

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. August 28, 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 for August 14, 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) Krystall Event Center, has filed with the Planning and Zoning Commission a request for 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 0.51 acres, more or less, out of Lot 1 of Re-Subdivision Plat of Willow Grove Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1200 West Sam Houston Avenue, Suite B. **CUP#230715**

- 2) Sandra Pineda, owner, D/B/A Precise Hair Styles, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow a home occupation for a beauty shop in a Single-Family Residential District (R-1). The property is legally described as being Lot 81, Crystal Estates Phase I Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 806 West Grosbeak Avenue. **CUP#230716**

- 3) Joseph W. Holand, representing Just A Closet #7, LLC., 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). The property is legally described as being 6.34 acres, more or less, out of the South 24.19 acres out of Lot 5, Block 4, A.J. McColl Subdivision (Proposed Lot 6, Just A Closet #7 Subdivision), Pharr, Hidalgo County, Texas. The property's physical address is 3800 North Jackson Road. **CUP#230717**

E. PLATS:

- 1) M. Garcia Engineering, LLC., representing Natasha Del Barrio, Chief Executive Officer for Midnight River, LLC, is requesting final plat approval of the proposed Bert Ogden Pharr Subdivision Phase I. The property is legally described as being a 10.64 acre tract of land out of Lot 76, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 5600-5700 Block of North IH 69C. **SUB#200516**

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 25th day of August 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 25th day of August 2023





Hilda Pedraza, City Clerk

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. August 14, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, August 14, 2023 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Rafael Munguia
 Charlie Ramirez Guadalupe Cano
 Jonathan Larraga Mercedes Guillen

ABSENT: Andy Castro Romeo Robles

STAFF PRESENT: Ricardo Rodriguez, Asst. City Attorney
 Dr. David D. Friedlein, Asst. City Manager
 Kimberly Mendoza, Director of Development Services
 Joe Garza, Asst. Director of Development Services
 Laura Fonseca, Planner I
 Mike Navarro, Asst. Fire Marshal
 Alyn Cervantes, Plans Examiner
 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 6:07 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

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

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR JULY 24, 2023

Chairman, Danny Wylie, introduced the item.

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

ITEM D. PUBLIC HEARING:

- 1) JUAN M. BENITEZ, REPRESENTING THOMAS JAKL, OWNER HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.33 ACRES, MORE OR LESS, OUT OF LOT 73, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5701 NORTH SUGAR ROAD. COZ#230711**

Laura Fonseca, Planner I, introduced the item and stated Juan M. Benitez, representing Thomas Jakl, owner, were requesting a change of zone From Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) to develop and construct a single-family residence. She went over the property's legal description and physical address and stated the property was located on the west side of North Sugar Road, approximately 1,150 feet south of West Owassa Road and the property fronts North Sugar Road, a 70-foot -wide minor collector which runs north and south with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

Laura Fonseca, Planner I, briefly stated the property and the properties to the north and south were zoned Agricultural and/or Open Space District (A-O) upon annexation on April 10, 1984 and the property to the west was rezoned from Single-Family Residential District (R-1) to Single-Family Residential Estate District (R1-E) on November 21, 2022. Ms. Fonseca further reported the property to the east was rezoned from Planned Urban Development District (PUD) to Mobile Home District (R-MH) on December 13, 1988, and there have been no other zoning requests within the general vicinity of the subject property since that time. She lastly stated the property was generally designated for single family residential and commercial uses in the Land Use Plan.

Laura Fonseca, Planner I, briefly explained Single-Family District was intended to be composed of single-family dwellings together with public, denominational, and private schools, churches, and public essentials to create basic neighborhood units. She stated areas zoned for this use shall have water, wastewater, drainage, and access to paved streets based on single-family usage. She added this was intended for areas that were properly buffered from nonresidential uses and protected from pollution and/or environmental hazards or from high volume of non-single-family traffic. Lastly, she reported thirteen (13) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on July 28, 2023, and a legal notice was published in the Advance News Journal on July 24, 2023. Staff received no response to the letters or the legal notice.

Laura Fonseca, Planner I, stated staff recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) as the property met area requirements, had adequate ingress and egress and would be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if applicant had any comments. There being no comments, he 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.

There being no discussion, Jonathan Larraga **moved** to approve the request to rezone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to vote, it carried unanimously.

- 2) JAVIER LOYDE, REPRESENTING XOCHITL PABLOS VELEZ, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.89-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 236, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 2600 SOUTH CAGE BOULEVARD. COZ#230713**

Laura Fonseca, Planner I, introduced the item and stated Javier Loyde, representing Xochitl Pablos Velez, owner, were requesting a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C) to develop and construct commercial uses. She went over the property's legal description and physical address and stated the property was located on the southwest corner of West Hall Acres Road and South Cage Boulevard and the property had frontage on South Cage Boulevard and West Hall Acres Road. She briefly stated South Cage Boulevard was a 120–150-foot principal arterial street which runs north and south with a posted speed limit of 40 to 55 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan. She further stated West Hall Acres Road was a major arterial which runs east and west with a posted speed limit of 35 to 45 miles per hour.

Laura Fonseca, Planner I, briefly stated the property was zoned Agricultural and/or Open Space District (A-O) upon annexation on May 4, 1976. She reported the property to the west was zoned Agricultural and/or Open Space District (A-O) upon annexation on June 7, 1983 and the property to the south was rezoned from Single-Family Residential District (R-1) to General Business District (C) on July 1, 1980. Ms. Fonseca further reported the property to the north was zoned General Business District (C) on November 18, 2019 and there have been no other zoning requests within the general vicinity of the subject property since that time. She lastly stated the property was generally designated for commercial and single residential uses in the Land Use Plan.

Laura Fonseca, Planner I, briefly 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. She further stated larger shopping centers and most existing commercial strips along major arterials would be included in the district. The noise, traffic, litter, late-night hours, and possible blighting influences required 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 eleven (11) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on July 28, 2023, and a legal notice was published in the Advance News Journal on July 24, 2023. Staff received no response to the letters or the legal notice.

Laura Fonseca, Planner I, 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 met area requirements, had adequate ingress and egress and would be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if applicant had any comments. There being no comments, he 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.

There being no discussion, Rafael Munguia **moved** to approve the request to rezone from Agricultural and/or Open Space District (A-O) to General Business District (C). Jonathan Larraga seconded the motion and when put to vote, it carried unanimously.

- 3) STEVE SPOOR, REPRESENTING JJAB LIMITED FAMILY PARTNERSHIP, LLC., OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.02 ACRES, MORE OR LESS, OUT OF LOTS 14 AND 15, L.R. BELL SUBDIVISION "E", PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1313 EAST ALAN AVENUE. COZ#230712**

Laura Fonseca, Planner I, introduced the item and stated Steve Spoor, representing JJAB Limited Family Partnership, LLC, owner, were requesting a change of zone from Single-Family Residential District (R-1) to General Business District (C) to develop and construct commercial uses. She went over the property's legal description and physical address and stated the property was located on the northwest corner of East Alan Avenue and North Veterans Boulevard and stated East Alan Avenue was a 50-60-foot-wide local street which runs east and west with a posted speed limit of 20 to 30 miles per hour as identified in the City of Pharr's Thoroughfare Plan. She further stated North Veterans Boulevard was a 100-foot-wide minor arterial street which runs north and south with a posted speed limit of 30-45 miles per hour.

