AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. **February 27, 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 February 13, 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) Pinpoint Construction & Investments, LLC., representing Ascary Ruiz, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential Estate District (R1-E) to Residential Multi-Family District (R-MF). The property is legally described as being 18.34 acres, more or less, out of Lot 73, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1500 West Owassa Road. **COZ#230173**

2) Pinpoint Construction & Investments, LLC., representing Ascary Ruiz, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential Estate District (R1-E) to General Business District (C). The property is legally described as being 5.5 acres, more or less, out of Lot 73, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1500 West Owassa Road. **COZ#230174**

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 24th day of February 2023 at 11:00 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 24th day of February 2023

CITY OF PHARR PHARR, TEXAS

Hilda Pedraza, City Clerk

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. February 13, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, February 13, 2023 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie, Rafael Munguia, Charlie Ramirez, Guadalupe Cano

ABSENT: Jonathan Larraga, Luis Madrigal, Romeo Robles, Andy Castro

STAFF PRESENT: Kimberly Mendoza, Director of Development Services
Anaisa Licerio, Planner II
Laura Fonseca, Planner I
Eddie Martinez, Planner II
Joanna Villarreal, Secretary
Roy Rodriguez, Assistant Director Building and Code

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.

Charlie Ramirez moved to **excuse** the absent members. Rafael Munguia 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 JANUARY 23, 2023

Chairman, Danny Wylie, introduced the item.

Charlie Ramirez **moved** to approve the minutes as submitted. Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING:

1) **MA. DEL ROSARIO R. ORNELAS, D/B/A AIMEE'S BEAUTY SALON AND BARBER SHOP, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A BEAUTY SALON IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCIBED AS BEING LOT 117, CROWN POINT ESTATES SUBDIVISION PHASE 2, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3806 NORTH SILVER LANE. CUP#230152**

Anaisa Licerio, Planner II, introduced the item and stated Ma. Del Rosario R. Ornelas, d/b/a Aimee's Beauty Salon and Barber Shop, had requested a Conditional Use Permit to allow a beauty salon in a Single-Family Residential District (R-1). She stated the property was legally described as being Lot 117, Crown Point Estates Subdivision Phase 2, Pharr, Hidalgo County, Texas and the property's physical address was 3806 North Silver Lane.

Anaisa Licerio, Planner II, further stated the property was currently zoned Single Family Residential District (R-1) and the surrounding area was zoned Single Family Residential District (R-1) to the north, south and west and Limited Industrial District (L-I) to the east. She stated the area was generally designated for Single Family Residential Use in the Land Use Plan and the hours of operation would be by appointment only from 9:00 a.m. to 7:00 p.m. Monday through Sunday. She added thirty-nine (39) letters were mailed out to surrounding property owners within a 300-foot radius on January 27, 2023, and a legal notice was published on the Advance News Journal on January 25, 2023. Staff received one response in opposition to the request.

Anaisa Licerio, Planner II, went over conditions and stated the home occupation shall be limited to a certain area of the home and customers should be taken by appointment only with one customer at a time in the beauty salon. She further stated a non-illuminated sign of not more than eighteen (18) inches by twenty-four (24) inches identifying the name of the owner and his/her title or occupation may be permitted when attached flush to the main building. Additionally, there shall be no exterior display or alterations indicating that the building was being used for any purpose other than of a dwelling and the Conditional Use Permit shall be issued for a period of one (1) year. She also stated it shall be the owner's responsibility to apply for renewal 30 days before its expiration date and any request to revise, alter or amend the conditions or requirements shall require the applicant to reapply for a new Conditional Use Permit.

Anaisa Licerio, Planner II, further stated any violations would terminate the Conditional Use Permit and said use shall be conducted solely within the confines of the

main dwelling and shall not exceed ten percent (10%) of the total floor area. She went over the grounds of revocation of a home occupation conditional use permit. She stated any change in use or change in extent of use, area or location of the dwelling being used. failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time shall result in revocation. Additionally, failure to pay the annual renewal fee of $50.00 shall result in the assessment of an additional five dollars ($5.00) per business day late fee up to thirty (30) days after the date of expiration of the Conditional Use Permit or revocation of the permit if not paid by the 31st day. Conditional Use Permits for home occupations that have been revoked may not be applied for again until a period of one (1) year has lapsed from the date of revocation.

Anaisa Licerio, Planner II, stated staff recommended approval of the Conditional Use Permit to allow a beauty salon in a Single-Family Residential District (R-1) subject to applicant and site following all City Ordinance 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 board discussion.

There being no further discussion, Rafael Munguia **moved** to approve the request for a Conditional Use Permit to allow a beauty salon in a Single-Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLATS:

1) **R. E. GARCIA & ASSOCIATES, REPRESENTING RAMIRO RIVAS, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED RIVAS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.00-ACRE TRACT OF LAND BEING A PORTION OF LOT 375, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1000 BLOCK OF WEST HI-LINE ROAD. SUB#220830**

Eddie Martinez, Planner II, introduced the item. He stated the property was legally described as being a portion of Lot 375, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas and the property was located within the 1000 block of West Hi-line Road. He further stated the property was currently zoned Limited Industrial District (L-I) and the adjacent zones were Agricultural Open Space District (A-O) to the north, east and west and Limited Industrial District (L-I) to the south. He further stated the property was designated for industrial use in the Land Use Plan. The proposed property would be used for a truck parking yard.

