscal Consideration:

Staff Recommendation: Development Services is recommending approval of the request to re-zone from Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD) 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.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Carolina Herrera

Roland Gomez

Created/Initiated - 7/7/2021

Final Approval - 7/8/2021



Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: July 12, 2021

ROUTE TO BOARD:

☐ CITY COMMISSION

AGENDA ITEM: COZ:#210634

☒ PLANNING & ZONING COMMISSION

DATE SUBMITTED: June 11, 2021

1. **Applicant:** Melden and Hunt, Inc., representing Maria D. Alvarez, owner
2. **Requested Action:** Re-zoning request from Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD).
3. **Nature / Intent of Request:** In order to develop and construct one duplex and one four-plex.

4. **Routing to Staff:**

A. Roland Gomez, Interim Director

RG
Initials

7-7-21
Date

☒ Approval ☐ Denial

B. Planning Staff Recommendations

Am
Initials

7/7/21
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, JULY 12, 2021
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being .538 acres out of Lots 1 & 2, Block 1, The Van Williams Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 229 West Sam Houston Avenue.

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:

Melden and Hunt, Inc., representing Maria D. Alvarez, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD) in order to develop and construct one duplex and one four-plex.

The subject site is located on the south side of West Sam Houston Avenue and has a physical address of 229 West Sam Houston Avenue. The property is legally described as being a 0.538 of 1 acre out of Lots 1 & 2, Block 1, The Van Williams Subdivision, Pharr, Hidalgo County, Texas.

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

The property is currently zoned Residential Multi-Family District (R-MF). On March 30, 1982, the property, and the property to the north, east, west and south were zoned to Single Family Residential District (R-1) when the city adopted the zoning ordinance we use today. On August 2, 2010, a portion of the property was rezoned to Neighborhood Commercial District (N-C) and later on August 19, 2019, the other portion was rezoned to Neighborhood Commercial District (NC). A portion of the property to the north was rezoned to General Business District (C) on May 15, 2007 and the other portion to the north was rezoned to Residential Multi-Family High Density District (R-MFHD). On May 3, 2021 the subject property was rezoned to Residential Multi-Family District (R-MF). There have been no other zoning requests within the 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-five (25) 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 Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD) as the property meets area requirements and has adequate ingress and egress. The property is not currently compatible with the future land use plan; however, the zoning will allow for reasonable use of the property and granting the request results in equal treatment of similarly situated properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **July 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.



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Melden and Hunt, Inc., representing Maria D. Alvarez, owner
APPLICANT

229 West Sam Houston Avenue
ADDRESS

Residential Multi-Family District (R-MF)
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:

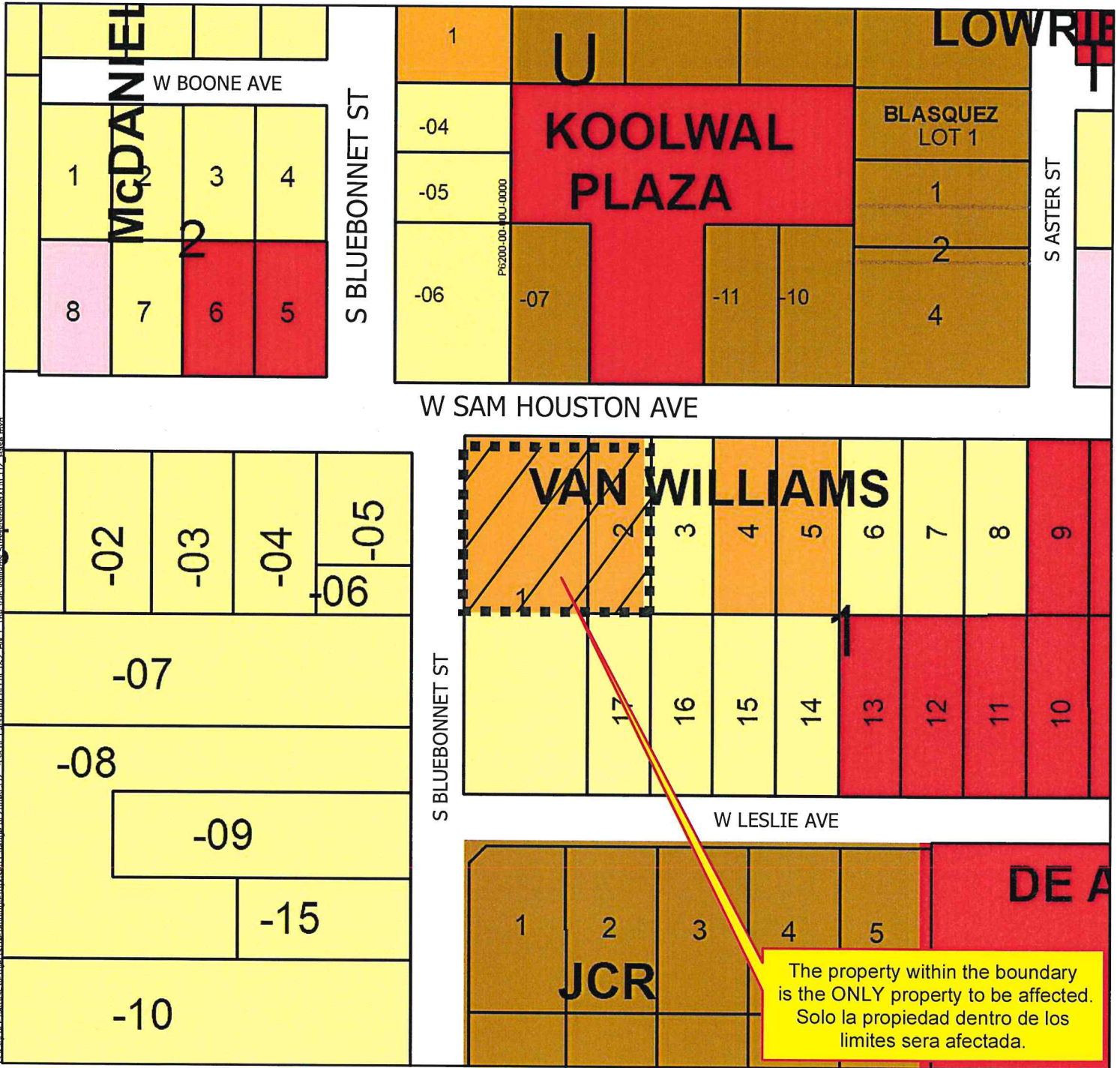
Approval

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

July 6, 2021
DATE

Proposed Change of Zone
 .538 of 1 acre out of Lot 1&2, Blk 1,
 The Van Williams Subdivision
 Melden & Hunt, Inc/ Mario Reyna