Laura Fonseca, Planner I, briefly stated the property and the properties to the west and south were zoned Single-Family Residential District (R-1) upon annexation on October 19, 1982, the property to the north was rezoned Agricultural and/or Open Space District (A-O) to General Business District (C) on January 20, 2020, and the property to the east was outside the Pharr city limits. Ms. Fonseca further reported there have been no other zoning requests within the general vicinity of the subject property since that time and the property was generally designated for commercial uses in the Land Use Plan.

Laura Fonseca, Planner I, briefly 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. She further stated larger shopping centers and most existing commercial strips along major arterials would be included in the district. The noise, traffic, litter, late-night hours, and possible blighting influences required 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 fourteen (14) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on July 28, 2023, and a legal notice was published in the Advance News Journal on July 24, 2023. Staff received no response to the letters or the legal notice.

Laura Fonseca, Planner I, stated staff recommended approval of the request to rezone from Single-Family Residential District (R-1) to General Business District (C) as the property met area requirements, had adequate ingress and egress and would be compatible with our Future Land Use Plan. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if applicant had any comments. There being no comments, he 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.

There being no discussion, Jonathan Larraga moved to approve the request to rezone from Single-Family Residential District (R-1) to General Business District (C). Carlie Ramirez seconded the motion and when put to vote, it carried unanimously.

- 4) PABLO SOTO JR., REPRESENTING PABLO QUINTANILLA SALINAS & CLARIBEL SALINAS, OWNERS, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.45 ACRES, MORE OR LESS, OUT OF LOT 144, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 2400 NORTH VETERANS BOULEVARD. COZ#230607**

Laura Fonseca, Planner I, introduced the item and stated Pablo Soto Jr., representing Pablo Quintanilla Salinas and Claribel Salinas, owners, were requesting a change of zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) to construct a single-family home. She went over the property's legal description and physical address and stated the property was located on the west side of North Veterans Boulevard, approximately 1,300 feet north of East Ferguson Avenue. She stated the property fronts North Veterans Boulevard, a 100-foot-wide minor arterial street which runs north and south with a posted speed limit of 30 to 45 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

Laura Fonseca, Planner I, briefly stated the property to the west was zoned Agricultural and/or Open Space District (A-O) upon annexation on December 19, 1972. the property to the north was zoned Mobile Home District (R-MH) upon annexation on December 19, 1972, the property to the south was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on October 16, 1990, and the property to the east was outside city limits. She briefly stated there have been no other zoning requests within the general vicinity of the subject property since that time. The property was generally designated for right-of-way use in the Land Use Plan.

Laura Fonseca, Planner I, briefly stated Single-Family District was intended to be composed of single-family dwellings together with public, denominational, and private schools, churches, and public parks essential to create basic neighborhood units and areas that were zoned for that use shall have water, wastewater, drainage, and access to paved streets based on single-family usage. She added this was intended for areas that were properly buffered from nonresidential uses and protected from pollution and/or environmental hazards or from high volume of no-single-family traffic. She further stated twenty (20) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on July 28, 2023, and a legal notice was published in the Advance News Journal on July 24, 2023. Staff received no response to the letters or the legal notice.

Laura Fonseca, Planner I, stated staff recommended approval of the request to rezone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) as the property met area requirements, had adequate ingress and egress and would be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if applicant had any comments. There being no comments, he 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.

There being no discussion, Charlie Ramirez **moved** to approve the request to rezone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1). Rafael Munguia seconded the motion and when put to vote, it carried unanimously.

- 5) **SIMON RUIZ, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A PARKING FACILITY IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 5.0-ACRE TRACT OF LAND OUT OF LOT 326, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 800 WEST DICKER ROAD. SUP#230714**

Laura Fonseca, Planner I, introduced the item and stated Simon Ruiz, was requesting a Special Use Permit to allow a parking facility on an unimproved surface. She went over the property's legal description and physical address and stated the property was currently zoned Limited Industrial District (L-I), the adjacent zoning was Agricultural and/or Open District (A-O) to the west and north, and a portion of the property to the east was zoned Single-Family Residential District (R-1). She stated the area was generally designated for commercial and Public/Semi Public in the Land Use Plan.

Laura Fonseca, Planner I, briefly reported Police Chief was pending inspection and Fire Department and Code Compliance were pending reinspection and Development Services recommended denial of the Special Use Permit. She stated forty-eight (48) letters were mailed out to the surrounding property owners within a three (300) foot radius on July 28, 2023 and a legal notice was published in the Advance News Journal on July 24, 2023. Staff received 2 calls for information to the letters or the legal notice.

Lastly, Laura Fonseca, Planner I, stated staff recommended denial of the Special Use Permit to allow a parking facility in a Limited Industrial District (L-I) based on the request to park vehicles on an unimproved surface. However, if approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if applicant had any comments. Simon Ruiz briefly stated they had improved 1/3 of the mentioned property and asked if he would be given 12 months to complete asphalt to the remaining 2/3 of the property. He stated they would comply with Fire Department and City Code recommendations.

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.

At this time, Board member Rafael Munguia requested the item be discussed in closed session. There was no objection.

ITEM 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 SESSION (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 6:23 p.m., Chairman Wylie stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

ITEM H. RECONVENE:

The time being 6:40 p.m. Chairman, Danny Wylie stated the commission would be resuming the open meeting.

- 5) SIMON RUIZ, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A PARKING FACILITY IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 5.0-ACRE TRACT OF LAND OUT OF LOT 326, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 800 WEST DICKER ROAD. SUP#230714**

Laura Fonseca, Planner I, reintroduced the item.

Rafael Munguia moved to deny the request for a Special Use Permit to allow a parking facility in a Limited Industrial District (L-I). Charlie Ramirez seconded the motion and when put to vote, it carried unanimously.

ITEM E. PLATS:

- 1) MELDEN & HUNT INC., REPRESENTING JOSE ALBERTO VELA, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED T.L.C. PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 3.317 ACRES OUT OF LOTS 15 AND 17, PHARR CITRUS ORCHARDS CO. SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1300 BLOCK OF WEST SAM HOUSTON AVENUE. SUB#201238**

Joe Garza, Asst. Director, introduced the item and went over the property's legal description. He stated the property was located within the 1300 Block of West Sam Houston Avenue and was currently zoned General Business District (C). He further stated the adjacent zones were General Business District (C) to the north, east and west and

Residential Townhouse District (R-TH) to the south and the property was designated for commercial use in the Land Use Plan and was zoned for retail space.

Joe Garza, Asst. Director, stated staff recommended final plat approval of the proposed T.L.C. Pharr Subdivision subject to the conditions noted in the packet.

There being no discussion, Guadalupe Cano **moved** to approve the request for final plat approval of the proposed T.L.C. Pharr Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

2) M2 ENGINEERING, REPRESENTING ROBERTO GARZA, MANAGING MEMBER FOR GARMAN INVESTMENTS, LP, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED PALM HILLS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 9.990 ACRE TRACT OF LAND OUT OF LOT 248, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1400 BLOCK OF WEST JAVELINA DRIVE. SUB#210933

Joe Garza, Asst. Director, introduced the item and went over the property's legal description. He stated the property was located within the 1400 Block of West Javelina Drive and was currently zoned Residential Multi-Family District (R-MF). He further stated the adjacent zones were Single-Family Residential District (R-1) to the north and City limits to the east, south, and west. He further reported the property was designated for single-family residential use in the Land Use Plan and was zoned for apartments.

Joe Garza, Asst. Director, stated staff recommended final plat approval of the proposed Palm Hills Subdivision subject to the following conditions as noted in the packet.

