

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. April 24, 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 April 10, 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) Laura B. Tiscareno, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Heavy Commercial District (H-C) to Townhouse Residential District (R-TH). The property is legally described as being 2.0 acres, more or less, out of the North ½ of Lot 89, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 1000 Block of W. Minnesota Road. **COZ#230280**

- 2) Thomas F. Phillips, owner, has filed with the Planning and Zoning Commission a request for a Life of the Use Conditional Use Permit to allow a Self-Storage facility in a General Business District (C) and Limited Industrial District (L-I). The property is legally described as being 5.28 acres, more or less, out of Lot 6, Block 5, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 2400-2800 Block of North Jackson Road. **CUP#230388**

- 3) Melden and Hunt Inc., representing Trails on Jackson LLC., owner has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being 7.059 acres, more or less, out of Lots 1 through 28, Brothers Commerce Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 4800-5000 Block of North Jackson Road. **COZ#230387**

E. PLATS:

- 1) HALFF Engineering, representing Phil Dyer, Manager of Capote Farms GP, L.L.C., is requesting final plat approval of the proposed Capote International Business Park Phase VI Lots 1 & 2 Subdivision. The property is legally described as being 19.522 acres out of Lots 3 & 4 of the Closner Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1000 Block of East Capote Central Avenue. **SUB#220720**

F. ANNOUNCEMENTS:

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, 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 April 2023 at 5:00 p.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 April 2023




Hilda Pedraza, City Clerk

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. April 10, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, April 10, 2023 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Jonathan Larraga
 Charlie Ramirez Rafael Munguia

ABSENT: Luis Madrigal Guadalupe Cano
 Romeo Robles Andy Castro

STAFF PRESENT: Kimberly Mendoza, Director of Development Services
 Anaisa Licerio, Planner II
 Eddie Martinez, Planner II
 Laura Fonseca, Planner I
 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.

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 who had signed up to speak.

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR MARCH 27, 2023

Chairman, Danny Wylie, introduced the item.

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

ITEM D. PUBLIC HEARING:

- 1) TAQUERIA TEPEQUE EXPRESS REQUESTED A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.041 ACRES, MORE OR LESS, OUT OF LOT 2, HACIENDA SANTA LUCIA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 701 EAST NOLANA LOOP, SUITE #3A. CUP#230384**

Laura Fonseca, Planner I, introduced the item and stated Taqueria Tepeque Express, had filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcohol beverages for on premise consumption in a General Business District (C). She went over the property's legal description and physical address and stated the property was currently zoned General Business District (C) and the adjacent zoning was General Business District (C) to the east and west. She further stated the property to the north was zoned Residential Multi-Family High Density (R-MFHD) and the property to the south was zoned Agricultural and/or Open Space District (A-O). The area was generally designated for commercial in the Land Use Plan.

Laura Fonseca, Planner I, reported Police Chief, Fire Department, Code Compliance Division, Health Division, and Planning Division were recommending approval of the Conditional Use Permit. She stated sixteen (16) surrounding property owners were notified of the request by letter on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.

Laura Fonseca, Planner I, further stated Development Services staff recommended approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

At this time, 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 and the item was opened for discussion.

There being no discussion, Jonathan Larraga **moved** to approve the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 1) EMIGDIO “MILO” SALINAS, P.E., REPRESENTING BLU-MAN INVESTMENTS, LLC., 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). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 17.425 ACRES, MORE OR LESS, OUT OF LOT 6 AND LOT,7 OUT OF RE-SUBDIVISION OF CLOSNER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY’S PHYSICAL ADDRESS IS WITHIN THE 10400 BLOCK OF SOUTH VETERANS ROAD. COZ#230382 (THIS ITEM WILL GO TO CITY COMMISSION)**

Anaisa Licerio, Planner II, introduced the item and stated Emigdio “Milo” Salinas, P.E., representing Blu-Man Investments, LLC., 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) to develop and construct some buildings and a parking facility. She stated the subject site was located on the north east corner of South Veterans Boulevard and West Military Hwy and had a physical address within the 10400 Block of South Veterans Boulevard. She went over the property’s legal description and physical address and stated the property fronts South Veterans Boulevard, a 100-foot minor arterial, that runs north and south with a posted speed limit of 30 to 45 miles per hour as identified in the City of Pharr’s Thoroughfare Plan.

Anaisa Licerio, Planner II, further stated the property was zoned Agricultural and/or Open Space District (A-O) upon annexation on February 20, 2023 and the properties to the north, east and south were outside city limits. She also stated a portion of the properties to the west were zoned to Agricultural and/or Open Space District (A-O) on November 19, 1991, and the remaining portion was zoned Single-Family Residential District (R-1). She reported the property was generally designated for industrial use in the Land Use Plan and the Limited Industrial District (L-I) was intended for industrial parks and larger, cleaner types of industries. She briefly explained the manufacturing uses should be conducted within a totally enclosed building and 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 were typically a minimum of two acres and average five to ten acres, with a significant amount of land dedicated to landscaping. She reported fourteen (14) letters were mailed out to the surrounding property owners on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.

Anaisa Licerio, Planner II, stated staff was 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. If approved, the owner must comply with all City Ordinances and City Department requirements.

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

There being no discussion, Jonathan Larraga **moved** to approve the request to rezone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

2) AL YAZJI DEVELOPMENT LLC., REPRESENTING ASAS ECO LLC., OWNERS, FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 6.987 ACRES, MORE OR LESS, OUT OF LOT 7, BLOCK 4, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 4800 NORTH JACKSON ROAD. COZ#230385 (THIS ITEM WILL GO TO CITY COMMISSION)

Anaisa Licerio, Planner II, introduced the item and stated Al Yazji Development LLC., representing ASAS ECO LLC., owners, filed with the Planning and Zoning Commission a request for a Change of Zone Agricultural and/or Open Space District (A-O) to General Business District (C) to develop and construct a commercial plaza. She stated the subject site was located on the east side of North Jackson Road, approximately 675 feet north of West Nolana Loop. She went over the property's legal description and physical address and stated the property fronts North Jackson Road, a 120-ft. principal arterial with a posted speed limit of 40 – 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

Anaisa Licerio, Planner II, reported the property was zoned Agricultural and/or Open Space District (A-O) and the property to the north was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on April 01, 2008. The property to the east was zoned Agricultural and/or Open Space District (A-O) on September 04, 1990, upon annexation to the City of Pharr and the property to the south was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on June 07, 2011. She briefly stated city limits lie to the west side of the property and there have been no other zoning requests within the vicinity of the subject property since that time. The property was generally designated for commercial use in the Land Use Plan.

Anaisa Licerio, Planner II, explained General Business District (C) was established to provide adequate space and site diversification for most types of commercial development in the City of Pharr and stated larger shopping centers and more existing commercial strips along major arterials would be included in this district. She stated 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. She reported three (3) letters were mailed

out to the surrounding property owners on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.

Anaisa Licerio, Planner II, stated staff recommended approval of the request to rezone from Agricultural and/or Open Space District (A-O) to General Business District (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.

Chairman 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.

Board member, Rafael Munguia asked staff on buffer not being required since there were not any residential properties currently adjacent. Anaisa Licerio, Planner II, briefly stated there were no residential uses/or zones and any future residential must install buffer.

Board member, Charlie Ramirez asked staff about future use retail or office. Anaisa Licerio, Planner II, briefly stated the site plan attached proposed 3 lots mainly for medical and retail purposes.

Chairman, Danny Wylie, closed the board discussion and opened the floor for a motion.

Board member, Jonathan Larraga **moved** to approve the request to rezone from Agricultural and/or Open Space District (A-O) to General Business District (C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLATS:

- 1) MELDEN & HUNT, INC., REPRESENTING JAIME LOPEZ, MANAGER FOR THE TRAILS ON JACKSON LLC. A TEXAS LIMITED LIABILITY COMPANY, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED VACATED OF BROTHERS COMMERCE CENTER SUBDIVISION AND PLAT OF THE TRAILS ON JACKSON SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 8.176 ACRES, BEING ALL OF LOTS 1 THROUGH 28 AND ALL OF THE BROTHERS MORA DRIVE, RIGHT-OF-WAY WITHIN, BROTHERS COMMERCE CENTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 4900 BLOCK OF NORTH JACKSON RD. SUB#230305**

Eddie Martinez, Planner II, introduced the item and stated Melden & Hunt, Inc., representing Jaime Lopez, Manager for The Trails on Jackson LLC. A Texas Limited

Liability Company was requesting preliminary plat approval of the proposed Vacated of Brothers Commerce Center Subdivision and Plat of The Trails on Jackson Subdivision. He went over the property's legal description and stated the property was located within the 4900 Block of North Jackson Road and was currently zoned General Business District (C). He further stated the adjacent zones were General Business District (C) and Agricultural Open Space District (A-O) to the north and Agricultural Open Space District (A-O) to the east and south and City limits to the west. The property was designated for commercial, multi-family and public/semi public use in the Land Use Plan which was zoned and proposed for apartments.

Eddie Martinez, Planner II, stated staff recommended preliminary plat approval of the proposed Vacate of Brothers Commerce Central Subdivision and Plat of The Trails on Jackson Subdivision subject to the following conditions as noted in the packet. He further stated another rezoning should be approved prior to the final plat approval.

There being no discussion, Rafael Munguia moved to approve the request for preliminary plat approval of the proposed Vacated of Brothers Commerce Center Subdivision and Plat of the Trails on Jackson Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

None

ITEM G. CLOSED SESSION:

None

ITEM H. RECONVENE:

None.

ITEM I. ADJOURNMENT

There being no further business, Jonathan Larraga moved to adjourn. Rafael Munguia seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:14 p.m.

PLANNING & ZONING COMMISSION

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED: _____



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: D.1.

DATE SUBMITTED: April 19, 2023

MEETING DATE: April 24, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Laura B. Tiscareno, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Heavy Commercial District (H-C) to Townhouse Residential District (R-TH). The property is legally described as being 2.0 acres, more or less, out of the North ½ of Lot 89, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 1000 Block of W. Minnesota Road. **COZ#230280**

Classification: Public Hearing

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

Issue: Laura B. Tiscareno, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Heavy Commercial District (H-C) to Townhouse Residential District (R-TH) in order to develop and construct a single-family residence and townhouses as part of a phased development.

Fiscal Consideration: N/A

Staff Recommendation: Development Services recommends disapproval of the request to re-zone from Heavy Commercial District (H-C) to Townhouse Residential District (R-TH) as the property is not in line with the future land use plan.

Planning & Zoning Commission Recommendation: The Planning and Zoning Commission considered the request at their meeting on March 27, 2023. Following discussion, a motion was made to approve the rezoning request; however, the **motion failed** by a vote of 2-2. There were four members present and voting.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza

Created/Initiated - 4/19/2023
Approved - 4/19/2023
Final Approval - 4/20/2023



MEMORANDUM

DATE: MONDAY, APRIL 24, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Heavy Commercial District (H-C) to Townhouse Residential District (R-TH). The property is legally described as being 2.0 acres, more or less, out of the North ½ of Lot 89, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 1000 Block of W. Minnesota Road. COZ#230280

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:

Laura B. Tiscareno, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Heavy Commercial District (H-C) to Townhouse Residential District (R-TH) in order to develop and construct a single-family residence and townhouses as part of a phased development.

The subject site is located on the south side of West Minnesota Road, approximately 650 ft. west of North Sugar Road, with a physical address of 1000 Block of West Minnesota Road. The property is legally described as being 2.0 acres, more or less, out of the North ½ Lot 89, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts West Minnesota Road, an 80 ft. major collector street 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 is currently zoned Heavy Commercial District (H-C). The properties to the east and west were annexed on September 19, 1989, and were zoned to Heavy Commercial District (H-C). The property to the south was zoned to Medium Density Multi-Family Residential District (R-3) on October 19, 2004. The properties to the north were zoned to Agricultural and/or Open Space District (A-O) upon annexation to the City of Pharr on March 6, 1984. 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 use in the Land Use Plan.

The Residential Townhouse District (R-TH) is established to provide adequate space and site diversification for medium-density residential development that is single-family, on separate lots, and typically owner occupied. Townhouse development is a low to medium density use and before zoning to townhouse usage, the increased requirements for street, water and fire protection, wastewater, drainage, and adequate open space must be met. Townhouse developments must be properly buffered from nonresidential uses and protected from high volumes of non-single-family traffic, or from pollution and/or environmental hazards.

Twenty-nine (29) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on April 6, 2023, and a legal notice was published in the Advance News Journal on April 5, 2023. Staff received no response to the letters or the legal notice.

Development Services is recommending **disapproval** of the request to re-zone from Heavy Commercial District (H-C) to Townhouse Residential District (R-TH) as the property is not in line with the future land use plan.

Note: The Planning and Zoning Commission considered the request on March 27, 2023. Following discussion, a motion was made to approve the rezoning request; however, the **motion failed** by a vote 2-2. There were four members present and voting.

PLANNING COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Laura B. Tiscareno, owner

APPLICANT

Heavy Commercial District (H-C)

CURRENT ZONE

1000 Block of West Minnesota Road

ADDRESS

Townhouse Residential District (R-TH)

PROPOSED ZONE

	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 from Heavy Commercial District (H-C) to Townhouse Residential District (R-TH) as the property is not in line with the future land use plan.

