

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. November 08, 2021 - 6:00 p.m.

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

MEMBERS PRESENT: Danny Wylie
Romeo Robles
Andy Castro
Luis Madrigal
Charlie Ramirez
Guadalupe Cano (alternate)
Joel Ordaz (alternate)

ABSENT: Jonathan Larraga Rafael Munguia

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Development Services Interim Director
Roy Rodriguez, Assistant Director/Building Official
Eddie Martinez, Planner II
Anaïsa Licerio, Planner II
Nelly Terrazas, Planner I
Iris Mata, Administrative Assistant
John Rigney, Attorney

ITEM A. CALL TO ORDER

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

Charlie Ramirez moved to excuse the absent members. 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 OCTOBER 25, 2021

Chairman, Danny Wylie, introduced the item.

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

ITEM D. PUBLIC HEARING

- 1) **CAPOTE FARMS, LTD. HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A PARKING LOT IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 2.35 ACRES OUT OF THE SOUTHWEST CORNER OF LOT 386, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 10401 SOUTH CAGE BOULEVARD. CUP#210954**

Anaisa Licerio, Planner II, introduced the item and stated the property is currently Agricultural and/or Open Space District (A-O) The surrounding area is zoned Agricultural and/or Open Space District (A-O) to the north and east and General Business District (C) to the west and south. This area is generally designated for commercial in the Land Use Plan. She further reported twenty-one (21) 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.

Anaisa Licerio, Planner II, further stated staff recommended approval of request for Conditional Use Permit to allow a parking lot in an Agricultural and/or Open Space District (A-O). 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 item for discussion.

Charlie Ramirez questioned the number of entrances and the length.

Anaisa Licerio, Planner II, stated there was one entrance to the north of the property off Cage Blvd. which was 250.36 ft from the corner.

Charlie Ramirez question if there would be drainage/detention pond.

Anaisa Licerio, Planner II, stated the detention pond requirement would be set by the city's Engineering Department.

Chairman, Danny Wylie, asked if the parking would be permanent.

Anaisa Licerio, Planner II, stated the parking would be temporary as it would only be used during harvesting time. She continued to state that the property was not going to be paved, but material requirements would be set by the city's Engineering Department.

Chairman, Danny Wylie, questioned the length of time the permit would be granted.

Anaisa Licerio, Planner II, stated the permit would be renewed on a yearly basis.

Chairman, Danny Wylie, inquired about requirements for temporary parking.

Anaisa Licerio, Planner II, stated the applicant would be required to pass inspections to through the Planning Division, Code Compliance, and Fire Department.

Roland Gomez, Development Services Interim Director, stated a correction needed to be made to the agenda memorandum as the item was not for a paved parking facility. Mr. Gomez also stated the applicant had been granted a Conditional Use Permit for a temporary parking for the last fifteen (15) years which was used seasonally. He continued to state that the city's Engineering Department would provide requirements on material to be used for the parking facility.

Chairman, Danny Wylie, asked if the parking lot was on a major thoroughfare.

Roland Gomez, Development Services Interim Director, confirmed it was on a major thoroughfare. He added the property did belong to the applicant and it was not part of the right-of-way.

Chairman, Danny Wylie, inquired about the number of permits for temporary parking.

Roland Gomez, Development Services Interim Director, stated this was the only permit for temporary parking. He added that the permit was previously granted for five (5) years, but could be set by the Planning and Zoning Commission.

Charlie Ramirez asked if the continuous right turn was abandoned by TxDOT.

Roland Gomez, Development Services Interim Director, stated the property belonged to the applicant, Capote Farms.

There being no further discussion Luis Madrigal moved to approve the request of the Conditional Use Permit to allow a parking lot in an Agricultural and/or Open Space District (A-O) for three (3) years. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) **SALINAS ENGINEERING & ASSOCIATES, REPRESENTING DREAMLAND ESTATES, LLC., OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT (R1-E). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 20 ACRES, MORE OR LESS, OUT OF THE NORTH 1/2 OF LOT 103, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 4600 – 5000 BLOCK OF NORTH SUGAR RD. COZ#210957**

Anaisa Licerio, Planner II, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). All properties to the north, east,

south, and west were annexed on October 19, 1989. A portion of the property to the north was rezoned from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1) on September 17, 2018, and the other portion to the north was zoned Single Family Residential District (R-1) on November 6, 2017. 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. She further reported thirty-one (31) 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.

Anaisa Licerio, Planner I, further stated staff recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential Estate District (R1-E) as the property meets area requirements, has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the items for discussion.

Chairman, Danny Wylie, asked if a buffer would be required.

Anaisa Licerio, Planner II, stated a buffer was not required for Single-Family Residential Estate District (R1-E).

There being no further discussion Luis Madrigal moved to approve the request to re-zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential Estate District (R1-E). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 3) FLORINDA HERNANDEZ HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) & GENERAL BUSINESS DISTRICT (C) TO HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1 ACRE, MORE OR LESS, OUT OF LOT 147, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 415 EAST FERGUSON. COZ#211059**

Anaisa Licerio, Planner II, stated item was withdrawn.

- 4) **TREVINO ENGINEERING, REPRESENTING CENTMAT PROPERTIES LLC., OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) & AGRICULTURAL AND/OR OPEN SPACE (A-O) TO LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 10-ACRE TRACT, MORE OR LESS, OUT OF LOT 99, KELLY- PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 501 EAST NOLANA LOOP. COZ#211060**

Anaisa Licerio, Planner II, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O) and General Business District (C). The properties to the north were annexed on August 20, 1991, as Agricultural and/or Open Space District (A-O). Later, on October 1, 2002, a portion of the properties to the north were rezoned to Single Family Residential District (R-1). The property and the properties to the east and south were annexed on June 19, 1990. On November 1, 2005, a portion of the property to the east was rezoned to Multi-Family High Density District (R-MFHD). The other portion to the east was rezoned to General Business District (C) and the properties to the west were rezoned to Limited Industrial District on March 30, 1982, when the city adopted the current zoning ordinance we use today. Later a portion of the property was rezoned to Heavy Commercial District (H-C) on July 5, 1988. There have been no other zoning requests within the vicinity of the subject property since that time. The property is generally designated for Commercial, Multi-Family Residential and Public/Semi Public Use in the Land Use Plan. She further reported thirty-nine (39) 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.