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

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

None

ITEM I. ADJOURNMENT

There being no further business, Charlie Ramirez moved to **adjourn**. Guadalupe Cano seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:45 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: August 21, 2023

MEETING DATE: August 28, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Krystall Event Center, has filed with the Planning and Zoning Commission a request for 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 0.51 acres, more or less, out of Lot 1 of Re-Subdivision Plat of Willow Grove Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1200 West Sam Houston Avenue, Suite B.

CUP#230715

Classification: Public Hearing

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

Issue: Krystall Event Center, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C).

Fiscal Consideration:

Staff Recommendation: Development Services recommends 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.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 8/21/2023
Approved - 8/21/2023
Final Approval - 8/25/2023



MEMORANDUM

DATE: MONDAY, AUGUST 28, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC FILE NO. CUP#230715 (KRYSTALL EVENT CENTER)
--

GENERAL INFORMATION:

APPLICANT: Krystall Event Center, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being 0.51 acres, more or less, out of Lot 1 of Re-Subdivision Plat of Willow Grove Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1200 West Sam Houston Avenue, Suite B.

ZONING: The property is currently zoned General Business District (C). The adjacent zoning is General Business District (C) to the west. The property to the north and east is zoned Residential Multi-Family High Density District (R-MFHD). The property to the south is zoned Office and Professional District (OP). The area is generally designated for commercial in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit.

CODE COMPLIANCE: Recommends approval of the Conditional Use Permit.

HEALTH: Recommends approval of the Conditional Use Permit.

DEVELOPMENT SERVICES: Recommends approval of the Conditional Use Permit.

NOTIFICATION OF PUBLIC: Seven (7) surrounding property owners were notified of the request by letter on August 15, 2023, and a legal notice was published in the Advance News Journal on August 16, 2023. Staff received no response to the letters or the legal notice.

DEVELOPMENT SERVICES RECOMMENDATIONS: Development Services is recommending approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premises consumption in a General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

NOTE: This item is scheduled to go before the City Commission Meeting of **August 28, 2023, at 4:00 p.m.**

Conditions of Conditional Uses Sec. 1.48(F) of the Zoning Ordinance: Establishments selling or distributing alcoholic beverages for consumption on premises:

1. An establishment that sells or allows the on-premises consumption of alcoholic beverages in the City of Pharr shall operate in a "C" zone, general business district; "C-2" zone, business district; "HC" zone, heavy commercial; "LI" zone, limited industrial; "HI" zone, heavy industrial; or in recreational facilities located within a private development.
2. In addition to the restricted locations as stated above, the above-mentioned establishments may be allowed to sell or allow the on-premises consumption of alcoholic beverages within 300 feet of a church, public or private school, or public hospital.
3. The establishment shall notify the church, public or private school, or public hospital, and the City of Pharr's Planning and Zoning department in written form of their interest in selling or consuming alcoholic beverages within 300 feet of such locations. If the church or school objects to the request, the City of Pharr's authorized designee may deny the request.
4. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across

intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:

- A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
5. For premises where minors are prohibited from entering the premises under V.T.C.A., Alcoholic Beverage Code § 109.53, the measurement of the distance between the premises and a public school shall be:
- A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
6. In accordance with V.T.C.A., Alcoholic Beverage Code § 109.32, the above mentioned establishment businesses shall be not less than 300 feet from the nearest residential zone, unless located within a private development, or publicly owned building shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections, measured in a straight line or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from such residential zone or publicly owned building and must be designed to prevent disruption of the character of adjacent residential areas. As applies to this provision, a street or alley does not constitute buffering and sound insulation. The above-mentioned businesses, unless located within a private development, must be adjacent to or abutting a minor arterial street or a street of larger classification.
7. The above-mentioned establishment must meet lot size requirements in the zoning ordinance for all uses within this zone.
8. The above-mentioned establishment must provide parking sufficient to comply with all ordinance requirements.

9. The above-mentioned establishment shall restrict the number of persons within the building to those allowed by the city commission with the recommendation of the planning and zoning commission at the time of permit issuance, which number shall be determined by the commission after having taken into account the recommendations of the fire marshal, code enforcement officer [head building inspector], and director of planning. This number cannot exceed the number provided for in existing city ordinances.

10. The above-mentioned establishment shall take action to prevent and be designed to discourage criminal activities and vandalism both on site and on adjacent property by means of sufficient lighting, elimination of dark areas, and the orientation of the building such that it provides maximum visibility from a public street, unless located within a private development.

11. The above-mentioned businesses must make provisions to keep litter from being spread to adjacent streets and property.

12. Alcoholic beverage establishments shall fall into two categories: (A) Alcohol as a principle use where 51 percent or more of sales come from alcohol; or (B) Food as a principle use where 51 percent or more of sales are food related (a copy of the establishment's full menu must be provided for documentation).

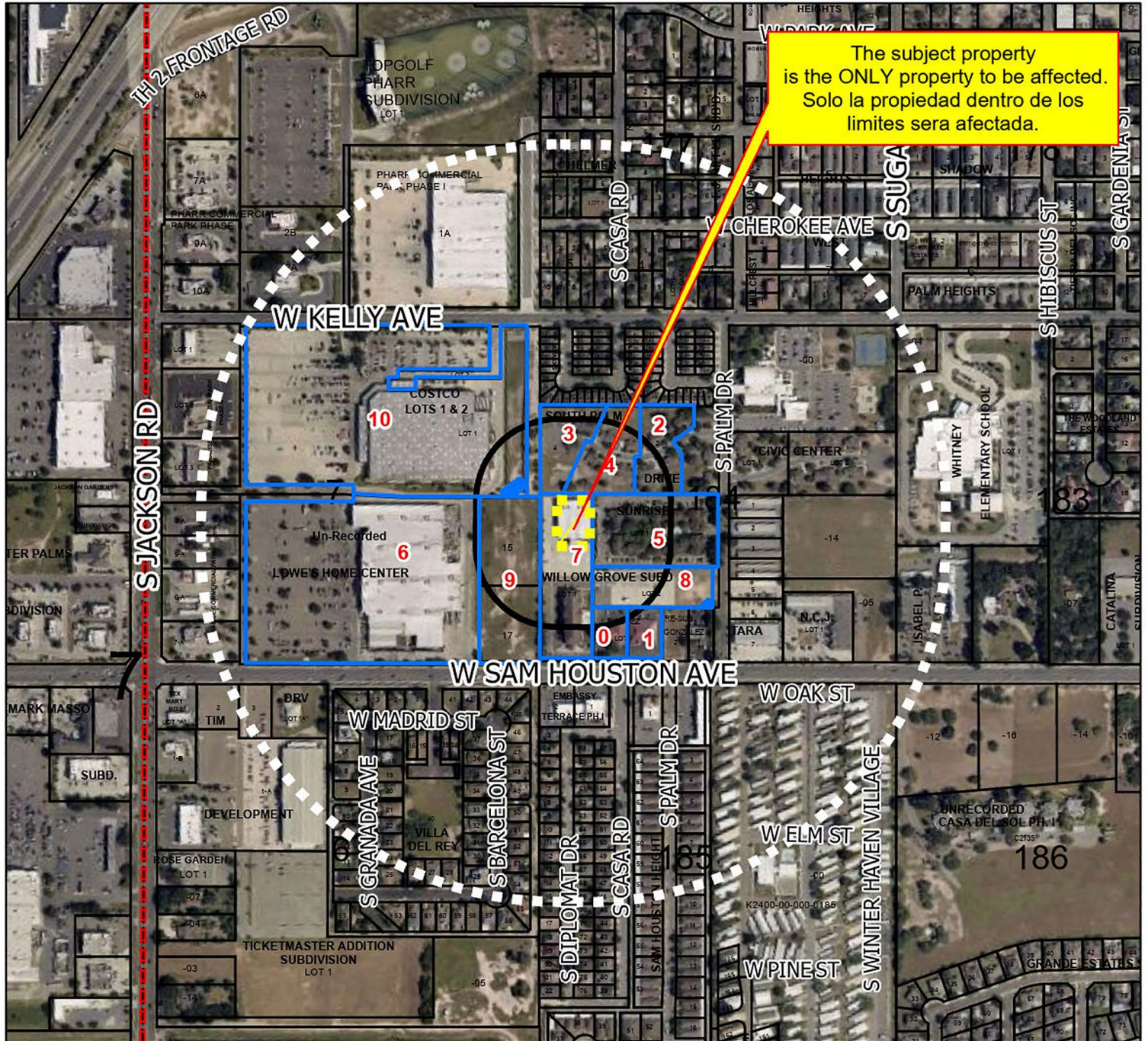
13. The city reserves the right to approve, amend or deny any city regulation that may be allowed by the Texas Alcoholic and Beverage Code as may be amended from time to time. The City of Pharr shall also be authorized to carry out any and all duties and responsibilities as directed by the City of Pharr and as may be allowed by law. Should any person or establishment be found to have committed acts or allowed the commission of any act or condition found by the City of Pharr to be detrimental to the public health, safety, and welfare of the residents of the City of Pharr or persons located within corporate boundaries, the City of Pharr shall be authorized to take any action allowed by ordinance, state or federal law, or other regulation. These actions may include but not limited to quarantine, abatement of premises, closure, condemning, removal of dangerous substances and persons, and other preventive measures and actions.