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

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

City of Pharr, Texas
 Engineering Department
 956.402.4242

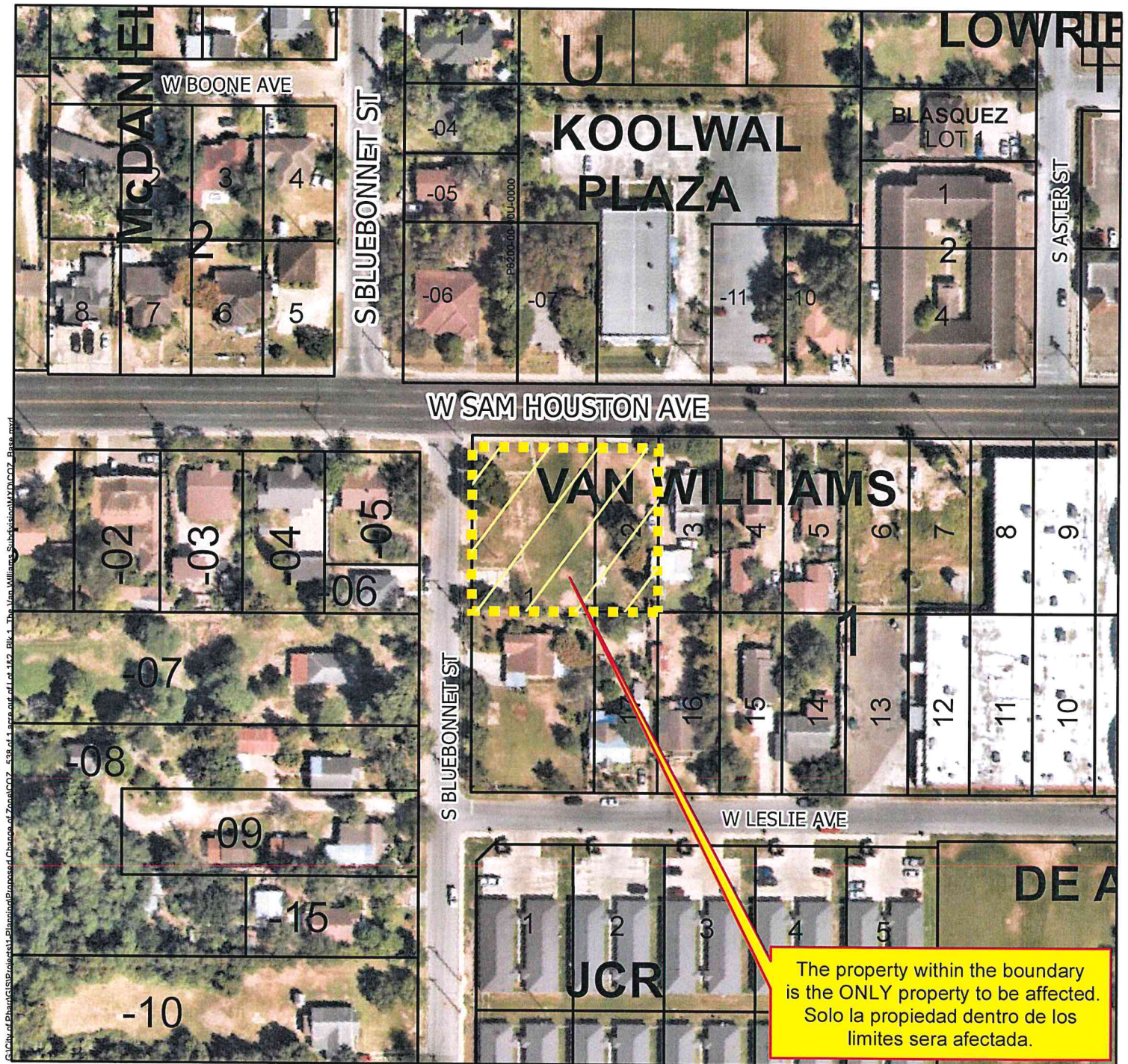
Scale: 1 inch = 125 feet



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.



Proposed Change of Zone
 .538 of 1 acre out of Lot 1&2, Blk 1,
 The Van Williams Subdivision
 Melden & Hunt, Inc/ Mario Reyna

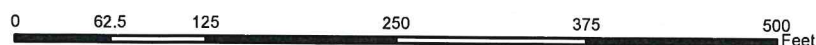


- | | | |
|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential 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: 6/17/2021