Eddie Martinez, Planner II, stated staff recommended preliminary plat approval of the proposed Rivas Subdivision subject to the following conditions: remove the 10' additional right-of-way being dedicated, not required and provide streetlights along W. H-

Line Road, showing all existing easement adjacent to property. He further stated additional requirements were to provide a 15' exclusive easement to City of Pharr along W. Hi-Line Road and follow City of Pharr standards. He mentioned the drainage report need to be approved and the engineer and surveyor signatures on plat were required. Lastly, he stated they need to provide net or gross for lot acreage and square foot was also required for the plat notes follow the numbering sequence. He stated on plat note #4 to add the northing and easting and plat note #15 to add the address per fire department comments and provide recorded subdivision on location map.

Eddie Martinez, Planner II, stated there was representation.

At this time Chairman, Danny Wylie, opened the item for board discussion there being no further discussion. Rafael Munguia **moved** to approve the request for preliminary plat approval of the proposed Rivas Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

Kimberly Mendoza, Director of Development Services invited the board members to the Land Use Fundamentals webinar on February 16th from 9am to 12pm hosted by Bojorquez Law Group.

ITEM G. CLOSED SESSION:

None

ITEM H. RECONVENE:

None.

ITEM I. ADJOURNMENT

There being no further business, Charlie Ramirez moved to **adjourn**. Guadalupe Cano seconded 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: February 22, 2023
MEETING DATE: February 27, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Pinpoint Construction & Investments, LLC., representing Ascary Ruiz, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential Estate District (R1-E) to Residential Multi-Family District (R-MF). The property is legally described as being 18.34 acres, more or less, out of Lot 73, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1500 West Owassa Road. **COZ#230173**

Classification: Public Hearing
(* If closed session, City Attorney must review and approve.)

Issue: Pinpoint Construction & Investments, LLC., representing Ascary Ruiz owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential Estate District (R1-E) to Residential Multi-Family District (R-MF).

Fiscal Consideration:

Staff Recommendation: Development Services is recommending disapproval of the request to re-zone to Residential Multi-Family District (R-MF) as the surrounding land uses include residential uses and vacant land, and is not in conformance with the Future Land Use Plan.

Alternatives: N/A

Exclude Material from Public Packet? No
Reason: N/A

ROUTING:

Kimberly Mendoza	Created/Initiated - 2/22/2023
Patricia Rigney	Approved - 2/22/2023
Kimberly Mendoza	Final Approval - 2/24/2023

Pharr
Development Services

MEMORANDUM

DATE: MONDAY, FEBRUARY 27, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: **Re-zoning Request: From Single Family Residential Estate District (R1-E) to Residential Multi-Family District (R-MF) being 18.34 acres, more or less, out of Lot 73, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1500 West Owassa Road. COZ#230173**

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:

Pinpoint Construction & Investments, LLC., representing Ascary Ruiz owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential Estate District (R1-E) to Residential Multi-Family District (R-MF) in order to develop and construct fifty (50) four-plex lots.

The subject site is located on the south side of West Owassa Road, approximately 580 ft west of North Sugar Road and has a physical address of 1500 West Owassa Road. The property is legally described as 18.34 acres more or less, out of Lot 73, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The subject property fronts West Owassa Road, a 100' minor arterial street that runs west and east with a posted speed limit of 30-45 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Single Family Residential Estate District (R1-E). The property and the property to the west were zoned Single-Family Residential District (R-1) on September 8, 2020. On November 21, 2022, the subject property was rezoned to Single Family Residential Estate District (R1-E). A portion of the property to the east was rezoned to High Density Multi-Family Residential District (R-4) on March 21, 2016. The remaining section to the east and area to the south are currently zoned Agricultural and or Open Space District (A-O). The city limits lie to the north side of the property. There have been no other zoning requests within the vicinity of the subject property since that time. The surrounding land uses include vacant land and residential uses. The property is generally designated for single family residential use in the Land Use Plan.

The Residential Multi-Family District is established to provide adequate space and site diversification for low to medium density residential development where adequate streets and other community facilities are available for present and future needs. This district is established for duplex-fourplex development as low to medium-density use, and additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met before zoning to such use. It is established to protect residential areas as far as possible against heavy traffic and zoned promote the most desirable use of land and direction of building development not in conflict with the city's comprehensive plan.

Sixteen (16) letters were mailed out to the surrounding property owners on February 10, 2023, and a legal notice was published in the Advance News Journal on February 8, 2023. Staff received no response to the letters or the legal notice.