Conditional Use Permit
0.51 acres out of Lot 1 of Re-Subdivision
Plat of Willow Grove Subdivision, Pharr,
Hidalgo County, Texas
Mariana Lopez



Zoning

G:\City of Pharr\GIS\Projects\1-Planning\Pro Conditional Use Permits\CUP 230716 4.25 ac out of Willow Grove Subdivision\map\00_BASE Project File.aprx



Zoning

LandUse

- Agricultural Open Space
- Business
- Drainage Easement
- General Business

- Government Owned
- HUD-Code Manufactured Home
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Mobile Home
- Neighborhood Commercial

- Office and Professional
- Planned Unit Development
- Rail
- Residential Multi-Family District
- Residential Multi-Family High Density
- Schools
- Single Family Residential

- Single Family Residential - Estate
- Single Family Residential-Small Lot
- Townhouse Residential
- Quarter Mile Radius
- Subject Property
- Notified Properties
- 300 ft. Notification Buffer

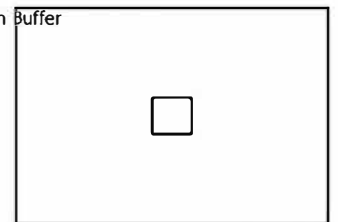
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 8/8/2023

Scale: 1:6,520

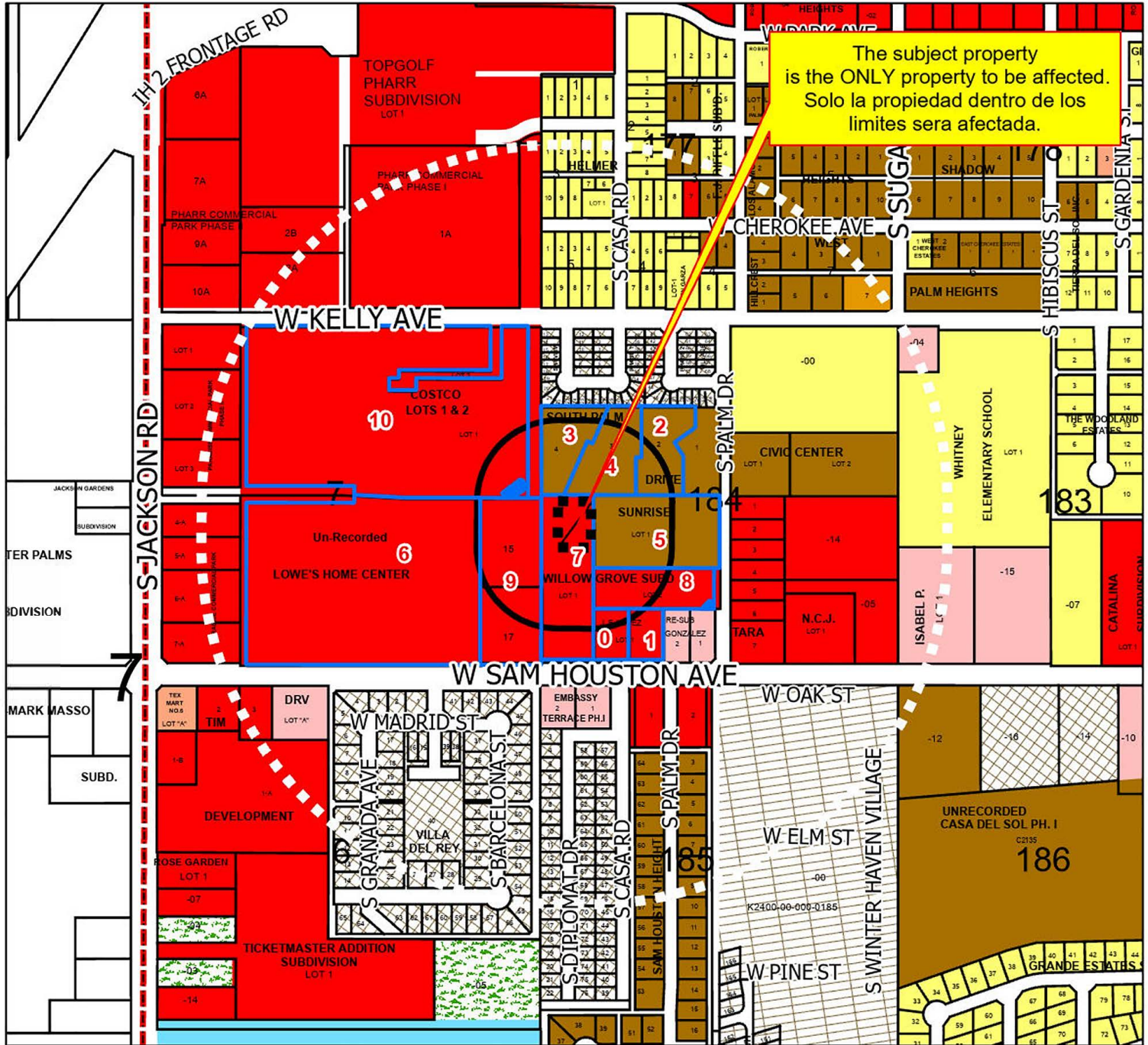
0 270 540 1,080 1,620 2,160 Feet



Conditional Use Permit
0.51 acres out of Lot 1 of Re-Subdivision
Plat of Willow Grove Subdivision, Pharr,
Hidalgo County, Texas Mariana Lopez