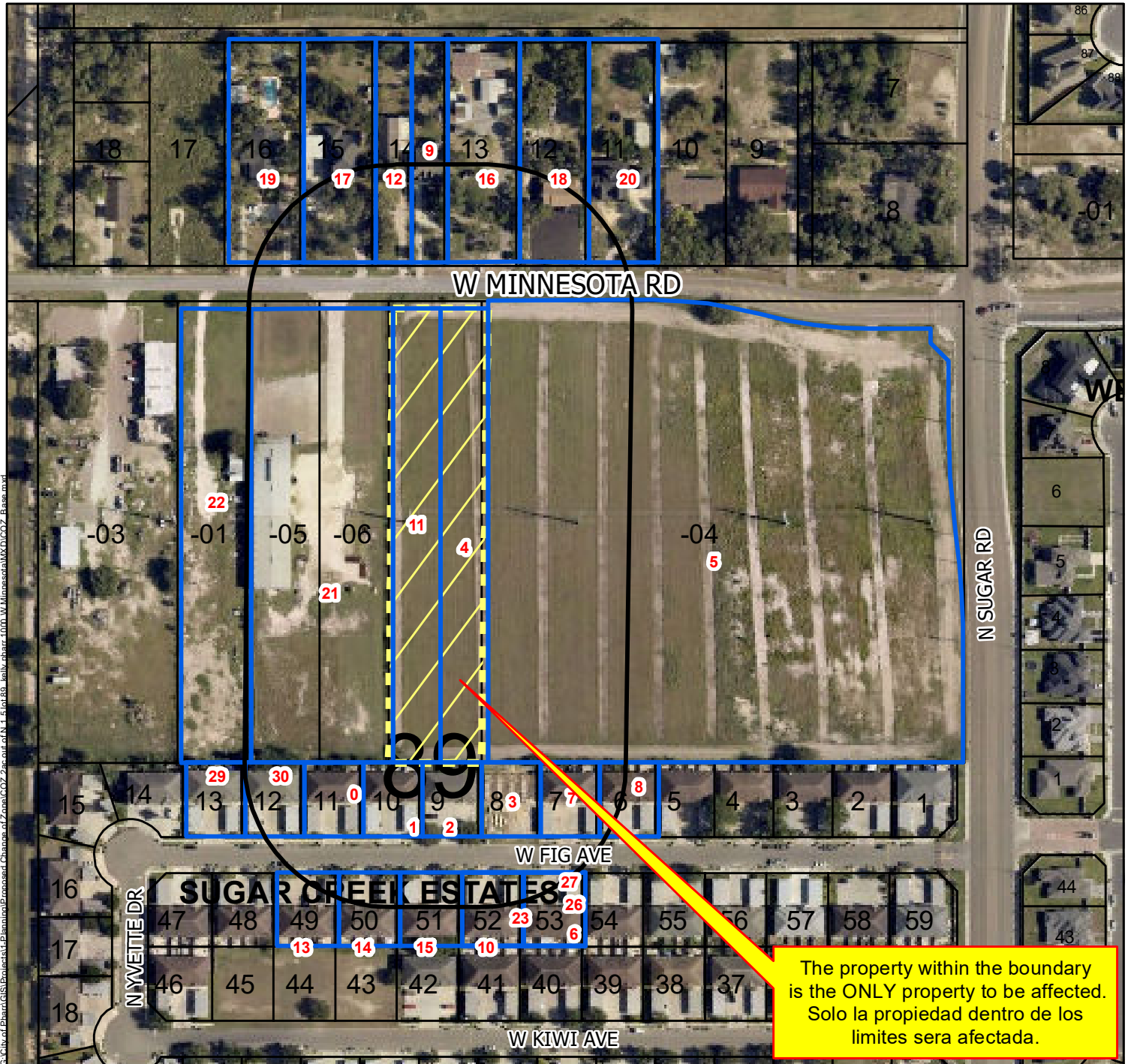
Anaisa Licerio, Planner II

PREPARED BY

April 18, 2023

DATE

Proposed Change of Zone
2 acres, more or less, out of the North ½ Lot 89, Kelly-Pharr Sub
Laura B Tiscareno



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

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

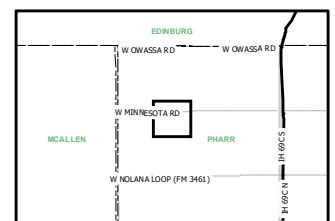
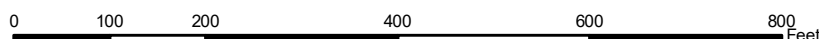
- 200ft Notification Buffer
- Notified Properties
- Subject Property

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.

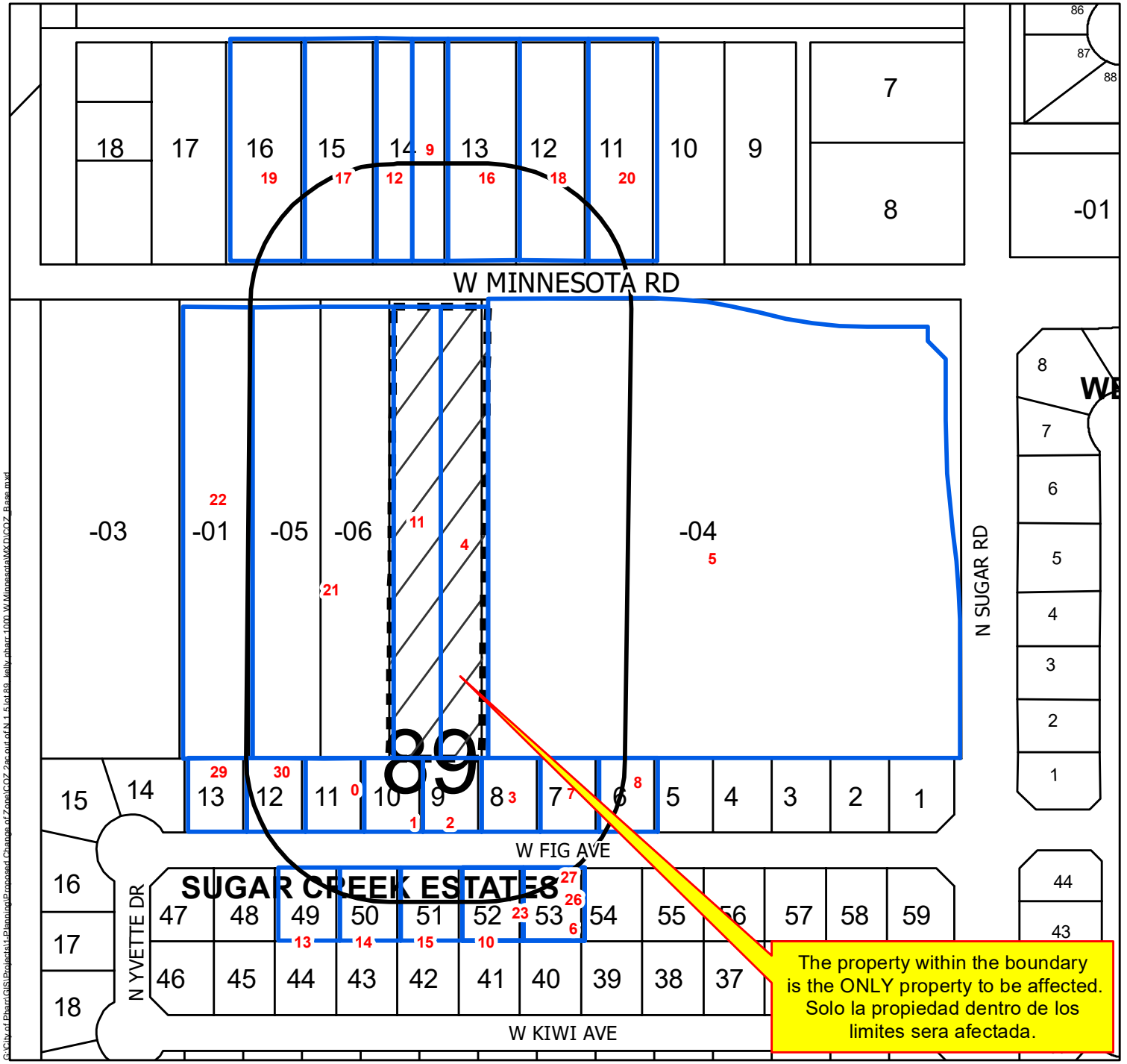
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/3/2023

Scale: 1 inch = 200 feet



Proposed Change of Zone
2 acres, more or less, out of the North ½ Lot 89, Kelly-Pharr Sub
Laura B Tiscareno



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

Zoning
ZONE

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

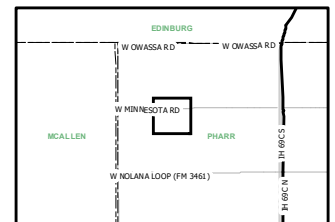
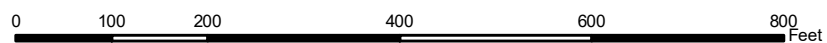
- Townhouse
- HUD Code
- Rail Road R.O.W
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

- 200ft Notification Buffer
- 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.

City of Pharr, Texas
Engineering Department
956.402.4242
Date: 3/3/2023

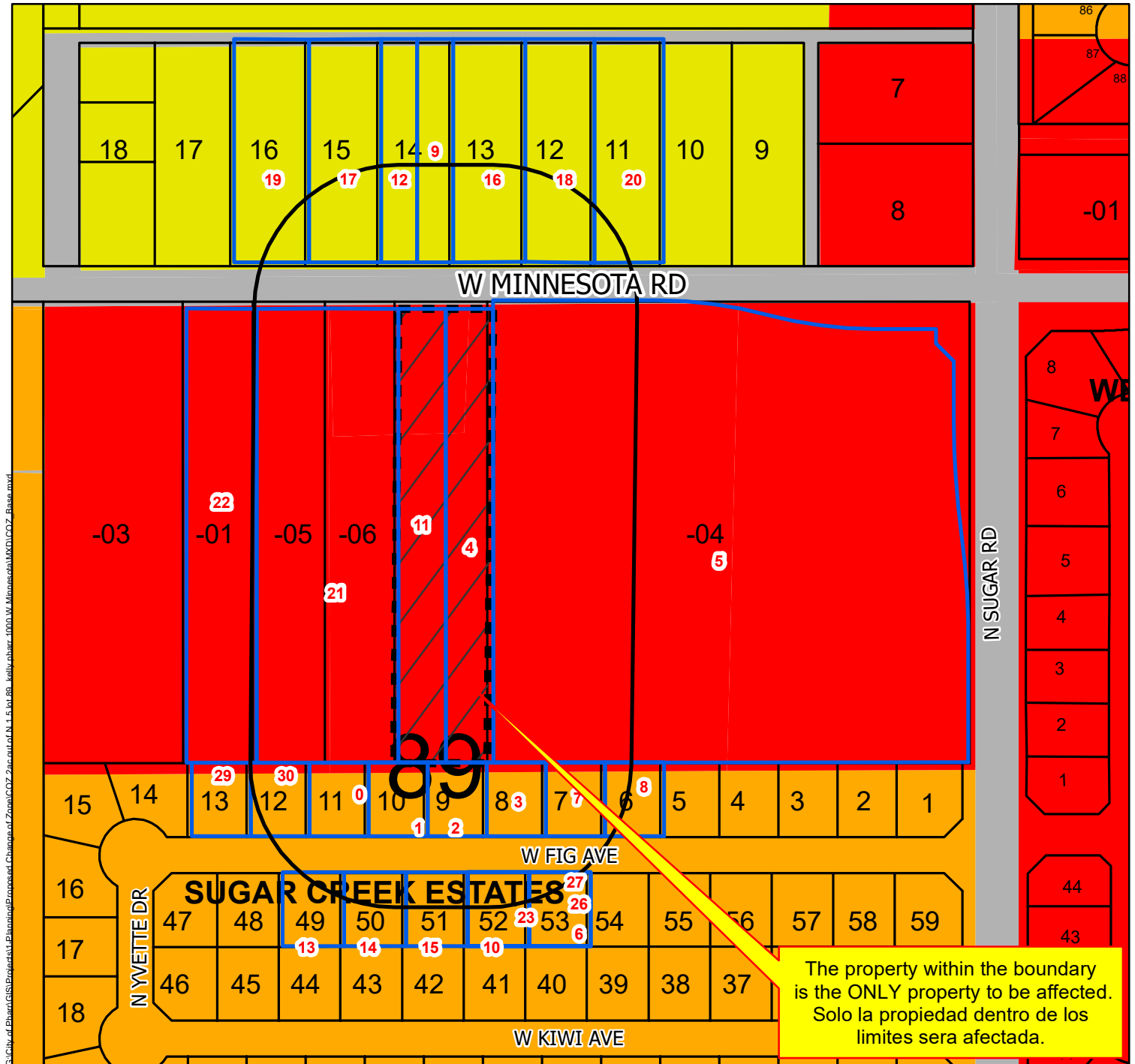
Scale: 1 inch = 200 feet



Proposed Change of Zone
2 acres, more or less, out of the North ½ Lot 89, Kelly-Pharr Sub
Laura B Tiscareno

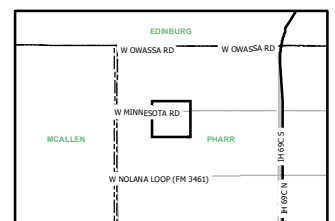


Pharr
Engineering



Zoning	Rail Road R.O.W	PSJA ISD	Agriculture
ZONE	Government Owned	Hidalgo ISD	Single Family Res.
Agricultural Open Space	General Business	Valley View ISD	Multi-Family Res.
Single Family	Business District	Planned Unit Development	Manufactured Homes
Single Family Small Lot	Drainage Easement	200ft Notification Buffer	Industrial
Residential Multi-Family	Heavy Commercial	Notified Properties	Commercial
Residential Multi-Family High Density	Heavy Industrial	Subject Property	Public/Semi Public
Mobile Home	Limited Industrial	Future Land Use	ROW
Townhouse	Neighborhood Commercial	Irrigation	Parks
HUD Code	Office Professional	FUTURELAND	