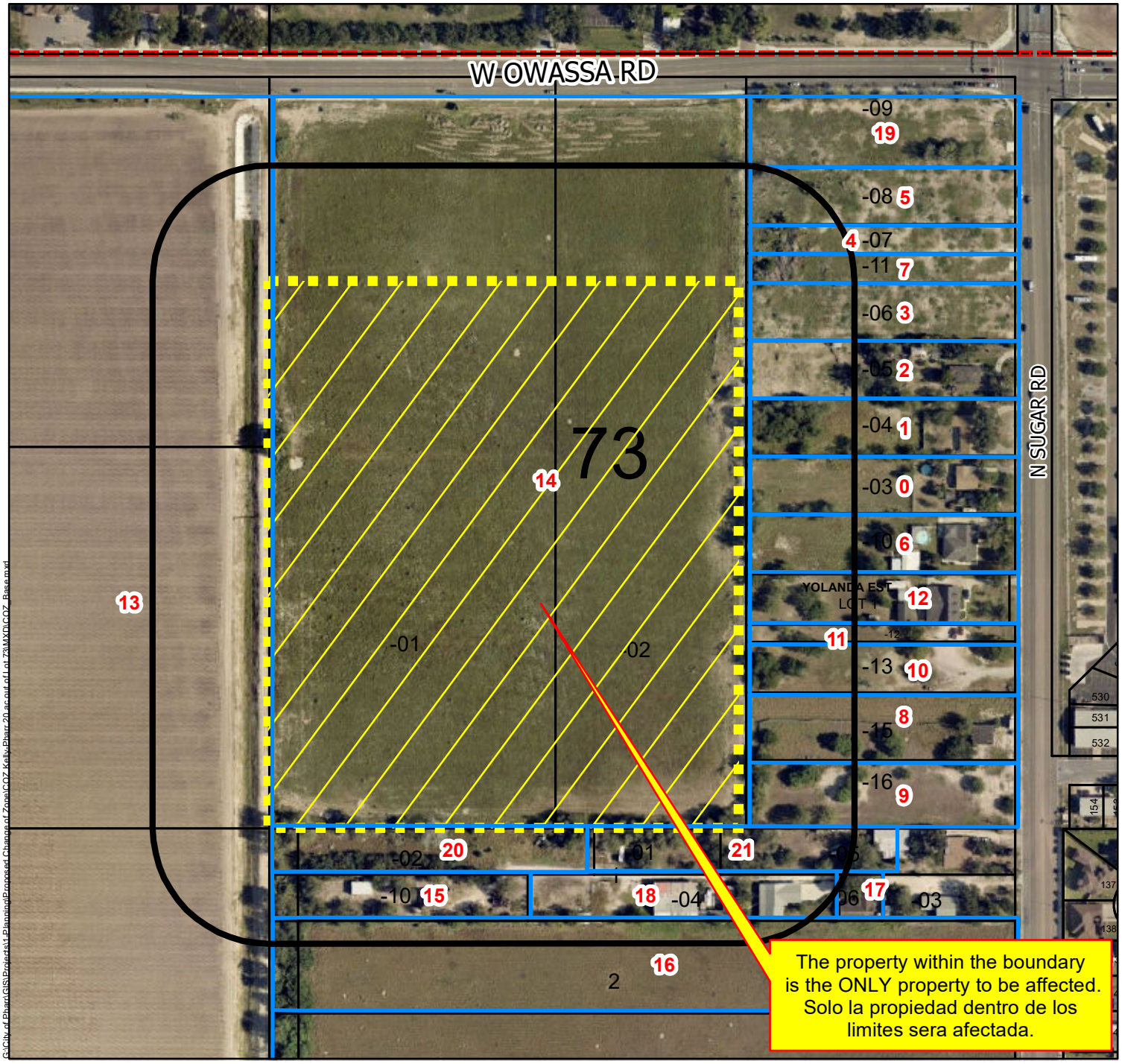
Development Services is recommending **disapproval** of the request to re-zone to Residential Multi-Family District (R-MF) as the surrounding land uses include residential uses and vacant land, and is not in conformance with the Future Land Use Plan.

NOTE: This item will go before the City Commission Meeting of **March 06, 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.**

Proposed Change of Zone
1500 blk of W Owassa Rd - Kelly-Pharr 18.34 ac out of Lot 73
Pinpoint Construction & Investments, LLC



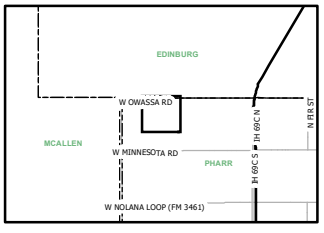
G:\City of Pharr\GIS\Project\1-Planning\Proposed Change of Zone\COZ Kelly-Pharr 20 ac out of 1 of 73\MXD\COZ_Base.mxd

Zoning

ZONE

- R1-E
- 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
- 200 ft Zone
- Notified Properties
- Subject Property

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.