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Zoning

LandUse

- Agricultural Open Space
- Business
- Drainage Easement
- General Business

Government Owned

HUD-Code Manufactured Home

Heavy Commercial

Heavy Industrial

Limited Industrial

Mobile Home

Neighborhood Commercial

Office and Professional

Planned Unit Development

Rail

Residential Multi-Family District

Residential Multi-Family High Density

Schools

Single Family Residential

Single Family Residential - Estate

Single Family Residential-Small Lot

Townhouse Residential

Quarter Mile Radius

Subject Property

Notified Properties

300 ft. Notification Buffer

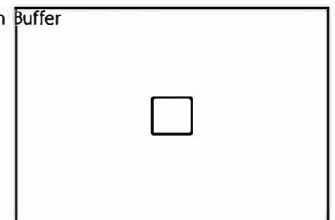
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City of Pharr, Texas
Engineering Department
956.402.4242

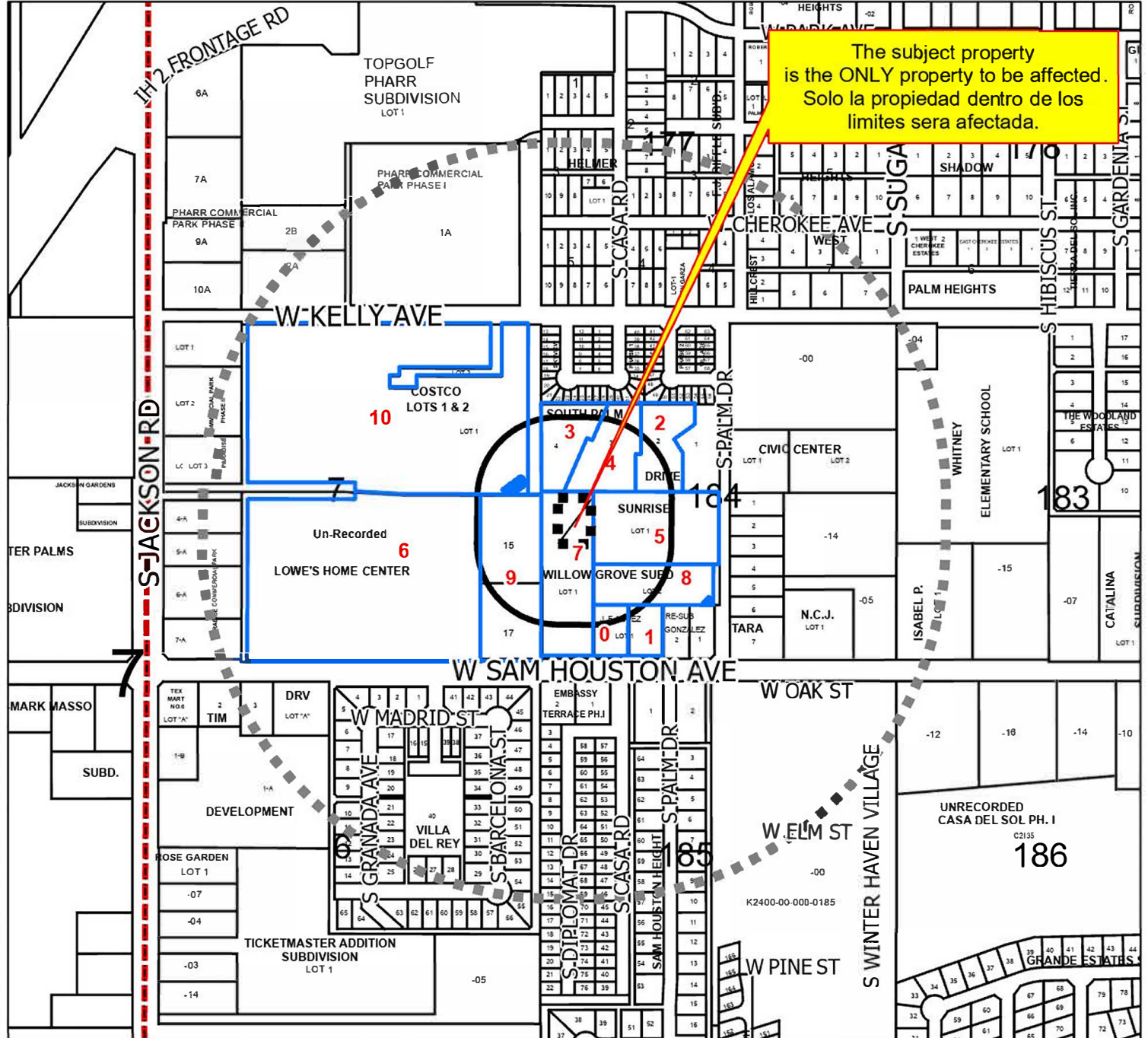
Date: 8/8/2023

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Conditional Use Permit
0.51 acres out of Lot 1 of Re-Subdivision
Plat of Willow Grove Subdivision, Pharr,
Hidalgo County, Texas
Mariana Lopez

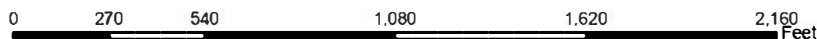


Zoning	Government Owned	Office and Professional	Single Family Residential - Estate
LandUse	HUD-Code Manufactured Home	Planned Unit Development	Single Family Residential-Small Lot
Agricultural Open Space	Heavy Commercial	Rail	Townhouse Residential
Business	Heavy Industrial	Residential Multi-Family District	Quarter Mile Radius
Drainage Easement	Limited Industrial	Residential Multi-Family High Density	Subject Property
General Business	Mobile Home	Schools	Notified Properties
	Neighborhood Commercial	Single Family Residential	300 ft. Notification Buffer

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City of Pharr, Texas
Engineering Department
956.402.4242

