

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. July 25, 2022 – 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 July 11, 2022.

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) Tejas Bar has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). The property is legally described as being 0.05 acres, more or less, out of Lots 13 thru 16 and a portion of Lot 12, Block 32, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 410 West State Avenue, Suite D. **CUP#220634**

2) Lisandro Espinoza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Neighborhood Commercial District (N-C) to Single Family Residential District (R-1). The property is legally described as being .48 acres, more or less, out of Lot 175, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 220 North Sugar Road. **COZ#220635**

3) M & S Estate Ltd., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Heavy Commercial District (H-C). The property is legally described as being Lot 1, Fox Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1527 South Jackson Road. **COZ#220636**

E. PLATS:

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 22nd day of July 2022 at 9:30 a.m., and on the City of Pharr web site (www.pharr-tx.gov)




Hilda Pedraza, City Clerk

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. July 11, 2022 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, July 11, 2022 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie
Jonathan Larraga
Guadalupe Cano
Charlie Ramirez
Romeo Robles

ABSENT: Rafael Munguia
Andy Castro
Luis Madrigal

OTHERS PRESENT: See attached list

STAFF PRESENT: Kimberly Mendoza, Director
Roy Rodriguez, Asst. Director
Patricia Rigney, City Attorney
Eddie Martinez, Planner II
Anaïsa Licerio, Planner II
Laura Fonseca, Planner I
Iris Mata, Administrative Assistant

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. Jonathan Larraga 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 13, 2022

Chairman, Danny Wylie, introduced the item and requested a correction on page 5 as he was not in attendance.

Iris Mata, Administrative Assistant, stated the changes had already been made. There being no further discussion Charlie Ramirez moved to approve the minutes of May 23, 2022. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) IGLESIA PENTECOSTES EL BUEN PASTOR, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE OF THE USE CONDITIONAL USE PERMIT TO ALLOW A CHURCH IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 15 THRU 18, HIDALGO PARK ESTATES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 213 E. ST. JOHN. CUP#220532**

Anaisa Licerio, Planner II, introduced the item and stated the property is currently zoned Single-Family Residential District (R-1). The surrounding area is zoned Single-Family Residential District (R-1) to the north, east, west and south. This area is generally designated for single family residential use in the Land Use Plan. She further reported sixty-seven (67) 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 and the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended approval the request for Life-of-the-Use Conditional Use Permit to allow a church in a Single-Family Residential District (R-1). If approved, the owner must comply with all City Ordinances and City Department requirements. She continued to state inspections had not been completed as construction has not begun.

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.

There being no discussion Jonathan Larraga moved to **approve** the request of the Life-of-the-Use Conditional Use Permit to allow a church in a Single-Family Residential District (R-1). Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) MELDEN & HUNT, INC., REPRESENTING IRENE URIBE MANRIQUE DE LARA, PRESIDENT FOR GARMEN INVESTMENTS, LP, A TEXAS LIMITED PARTNERSHIP, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED SUGAR GARDEN VILLAGE SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 9.697 ACRE TRACT OF LAND BEING THE NORTH HALF OF THE SOUTH HALF OF LOT 119, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 3800 BLOCK OF NORTH SUGAR ROAD. SUB#210308**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Residential Multi-Family District (R-MF). The adjacent zones are Residential Multi-Family High Density District (R-MFHD) to the north and south, Single Family Residential District (R-1) to the east and Agricultural and/or Open Space District (A-O) to the west.

The property is designated for single family residential use in the Land Use Plan. He added no variances were being requested and staff recommended final plat approval of the proposed Sugar Garden Village 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 Guadalupe Cano moved to **approve** the request for final plat approval of the proposed Sugar Garden Village Subdivision. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

- 2) **MELDEN & HUNT INC., REPRESENTING MENDY SHAPIRO, MEMBER FOR TEXAS NH MANAGEMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED COROLLA CAPITAL SUBDIVISION PHASE I LOT 1. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 4.004 ACRES OUT OF LOT 317 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 6800 BLOCK OF S. CAGE BLVD. SUB#210617**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Heavy Commercial District (HC). The adjacent zones are General Business District (C) and Single Family Residential District (R-1) to the north, General Business District (C) and Residential Mobile Home District (R-MH) to the south, Residential Mobile Home District (R-MH) to the east and General Business District (C) to the west. The property is designated for commercial and single family residential use in the Land Use Plan. He added no variances were being requested and staff recommended final plat approval of the proposed Corolla Capital Subdivision Phase I Lot 1 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.