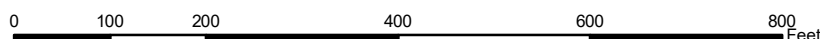
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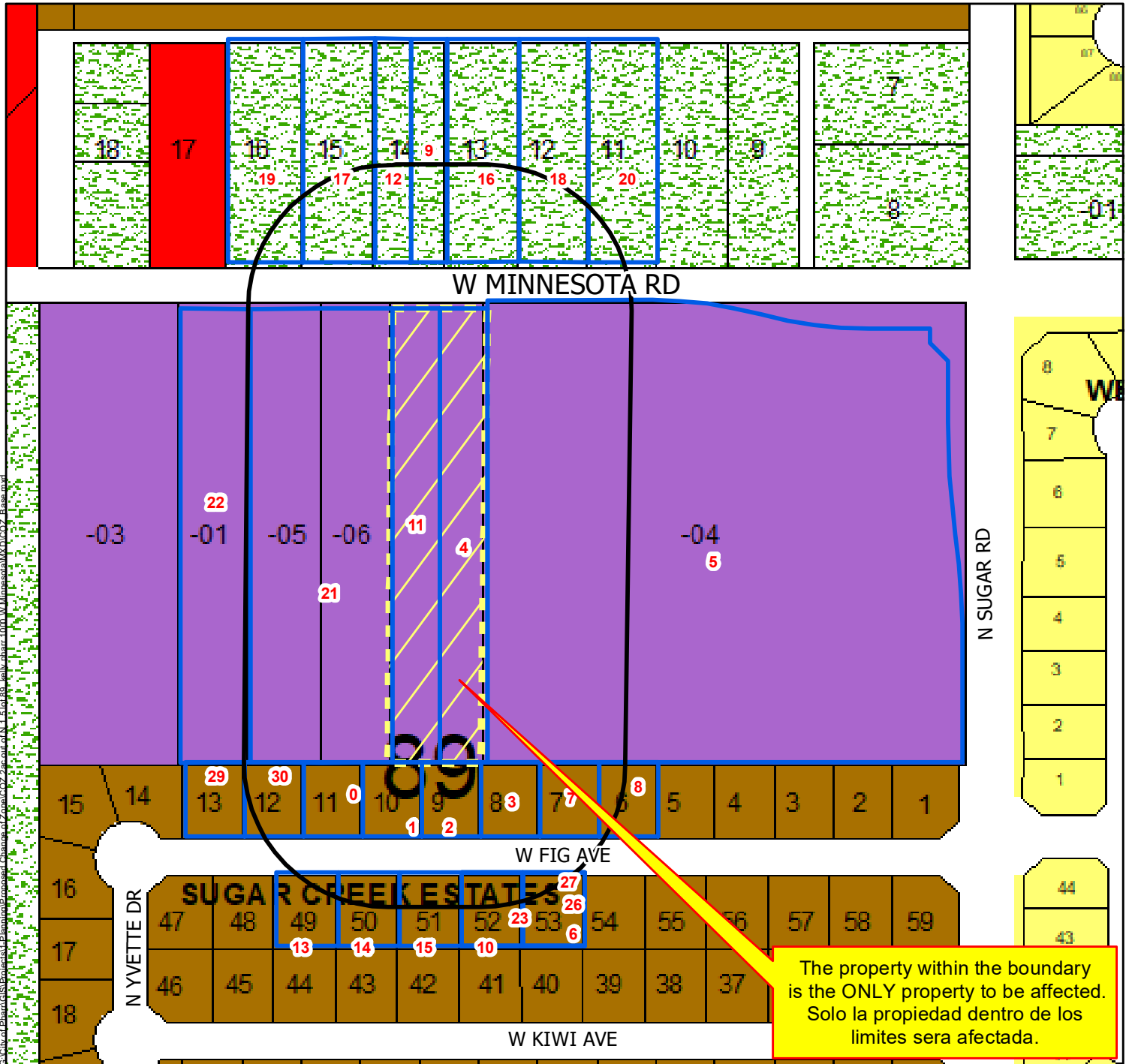
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 4/18/2023

Scale: 1 inch = 200 feet



Proposed Change of Zone
2 acres, more or less, out of the North ½ Lot 89, Kelly-Pharr Sub
Laura B Tiscareno



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

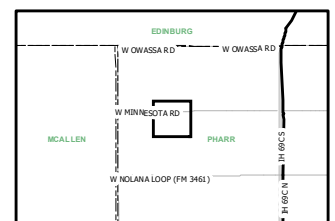
- 200ft Notification Buffer
- Notified Properties
- Subject Property

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City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/3/2023

Scale: 1 inch = 200 feet



HOME

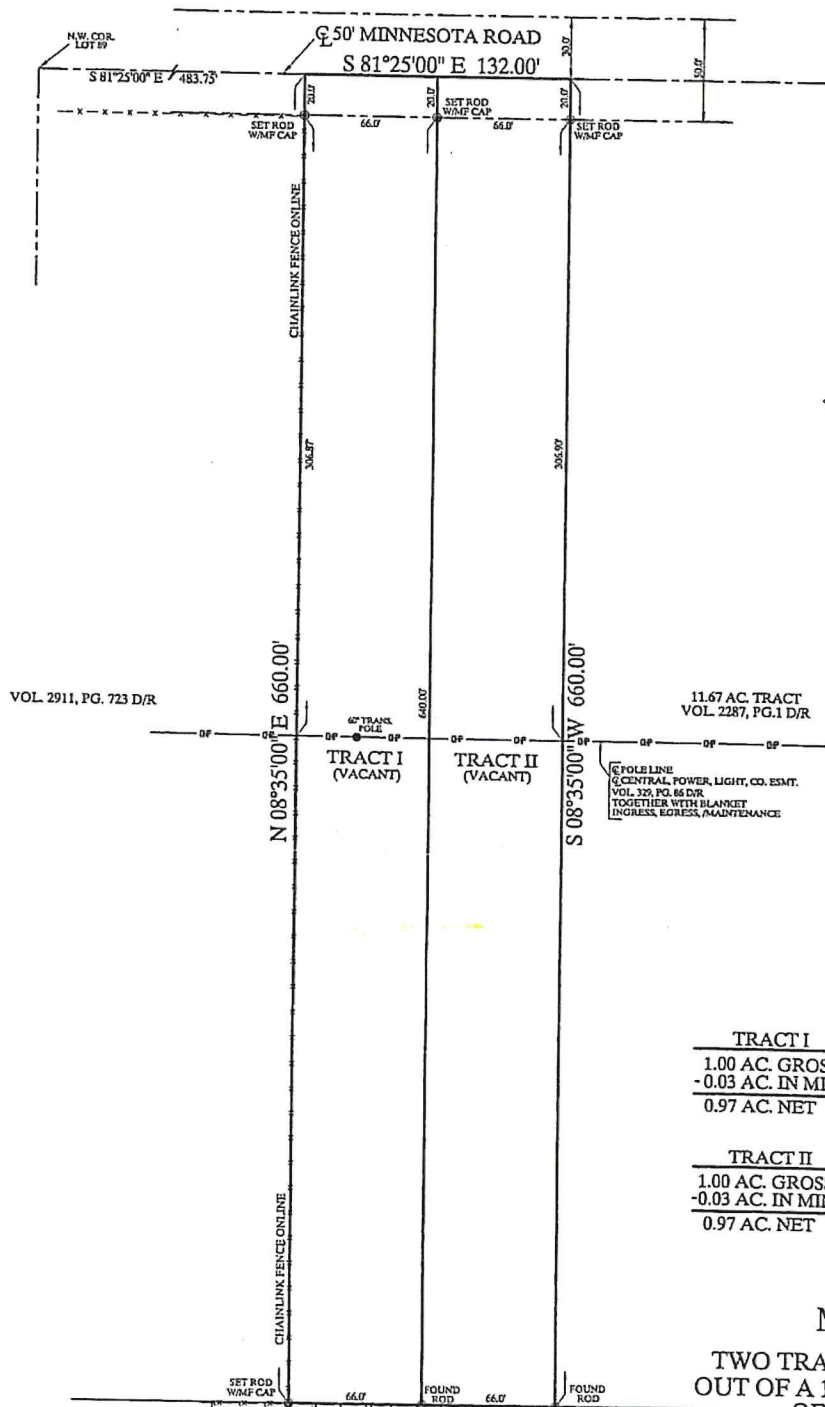
STREET

TOWN HOMES

W. Minnesota

EASEMENT STATUS

GRANTEE	VOL.	PAGE	STATUS
10b.) CENTRAL POWER LIGHT COMPANY	329	86 D/R	PLOTTED TOGETHER W/ INGRESS/EGRESS



TRACT I

1.00 AC. GROSS
- 0.03 AC. IN MINNESOTA ROAD
0.97 AC. NET

TRACT II

1.00 AC. GROSS
- 0.03 AC. IN MINNESOTA ROAD
0.97 AC. NET

MAP

OF
TWO TRACTS OF LAND
OUT OF A 12.67 AC. TRACT
OF LOT 89,
KELLY-PHARR SUBDIVISION
OF PORCIONES 69 & 70,
HIDALGO COUNTY, TEXAS
VOLUME 3, PAGES 133 & 134
DEED RECORDS

BORROWER: LAURA TISCARENO AND JOSE QUINTERO
TITLE COMPANY: SIERRA TITLE
GF No.: 0000202458
ADDRESS: MINNESOTA ROAD

I, MICHAEL FABIAN, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE FOREGOING MAP IS A REPRESENTATION OF SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN ON THIS PLAT. THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAPS.

Michael Fabian
MICHAEL FABIAN
REGISTERED PROFESSIONAL LAND SURVEYOR
MCALLEN, TEXAS.
#4893

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LOT 10
LOT 9
SUGAR CREEK ESTATES
VOL. 49, PG. 50 M/R

LOT 8

PREPARED BY
MICHAEL FABIAN SURVEYING, INC.
1203 E. HACKBERRY AVE.
MCALLEN, TEXAS 78501

FAX (959) 667-4660

MICHAEL FABIAN
REGISTERED PROFESSIONAL
LAND SURVEYOR

WD #3265
SCALE: 1" = 60'PRINT SIZE: LEGAL
DATE: 06/06/2017

EMAIL ADDRESS: SURVEY@MFABIANSURVEYING.COM
FIRM # 10193965



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.

DATE SUBMITTED: April 19, 2023

MEETING DATE: April 24, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Thomas F. Phillips, owner, has filed with the Planning and Zoning Commission a request for a Life of the Use Conditional Use Permit to allow a Self-Storage facility in a General Business District (C) and Limited Industrial District (L-I). The property is legally described as being 5.28 acres, more or less, out of Lot 6, Block 5, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 2400-2800 Block of North Jackson Road. **CUP#230388**

Classification: Public Hearing

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

Issue: Thomas F. Phillips, owner, has filed with the Planning and Zoning Commission a request for a Life of the Use Conditional Use Permit to allow a Self-Storage facility in a General Business District (C) and Limited Industrial District (L-I).

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the Life of the Use Conditional Use Permit to allow a Self-Storage facility in a General Business District (C) and Limited Industrial District (L-I) subject to applicant and site being in compliance 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 - 4/19/2023
Approved - 4/19/2023
Final Approval - 4/20/2023

MEMORANDUM

DATE: MONDAY, APRIL 24, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR LIFE OF THE USE (SELF STORAGE)
FILE NO. **CUP#230388**

GENERAL INFORMATION:

APPLICANT: Thomas F. Phillips, owner, has filed with the Planning and Zoning Commission a request for a Life of the Use Conditional Use Permit to allow a Self-Storage facility in a General Business District (C) and Limited Industrial District (L-I).

LEGAL DESCRIPTION: The property is legally described as being 5.28 acres, more or less, out of Lot 6, Block 5, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is within the 2400-2800 Block of North Jackson Road.

ZONING: The property is currently zoned General Business District (C) and Limited Industrial District (L-I). The surrounding area is zoned General Business District (C) and Limited Industrial District (L-I) to the north, Limited Industrial District (L-I) and Residential Multi-Family High Density District (R-MFHD) to the east, Residential Multi-Family District (R-MF) to the south, and a portion to the west is General Business District (C) and the remaining are the city limits. This area is generally designated for commercial and multi-family use in the Land Use Plan.

COMMENTS: **FIRE DEPARTMENT:** Pending inspection of the Conditional Use Permit.

CODE COMPLIANCE: Pending inspection of the Conditional Use Permit.

DEVELOPMENT SERVICES:

Recommends approval of the Conditional Use Permit.

NOTIFICATION OF PUBLIC:

Three (3) letters were mailed out to the surrounding property owners within a 300-foot radius on April 6, 2023, and a legal notice was published in the Advance News Journal on April 5, 2023. Staff received no response to the letters or the legal notice.