Scale: 1 inch = 125 feet

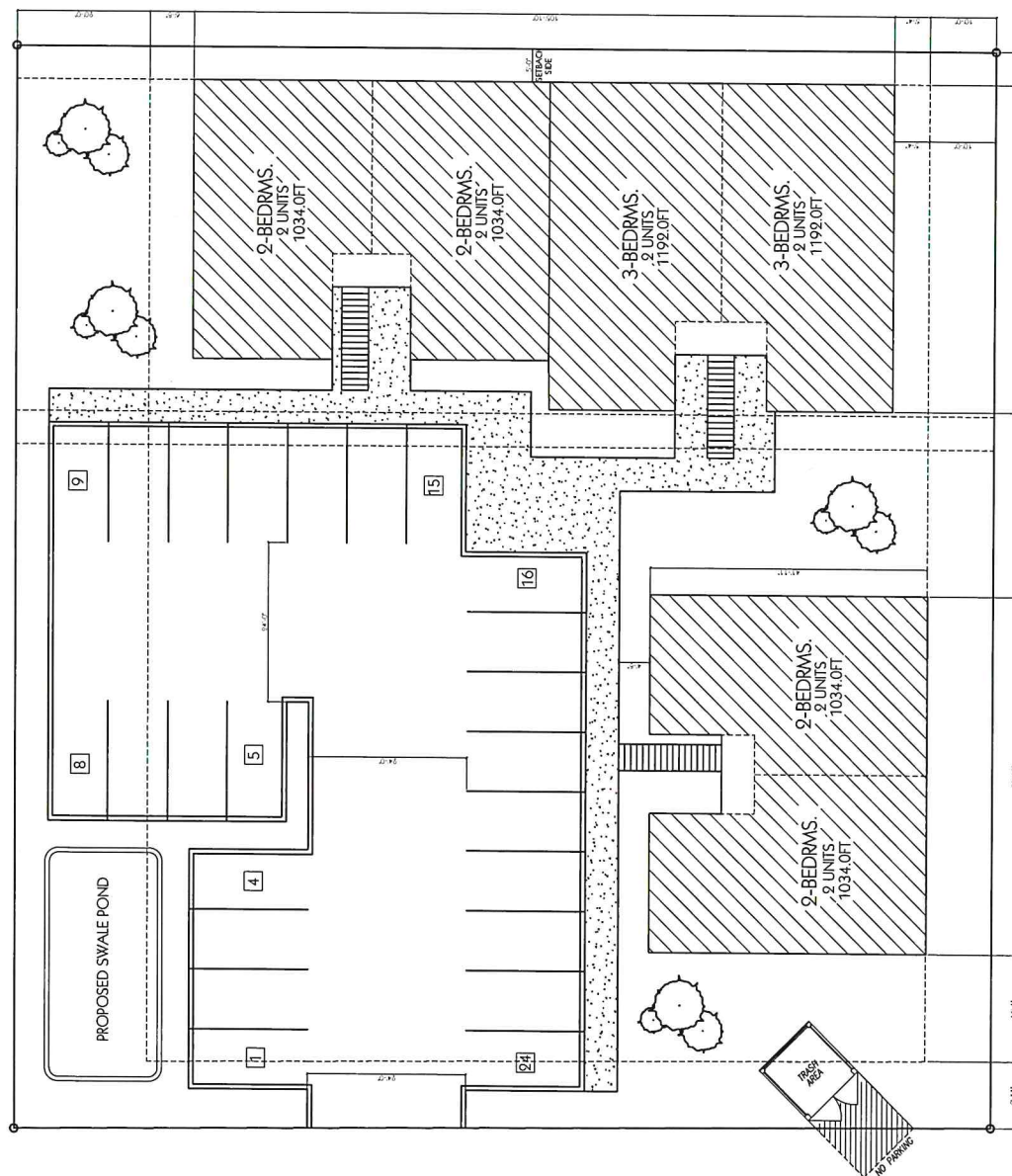


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W. SAM HOUSTON ST.

BLUEBONNET ST.



8-TWO-BEDRMS
4-THREE-BEDRMS
12-APTS UNITS

22 - PARKING REQ.
22 - PARKING PROVIDED.



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.

DATE SUBMITTED: July 7, 2021

MEETING DATE: July 12, 2021

FROM: Carolina Herrera, Secretary

DEPARTMENT: Development Services

DIRECTOR: Roland Gomez

Agenda Item: Dr. Narciso Garcia, representing Vanguard Academy Inc., owner, has filed with the Planning and Zoning Commission a request for a Life of Use Conditional Use Permit to allow an Institutional Use in an Agricultural and/or Open Space District (A-O). The property is legally described as being all of Lot 1, Oratory Academy of St. Philip Neri Subdivision and a 10.56 acres tract of land, more or less, out of Lot 6, Block 8, AJ. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1407 West Moore Road. **CUP#210635**

Classification: Regular

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

Issue: Dr. Narciso Garcia, representing Vanguard Academy Inc., owner, has filed with the Planning and Zoning Commission a request for a Life of Use Conditional Use Permit to allow an Institutional Use in an Agricultural and/or Open Space District (A-O).

Fiscal Consideration:

Staff Recommendation: Development Services is recommending approval the request for Life-of-the-Use Conditional Use Permit to allow a school in a Agricultural and/or Open Space District (A-O). If approved, this item must comply with the listed conditions.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Carolina Herrera
Roland Gomez

Created/Initiated - 7/7/2021
Final Approval - 7/8/2021



MEMORANDUM

DATE: MONDAY, JULY 12, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A SCHOOL FILE NO. CUP#210635 (VANGUARD ACADEMY INC.)
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GENERAL INFORMATION:

APPLICANT: Dr. Narciso Garcia, representing Vanguard Academy Inc., owner, has filed with the Planning and Zoning Commission a request for a Life of Use Conditional Use Permit to allow an Institutional Use in an Agricultural and/or Open Space District (A-O).

LEGAL DESCRIPTION: The property is legally described as being all of Lot 1, Oratory Academy of St. Philip Neri Subdivision, and a 10.56 acres tract of land, more or less, out of Lot 6, Block 8, AJ. McColl Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1407 West Moore 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) and Townhouse Residential District (R-TH) to the North, Single Family Residential District (R-1) to the East, Residential Multi-Family High Density District (R-MFHD) to the South, General Business District (C) and Agricultural and/or Open Space District (A-O) and City of Pharr Limits lie to the West. This area is generally designated for Commercial and Public/Semi-Public Use in the Land Use Plan.

COMMENTS:	FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit.
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**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.

**NOTIFICATION
OF PUBLIC:**

One-hundred and twenty-two (122) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received one (1) telephone call for information only.

