

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. January 23, 2023 – 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:

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 January 9, 2023.

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) R.E. Garcia & Associates, representing Ramiro Rivas, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District to Limited Industrial District (L-I). The property is legally described as being a 2.00 acre tract of land, more or less, out of Lot 375, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 West Hi-Line Road. **COZ#221271**

E. ANNOUNCEMENTS:

F. 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.

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

H. ADJOURNMENT:

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the Planning & Zoning Commission was posted on the bulletin board at City Hall and on the City's web page at www.pharr-tx.gov. This Notice was posted on the 20th day of January 2023 at 10:00 a.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

WITNESS MY HAND AND SEAL, this 20th day of January 2023




Hilda Pedraza, City Clerk

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. January 9, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, January 9, 2023 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Rafael Munguia
 Charlie Ramirez Andy Castro
 Romeo Robles Guadalupe Cano

ABSENT: Jonathan Larraga
 Luis Madrigal

STAFF PRESENT: Kimberly Mendoza, Director of Development Services
 Eddie Martinez, Planner II
 Laura Fonseca, Planner I
 Patricia Rigney, City Attorney
 Pilar Rodriguez, Fire Chief
 Ruben Alfaro, City Engineer
 Ed Wylie, Deputy City Manager
 Ruben Rosales, Public Utilities Director
 Joanna Villarreal, Secretary

ITEM A. CALL TO ORDER

1) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER

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. Guadalupe Cano seconded the motion and when put to a vote it carried unanimously.

ITEM B. PUBLIC TESTIMONY

Chairman, Danny Wylie, opened the public testimony and asked if anyone signed up to speak.

Joanna Villarreal, Secretary, stated there was no one signed up to speak.

ITEM C. APPROVAL OF MINUTES

1) APPROVAL OF MINUTES FOR DECEMBER 27, 2022

Chairman, Danny Wylie, introduced the item.

Romeo Robles **moved** to approve the minutes as submitted. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLATS:

- 1) WESTWOOD PROFESSIONAL SERVICES, INC., REPRESENTING K.V. CHOWDARY, MANAGER OF KVS DEVELOPMENT, L.L.C., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MAJESTIC INTERNATIONAL TRADE PORT PHASE 1A SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 49.49 ACRE TRACT OUT OF LOTS 93, 94, 97 AND 98 OF BLOCK 31, ALSO LOTS 95 AND 96, BLOCK 32 AND A PORTION OF A 40 FOOT ROAD, AS SHOWN ON THE RE-SUBDIVISION OF LOTS 1 AND 5 TO 32 INCLUSIVE OF THE SAN JUAN PLANTATION SUBDIVISION. THE PROPERTY IS LOCATED APPROXIMATELY 950 FEET AWAY FROM THE CITY LIMITS ALONG E. MILITARY HIGHWAY. SUB#220828**

Eddie Martinez, Planner II, introduced the item and stated the property was legally described as being a 49.49-acre tract out of Lots 93, 94, 97 and 98 of Block 31, also Lots 95 and 96, Block 32 and a portion of a 40-foot road, as shown on the Re-Subdivision of Lots 1 and 5 to 32 inclusive of the San Juan Plantation Subdivision. He further stated the property was located approximately 950 feet away from City limits along E. Military Hwy. Within the City of Pharr Extraterritorial Jurisdiction (ETJ). He added the adjacent zones were within City of Pharr Extraterritorial Jurisdiction (ETJ) to the north, south, east, and west and the property was designated for industrial use in the Land Use Plan.

At this time Chairman, Danny Wylie, opened the item for board discussion and stated the item was a previous item. Eddie Martinez, Planner II, stated the item had been withdrawn by the project engineer and previous deadline had been met for annexation.

Eddie Martinez, Planner II, went over the conditions. He stated staff recommended to extend the city Pharr 12-inch waterline to and thru the subdivision for fire protection purposes only and fire hydrants be installed every 300 ft. on the proposed 12-inch City of Pharr water line extension. He further recommended deletion of interconnect between Military Highway Water Supply 10-inch water line and 12-inch City of Pharr water line and dedicate a 15 ft. utility easement to the City of Pharr for placement of the 12-inch water line extension. Lastly, he stated the executed affidavit for annexation should be returned before close of business on Monday, January 9, 2023 and the petition for voluntary annexation to be presented at the next regular Pharr City Commission Meeting on January 16, 2023.