Chairman, Danny Wylie, asked staff where the entrance would be.

Eddie Martinez, Planner II, stated the entrance would be off of Cage.

There being no further discussion Jonathan Larraga moved to **approve** the request for final plat approval of the proposed Corolla Capital Subdivision Phases I Lot 1. Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

- 3) **TREVIÑO ENGINEERING, REPRESENTING LUIS VALENCIA, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED FRUITMICH SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.007 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 124, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 100 BLOCK OF W. UTILITY DR. SUB#220311**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Limited Industrial District (L-I). The adjacent zones are Limited industrial District (L-I) to the north, east and west and Agricultural Open Space District (A-O) to the south. The property is designated for industrial use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Fruitmitch 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.

Chairman, Danny Wylie, asked if this property had been platted.

Eddie Martinez, Planner II, confirmed the property had not been platted.

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

- 4) ROBLES ENGINEERING, LLC, REPRESENTING JORGE A. ESPINO, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED LA PIEDAD SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.684 ACRE OUT OF LOT 191, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 900 BLOCK OF W. SAM HOUSTON AVE. SUB#211144**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Agricultural Open Space District (A-O). The adjacent zones are Agricultural Open Space District (A-O) to the north, General Business District (C) to the east and Single Family Residential District (R-1) to the south and west. The property is designated for single family residential use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed La Piedad 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 Jonathan Larraga moved to **approve** the request for preliminary plat approval of the proposed La Piedad Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 5) R. E. GARCIA & ASSOCIATES, REPRESENTING ROSANA RIOJAS, PRESIDENT FOR RICH HERITAGE CONSTRUCTION, INC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED HERITAGE ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 7.00 ACRE TRACT OF LAND BEING A PORTION OF LOT 152, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 2200 BLOCK OF N. SUGAR RD. SUB#220514**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Residential Multifamily High Density District (R-MFHD). The adjacent zones are Single Family Residential District (R-1) and Residential Mobile Home District (R-MH) to the north, Residential Multifamily High Density District (R-MFHD) and General Business District (C) to the south and east 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 plat approval of the proposed Heritage Estates 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.

Chairman, Danny Wylie, asked if there was a cul-de-sac to allow large trucks could turn around.

Eddie Martinez, Planner II, stated a turn around was approved on Del Oro Lane.

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

6) RIO DELTA ENGINEERING, REPRESENTING ASCARY RUIZ, MANAGER FOR PINPOINT CONSTRUCTION & INVESTMENTS, LLC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED ANACUA ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 23.84 ACRES TRACT OF LAND, MORE OR LESS, SAME BEING OUT OF LOT 73, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1000 BLOCK OF WEST OWASSA RD. SUB#220515

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Single Family Residential District (R-1). The adjacent zones are Agricultural Open Space District (A-O) and Multi-Family High Density District (R-MFHD) to the east, Single Family Residential District (R-1) to the west, Agricultural Open Space District (A-O) to the south and City limits to the north. The property is designated for single family residential use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Anacua Estates 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 Jonathan Larraga moved to **approve** the request for preliminary plat approval of the proposed Anacua Estates Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 7) **SALINAS ENGINEERING & ASSOCIATES, REPRESENTING VICTOR RIOS, SR. OWNER, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED LOTS 44A, 44B, 44C, AND 44D, REPLAT OF LOT 44, BEAMSLEY SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.65 ACRE TRACT OF LAND, MORE OR LESS, KNOWN AS ALL OF LOT 44, BEAMSLEY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY PHYSICAL ADDRESS IS 1401 W. EISENHOWER STREET. SUB#211142**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Single Family Residential District (R-1). The adjacent zones are Single Family Residential District (R-1) to the south and east and General Business District (C) to the west and north. The property is designated for commercial use in the Land Use Plan. He added no variances were being requested and staff recommended final plat approval of the proposed Lots 44A, 44B, 44C, AND 44D, Replat of Lot 44, Beamsley 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 Jonathan Larraga moved to **approve** the request for final plat approval of the proposed Lots 44A, 44B, 44C, AND 44D, Replat of Lot 44, Beamsley Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 8) **TREVIÑO ENGINEERING, REPRESENTING ROGELIO A. PRUNEDA, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED PRUNEDA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.454 ACRE TRACT OF LAND FORMING A PART OR PORTION OF LOT 325, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 100 BLOCK OF WEST DICKER ROAD. SUB#160618**