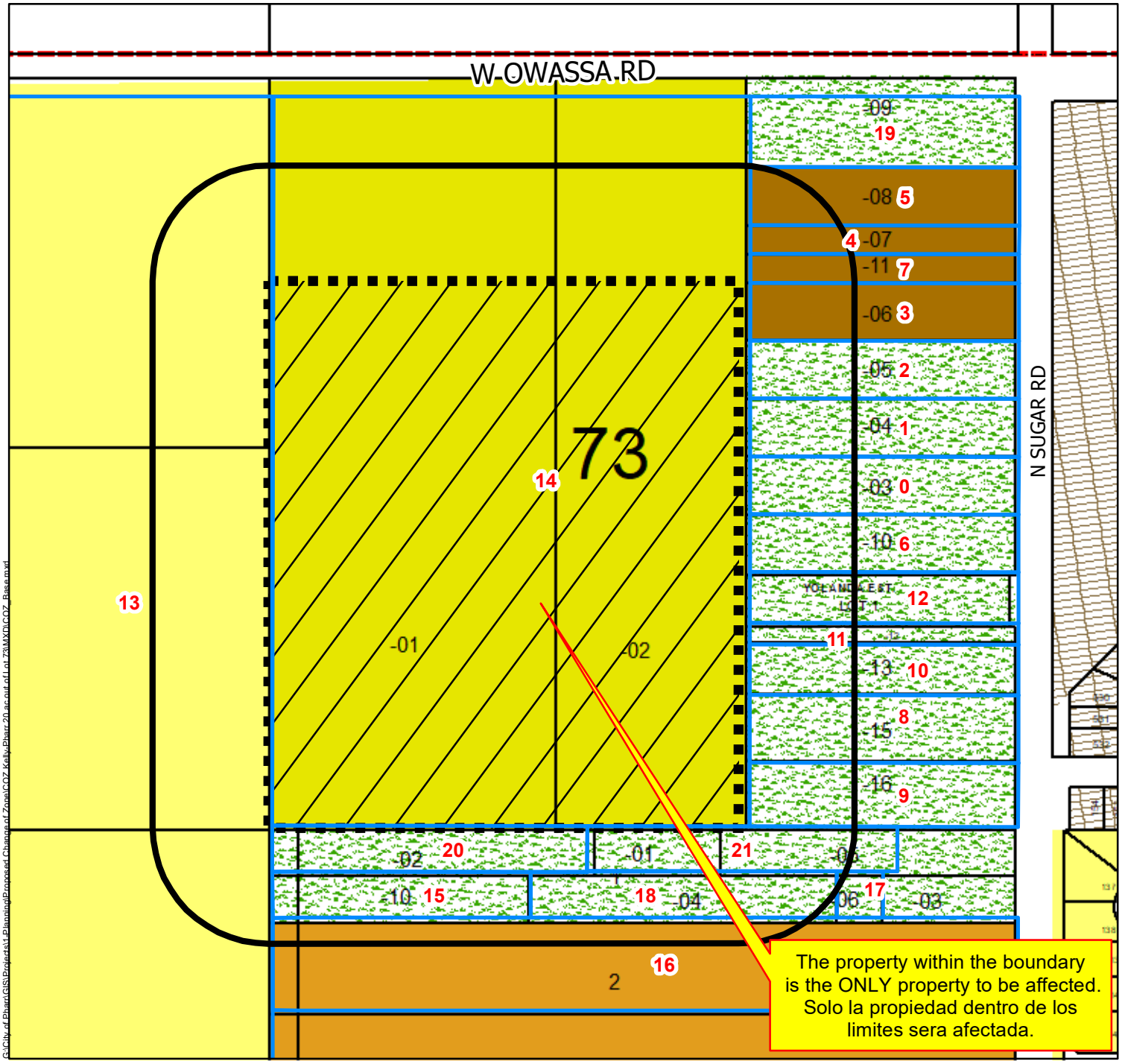
Scale: 1 inch = 248 feet

0 125 250 500 750 1,000 Feet

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 2/8/2023

Proposed Change of Zone
1500 blk of W Owassa Rd - Kelly-Pharr 18.34 ac out of Lot 73
Pinpoint Construction & Investments, LLC



Zoning

ZONE

- R1-E
- 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
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- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development
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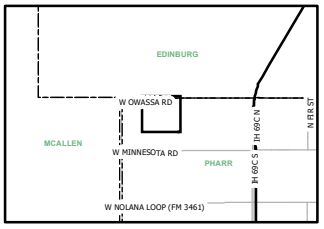


Scale: 1 inch = 248 feet

0 125 250 500 750 1,000 Feet

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 2/8/2023

Pharr Development Services

REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

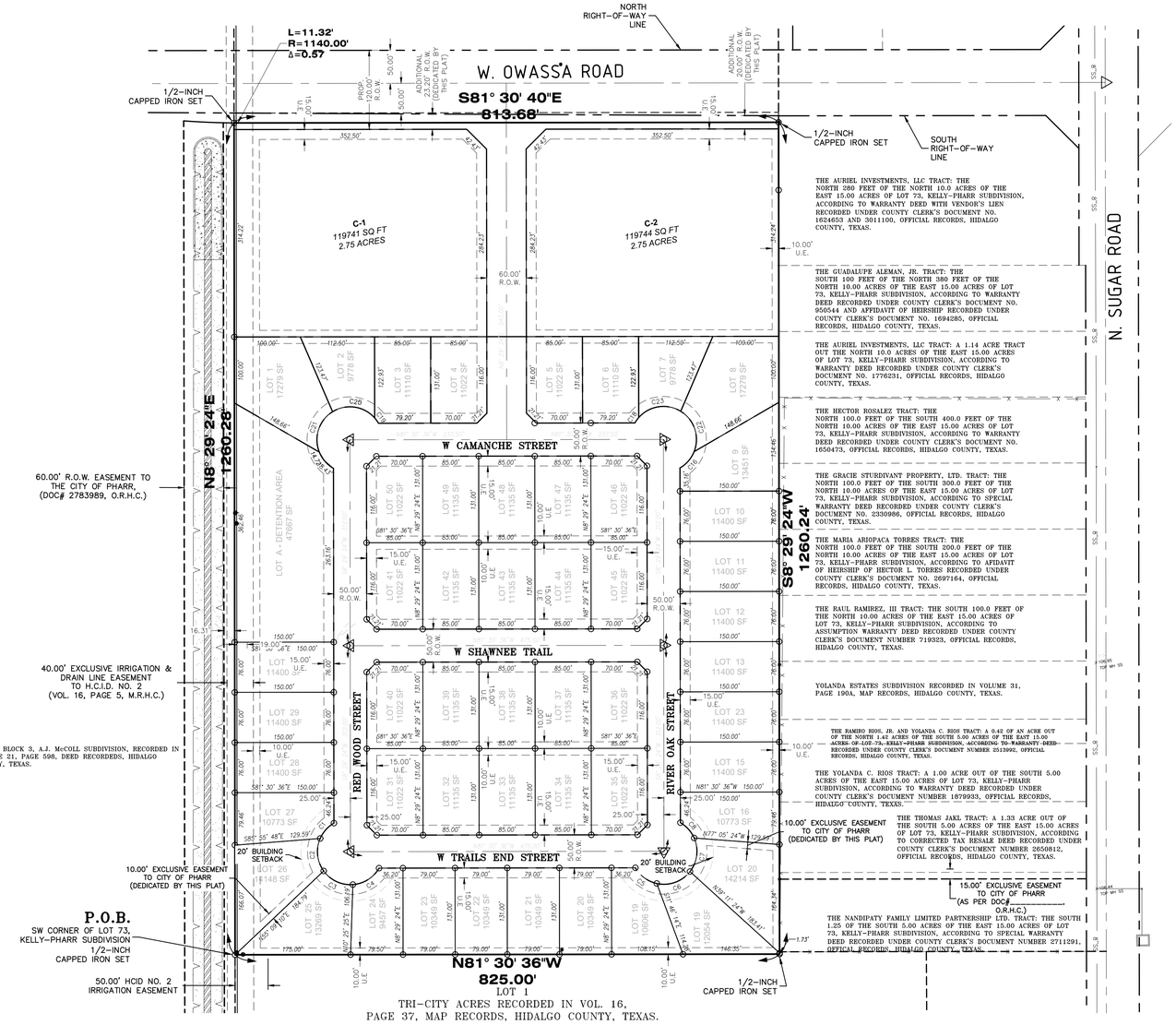
Pinpoint Construction & Investments, LLC.	**Single Family Residential Estates District (R1-E)**
APPLICANT	CURRENT ZONE
1500 W Owassa Rd.	**Residential Multi Family District (R-MF)**
ADDRESS	