Danny Wylie, Chairman, asked staff if water lines and fire hydrants have been worked out. Eddie Martinez, Planner II, responded yes and stated it had shown in the revised plans.

There being no further discussion, Guadalupe Cano **moved** to approve the request for preliminary plat approval of the proposed Majestic International Trade Port Phase 1A Subdivision. Rafael Munguia seconded the motion and when put to 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 6:07 p.m.

PLANNING & ZONING COMMISSION

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED: _____



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.1.

DATE SUBMITTED: January 18, 2023

MEETING DATE: January 23, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: R.E. Garcia & Associates, representing Ramiro Rivas, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District to Limited Industrial District (L-I). The property is legally described as being a 2.00 acre tract of land, more or less, out of Lot 375, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 West Hi-Line Road. **COZ#221271**

Classification: Public Hearing

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

Issue: R.E. Garcia & Associates, representing Ramiro Rivas, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District to Limited Industrial District (L-I).

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the request to rezone from Agricultural and/or Open Space District to Limited Industrial District (L-I) as the property meets area requirements, and has adequate ingress and egress. The property is currently compatible with the future land use plan. If approved, the owner must comply with all City Ordinances and City Department requirements.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza

Created/Initiated - 1/18/2023
Approved - 1/20/2023
Final Approval - 1/20/2023



MEMORANDUM

DATE: MONDAY, JANUARY 23, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I). The property is legally described as being a 2.00-acre tract of land, more or less, out of Lot 375, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 West Hi-Line Road. COZ#221271

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:

R. E. Garcia & Associates, representing Ramiro Rivas, 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 Limited Industrial District (L-I) in order to develop and construct a an office and parking lot.

The subject site is located on the north side of West Hi-Line Road, approximately ½ mile west of South Cage Boulevard and has a physical address of 1000 West Hi-Line Road. The property is legally described as being a 2.00-acre tract of land, more or less, out of Lot 375, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts West Hi-Line Road, an 80' major collector which 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 and the properties to the west, east, and north were zoned Agricultural and/or Open Space on June 3, 2003, when annexed into the City of Pharr. The property to the south was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on January 4, 2021. There have been no other zoning requests within the vicinity of the subject property since that time. The property is generally designated for industrial use in the Land Use Plan.

The Limited Industrial District (L-I) is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered, and no external effects such as excessive noise or odor should extend beyond the property lines. The sites for such uses are typically a minimum of two acres and average five to ten acres, with a significant amount of land dedicated to landscaping.