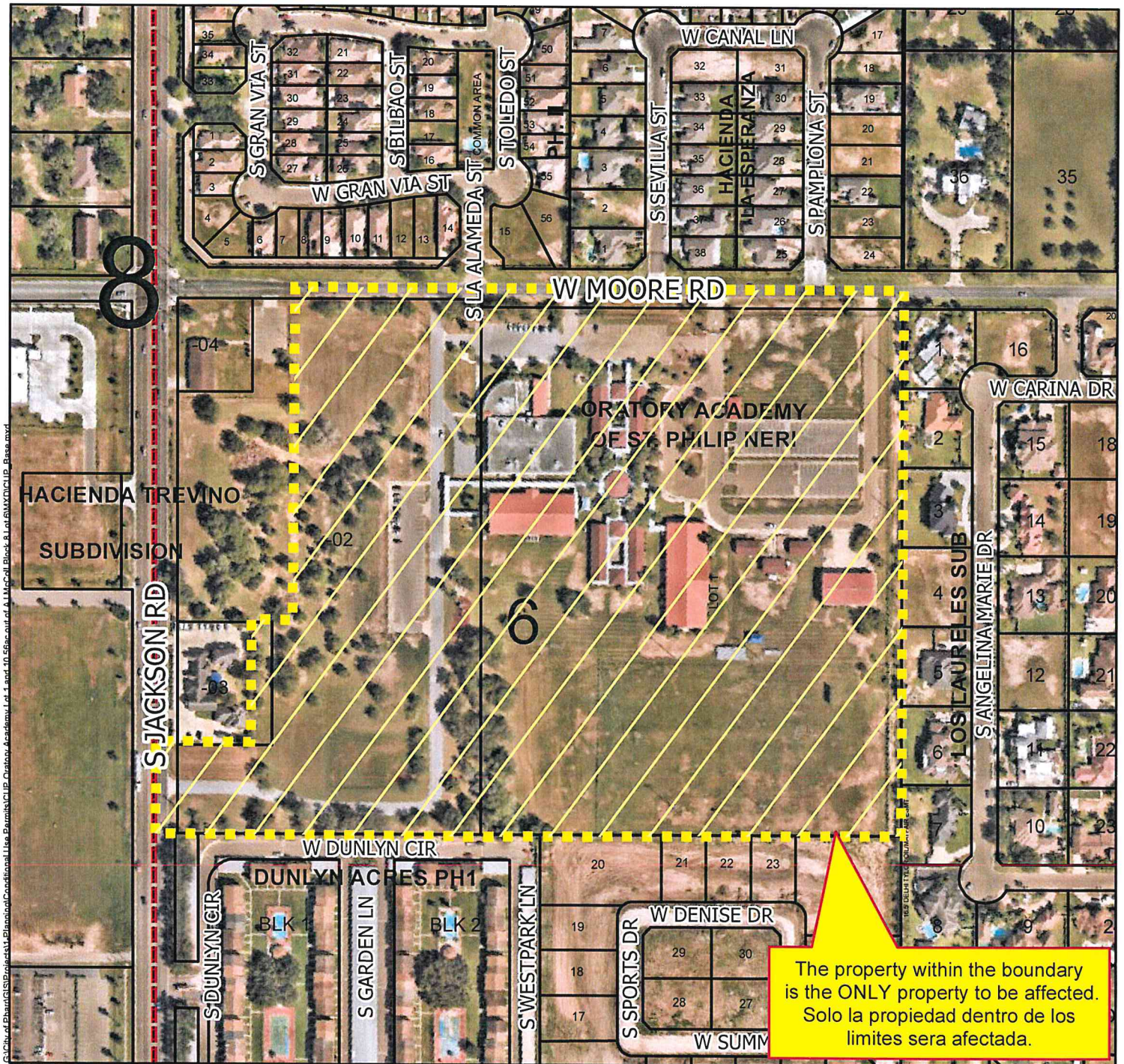
**DEVELOPMENT
SERVICES
RECOMMENDATION:**

Development Services is recommending **approval** of the request for Life-of-the-Use Conditional Use Permit to allow a school in a Agricultural and/or Open Space District (A-O). Applicant shall obtain a Certificate of Occupancy and meet all City Department requirements prior to the issuance of the Conditional Use Permit as well as being subject to the following conditions:

1. This permit shall be for the Life-of-the Use and issued to the current owner only;
2. No living amenities shall be installed in unit;
3. Applicant shall comply with all City of Pharr Ordinances and codes, any violation will terminate this Conditional Use Permit;
4. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
5. The following shall be considered as grounds for the revocation of the Conditional Use Permit:
 - Any change in use or change in extent of use, area or location.
 - 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 **July 19, 2021 at 4:00 p.m.**

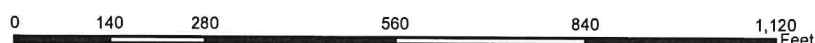
Proposed Conditional Use Permit
All of Lot 1 Oratory Academy of St. Philip Neri Subdivision and
10.56ac out of AJ.McColl Sub Lot 6 Block 8
Vanguard Academy, Inc.



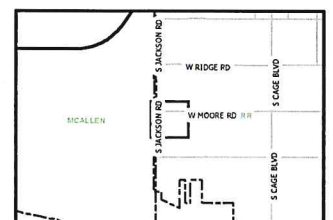
- | | | |
|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential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