DEVELOPMENT SERVICES RECOMMENDATIONS:

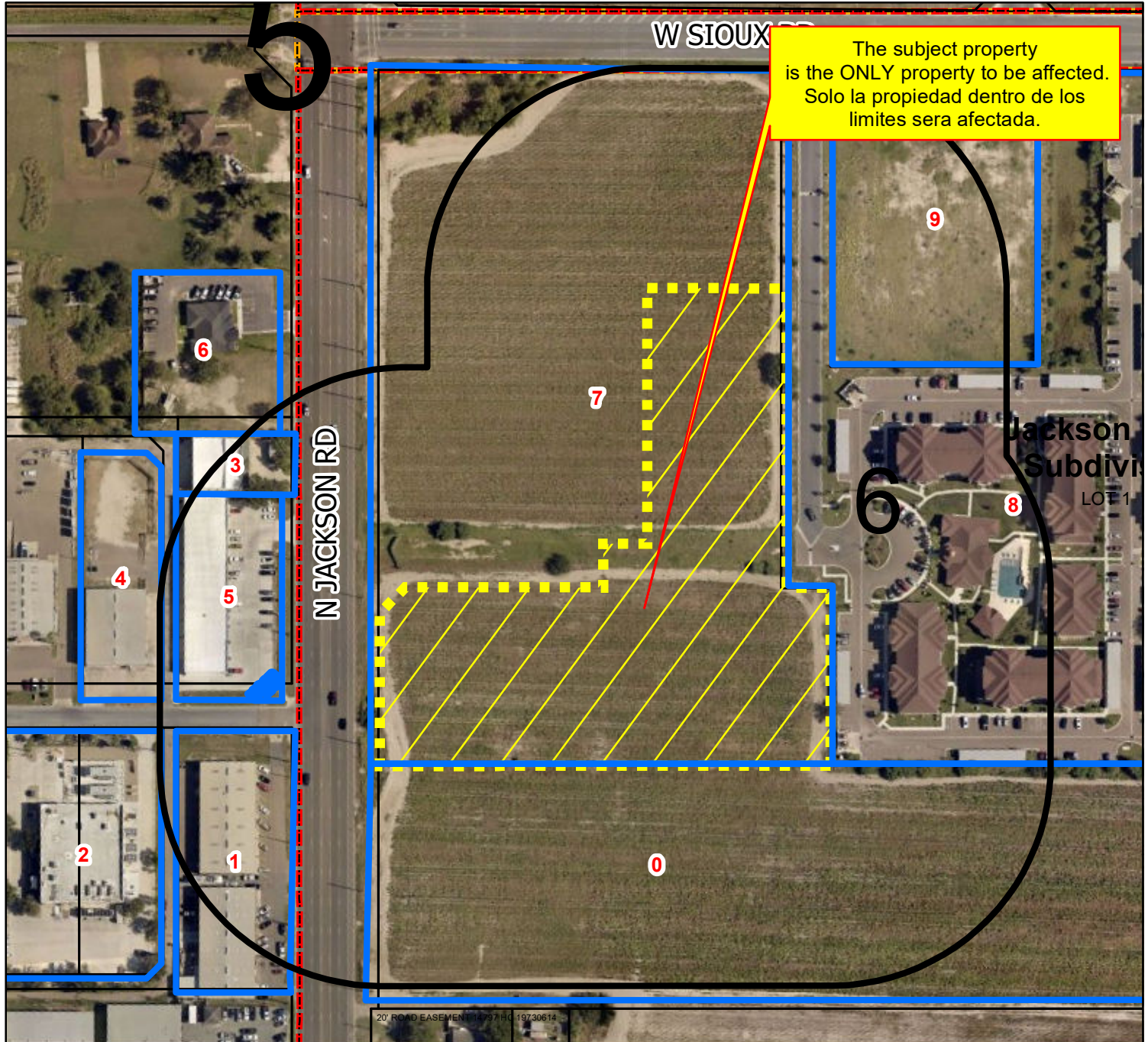
Development Services is recommending approval of the Life of the Use Conditional Use Permit to allow a Self-Storage facility in a General Business District (C) and Limited Industrial District (L-I) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

1. This permit shall be for the Life-of-the Use and issued to the current owner only;
2. No living amenities shall be installed in any unit;
3. Applicant shall comply with all City of Pharr Ordinances and codes, any violation will terminate this Conditional Use Permit;
4. Must be in compliance with Ordinance O-2019-23;
5. Applicant must acquire a building permit before start of construction;
6. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
7. The following shall be considered as grounds for the revocation of the Conditional Use Permit:
 - Any change in use or change in extent of use, area or location.
 - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
 - Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

Proposed Conditional Use Permit
 5.28 acres, more or less, o/o Lot 6, Block
 5, A. J. McColl Subdivision
 Thomas F. Phillips



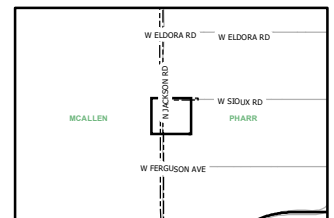
G:\City of Pharr\GIS\Projects\1-Planning\Conditional Use Permits\CUP 5.28 acres, more or less, o/o Lot 6, Block 5, A. J. McColl Subdivision\MXD\CUP_Base.mxd



- | | | |
|---------------------------------------|--------------------|--------------------------|
| 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 | |

- 300 ft Radius
- Notified Properties
- Subject Property

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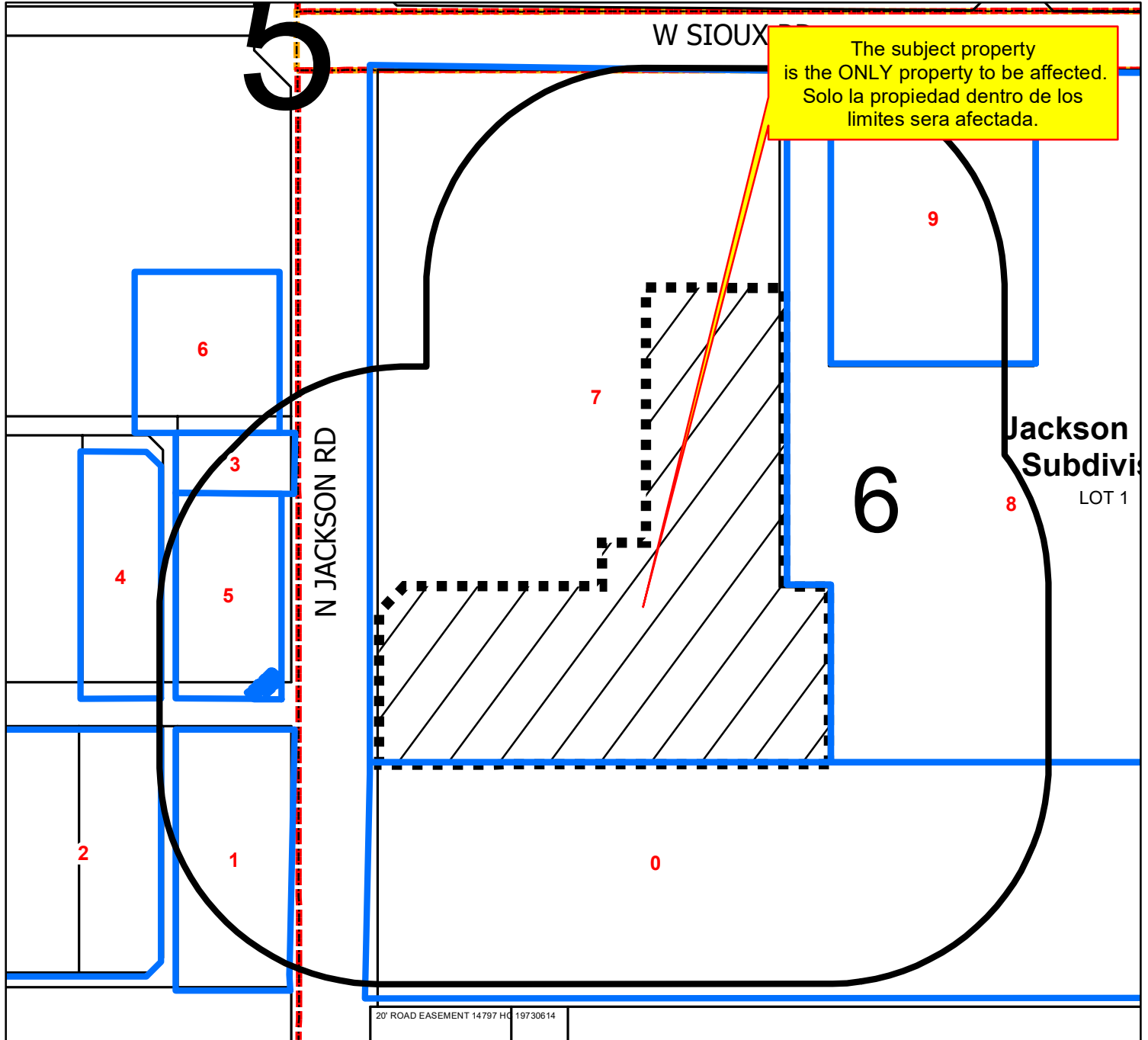


City of Pharr, Texas
 Engineering Department
 956.402.4242

Date: 4/5/2023

Scale: 1 inch = 200 feet





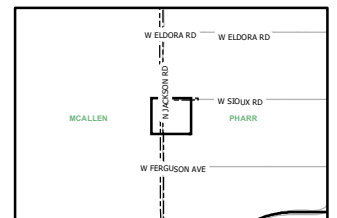
Agricultural Open Space
 Single Family
 Single Family Small Lot
 Residential Multi-Family
 Residential Multi-Family High Density
 Mobile Home
 Townhouse
 HUD Code

Rail Road R.O.W
 Government Owned
 General Business
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 Planned Unit Development

300 ft Radius
 Notified Properties
 Subject Property

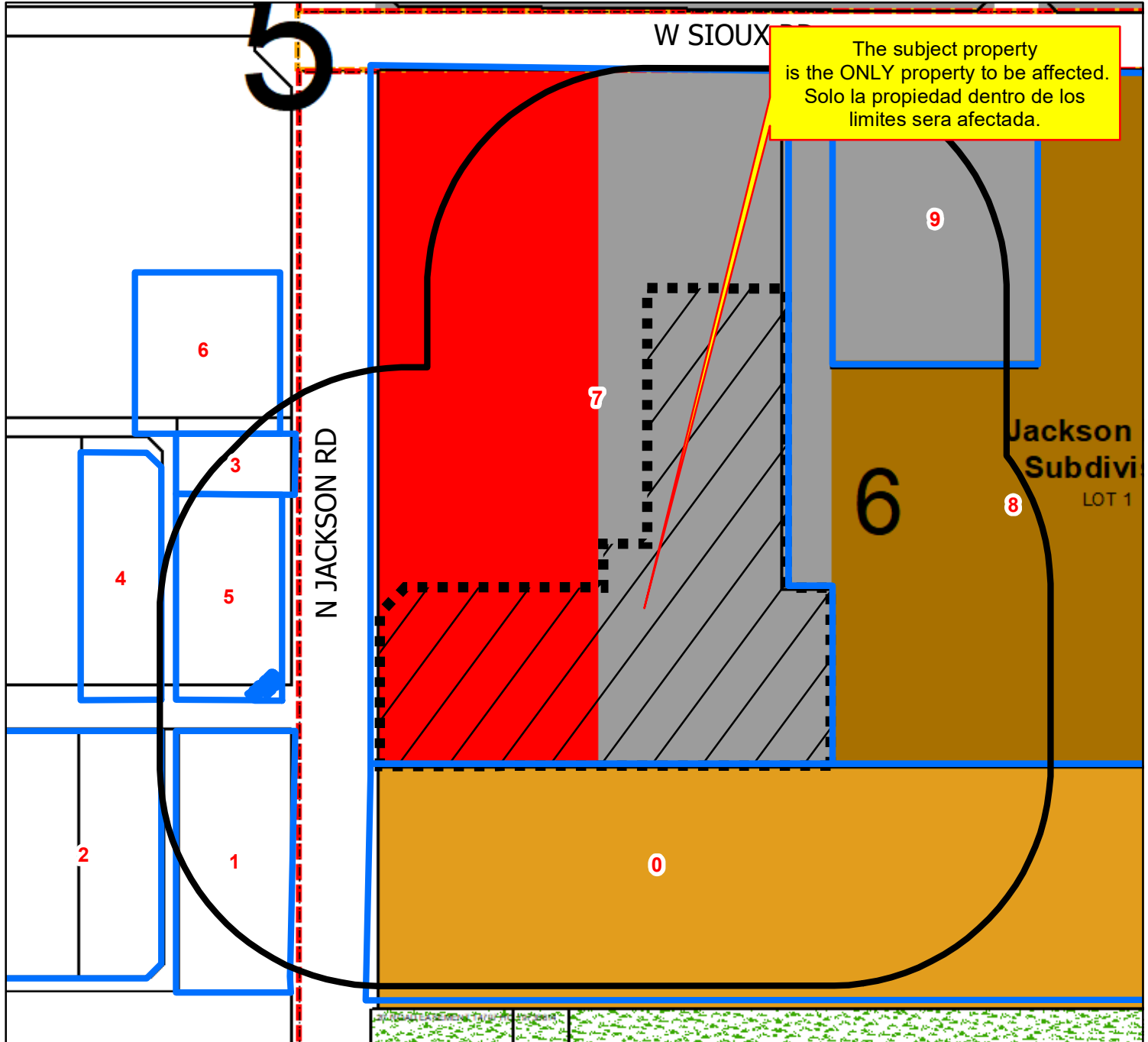
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Proposed Conditional Use Permit
5.28 acres, more or less, o/o Lot 6, Block
5, A. J. McColl Subdivision
Thomas F. Phillips



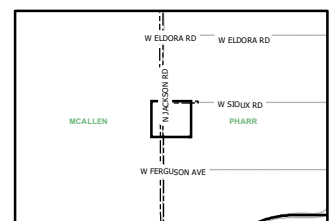
G:\City of Pharr\GIS\Projects\1-Planning\Conditional Use Permits\CUP 5.28 acres, more or less, o/o Lot 6, Block 5, A. J. McColl Subdivision\MXD\CUP_Base.mxd



- | | | |
|---------------------------------------|--------------------|--------------------------|
| 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 | |

- 300 ft Radius
- Notified Properties
- Subject Property

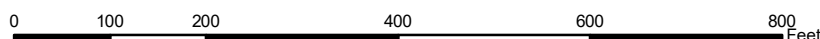
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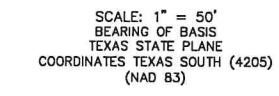


City of Pharr, Texas
Engineering Department
956.402.4242

Date: 4/5/2023

Scale: 1 inch = 200 feet





	EXIST. POWER POLE
	EXIST. GUY WIRE
	EXIST. SIGNS
	EXIST. FENCE LINE
	EXIST. OVERHEAD ELECTRIC LINE
	EXIST. UNDERGROUND CABLE
	EXIST. 8" SANITARY SEWER LINE
	EXIST. SANITARY SEWER MANHOLE
	EXIST. SANITARY SEWER CLEAN OUT
	EXIST. LIGHT POLE
	EXIST. FLUSH VALVE
	EXIST. WATER VALVE
	EXIST. GAS VALVE
	EXIST. FIRE HYDRANT
	EXIST. WATER METER
	EXIST. GAS METER
	EXIST. 8" WATER LINE
	EXIST. 12" WATER LINE
	BACK TO BACK
	UTILITY EASEMENT
	NATURAL GROUND
	BACK OF CURB
	TOP OF SIDEWALK
	TOP OF CURB
	TOP OF ASPHALT

IZAGUIRRE

Engineering Group LLC.