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

- 9) **SALINAS ENGINEERING, REPRESENTING JOSHUA TAPIA, PRESIDENT FOR STONEHARD CONSTRUCTION, LLC, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED SHAMROCK ACRES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.87 ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF THE SOUTH 309.50 FEET OUT OF AND FORMING A PART OF LOT 9 OF THE UN-RECORDED PLAT OF PALO VERDE SUBDIVISION NO. 3, BEING OUT OF A PORTION OF LOT 332, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 7600 BLOCK OF SOUTH PALO VERDE CIR. SUB#220309**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Single Family Residential District (R-1). The adjacent zones are Single Family Residential District (R-1) to the north, south, east and west. The property is designated for single family residential use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Shamrock Acres 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 Charlie Ramirez moved to **approve** the request for preliminary plat approval of the proposed Shamrock Acres Subdivision. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

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 6:21 p.m.

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED:_____



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.1.

DATE SUBMITTED: July 20, 2022

MEETING DATE: July 25, 2022

FROM: Iris Mata, Secretary

DEPARTMENT: Development Services

DIRECTOR: Roland Gomez

Agenda Item: Tejas Bar has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). The property is legally described as being 0.05 acres, more or less, out of Lots 13 thru 16 and a portion of Lot 12, Block 32, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 410 West State Avenue, Suite D. **CUP#220634**

Classification: Regular

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

Issue: Tejas Bar has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2).

Fiscal Consideration:

Staff Recommendation: Development Services is recommending approval of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Iris Mata
Patricia Rigney
Roland Gomez

Created/Initiated - 7/20/2022
Approved - 7/21/2022
Final Approval - 7/22/2022

MEMORANDUM

DATE: MONDAY, JULY 25, 2022
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC
FILE NO. **CUP#220634** (TEJAS BAR)

GENERAL INFORMATION:

APPLICANT: Tejas Bar has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2).

LEGAL DESCRIPTION: The property is legally described as being 0.05 acres, more or less, out of Lots 13 thru 16 and a portion of Lot 12, Block 32, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located at 410 West State Avenue, Suite D.

ZONING: The property is currently zoned Business District (C-2). The surrounding area is zoned General Business District (C) to the south and west, Business District (C-2) to the east and Single-Family Residential District (R-1) to the north. This area is generally designated for commercial in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit
	CODE COMPLIANCE DIVISION:	Pending inspection 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:**