City of Pharr, Texas
Engineering Department
956.402.4242

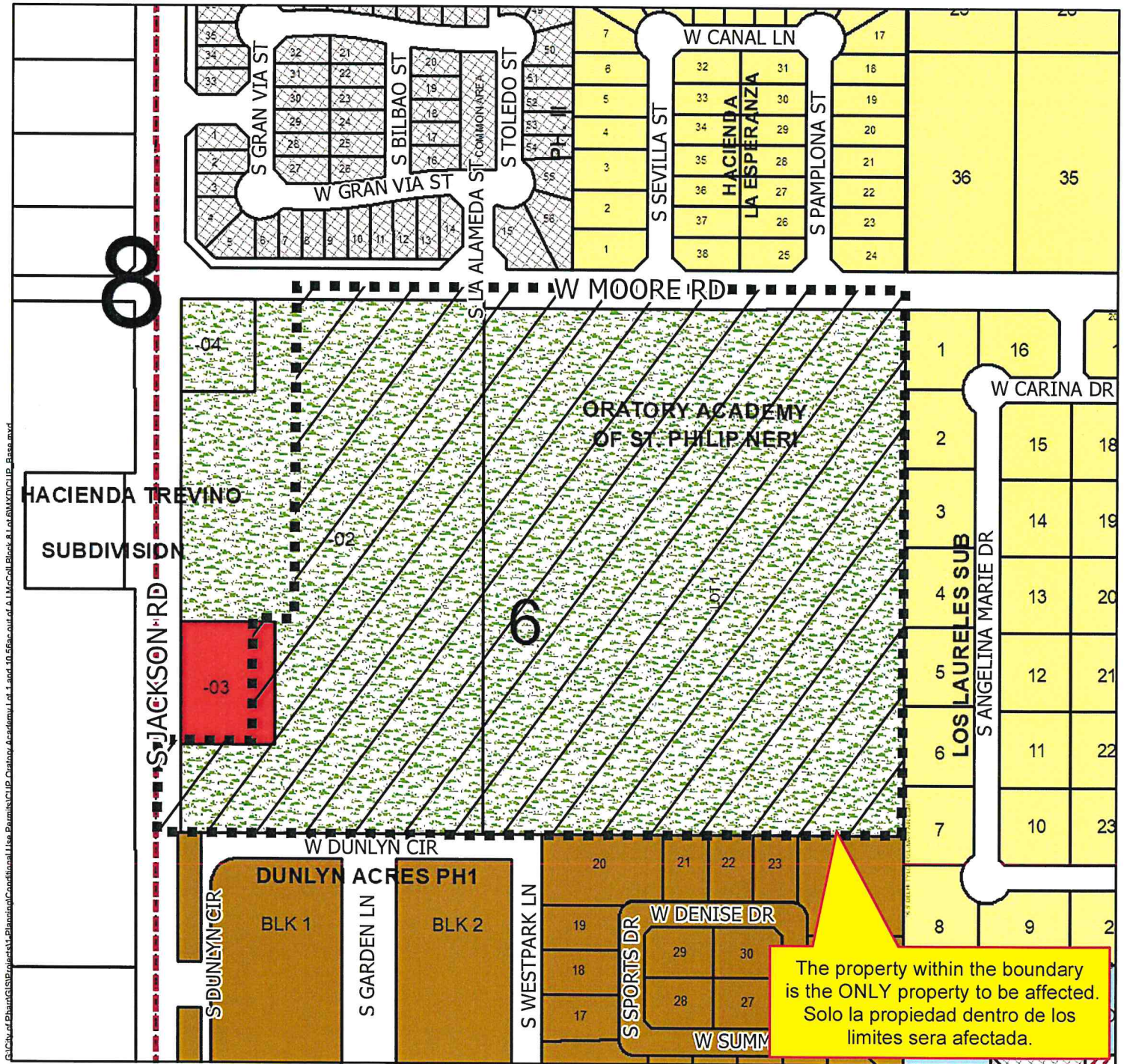
Scale: 1 inch = 280 feet



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.



Proposed Conditional Use Permit
All of Lot 1 Oratory Academy of St. Philip Neri Subdivision and
10.56ac out of AJ.McColl Sub Lot 6 Block 8
Vanguard Academy, Inc.

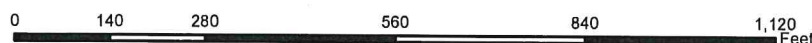


The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

- | | | |
|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
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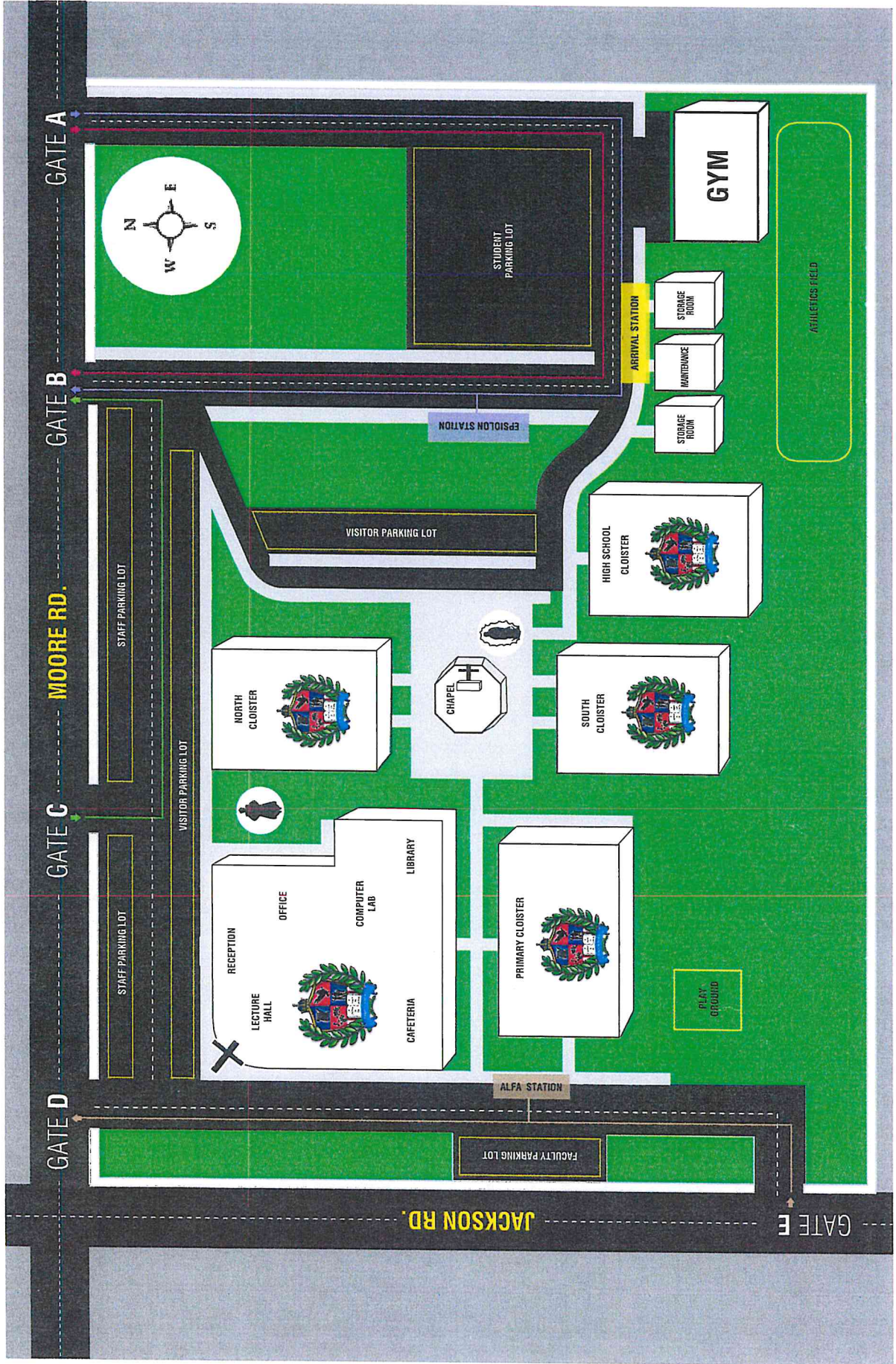