		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: **Denial**

Development Services is recommending disapproval of the request to re-zone to Residential Multi-Family District (R-MF) as the surrounding land uses include residential uses and vacant land and is not in conformance with the Future Land Use Plan.

Anaisa Licerio, Planner II	**February 21, 2023**
PREPARED BY	DATE



SCALE: 1"=100'
BASIS OF BEARING
TEXAS STATE PLANE COORDINATES
NAD 83
TEXAS SOUTH ZONE (4205)
WESTERN DATA SYSTEMS NETWORK

RIO DELTA ENGINEERING
FIRM REGISTRATION No. F-7628
SURVEY FIRM No. 10194027
921 S. 10TH AVENUE EDINBURG, TEXAS 78539
(TEL) 956-380-5152 (FAX) 956-380-5083

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF **IVAN GARCIA, P.E. 115662 ON JANUARY 2023** IT IS NOT TO BE USED FOR CONSTRUCTION BIDDING OR PERMIT PURPOSES.

ISSUED FOR: **PRELIMINARY**

PRELIMINARY LAYOUT
ANACUA ESTATES SUBDIVISION
PHARR, TEXAS
HIDALGO COUNTY

PROJECT:

ENGINEER:	IVAN GARCIA P.E., R.P.L.S
SURVEYOR:	IVAN GARCIA P.E., R.P.L.S
CHECKED:	IVAN GARCIA P.E., R.P.L.S
DRAWN:	OSCAR ALARCON JR
SCALE:	1"=100
DATE:	JANUARY 202
PROJECT:	SUB 22.01
REVISIONS:	
PAGE NO.	SHT 1

Y:\RDE SUBDIVISIONS 2022\SUB 22.015 - PINPOINT OWASSA ROAD - PHARR TX\email sent\SCOTTIE 1-4-22\PR_SUB 22.015_RDE LOT LAYOUT BASE Ivan FINAL 1-4-22.dwg IVAN 1/4/2023 9:27 PM

AGENDA MEMORANDUM

BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.
DATE SUBMITTED: February 23, 2023
MEETING DATE: February 27, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Pinpoint Construction & Investments, LLC., representing Ascary Ruiz, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential Estate District (R1-E) to General Business District (C). The property is legally described as being 5.5 acres, more or less, out of Lot 73, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1500 West Owassa Road. **COZ#230174**

Classification: Public Hearing
(* If closed session, City Attorney must review and approve.)

Issue: Pinpoint Construction & Investments, LLC., representing Ascary Ruiz, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential Estate District (R1-E) to General Business District (C).

Fiscal Consideration:

Staff Recommendation: Development Services is recommending approval of the request to re-zone to General Business District (C) as the properties meet area requirements and has adequate ingress and egress. 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	Created/Initiated - 2/23/2023
Patricia Rigney	Approved - 2/23/2023
Kimberly Mendoza	Final Approval - 2/24/2023

Pharr
Development Services

MEMORANDUM

DATE: MONDAY, FEBRUARY 27, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: **Re-zoning Request: From Single Family Residential Estate District (R1-E) to General Business District (C) being 5.5 acres, more or less, out of Lot 73, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1500 West Owassa Road. COZ#230174**

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:

Pinpoint Construction & Investments, LLC., representing Ascary Ruiz, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential Estate District (R1-E) to General Business District (C) in order to develop and construct two (2) commercial lots.

The subject site is located on the south side of West Owassa Road, approximately 580 ft. west of North Sugar Road and has a physical address of 1500 West Owassa Road. The property is legally described as 5.5 acres more or less, out of Lot 73, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The subject property has approximately 352.50 ft. of frontage along West Owassa Road and 314.24 ft. in depth for a tract size of 5.5 acres.