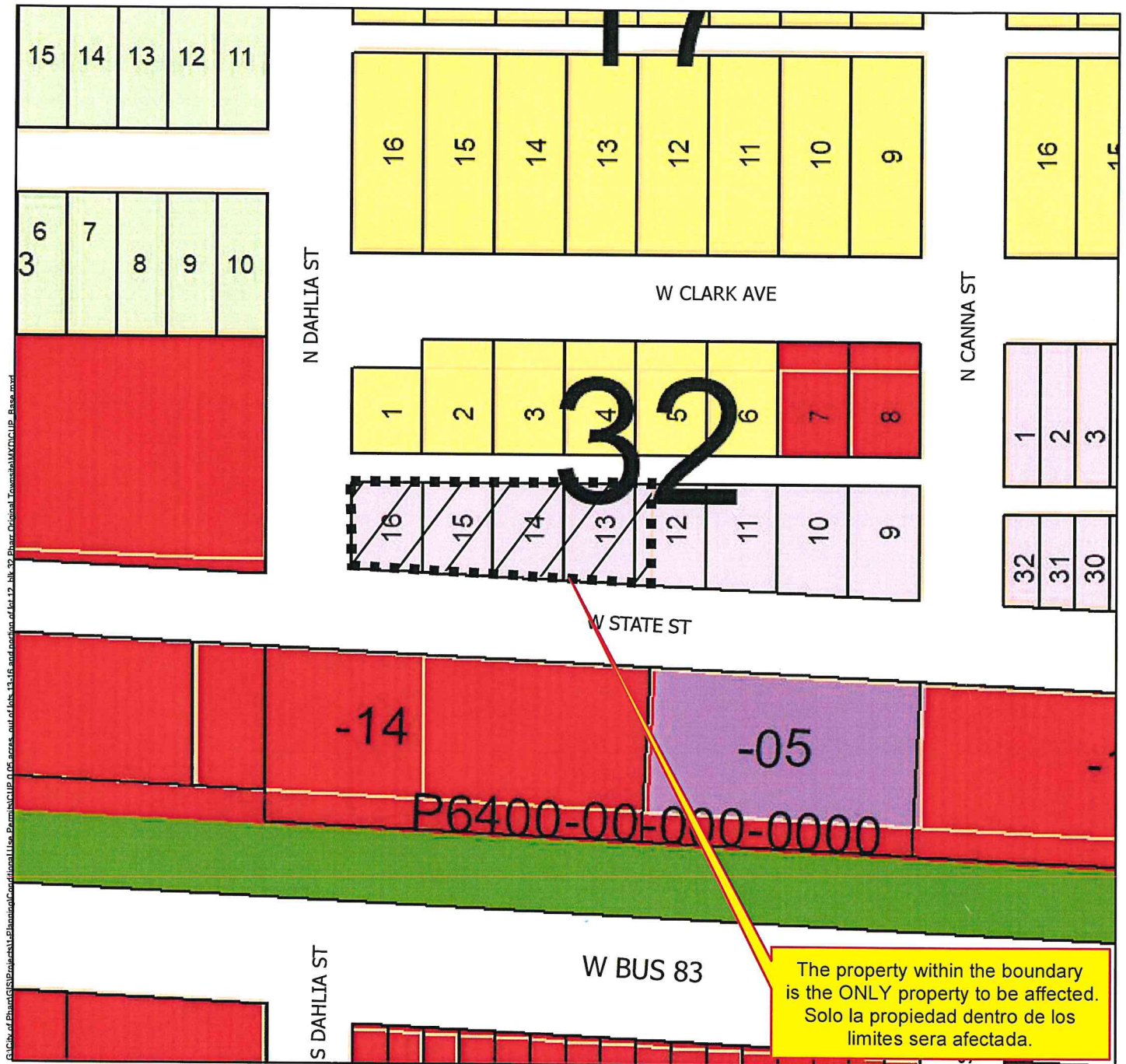
Thirty-four (34) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

**DEVELOPMENT
SERVICES
RECOMMENDATIONS:**

Development Services is recommending **approval** of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **Monday, August 1, 2022 at 4:00 p.m.**

Proposed Conditional Use Permit
0.05 acres, out of lots 13-16 and portion of lot 12, blk 32
Tejas Bar

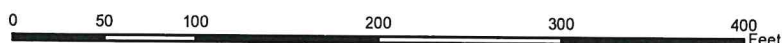


The property within the boundary is the ONLY property to be affected.
Solo la propiedad dentro de los limites sera afectada.

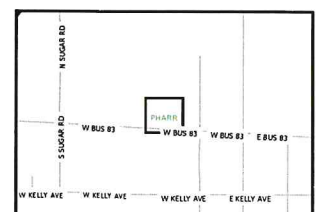
- | | | |
|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot | General Business | PSJA ISD |
| Residential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



Date: 6/22/2022

Dalia St

ALLEY

Parking

plp
AC unit

tables

music
box

BAR

sink
plp
female

plp
male
AC unit

pool table
pool table
pool table

Door

tables

Door

tables

tables

door

Parking

storage
room

door

410 W State Ave "D"



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.