Date: 6/17/2021



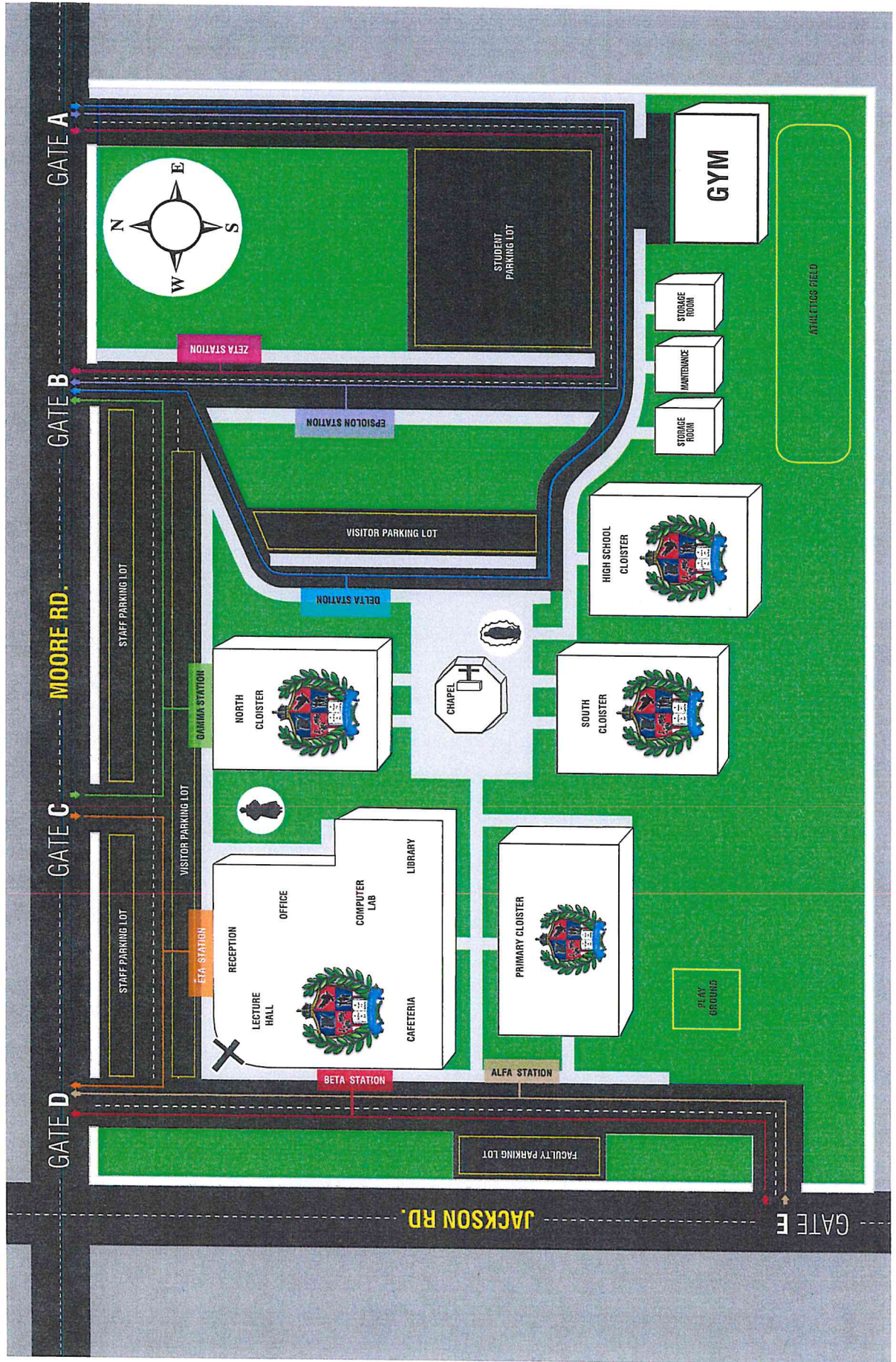
Vanguard Van Gogh
1407 W. Moore Rd.
Pharr, TX 78577

ARRIVAL MAP



DISMISSAL MAP

Vanguard Van Gogh
1407 W. Moore Rd.
Pharr, TX 78577





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: E.1.

DATE SUBMITTED: July 7, 2021

MEETING DATE: July 12, 2021

FROM: Carolina Herrera, Secretary

DEPARTMENT: Development Services

DIRECTOR: Roland Gomez

Agenda Item: Nain Engineering, L.L.C., representing Raul Bocanegra, President for Bocanegra Investments, L.L.C., is requesting preliminary plat approval of the proposed Bocanegra Subdivision. The property is legally described as being a 0.54 acre tract of land being all of Lots 1, 2 and the west 22.80 feet of Lot 3 and all of Lot 23 and the west 16.80 feet of Lot 22, Block 1, Eula Young Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 700 Block of West Business Hwy 83. **SUB#210514**

Classification: Regular

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

Issue: Nain Engineering, L.L.C., representing Raul Bocanegra, President for Bocanegra Investments, L.L.C., is requesting preliminary plat approval of the proposed Bocanegra Subdivision.

Fiscal Consideration:

Staff Recommendation: Development Services recommends preliminary plat approval of the proposed Bocanegra Subdivision subject to the following conditions set before you.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Carolina Herrera
Roland Gomez

Created/Initiated - 7/7/2021
Final Approval - 7/8/2021



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JULY 12, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: BOCANEGRA SUBDIVISION
FILE NO. **SUB#210514**

GENERAL INFORMATION:

APPLICANT: Nain Engineering, L.L.C., representing Raul Bocanegra, President for Bocanegra Investments, L.L.C., is requesting preliminary plat approval of the proposed Bocanegra Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a 0.54 acre tract of land being all of Lots 1, 2 and the west 22.80 feet of Lot 3 and all of Lot 23 and the west 16.80 feet of Lot 22, Block 1, Eula Young Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 700 Block of West Business Hwy 83.