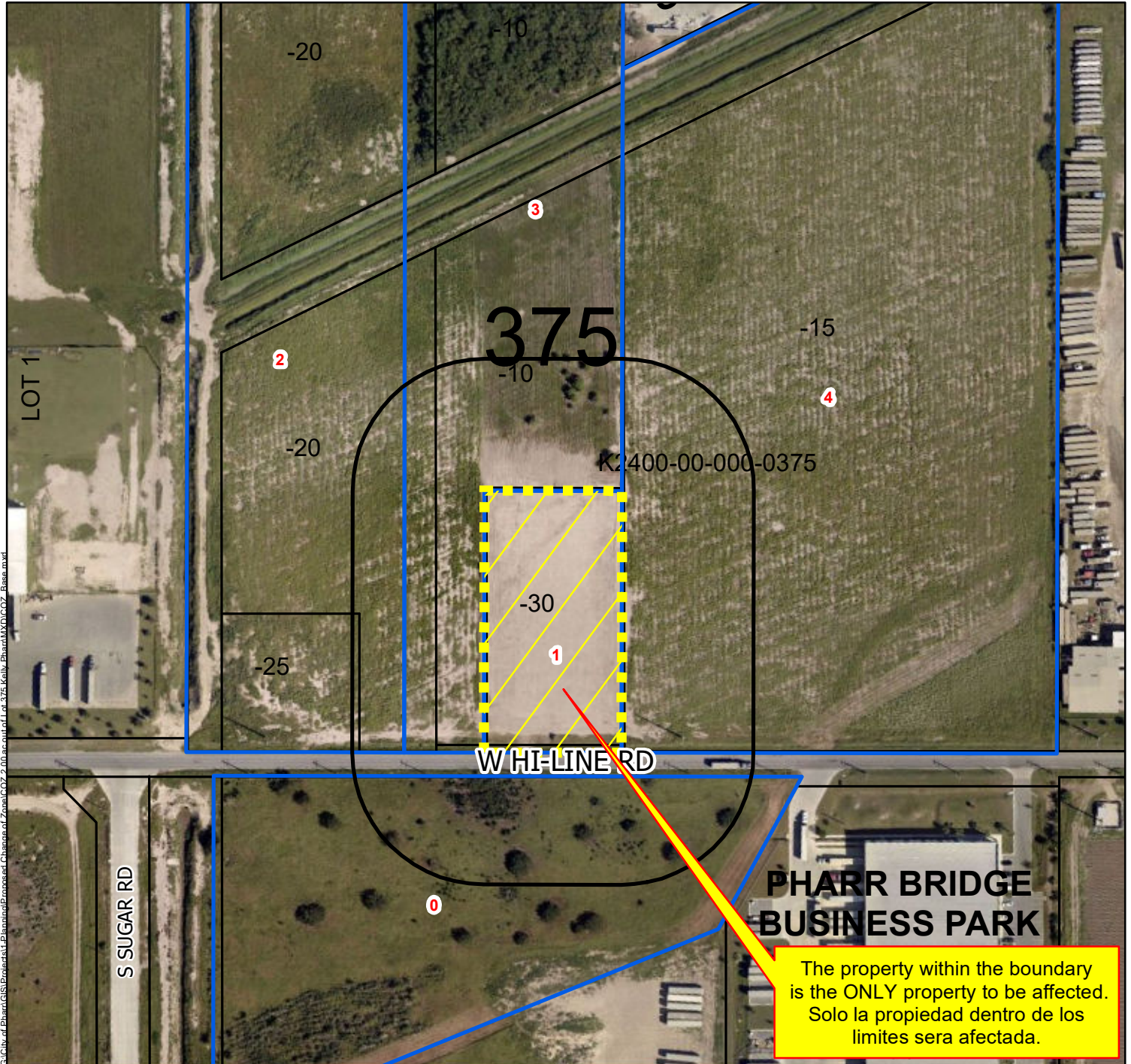
Five (5) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on December 28, 2022, and a legal notice was published in the Advance News Journal on December 28, 2022. Staff received no response to the letters or the legal notice. However, staff received one phone call for information.

Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) as the property meets area requirements, and has adequate ingress and egress. The property is currently compatible with the future land use plan. 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 **February 6, 2023**, 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.**



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

- Subject Property
- 200 ft. Buffer Zone
- Notified Properties

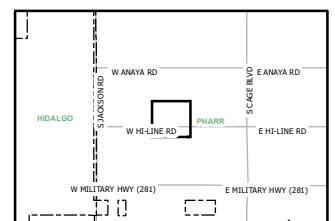
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

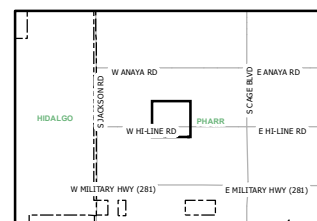
City of Pharr, Texas
Engineering Department
956.402.4242