No.	Revision/Issue	Date
JACKSON RD. & SIOUX RD. PHARR, TX ID #231082 STORAGE PRELIMINARY SITE PLAN		
Project	Sheet	
Date	E1	
Scale		
1"=50'		



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.3.

DATE SUBMITTED: April 20, 2023

MEETING DATE: April 24, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Melden and Hunt Inc., representing Trails on Jackson LLC., owner has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being 7.059 acres, more or less, out of Lots 1 through 28, Brothers Commerce Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 4800-5000 Block of North Jackson Road. **COZ#230387**

Classification: Public Hearing

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

Issue: Melden and Hunt Inc., representing Trails on Jackson LLC., owner has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Residential Multi-Family High Density District (R-MFHD) in order to develop and construct apartments.

Fiscal Consideration:

Staff Recommendation: Development Services recommends disapproval of the request to re-zone from General Business District (C) to Residential Multi-Family High Density District (R-MFHD) as the majority of the property is not in line with the future land use plan.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza

Created/Initiated - 4/20/2023
Approved - 4/20/2023
Final Approval - 4/21/2023



MEMORANDUM

DATE: MONDAY, APRIL 24, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From General Business District (C) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being 7.059 acres, more or less, out of Lots 1 through 28, Brothers Commerce Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is within the 4800-5000 Block of North Jackson Road. COZ#230387

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Melden and Hunt Inc., representing Trails on Jackson LLC., owner has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Residential Multi-Family High Density District (R-MFHD) in order to develop and construct apartments.

The subject site is located on the east side of North Jackson Road, approximately 900 ft. south of West Minnesota Road, with a physical address of 4800-5000 Block of North Jackson Road. The property is legally described as being 7.059 acres, more or less, out of Lots 1 through 28, Brothers Commerce Center Subdivision, Pharr, Hidalgo County, Texas.

The property fronts North Jackson Road, a 120 ft.-150 ft. principal arterial that runs north and south with a posted speed limit of 40 to 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on April 1, 2008. The property to the east is zoned Agricultural and/or Open Space District (A-O) since annexed on October 13, 1989. The portion of the property to the north was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on April 1, 2008. Another portion of the north was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on May 12, 2015. The property to the south was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on April 17, 2023.

The property is generally designated for commercial and multi-family residential use in the Land Use Plan.

The Residential Multi-Family High Density District (R-MFHD) is established to provide adequate space and site diversification for medium to high density areas. This may be a zone for transitional areas developed for single-family usage, but because of the need for rehabilitation, or changes in the character of the neighborhood, are now deemed suitable for some multifamily development. This zone allows medium to high density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage, and adequate open space shall be met. R-MFHD uses should not run traffic over long distances of single-family residential-sized streets or neighborhoods and should be located close to arterials or collectors capable of carrying the additional traffic. Multi-family developments are not a buffer between single-family and commercial uses and should be properly buffered from nonresidential land uses and traffic, or from pollution and environmental hazards.

Six (6) letters were mailed out to the surrounding property owners on April 6, 2023, and a legal notice was published in the Advance News Journal on April 5, 2023. Staff received no response to the letters or the legal notice.

Development Services is recommending **disapproval** of the request to re-zone from General Business District (C) to Residential Multi-Family High Density District (R-MFHD) as the majority of the property is not in line with the future land use plan.

NOTE: This item will go to before the City Commission Meeting of **May 01, 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.



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Melden and Hunt Inc., representing Trails on Jackson LLC., owner
APPLICANT

4800-5000 Block of North Jackson Road
ADDRESS

General Business District (C)
CURRENT ZONE

**Residential Multi-Family High Density
District (R-MFHD)**
PROPOSED ZONE

	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 from General Business District (C) to Residential Multi-Family High Density District (R-MFHD) as the property is not in line with the future land use plan.

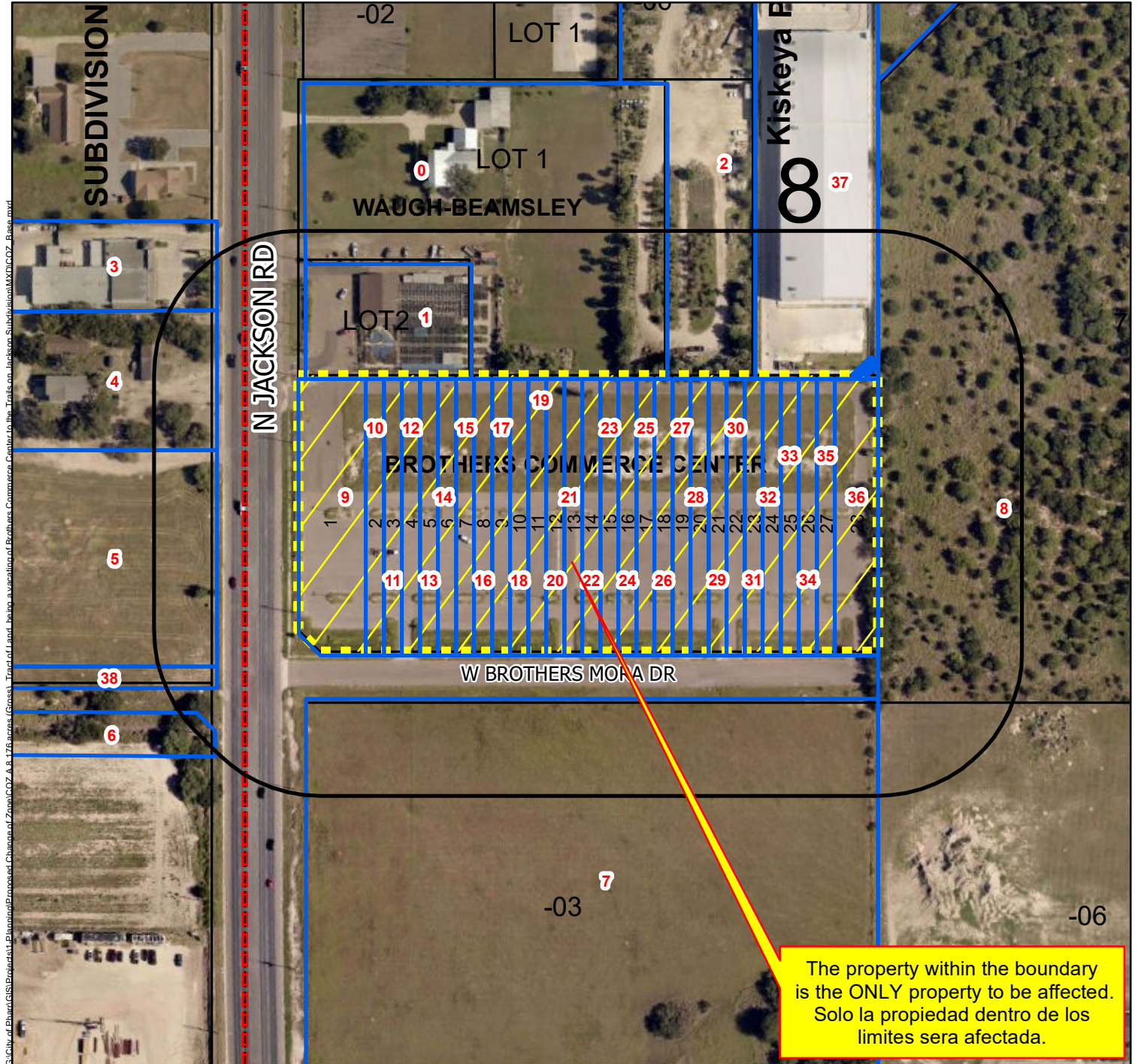
Laura Fonseca, Planner I
PREPARED BY

April 19, 2023
DATE

Proposed Change of Zone
 7.059 acres, more or less. out of Lots 1 through 28, Brothers
 Commerce Center Subdivision
 Mario A Reyna, P.E.



Pharr
 Engineering



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

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

Future Land Use

- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.

- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Notified Properties
- 200 ft Radius

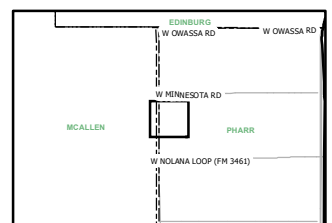
City of Pharr, Texas
 Engineering Department
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Date: 4/5/2023

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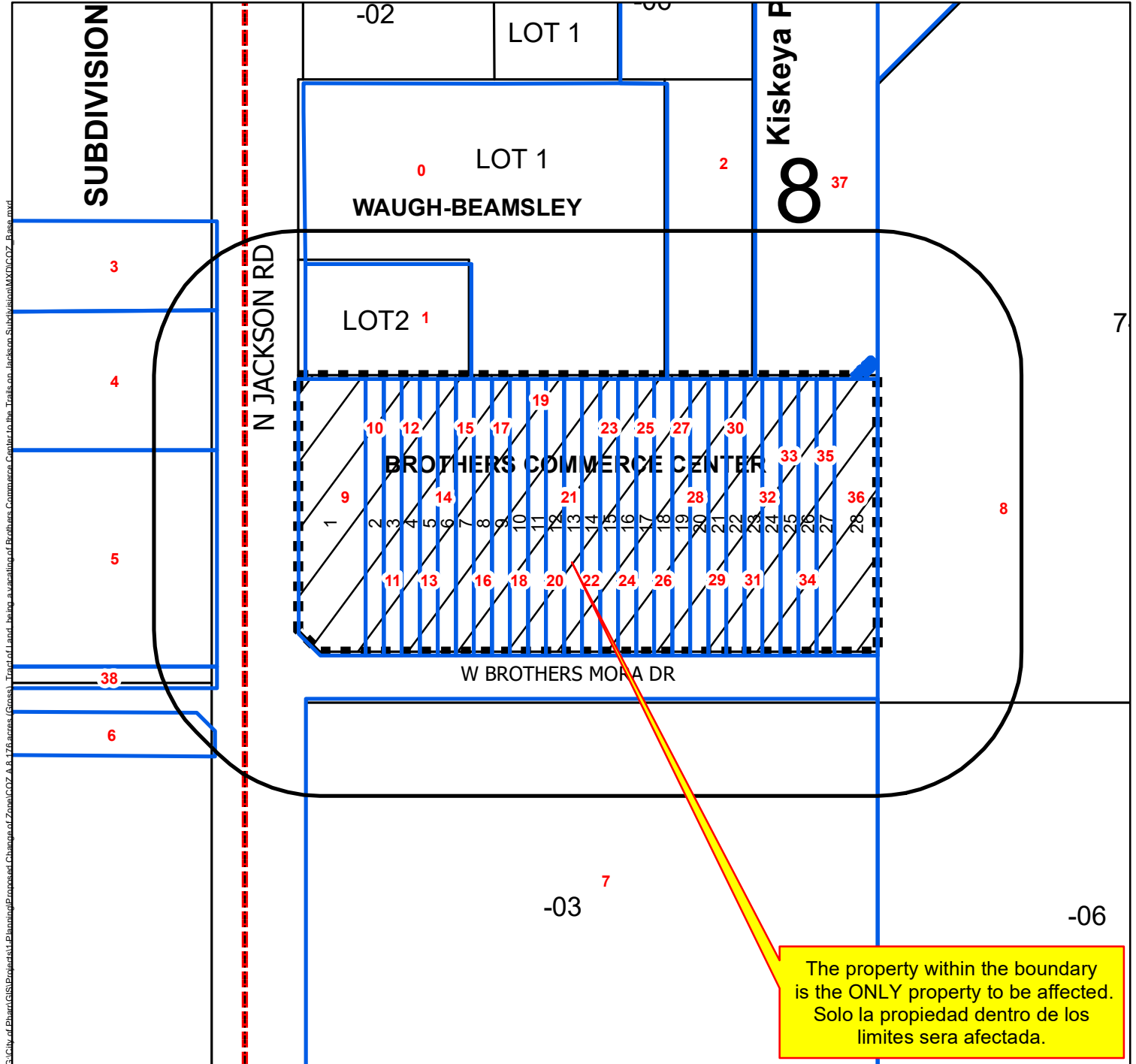
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Proposed Change of Zone
7.059 acres, more or less. out of Lots 1 through 28, Brothers
Commerce Center Subdivision
Mario A Reyna, P.E.



Pharr
Engineering



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

Future Land Use

- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.