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

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the items for discussion.

Charlie Ramirez asked about the use of the property and voiced his concern about the noise due to the proximity to residential area.

Anaisa Licerio, Planner II, stated the property would be used for the sale of goods and would verify the hours of operation. She noted noise may not be a concern since the manufacturing of materials would not be done on the property.

Charlie Ramirez questioned if the property was previously the old auto action location.

Anaisa Licerio, Planner II, confirmed the location as being the old auto auction property.

There being no further discussion Charlie Ramirez moved to **approve** the request to re-zone from General Business District (C) & Agricultural and/or Open Space (A-O) to Limited Industrial District (L-I). Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

- 5) TREVINO ENGINEERING, REPRESENTING ALBERTO GARZA, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) TO RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOTS 1-3, SOUTHSIDE ADDITION SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 122 EAST SAM HOUSTON. COZ#211061**

Anaisa Licerio, Planner II, introduced the item and stated the property is currently zoned General Business District (C). The property and the properties to the north, south, and east were zoned to Single Family Residential District (R-1) on March 30, 1982, when the city adopted the current zoning ordinance we use today. Later, the property to the east was rezoned to Office and Professional District (O-P) on July 3, 2001. The property to the west was zoned to General Business District (C) on January 22, 1980. There have been no zoning requests within the general vicinity of the subject property since then. The property is generally designated for Single Family Residential Use in the Land Use Plan. She further reported twenty-six (26) 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.

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

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the items for discussion.

There being no discussion Luis Madrigal moved to **approve** the request to re-zone from General Business District (C) to Residential Multi-Family District (R-MF). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) **RIO DELTA ENGINEERING, REPRESENTING W.A. LANDRETH III, MANAGER FOR VAQUERO KELLY PHARR PARTNERS, LP, VAQUERO VENTURES MANAGEMENT, LLC AND ALVARO GONZALEZ, MANAGER FOR LOS HOTELES, LP., ARE REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED LOS HOTELES SUBDIVISION NO.2. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 4.37 ACRES TRACT OUT OF LOT 108, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 100 BLOCK OF WEST NOLANA LOOP. SUB#211036**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Limited Industrial District (L-I). The adjacent zones are Agricultural Open Space District (A-O) and Limited Industrial District (L-I) to the north, Limited Industrial District (L-I) to the east and Heavy Industrial District (H-I) to the south and General Business District (C) and Agricultural Open Space District (A-O) to the west. The property is designated for industrial use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary and final plat approval of the proposed Los Hoteles Subdivision No. 2 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 preliminary and final plat approval of the proposed Los Hoteles Subdivision No. 2. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

- 2) **SALINAS ENGINEERING, REPRESENTING JORGE GONZALEZ, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED ARNOLD GROVE SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF THE NORTH 20.0 ACRES OUT OF LOT 103, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 4600 BLOCK OF NORTH SUGAR ROAD. SUB#210825**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Agricultural Open Space District (A-O). The adjacent zones are Single Family Residential District (R-1) to the north and Agricultural Open Space District (A-O) south, east and west. The property is designated for commercial use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Arnold Grove 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.

Luis Madrigal confirmed that the property had just been approved for a change of zone and if the property met the ten thousand (10,000) square feet.

Eddie Martinez, Planner II, stated each lot did have over ten thousand (10,000) square feet.

There being no further discussion Luis Madrigal moved to **approve** the request for preliminary plat approval of the proposed Arnold Grove Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 3) MELDEN & HUNT, INC., REPRESENTING KEVIN MATTSON, MANAGER FOR RS PHARR, L.L.C. A TEXAS LIMITED LIABILITY, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED SIOUX REP SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.355 ACRES BEING 1.382 ACRES OUT OF LOT 140, KELLY-PHARR SUBDIVISION AND 0.973 OF ONE ACRE OUT OF LOT 1, SILVER SPUR SUBDIVISION PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 2700 BLOCK OF NORTH IH 69C. SUB#211037**

Eddie Martinez, Planner II, introduced the item. He stated 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 commercial use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Sioux Rep 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 preliminary plat approval of the proposed Sioux Rep Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 4) MELDEN & HUNT, INC., REPRESENTING FRANCISCO OBREGON, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED ENCINO RIDGE SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 21.958 ACRES A PART OR PORTION OUT OF LOT 97, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 4700 BLOCK OF NORTH VETERANS BOULEVARD. SUB#191126**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Single Family Residential District (R-1). The adjacent zones are General Business District (C) and Agricultural and/or Open Space District (A-O) to the north, City limits to the east, General Business District (C) to the south and Agricultural and/or Open Space District (A-O) to the west. The property is designated for multi-family residential and commercial use in the Land Use Plan. He added no variances were being requested and staff recommended final plat approval of the proposed Encino Ridge 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 Encino Ridge Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM H. ANNOUNCEMENTS/OTHER BUSINESS:

Roland Gomez, Development Services Interim Director, introduced new Planning and Zoning Commission alternate members, Guadalupe Cano and Joel Ordaz.

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 6:32 p.m.

ATTEST:



Andy Castro, Secretary



Chairman, Danny Wylie

APPROVED: November 22, 2022