Scale: 1:6,520



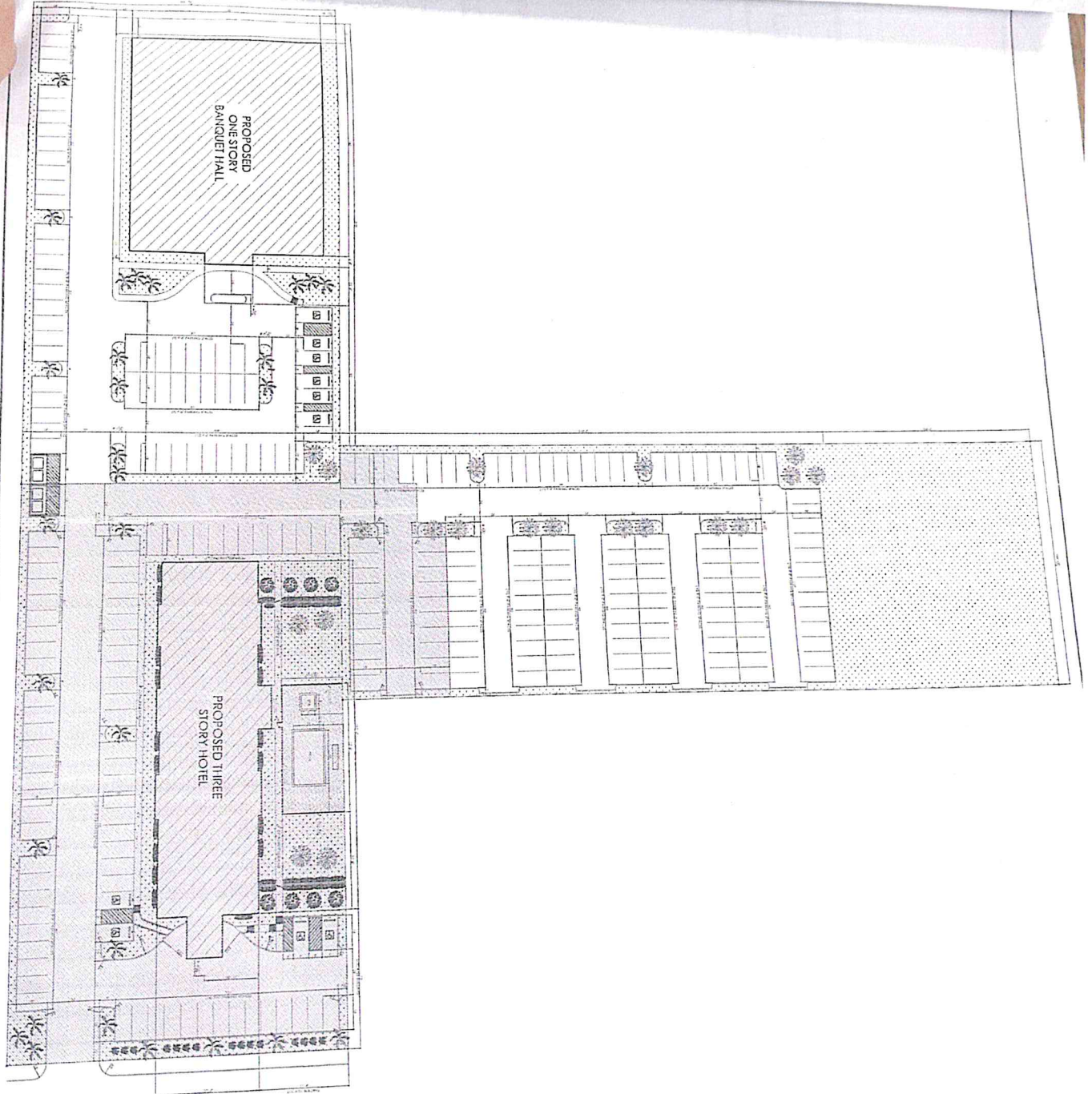
Date: 8/8/2023

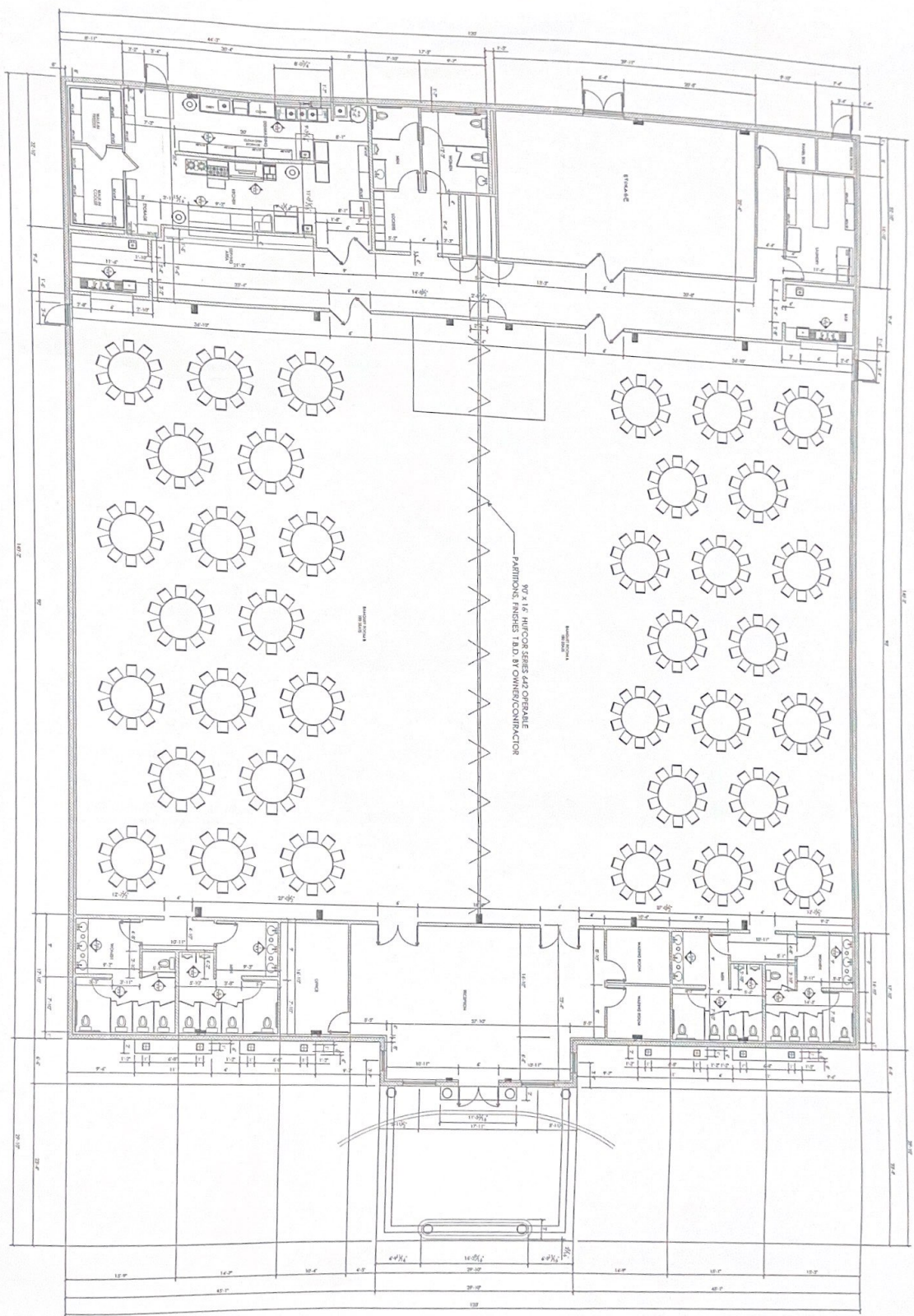
ALLEY

PROPOSED
ONE STORY
BANQUET HALL

PROPOSED THREE
STORY HOTEL

SAM HOUSTON





FLOOR PLAN
SCALE 1/8" = 1'-0"



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.

DATE SUBMITTED: August 21, 2023

MEETING DATE: August 28, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Sandra Pineda, owner, D/B/A Precise Hair Styles, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow a home occupation for a beauty shop in a Single-Family Residential District (R-1). The property is legally described as being Lot 81, Crystal Estates Phase I Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 806 West Grosbeak Avenue. **CUP#230716**

Classification: Public Hearing

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

Issue: Sandra Pineda, owner, DBA Precise Hair Styles, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow a home occupation for a beauty shop in a Single-Family Residential District (R-1).

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the Conditional Use Permit to allow a beauty salon in a Single-Family Residential District (R-1) 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
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 8/21/2023
Approved - 8/21/2023
Final Approval - 8/25/2023

MEMORANDUM

DATE: MONDAY, AUGUST 28, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR HOME OCCUPATION (BEAUTY SALON) – FILE NO. CUP#230716 (SANDRA PINEDA D/B/A PRECISE HAIR STYLES)

GENERAL INFORMATION:

APPLICANT: Sandra Pineda, owner, D/B/A Precise Hair Styles, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow a home occupation for a beauty shop in a Single-Family Residential District (R-1).

LEGAL DESCRIPTION: The property is legally described as being Lot 81, Crystal Estates Phase I Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 806 West Grosbeak Avenue.

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

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

CODE COMPLIANCE: Recommends approval of the Conditional Use Permit.

DEVELOPMENT SERVICES: Recommends approval of the Conditional Use Permit.