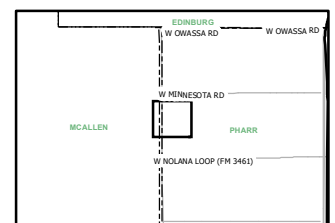
- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Notified Properties
- 200 ft Radius

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: 4/5/2023

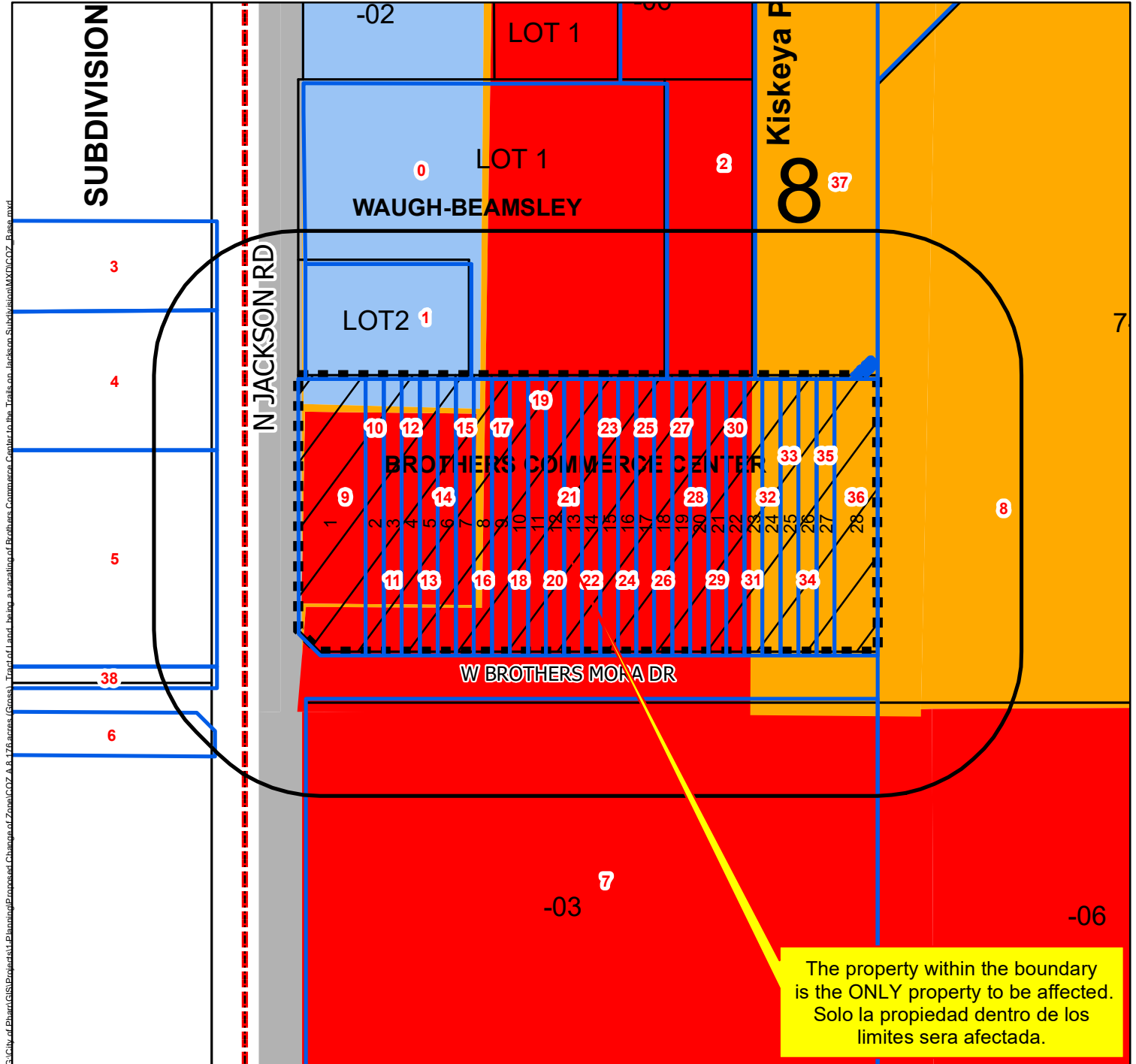
Scale: 1 inch = 200 feet



Proposed Change of Zone
 7.059 acres, more or less. out of Lots 1 through 28, Brothers
 Commerce Center Subdivision
 Mario A Reyna, P.E.



Pharr
 Engineering



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

Future Land Use

- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.

- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Notified Properties
- 200 ft Radius

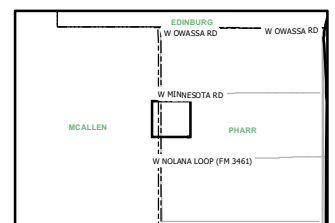
City of Pharr, Texas
 Engineering Department
 956.402.4242

Date: 4/5/2023

Scale: 1 inch = 200 feet



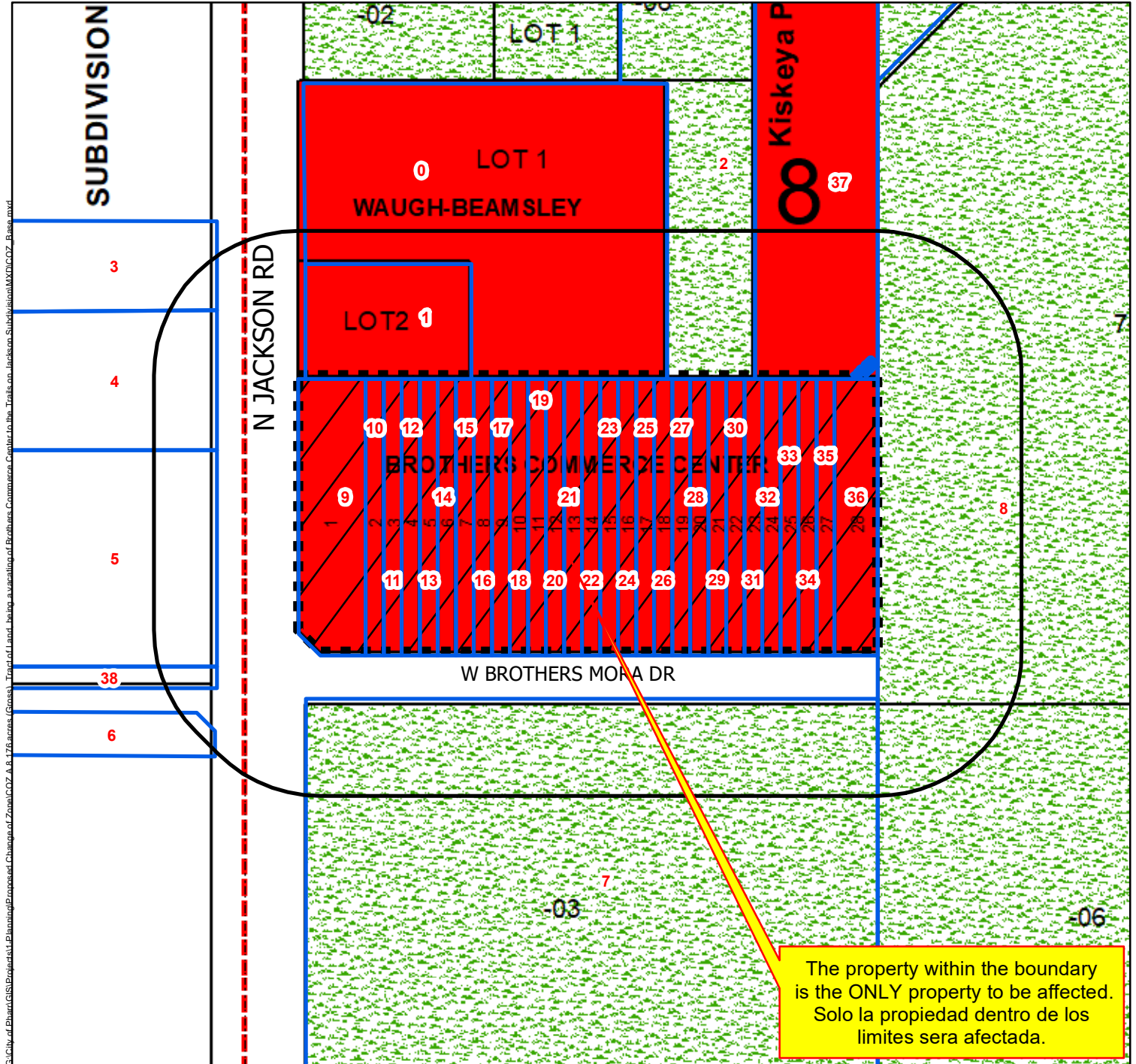
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Proposed Change of Zone
7.059 acres, more or less. out of Lots 1 through 28, Brothers
Commerce Center Subdivision
Mario A Reyna, P.E.



Pharr
Engineering



Zoning

ZONE

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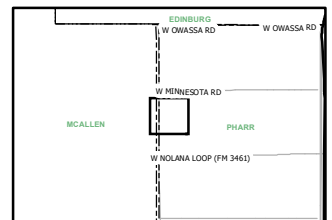
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 4/5/2023

Scale: 1 inch = 200 feet



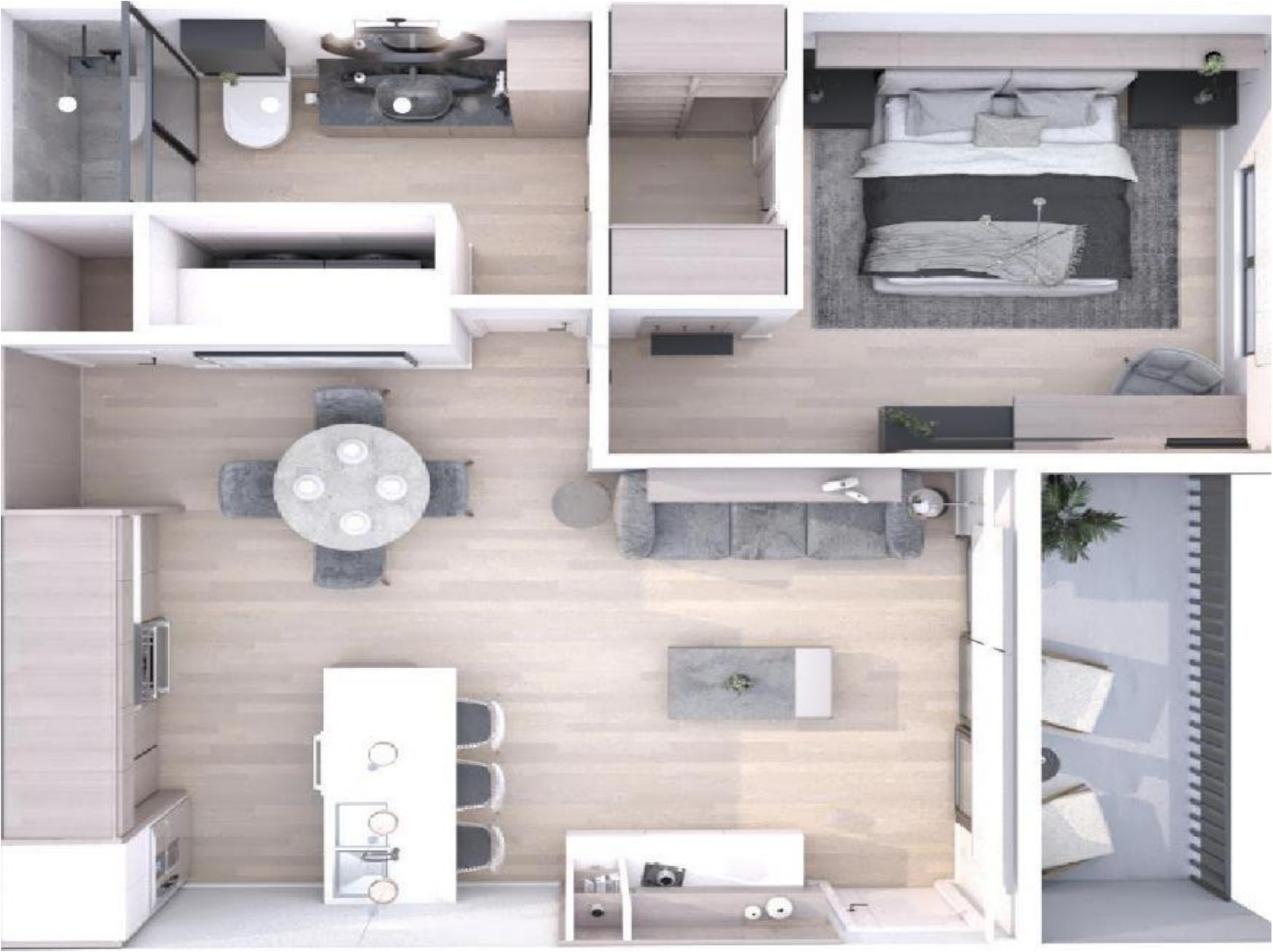
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THE TRAILS – APARMENT "A" – KITCHEN AND DINING



D LAZARI

THE TRAILS – APARMENT "A" – MASTER BEDROOM



D LAZARI



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: E.1.

DATE SUBMITTED: April 18, 2023

MEETING DATE: April 24, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: HALFF Engineering, representing Phil Dyer, Manager of Capote Farms GP, L.L.C., is requesting final plat approval of the proposed Capote International Business Park Phase VI Lots 1 & 2 Subdivision. The property is legally described as being 19.522 acres out of Lots 3 & 4 of the Closner Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1000 Block of East Capote Central Avenue. **SUB#220720**

Classification: Regular

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

Issue: HALFF Engineering, representing Phil Dyer, Manager of Capote Farms GP, L.L.C., is requesting final plat approval of the proposed Capote International Business Park Phase VI Lots 1 & 2 Subdivision.

Fiscal Consideration:

Staff Recommendation: Development Services recommends final plat approval of the proposed Capote International Business Park Phase VI Lots 1 & 2 Subdivision subject to the listed conditions.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Patricia Rigney
Kimberly Mendoza

Created/Initiated - 4/18/2023
Approved - 4/18/2023
Final Approval - 4/20/2023



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, APRIL 24, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CAPOTE INTERNATIONAL BUSINESS PARK PHASE VI LOTS 1 & 2
SUBDIVISION
FILE NO. **SUB#220720**

GENERAL INFORMATION:

APPLICANT: HALFF Engineering, representing Phil Dyer, Manager of Capote Farms GP, L.L.C., is requesting final plat approval of the proposed Capote International Business Park Phase VI Lots 1 & 2 Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a 19.522 acres out of Lots 3 & 4 of the Closner Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 1000 Block of East Capote Central Ave.