The subject property fronts West Owassa Road, a 100' minor arterial street that runs west and east with a posted speed limit of 30-45 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Single Family Residential Estate District (R1-E). The property and the property to the west were zoned Single-Family Residential District (R-1) on September 8, 2020. On November 21, 2022, the subject property was rezoned to Single Family Residential Estate District (R1-E). A portion of the property to the east was rezoned to High Density Multi-Family Residential District (R-4) on March 21, 2016. The remaining section to the east and area to the south are currently zoned to Agricultural and/or Open Space District (A-O). The city limits lie to the north side of the property. There have been no other zoning requests within the vicinity of the subject property since that time. The property is generally designated for single family residential use in the Land Use Plan.

The General Business District is established to provide adequate space and site diversification for most types of commercial development in the City of Pharr. Larger shopping centers and most existing commercial strips along major arterials would be included in this district. The noise, traffic, litter, late-night hours, and possible blighting influences require adequate buffering from residential areas, and the traffic from such uses should not pass-through residential areas, except on arterials or major collectors.

Four (4) letters were mailed out to the surrounding property owners on February 10, 2023, and a legal notice was published in the Advance News Journal on February 8, 2023. Staff received no response to the letters or the legal notice.

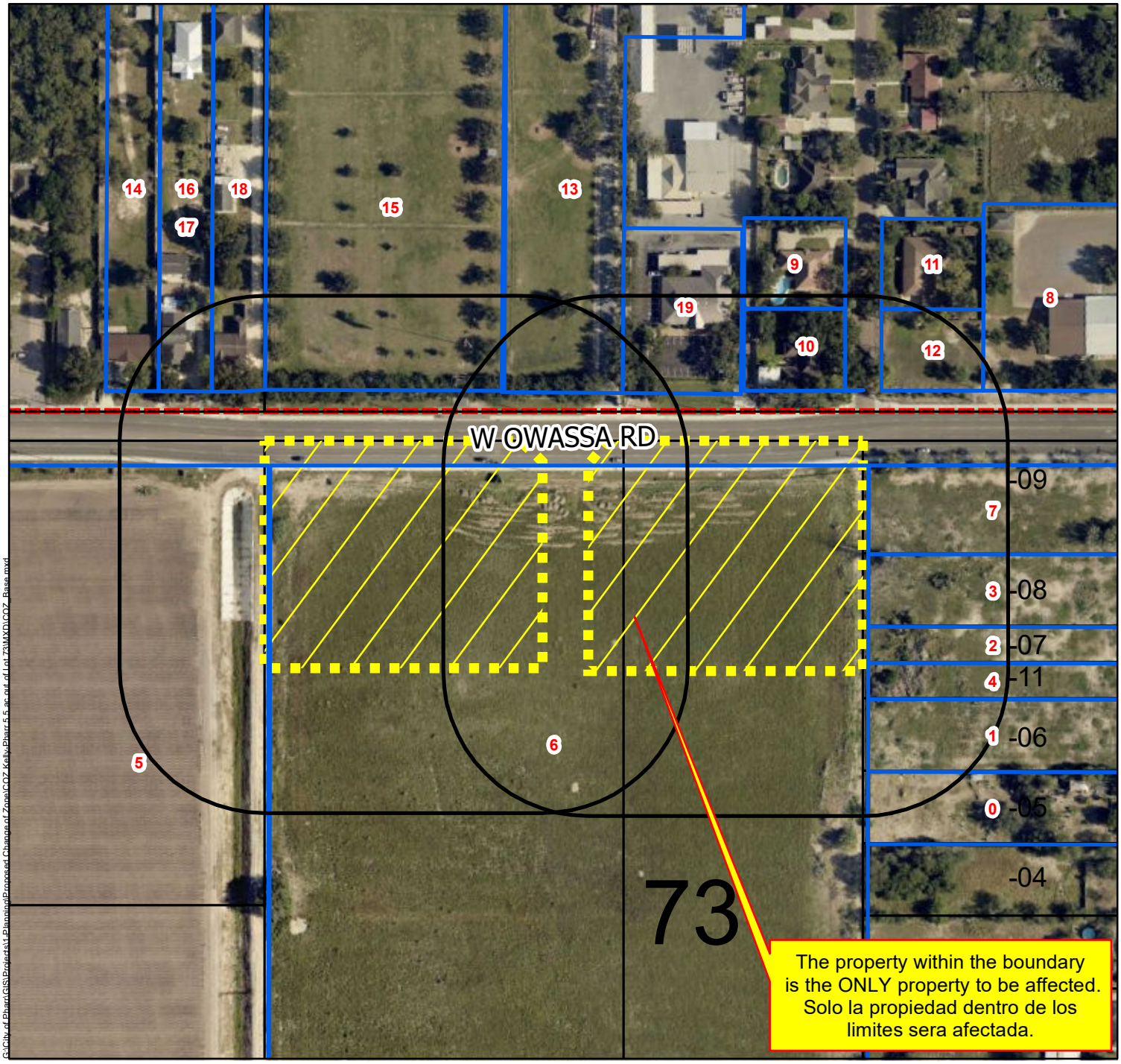
Development Services is recommending **approval** of the request to re-zone to General Business District (C) as the properties meet area requirements and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **March 06, 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.**

Proposed Change of Zone
1500 blk of W Owassa Rd - Kelly-Pharr 5.5 ac m/l out of Lot 73
Pinpoint Construction & Investments, LLC



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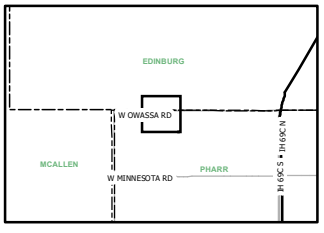
Zoning

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

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.