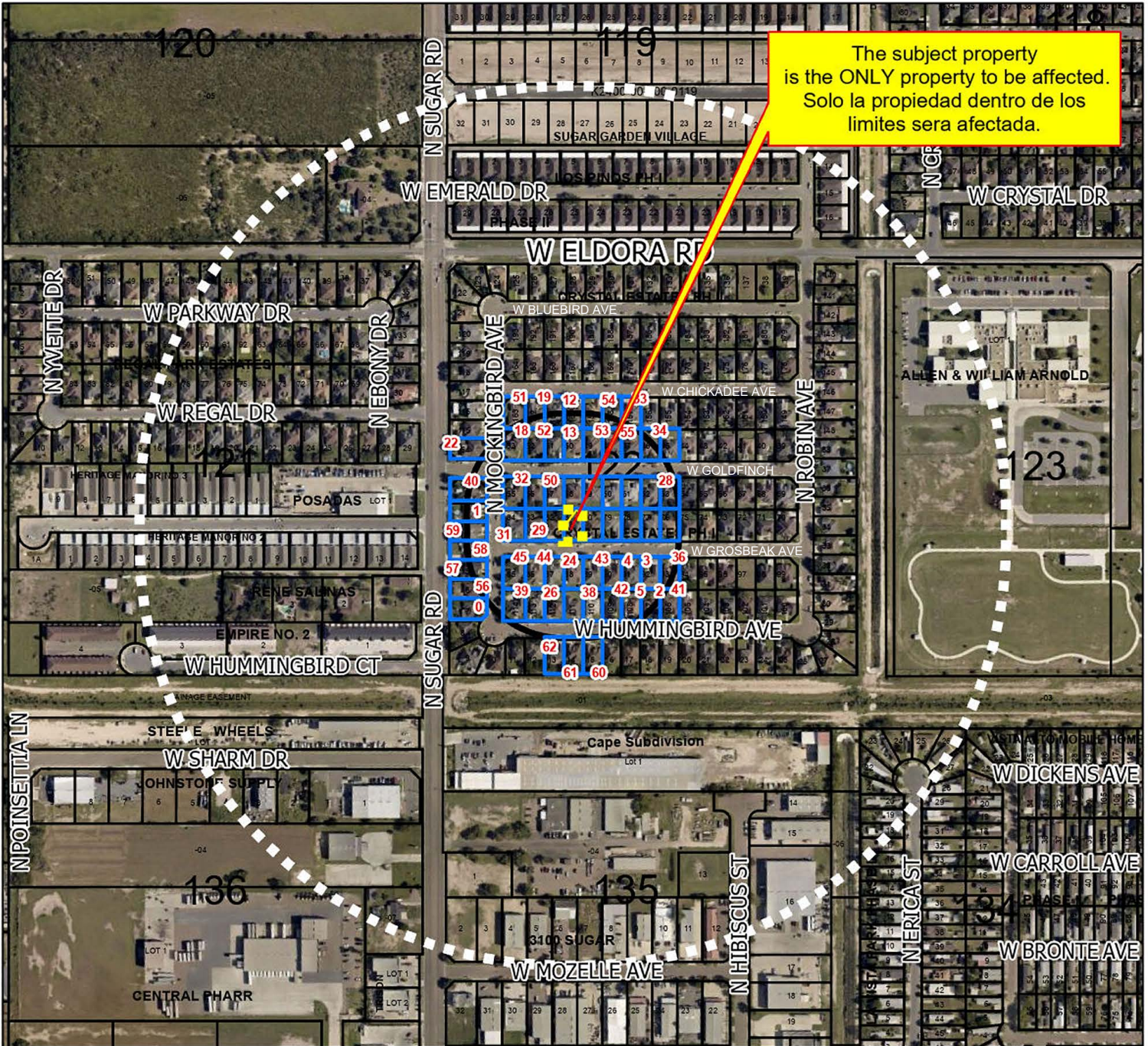
HOURS OF OPERATION: Hours of operation will be by appointment only from 8:00 a.m. to 5:00 p.m. Monday through Saturday.

NOTIFICATION OF PUBLIC: Sixty-three (63) letters were mailed out to the surrounding property owners within a 300-foot radius on August 15, 2023, and a legal notice was published in the Advance News Journal on August 9, 2023. Staff received no response to the letters or legal notice.

DEVELOPMENT SERVICES RECOMMENDATIONS: Development Services is recommending approval of the Conditional Use Permit to allow a beauty salon in a Single-Family Residential District (R-1) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

1. The **home occupation** shall be limited to a certain area of the home;
2. Customers to be taken by appointment only with one customer at a time in the beauty salon;
3. 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;
4. There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling;
5. This Conditional Use Permit shall be issued for a period of one (1) year. It shall be the owner's responsibility to apply for renewal 30 days before its expiration date;
6. Any request to revise, alter or amend the conditions or requirements shall require the applicant to reapply for a new Conditional Use Permit;
7. The applicant shall comply with all City of Pharr ordinance requirements, any violations will terminate this Conditional Use Permit;
8. 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; and
9. The following shall be considered as grounds for revocation of a home occupation Conditional Use Permit:
 - Any change in use or change in extent of use, area or location of the dwelling being used.

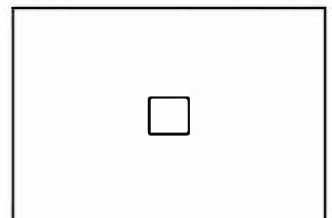
- Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
- Failure to pay the annual renewal fee of \$50.00 shall result in the assessment of an additional five dollars (\$5.00) per business day late fee up to thirty (30) days after the date of expiration 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.