ZONING: The property is currently zoned Limited Industrial District (L-I). The adjacent zones are Agricultural Open/Space District (A-O) and Limited Industrial District (L-I) to the north, Limited Industrial District (L-I) to the south and west and City limits to the east. The property is designated for industrial use in the Land Use Plan.

PROPERTY PROPOSED USE: Warehouses.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed Capote International Business Park Phase VI Lots 1 & 2 Subdivision subject to the following conditions:

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

1. Street lights shall be 250' max spacing, along E. Capote Central Ave. & S. Veterans Blvd.

EASEMENTS:

1. In compliance.

**SIDEWALK:
ADA:**

1. In compliance.

FIRE PROTECTION:

1. In compliance.

WATER:

1. In compliance.

SEWER:

1. In compliance.

DRAINAGE:

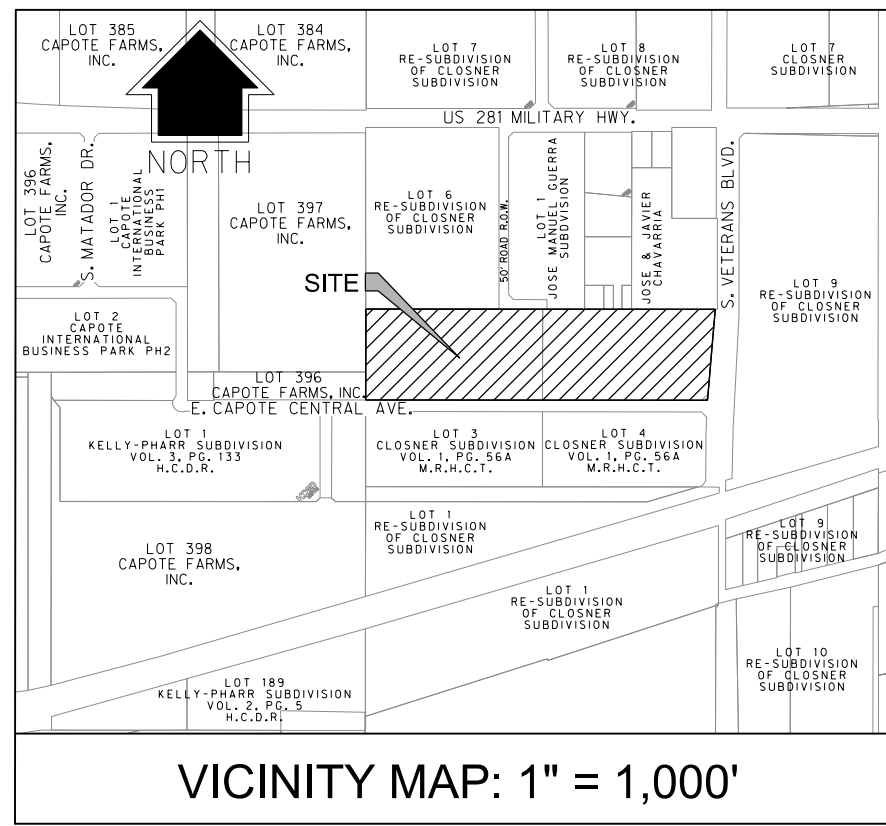
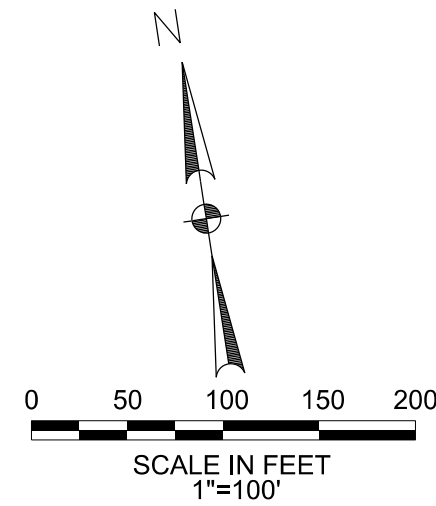
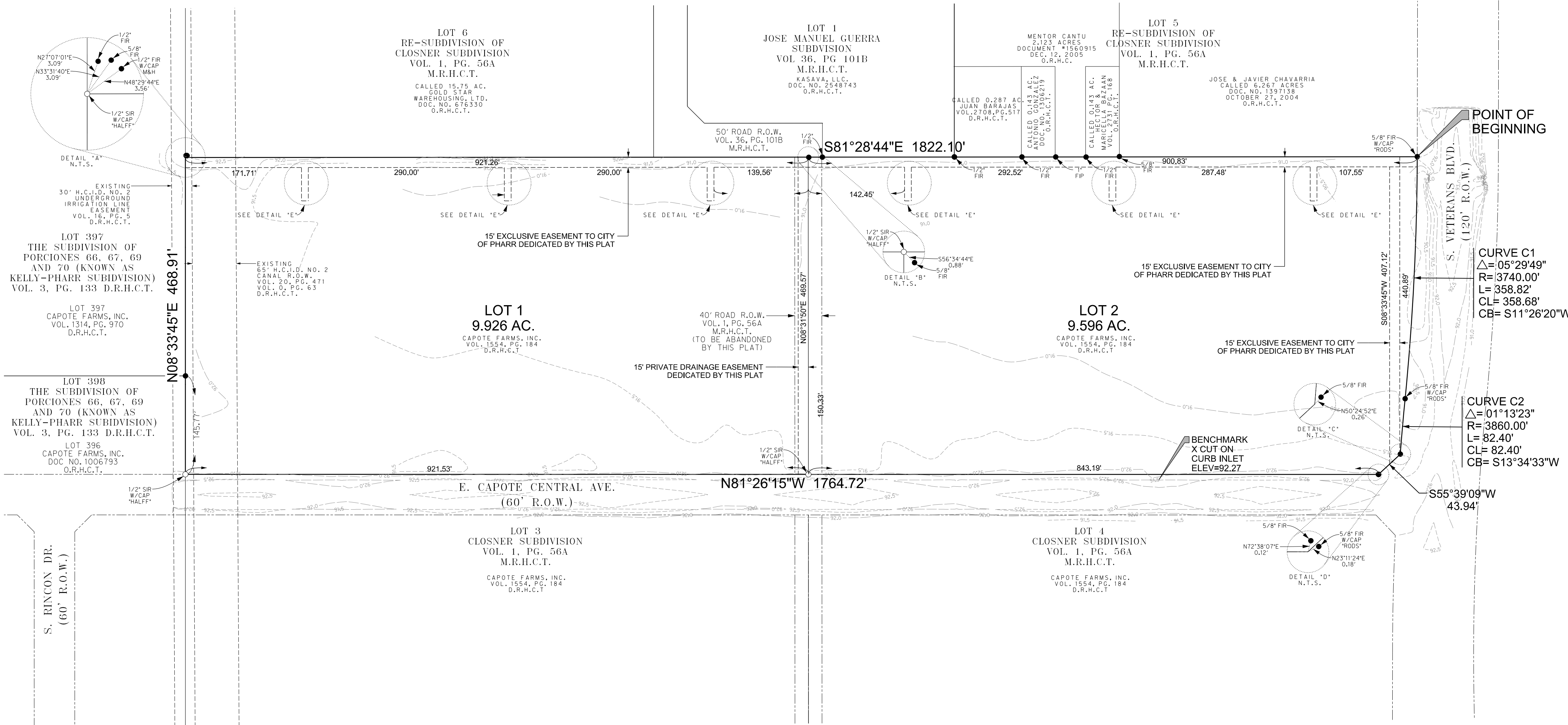
1. In compliance.

OTHER:

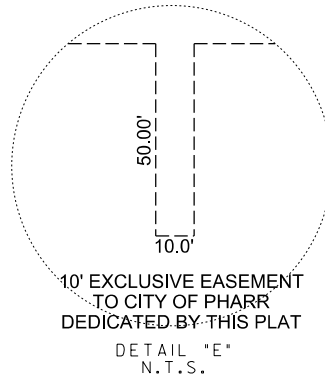
1. In compliance.

This meeting will go before the City Commission meeting of May 01,2023 at 4:00 p.m.

PORCION NO. 70 ANTONIO VELASCO
SURVEY ABSTRACT NO. 45



LEGEND
● - 1/2-INCH FOUND IRON ROD (OR AS NOTED)
○ - SET IRON ROD WITH CAP STAMPED "HALFF"
M.R.H.C.T. - MAP RECORDS, HIDALGO COUNTY, TEXAS
D.R.H.C.T. - DEED RECORDS, HIDALGO COUNTY, TEXAS
O.R.H.C.T. - OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS
VOL. - VOLUME
PG. - PAGE
S.F. - SQUARE FEET
U.E. - UTILITY EASEMENT
R.O.W. - RIGHT-OF-WAY
(C.M.) - CONTROL MONUMENT
B.M. - BENCHMARK
H.C.I.D. - HIDALGO COUNTY IRRIGATION DISTRICT
C.O.P. - CITY OF PHARR



GENERAL NOTES:

1. Basis of bearing referenced to the Texas State Plane Coordinate System of 1983, Texas South Zone (4205). All distances are shown in surface. To convert to grid divide by the TXDOT scale factor of 1.00004.
2. Benchmark information:
City of Pharr Benchmark #2 An aluminum disk located 150 feet south of the parking lot of "Road Ranger" gas station on the west side of Cage Blvd. N=16558969.196, E=1082248.846 (GRID)Elevation = 91.79 feet (NAVD 88).
Temporary site Benchmark: is an "X" cut in curb inlet on north side of Capote Central Avenue approximately 250 feet west of S. Rincon Drive Centerline with an elevation of 92.42 feet, (NAVD 88).
3. The subject property lies within zone "B" as delineated on the flood insurance rate map for Hidalgo County, Texas (unincorporated areas), Community Panel No. 48034 0500B with an effective date of January 2, 1981. Zone "B" is defined as areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depth of less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.
4. Minimum building setback lines shall be: As per City of Pharr Heavy Industrial ordinance:
Front Setback: 20 feet
Side Setback: 30 feet
Rear Setback: 10 feet.
5. Minimum finish floor elevation: 18" above top of curb at center of lot.
6. No building or structures shall be constructed over any easement.
7. All corner, angle points and points of curvature or tangency delineating the boundary of the land shown herein and all lot corners as being platted have been marked with a 1/2-inch iron rod with a yellow plastic cap stamped "HALFF ASSOC.", unless otherwise stated, or left as found those monuments that represent or reference the boundary.
8. A 5' sidewalk with ADA wheelchair ramps and landings shall be constructed along U.S. 281 (Military Highway) and E. Capote Central Avenue at the time of building permit phase.
9. Landscaping as per City of Pharr ordinance.
10. Storm Water detention is required for this property. The engineer of record for the subdivision plat has estimated that an on-site area of approximately 1.4-acres and an on-site volume of approximately 7.03-acre feet will be required for this use in addition to the regional detention located at the City of Pharr Drainage Channels. This is an estimate only and detailed analysis may reveal different requirements. No building permit shall be issued for this platted property until a storm water detention system design has been approved by the City of Pharr for this commercial development. Detention is provided by the City of Pharr located west of the property as approved by HCDD No. 1 in the Drainage Report Capote International Business Park Regional Detention Dated July 25, 2017. This drainage ditch is maintained by city. Any conveyance swales that could be used for additional detention/retention storage on the property will be maintained by the owner. No Building Permit shall be issued for this platted property until a storm water detention system design has been approved by the City of Pharr for this commercial development.
11. Erosion and Sediment control during construction shall be in accordance with the current Texas Pollution Discharge Elimination System (TPDES).
12. Enforcement of all plat notes and dedications shall be the responsibility of the agency or entity to whom the dedication is granted.
13. Additional fire protection may be required during the Building Permit Phase in order to provide any additional fire protection requirement.
14. Owners to maintain R.O.W. and perimeter of subdivision.
15. Street light shall be 250' max spacing along E. Capote Central Avenue.
16. Owners to maintain detention areas.
17. Additional fire protection may be required during the building permit phase in order to provide any additional fire protection requirements.