DATE SUBMITTED: July 21, 2022

MEETING DATE: July 25, 2022

FROM: Iris Mata, Secretary

DEPARTMENT: Development Services

DIRECTOR: Roland Gomez

Agenda Item: Lisandro Espinoza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Neighborhood Commercial District (N-C) to Single Family Residential District (R-1). The property is legally described as being .48 acres, more or less, out of Lot 175, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 220 North Sugar Road. **COZ#220635**

Classification: Regular

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

Issue: Lisandro Espinoza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Neighborhood Commercial District (N-C) to Single Family Residential District (R-1).

Fiscal Consideration:

Staff Recommendation: No action needed.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Iris Mata
Patricia Rigney
Roland Gomez

Created/Initiated - 7/21/2022
Approved - 7/21/2022
Final Approval - 7/22/2022



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.3.

DATE SUBMITTED: July 20, 2022

MEETING DATE: July 25, 2022

FROM: Iris Mata, Secretary

DEPARTMENT: Development Services

DIRECTOR: Roland Gomez

Agenda Item: M & S Estate Ltd., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Heavy Commercial District (H-C). The property is legally described as being Lot 1, Fox Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1527 South Jackson Road. **COZ#220636**

Classification: Regular

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

Issue: M & S Estate Ltd., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Heavy Commercial District (H-C).

Fiscal Consideration:

Staff Recommendation: Development Services is recommending approval of the request to re-zone from General Business District (C) to Heavy Commercial District (H-C) as the property meets area requirements and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Iris Mata
Patricia Rigney
Roland Gomez

Created/Initiated - 7/20/2022
Approved - 7/21/2022
Final Approval - 7/22/2022



Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: July 25, 2022

ROUTE TO BOARD:

☐ CITY COMMISSION
☒ PLANNING & ZONING COMMISSION

AGENDA ITEM: COZ:#220636
DATE SUBMITTED: June 17, 2022

1. Applicant: M & S Estate Ltd., owner.
2. Requested Action: Re-zoning request from General Business District (C) to Heavy Commercial District (H-C).
3. Nature / Intent of Request: In order to develop and construct a business for the sale and rent of heavy equipment.

4. Routing to Staff:

A. Roland Gomez, Interim Director

RG
Initials

7.20.22
Date

☒ Approval ☐ Denial

B. Planning Staff Recommendations

AL
Initials

7.20.22
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 25, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From General Business District (C) to Heavy Commercial District (H-C). The property is legally described as being Lot 1, Fox Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1527 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:

M & S Estate Ltd., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Heavy Commercial District (H-C) in order to develop and construct a business for the sale and rent of heavy equipment.

The subject site is located on the east side of South Jackson Road and has a physical address of 1527 South Jackson Road. The property is legally described as being Lot 1, Fox Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Jackson Road, a 120' – 150' ft principal arterial, with a posted speed limit of 40 to 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned General Business District (C). The subject property and the properties to the north, east and south were annexed on November 18, 1986. The subject property was rezoned to General Business District (C) on June 17, 2019. A portion of the properties to the north was rezoned to General Business District (C) and the remaining portion was rezoned to Residential Multi-Family High Density District (R-MFHD) on April 21, 2015. The City Limits lie to the west. There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for commercial and single-family use in the Land Use Plan.

The General Business District (C) 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.

Sixteen (16) 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 General Business District (C) to Heavy Commercial District (H-C) as the property meets area requirements and 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 **August 1, 2022** 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

M & S Estates Ltd., owner
APPLICANT

General Business District (C)
CURRENT ZONE

1527 S. Jackson Rd.
ADDRESS

Heavy Commercial District (H-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	