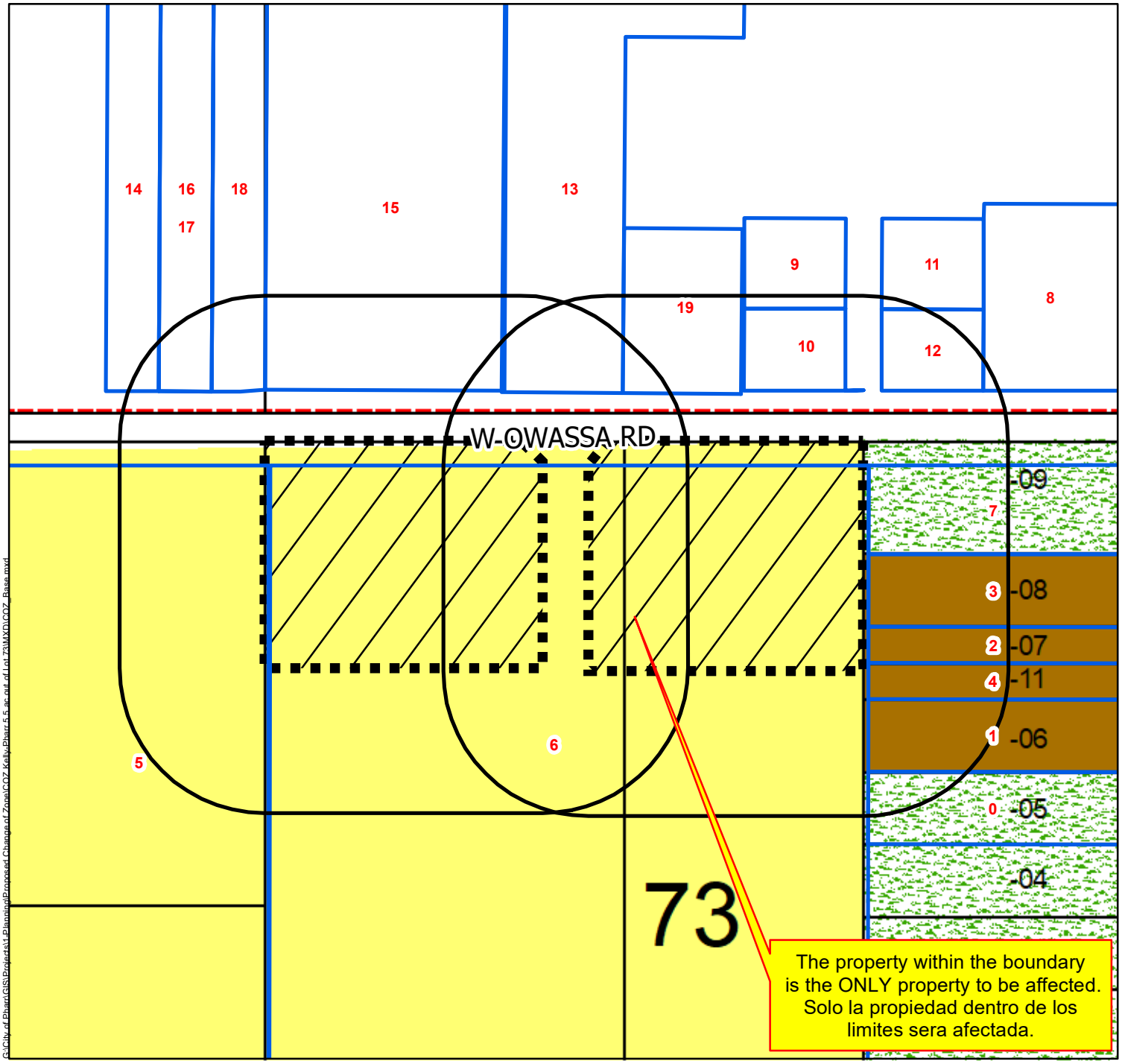
Scale: 1 inch = 197 feet

0 100 200 400 600 800 Feet

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 1/30/2023

Proposed Change of Zone
1500 blk of W Owassa Rd - Kelly-Pharr 5.5 ac m/l out of Lot 73
Pinpoint Construction & Investments, LLC



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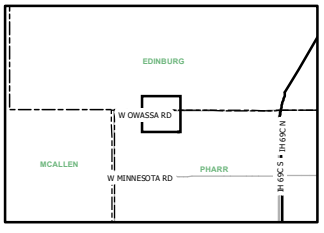