METES AND BOUNDS DESCRIPTION

Being a 19.522 acre (850,383 sq. ft.) tract of land situated in City of Pharr, Hidalgo County Texas out of Lot 3 and Lot 4, Block 1, **RE-SUBDIVISION OF CLOSNOR SUBDIVISION**, as per map or plat thereof recorded in Volume 1, Page 56A, of Map Records Hidalgo County, Texas, (M.R.H.C.T.), conveyed to Capote Farms, Inc., as recorded in Volume 1554, Page 184 of the Deed Records of Hidalgo County, Texas (D.R.H.C.T.), said 19.522 acre tract being more particularly described as follows:
BEGINNING at a 5/8-inch iron rod with cap stamped "Rods" found at the common corner of said Lot 4, Block 1 and that certain called 6.267 acre tract conveyed to Jose and Javier Chavarria, as recorded in Document No. 1397138 Official Records of Hidalgo County, Texas (O.R.H.C.T.), same being in the westerly right of way line of S. Veterans Road (120' right of way width), same also being the point of curvature of a curve to the right, for the northeasterly corner of the herein described tract;

THENCE Southwesterly, along said westerly right of way line of S. Veterans Road, along said curve to the right with an arc distance 358.82 feet, having a delta angle of 05°29'49", a radius of 3,740.00 feet, and chord bearing of South 11°26'20" West, a chord distance of 358.82 feet to a 5/8-inch iron rod with cap stamped "Rods" found at the point of curvature of a reverse curve to the left, for an angle corner of the herein described tract;

THENCE Southwesterly, continuing said along westerly right of way line of S. Veterans Road, along said reverse curve to the left with an arc distance 82.40 feet, having a delta angle of 13°13'23", a radius of 3,860.00 feet, and chord bearing of South 13°34'33" West, a chord distance of 82.40 feet, from where a 5/8-inch iron rod found, bears North 50°24'52" East, a distance of 0.26 feet, for an angle corner of the herein described tract;

THENCE, South 55°39'09" West, continuing said along westerly right of way line of S. Veterans Road, a distance of 43.94 feet to the north right of way line of E. Capote Central Avenue (60.00 feet right of way width), from where a 5/8-inch iron rod with cap stamped "Rods" found, bears North 23°11'24" East, a distance of 0.12 feet and from where a 5/8-inch iron rod found, bears North 72°38'07" East, a distance of 0.18 feet, for the most southerly southeast corner of the herein described tract;

THENCE North 81°26'15" West, along said north right of way line of Capote Central Avenue, at a distance of 843.19 feet pass a 1/2-inch iron rod with cap stamped "Half" set at the common line of said Lots 3 and 4, same being the centerline of a platted road (40.00 feet right of way) as per Volume 1, Page 56A M.R.H.C.T., continuing along said north right of way line, for a total distance of 1,764.72 feet to a 1/2-inch iron rod with cap stamped "Half" set in the east line of Lot 398 of the **KELLY-PHARR SUBDIVISION**, as per map or plat thereof recorded in Volume 3, Page 133 D.R.H.C.T., conveyed to Capote Farms, Inc., as recorded in Document No. 1006793 O.R.H.C.T., for the southwest corner of the herein described tract;

THENCE North 08°33'45" East, leaving said north right of way line and along said common line of said Lot 398 and said Lot 3, at a distance of 145.77 feet pass a 1/2-inch iron rod found for the common corner of said Lot 398 and Lot 397 of said **KELLY-PHARR SUBDIVISION**, continuing along the common line of said Lot 397 and said Lot 3, for a total distance of 468.91 feet to a 5/8-inch iron rod with cap stamped "Half" set at the common corner of said Lot 3 and Lot 6 of said **RE-SUBDIVISION OF CLOSNOR SUBDIVISION**, same being the southwest corner of that certain called 15.75 acre tract conveyed to Gold Star Warehousing, LTD, as recorded in Document No. 676330 O.R.H.C.T., from where a 5/8-inch iron rod found, bears North 33°31'40" East, a distance of 3.09 feet, for the northwest corner of the herein described tract;

THENCE, South 81°28'44" East, along the common line of said Lot 3 and Lot 6, at a distance of 921.26 feet pass a 1/2-inch iron rod with cap stamped "Half" set at the common corner of said Lots 3, 4, 5 and 6, from where a 5/8-inch iron rod found, bears South 56°34'44" East, a distance of 0.88 feet, continuing along the common line of said Lot 4 and 5, for a total distance of 1822.10 feet to the **POINT OF BEGINNING** and containing an area of 19.522 acre (850,383 sq. ft.) tract of land, more or less.

CURVE DATA TABLE

CURVE	RADIUS	ARC LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	3740.00'	358.82'	05°29'49"	S11°26'20"W	358.68'
C2	3860.00'	82.40'	01°13'23"	S13°34'33"W	82.40'

STATE OF TEXAS
COUNTY OF HIDALGO:

Approved and authorized for record by the Planning and Zoning Commission, City of Pharr, Texas, this _____ day of _____, 20____, by the Planning and Zoning Commission of the City of Pharr, Texas.

Danny Wylie, Chairman, Planning and Zoning Commission Date _____

STATE OF TEXAS
COUNTY OF HIDALGO

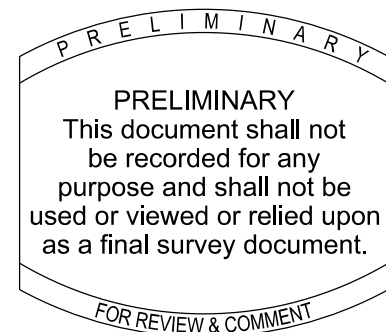
I, Juan M. Castillo, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat was prepared from an actual survey of the property made under my supervision on the ground.

Juan M. Castillo
Registered Professional Land Surveyor
State of Texas No. 6146

STATE OF TEXAS
COUNTY OF HIDALGO

I, Roxie Lee De La Cruz, a Licensed Professional Engineer in the State of Texas, do hereby certify that proper engineering consideration has been given to this plat.

Roxie Lee De La Cruz
Licensed Professional Engineer
P.E. Registration No. 137892



PRELIMINARY

FOR INTERIM REVIEW ONLY
THESE DOCUMENTS ARE FOR INTERIM REVIEW PURPOSES ONLY AND NOT INTENDED FOR CONSTRUCTION. BEARING, POINTING OR RECORDING THEY WERE PREPARED BY OR UNDER THE SUPERVISION OF:
ROXIE L. DE LA CRUZ, P.E. 03892



FILE FOR RECORD IN
HIDALGO COUNTY
ARTURO GUJARDO, JR.
HIDALGO COUNTY CLERK

ON: _____ AT _____ AM/PM
INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS
BY: _____ DEPUTY

Attest: _____
Secretary:

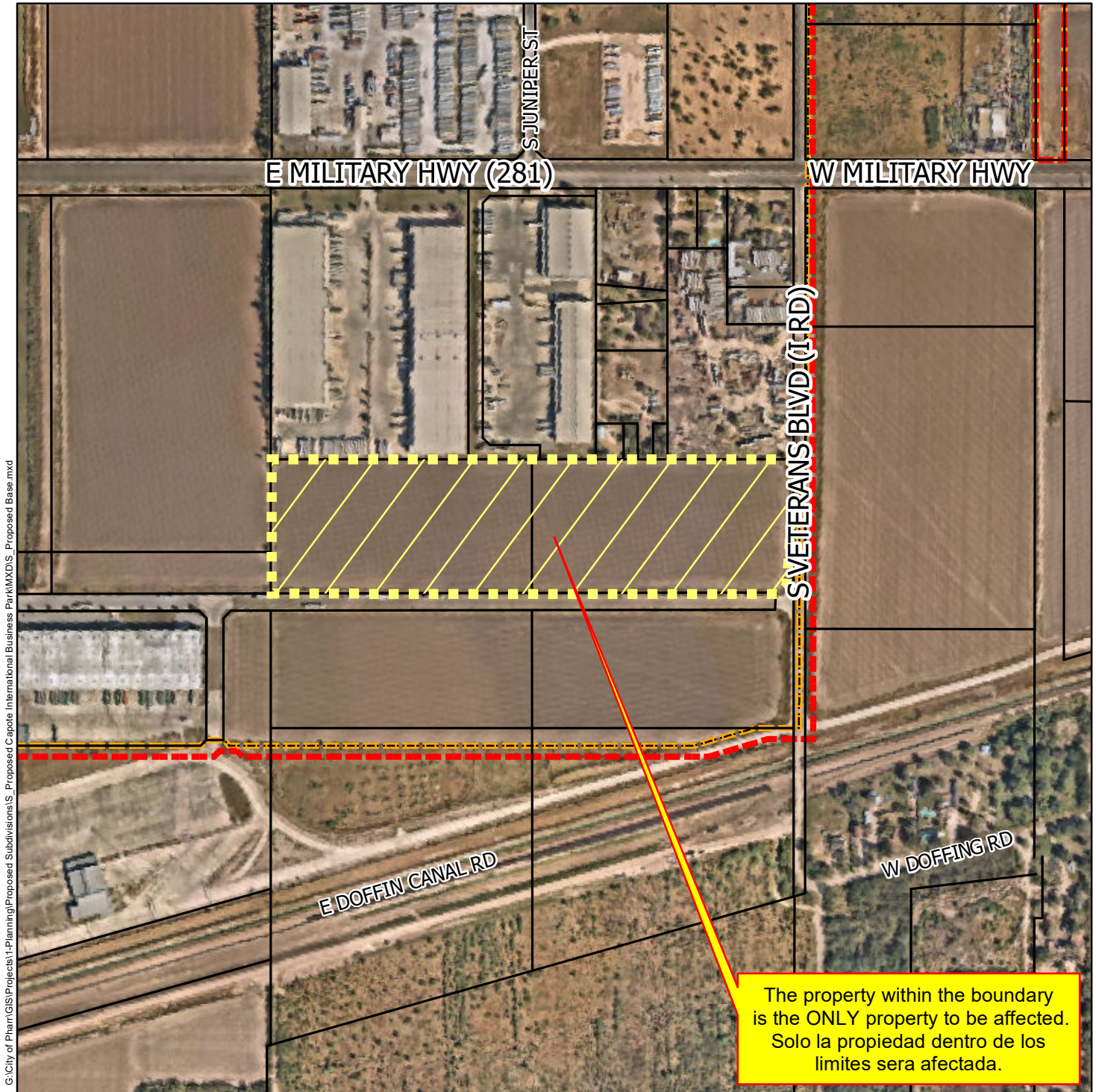
CAPOTE INTERNATIONAL
BUSINESS PARK PHASE VI
LOTS 1 & 2

A SUBDIVISION OF
19.522 ACRES OUT OF LOT 3 &
4 OF THE CLOSNOR SUBDIVISION

SITUATED IN THE
CITY OF PHARR
HIDALGO COUNTY, TEXAS
OWNER:
CAPOTE FARMS, LTD
BY

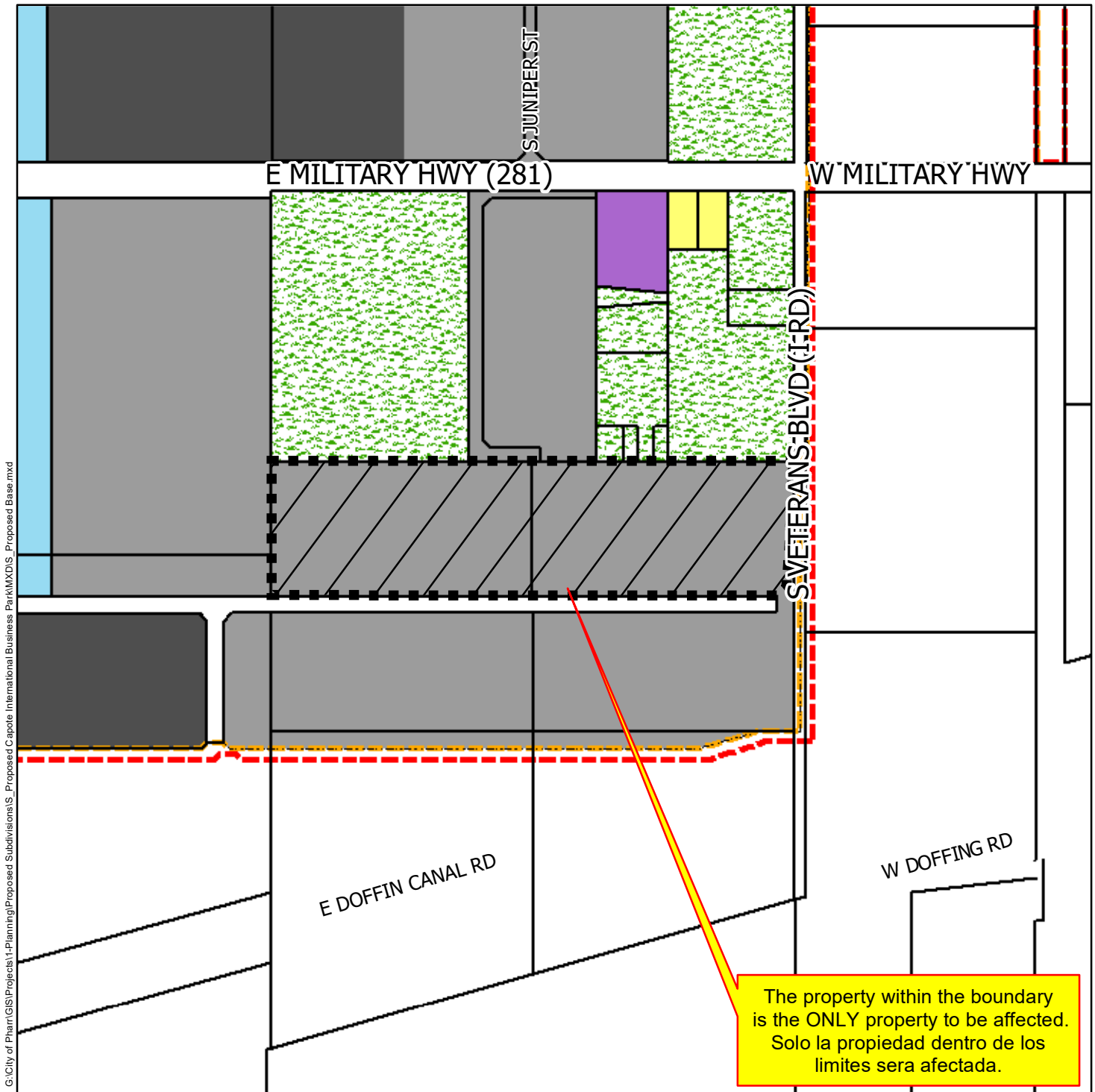


5000 WEST MILITARY, SUITE 100
MCALLEN, TX 78503
(956) 664-0286
TRESPASS SURVEYING
FIRM NO. 10194444
DATE OF PREPARATION: 8/1/2022



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





- | | | | |
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| Residential Multi-Family High Density | General Business | Neighborhood Commercial | |
| Mobile Home | Business District | Office Professional | |

Scale: 1 inch = 500 feet

0 250 500 1,000 1,500 2,000 Feet