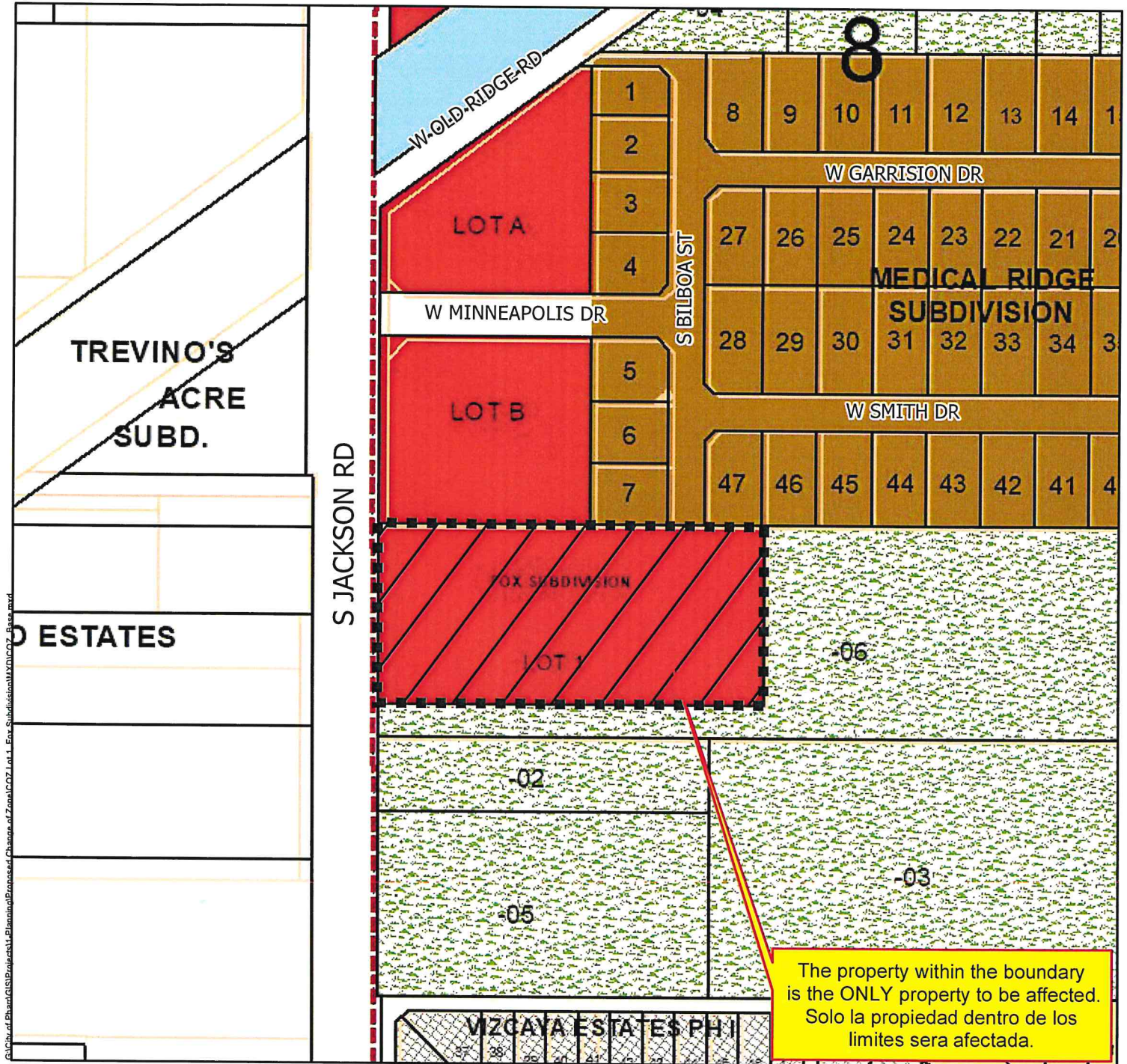
STAFF RECOMMENDATIONS:

Approval

Development Services is recommending approval of the request to re-zone from General Business District (C) to Heavy Commercial District (H-C) as the property meets area requirements and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Anaisa Licerio, Planner II
PREPARED BY

July 19, 2022
DATE



Zoning

ZONE

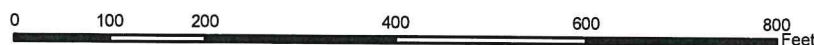
- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

- Townhouse
- HUD Code
- Rail Road R.O.W
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

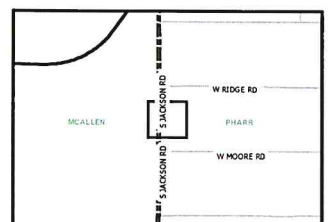
City of Pharr, Texas
 Engineering Department
 956.402.4242