ZONING: The property is currently zoned General Business District (C). The adjacent zones are General Business District (C) to the north, south, east and west. The property is designated for single family residential and commercial use in the Land Use Plan.

PROPERTY PROPOSED USE: Retail.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends preliminary plat approval of the proposed Bocanegra Subdivision subject to the following conditions set before you.

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

1. Provide street lighting layout.

EASEMENTS:

1. Label and show all existing easements.

**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. Change outfall bleeder from 4" PVC to a 8" PVC pipe.

OTHER:

1. Need surveyor signature on plat
2. Remove old lot lines
3. If alley to be abandon by plat shall submit with application and provide an easement for any utilities within alley.
4. Show bearings on plat layout
5. Plat note #1 shall only have one front setback.
6. HCID #2, tie down subdivision to main lot.
7. Moore Rd. 24" sanitary sewer improvements reimbursement: $\$402.90/\text{acre}(0.54) = \$ 217.57$
8. Staff comments are attached.



Pharr

Fire Department



118 S. Cage Blvd. 3rd Floor

Pharr, Texas 78577

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

Subdivision: BOCANEGRA SUBDIVISION (STAFF-REVIEW COMMENTS)

Reviewed by: MIKE NAVARRO

July 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 pavement 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 – NO PARKING -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:

☐ **PHARR FIRE MARSHAL OFFICE CONDUCTED PLAN REVIEW AND HAD THE FOLLOWING COMMENTS.**

☐ **SHALL PROVIDE FIRE HYDRANT DETAIL FOR THE PROPOSED FIRE HYDRANT.**

☐ **SHALL PROVIDE HYDRANT VALVE DETAIL TO INCLUDE A 30X30X6 CONCRETE COLLAR.**

☐ **SHOW THE NEAREST EXISTING FIRE HYDRANT ON THE PLANS.**

☐ **SHALL HAVE THE FIRE LANES PAINTED AT THE TIME OF THE FINAL AND HAVE (FIRE LANE TOW AWAY ZONE NO PARKING). 15 FT IN EACH DIRECTION FROM THE FIRE HYDRANT.**

☐ **PLAT NOTE: ADDITIONAL FIRE PROTECTION MAY BE REQUIRED AT THE TIME OF BUILDING PERMIT PHASE.**

STAFF REVIEW MEETING FOR:

BOCANEGRA SUBDIVISION

COMMENTS: Initials: O.D.L. / J.R. / R. B. JUNE 29, 2021

WATER:

- Will need to abandoned 2" old steel line in the front of the property
- Will need to install new water service to the 8" water line located on W. Park Ave.
- Follow City of Pharr Construction Standards Manual

SEWER:

- Will need 15' exclusive utility easement to the City of Pharr in lieu of 20' alley
- 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: Bocanegra Subdivision

DATE: July 1, 2021

REVIEW: Preliminary (comments plans dated 6-14-2021)

PLAT

1. Signature from P.E.
2. Signature from R.P.L.S.
3. Plat name adjacent to the proposed lots are not in the correct side.
4. Show all existing utility easements.
5. Note No. 7---Revise note to say... "5.0'-ft sidewalk with ADA ramps and landings along all streets shall be required to be constructed at the time of building permit phase."
6. Note No. 8---Revise second half of note to say... "*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.*"
7. Add note---Owners to maintain detention/retention area.

SITE PLAN

1. Provide all pertinent City of Pharr details. (Driveway, sidewalk, ADA ramps and landings, paving detail for parking lot)
2. Bleeder line shall be flush with headwall and inlet. Must have grout around bleeder line to prevent leaks.

DRAINAGE

1. Drainage plan to be reviewed and approved at building permit stage.

CLOSEOUT DOCUMENTS

- All As-builts must have the following requirements:
 - 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