Scale: 1 inch = 197 feet

0 100 200 400 600 800 Feet

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 1/30/2023

Pharr Development Services

REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

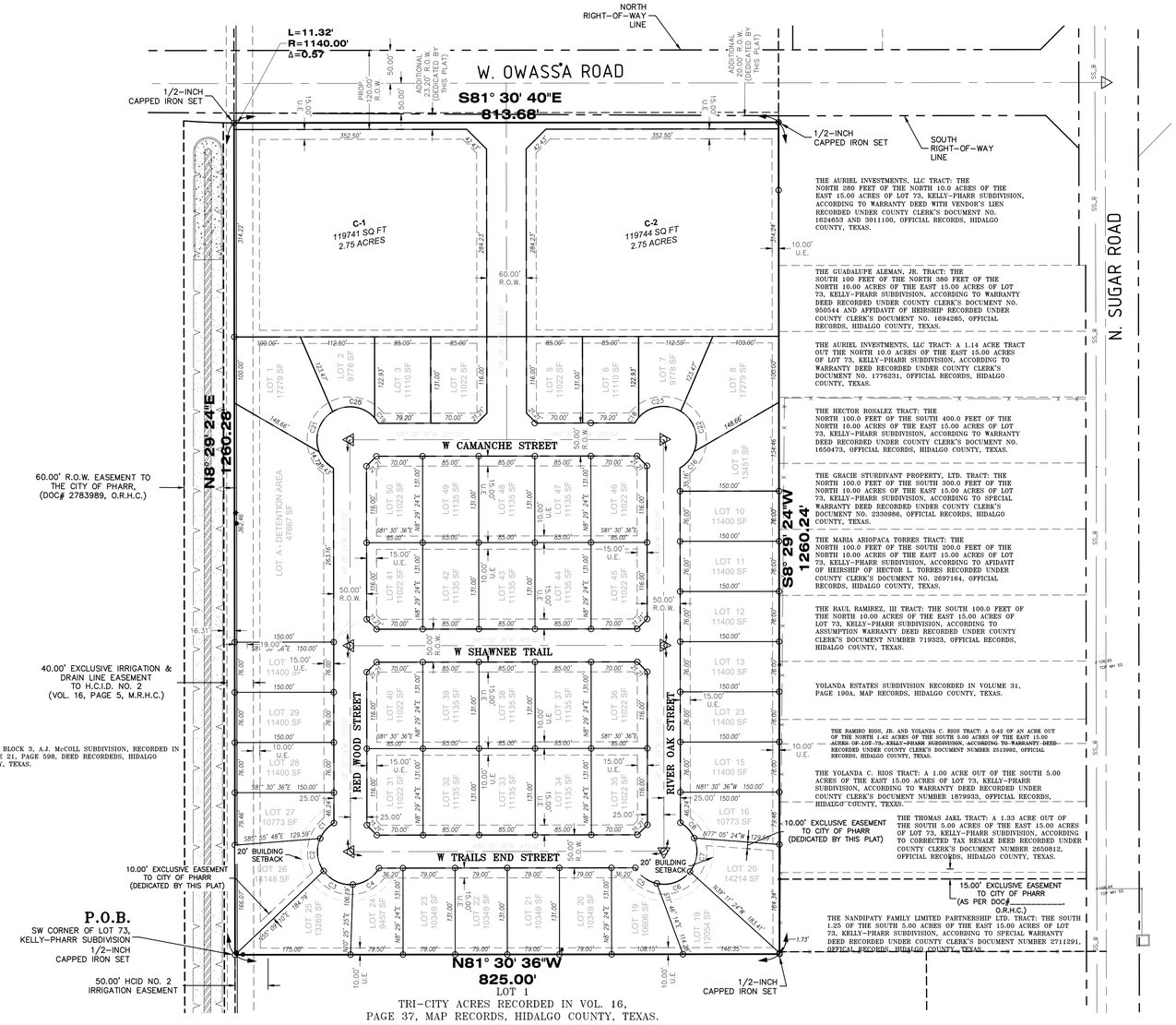
Pinpoint Construction & Investments, LLC.	**Single Family Residential Estates District (R1-E)**
APPLICANT	CURRENT ZONE
1500 W Owassa Rd.	**General Business District (C)**
ADDRESS	

		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 to General Business District (C) as the properties meet 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	**February 21, 2023**
PREPARED BY	DATE



SCALE: 1"=100'
BASIS OF BEARING
TEXAS STATE PLANE COORDINATES
NAD 83
TEXAS SOUTH ZONE (4205)
WESTERN DATA SYSTEMS NETWORK

RIO DELTA ENGINEERING
FIRM REGISTRATION No. F-7628
SURVEY FIRM No. 10194027
921 S. 10TH AVENUE EDINBURG, TEXAS 78539
(TEL) 956-380-5152 (FAX) 956-380-5083

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF **IVAN GARCIA, P.E. 115662 ON JANUARY 2023** IT IS NOT TO BE USED FOR CONSTRUCTION BIDDING OR PERMIT PURPOSES.

ISSUED FOR: **PRELIMINARY**

PRELIMINARY LAYOUT
ANACUA ESTATES SUBDIVISION
PHARR, TEXAS
HIDALGO COUNTY

PROJECT:

ENGINEER:	IVAN GARCIA P.E., R.P.L.S
SURVEYOR:	IVAN GARCIA P.E., R.P.L.S
CHECKED:	IVAN GARCIA P.E., R.P.L.S
DRAWN:	OSCAR ALARCON JR
SCALE:	1"=100
DATE:	JANUARY 202
PROJECT:	SUB 22.01
REVISIONS:	
PAGE NO.	SHT 1

Y:\RDE SUBDIVISIONS 2022\SUB 22.015 - PINPOINT OWASSA ROAD - PHARR TX\email sent\SCOTTIE 1-4-22\PR_SUB 22.015_RDE LOT LAYOUT BASE Ivan FINAL 1-4-22.dwg IVAN 1/4/2023 9:27 PM