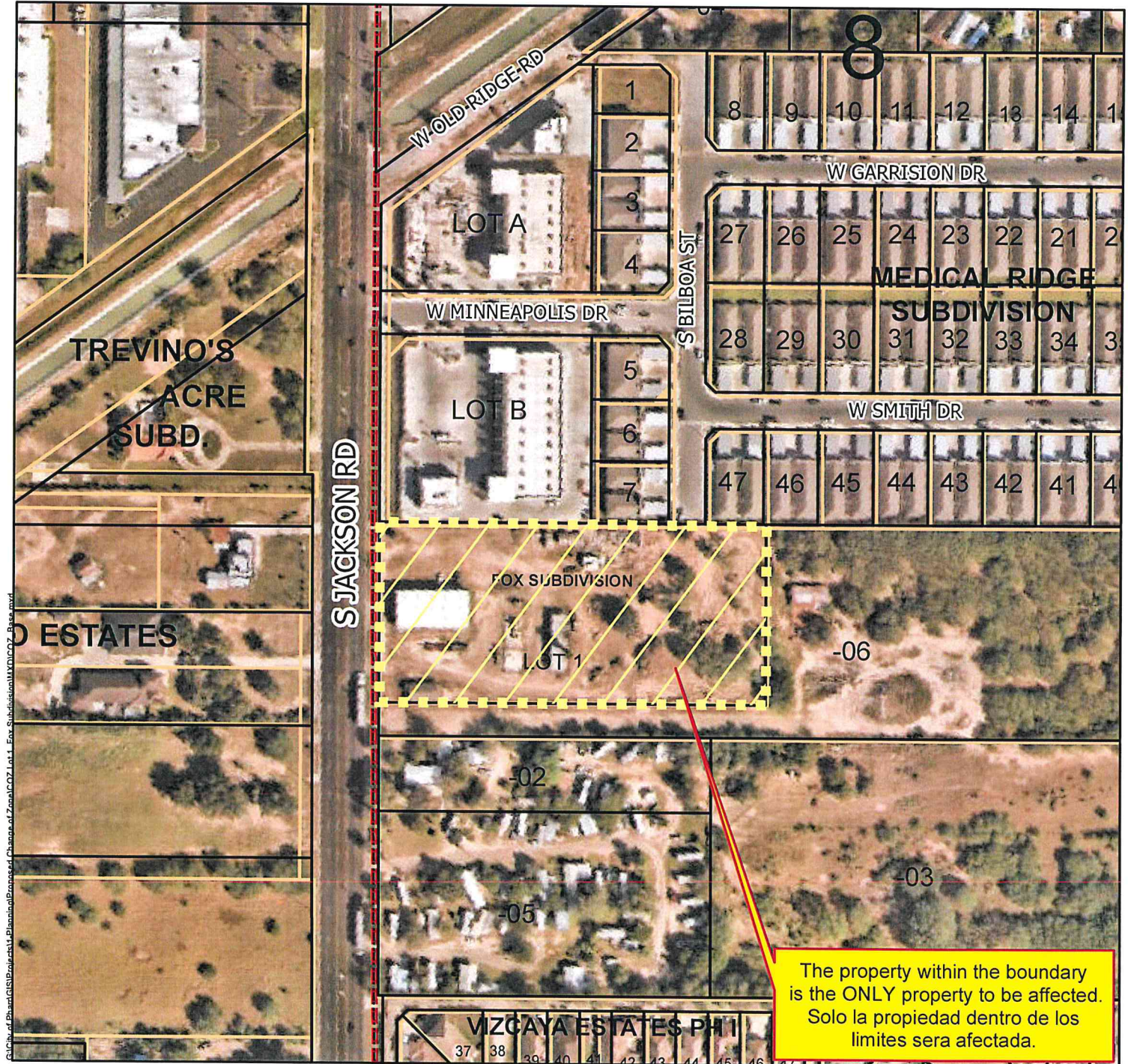
Date: 6/22/2022

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.