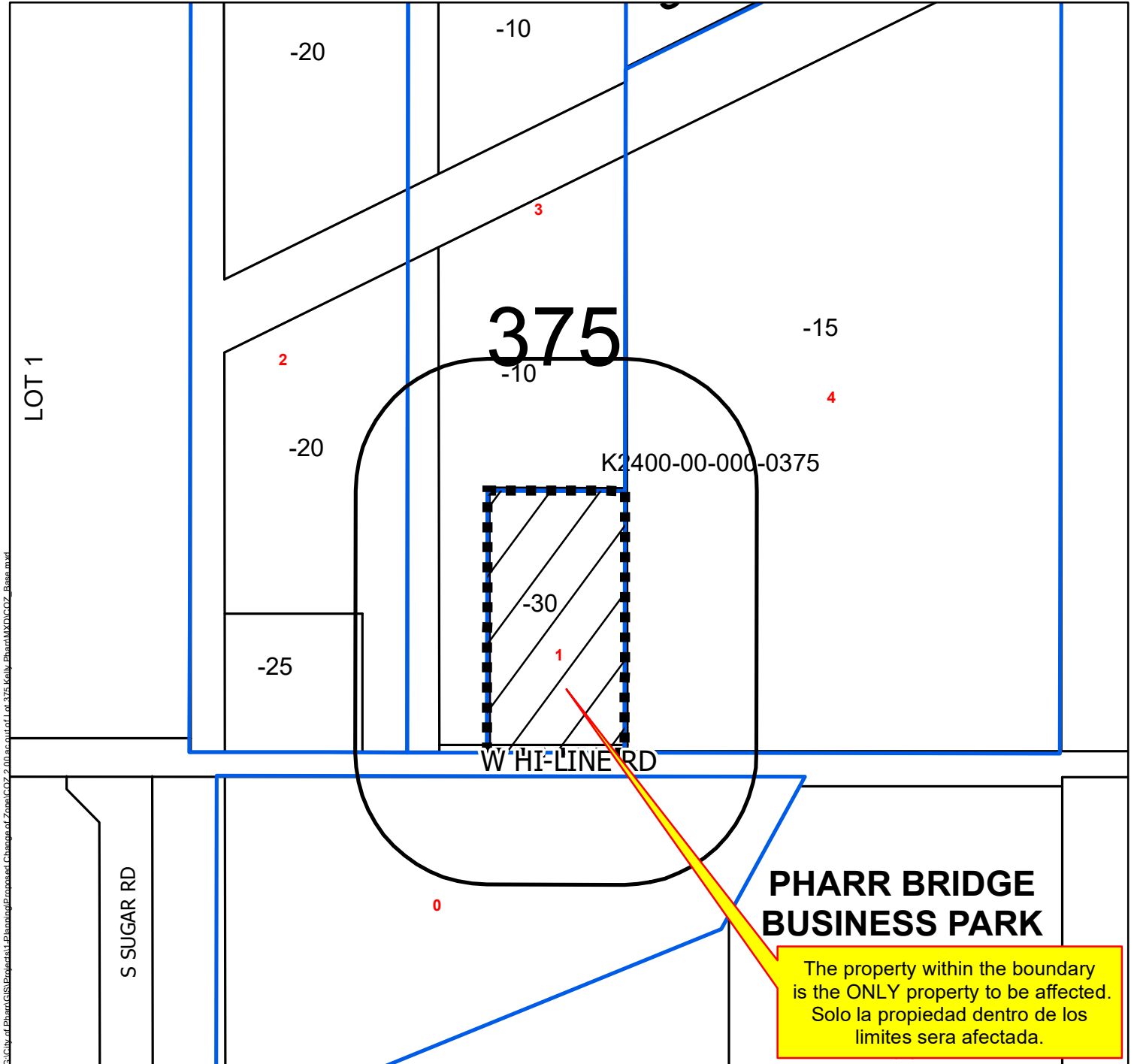
Date: 12/28/2022

Scale: 1 inch = 219 feet

0 110 220 440 660 880 Feet







Zoning

ZONE

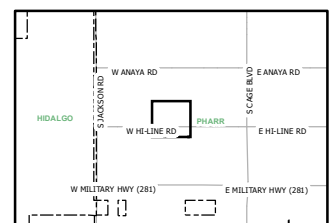
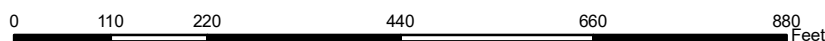
- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

- 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

- Subject Property
- 200 ft. Buffer Zone
- Notified Properties

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.





REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

R.E Garcia & Associates, Representing Ramiro Rivas, Owner
APPLICANT

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

1000 West Hi-Line Road
ADDRESS

Limited Industrial District (L-I)

	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 Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) as the property meets area requirements, and has ingress and egress.
The property is currently compatible with the future land use plan. If approved, the owner must comply with all City Ordinances and City Department requirements.

Laura Fonseca
PREPARED BY

January 18, 2023
DATE