Pharr Public Work



SUBDIVISION: Plat Review Meeting
Bocanegra Subdivision

DATE: 06/29/2021

W. Business 83

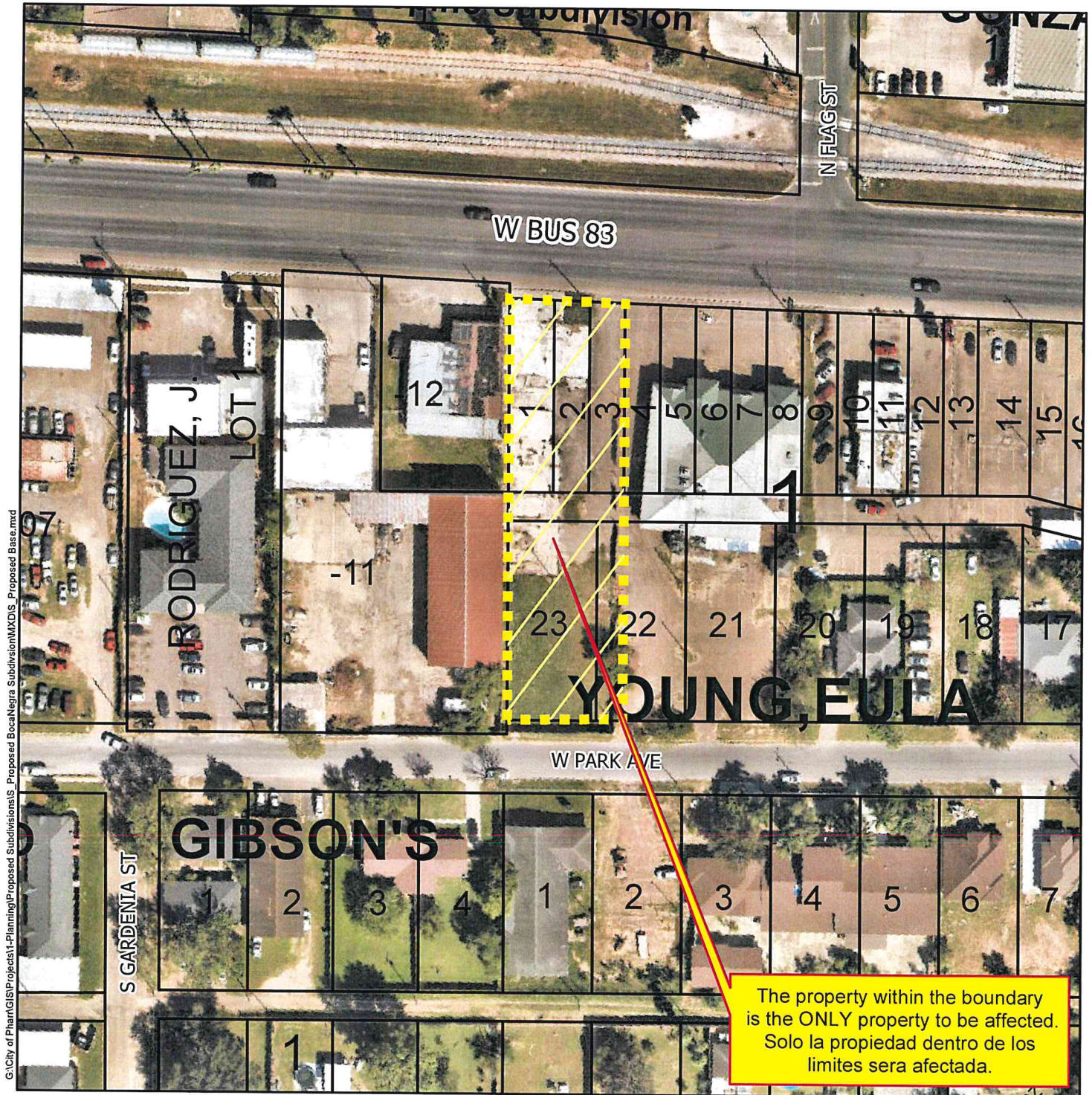
Pharr Tx, 78577

Plat Notes:

- No comments

General Notes:

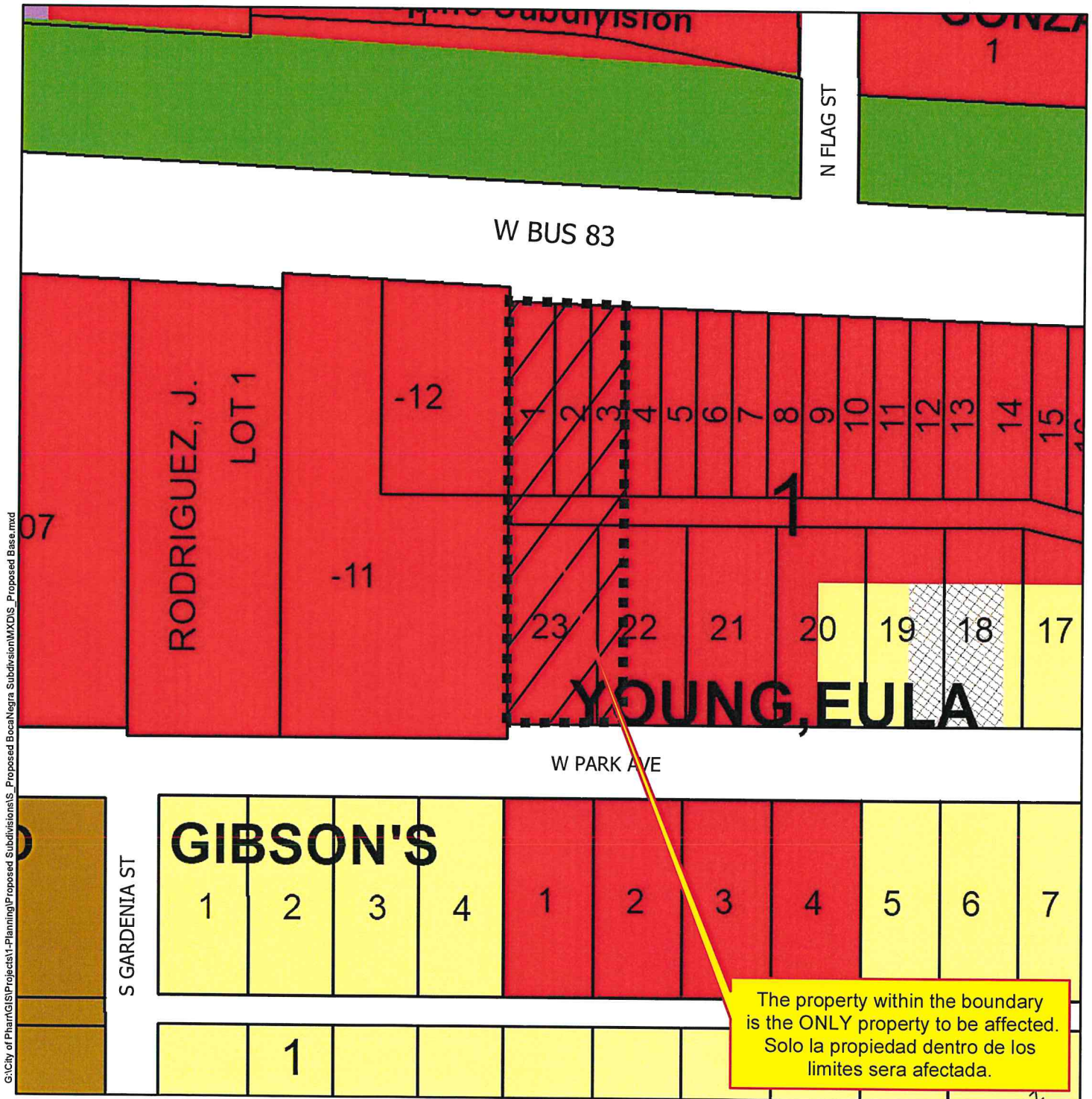
- Change outfall bleeder 4" PVC to 8" PVC pipe
- Obtain open cut permit from Public Works.



G:\City of Pharr\GIS\Projects\1-Planning\Proposed Subdivisions\1-Proposed Bocanegra Subdivision\WDX\GIS - Proposed Base.mxd

- | | | | |
|---------------------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | Townhouse | Drainage Easement | PSJA ISD |
| Single Family | HUD Code | Heavy Commercial | Hidalgo ISD |
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- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

- Townhouse
- HUD Code
- Rail Road R.O.W
- Government Owned
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- Business District

- Drainage Easement
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- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