Zoning

ZONE

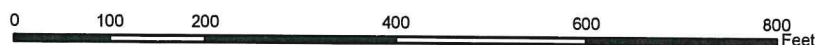
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City of Pharr, Texas
Engineering Department
956.402.4242

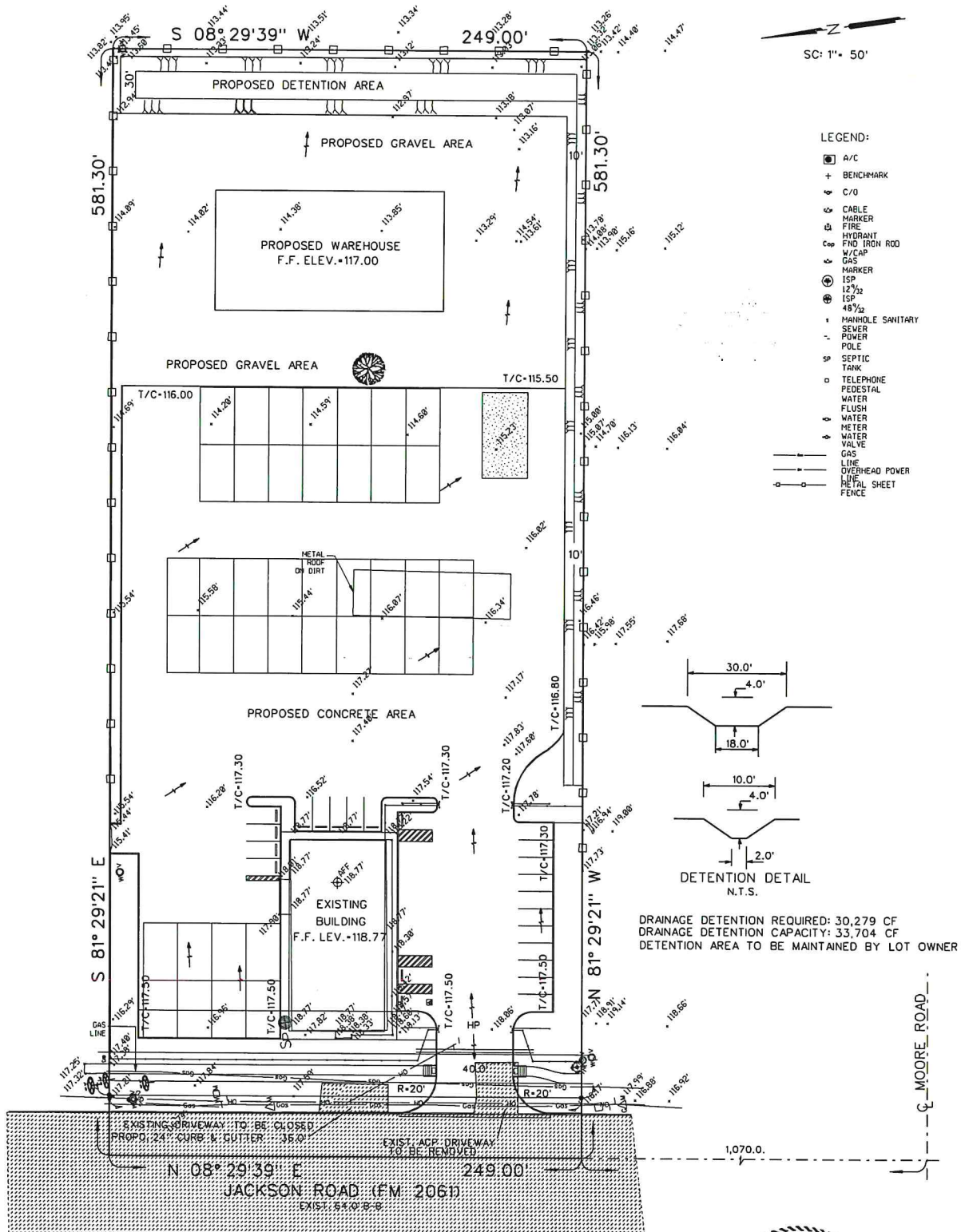
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DRAINAGE PLAN

A 3.32 ACRE TRACT OF LAND OUT OF LOT 7, BLOCK 8,
A.J. McCOLL SUBDIVISION AS RECORDED IN VOLUME 21, PAGE 598,
DEED RECORDS, HIDALGO COUNTY, TEXAS.



Guillermo Arratia P.E.
6/6/2022

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DONNA, TEXAS. 78537

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