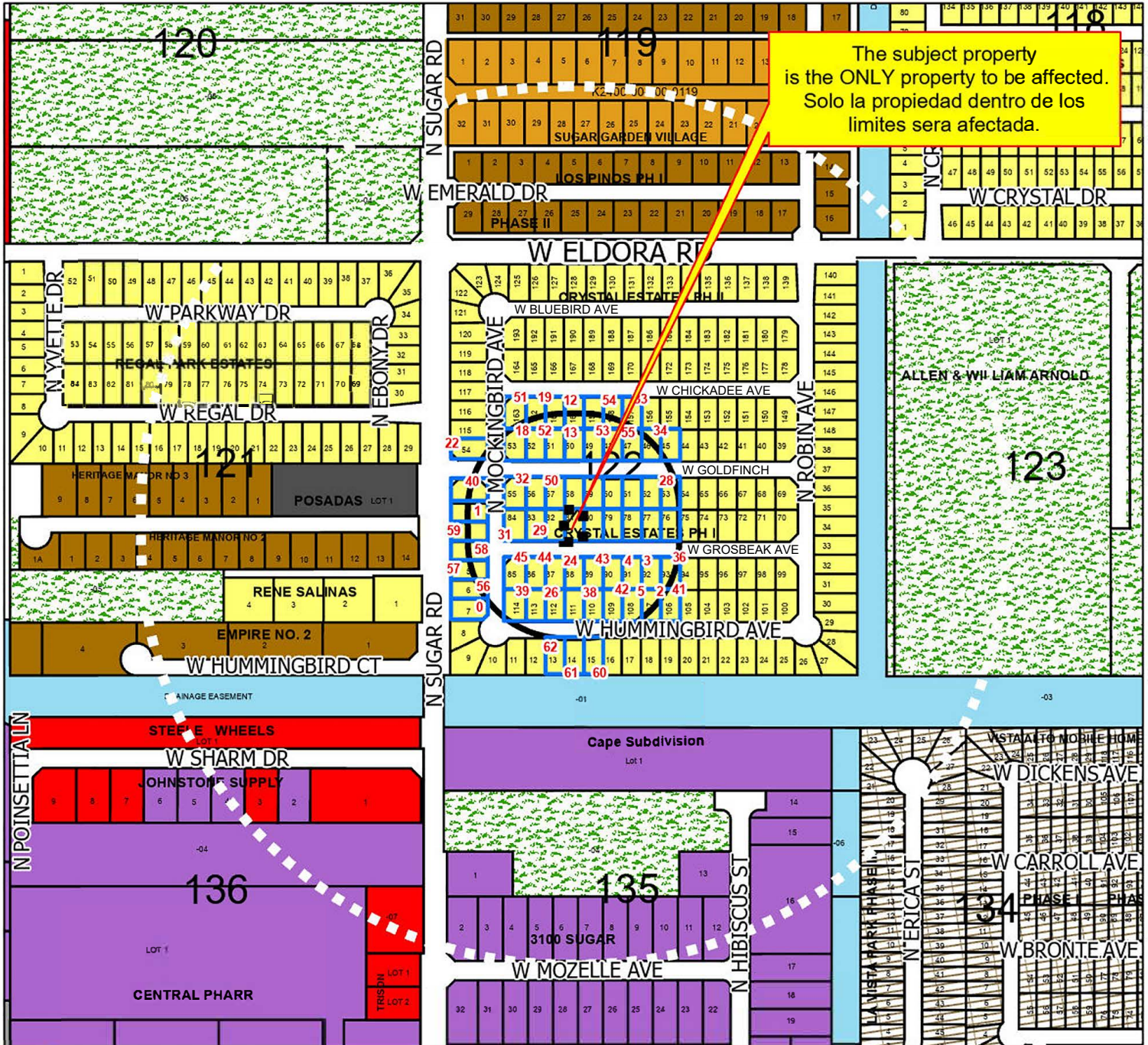
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- | | | |
|---------------------------------------|-------------------------|-----------------------------|
| Agricultural Open Space | Government Owned | PSJA ISD |
| Single Family | General Business | Hidalgo ISD |
| Single Family Small Lot | Business District | Valley View ISD |
| Residential Multi-Family | Drainage Easement | Planned Unit Development |
| Residential Multi-Family High Density | Heavy Commercial | Location |
| Mobile Home | Heavy Industrial | Notified Properties |
| Townhouse | Limited Industrial | 300 ft. Notification Buffer |
| HUD Code | Neighborhood Commercial | Quarter Mile Radius |
| Rail Road R.O.W | Office Professional | |

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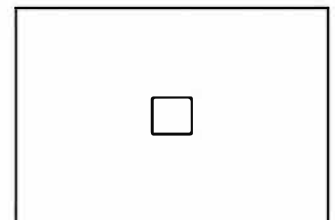


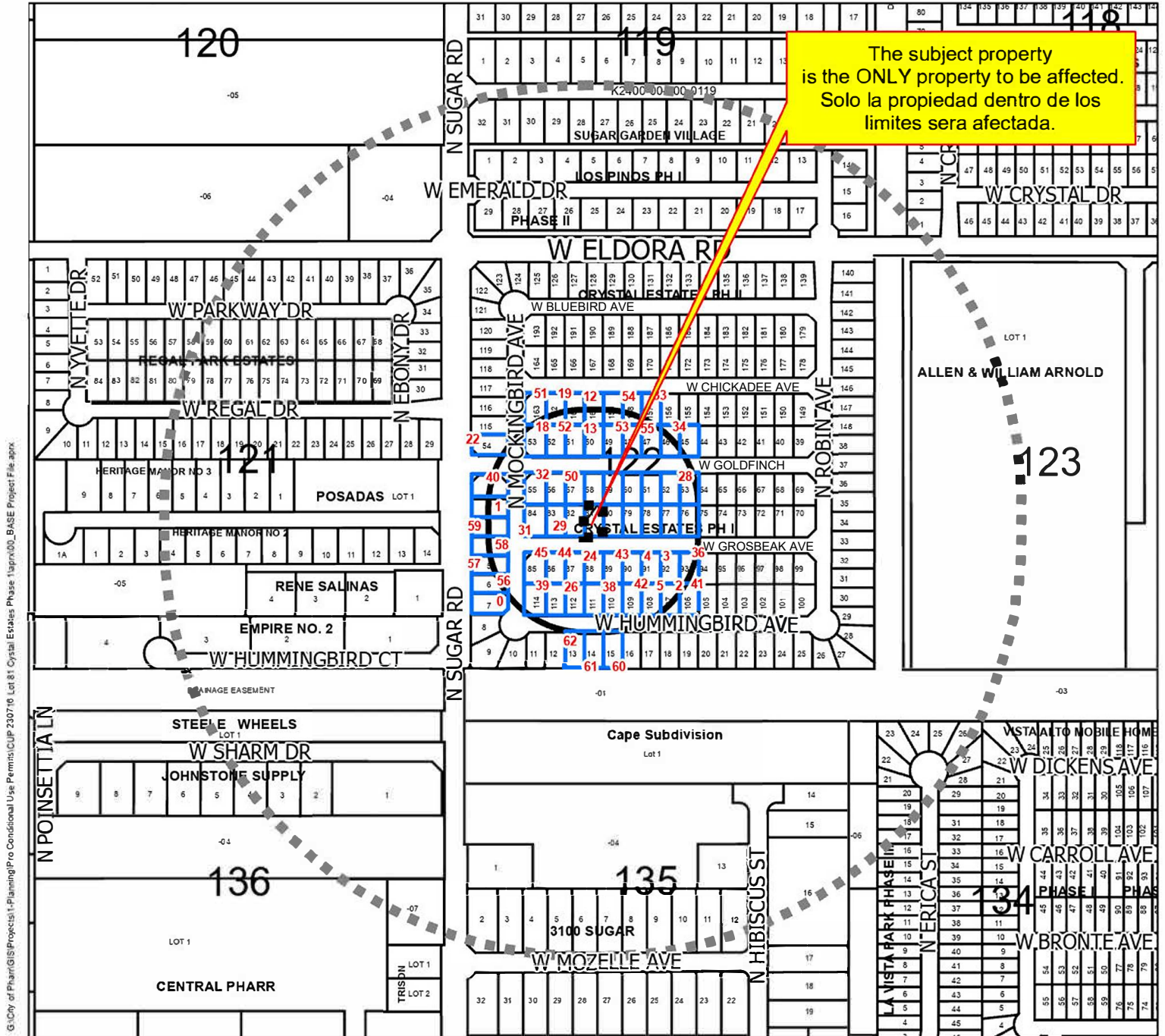
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|--|---|---|
|  Agricultural Open Space |  Government Owned |  PSJA ISD |
|  Single Family |  General Business |  Hidalgo ISD |
|  Single Family Small Lot |  Business District |  Valley View ISD |
|  Residential Multi-Family |  Drainage Easement |  Planned Unit Development |
|  Residential Multi-Family High Density |  Heavy Commercial |  Location |
|  Mobile Home |  Heavy Industrial |  Notified Properties |
|  Townhouse |  Limited Industrial |  300 ft. Notification Buffer |
|  HUD Code |  Neighborhood Commercial |  Quarter Mile Radius |
|  Rail Road R.O.W |  Office Professional | |

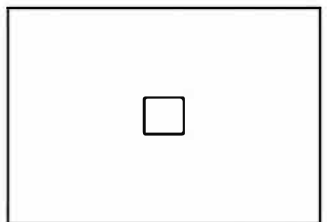
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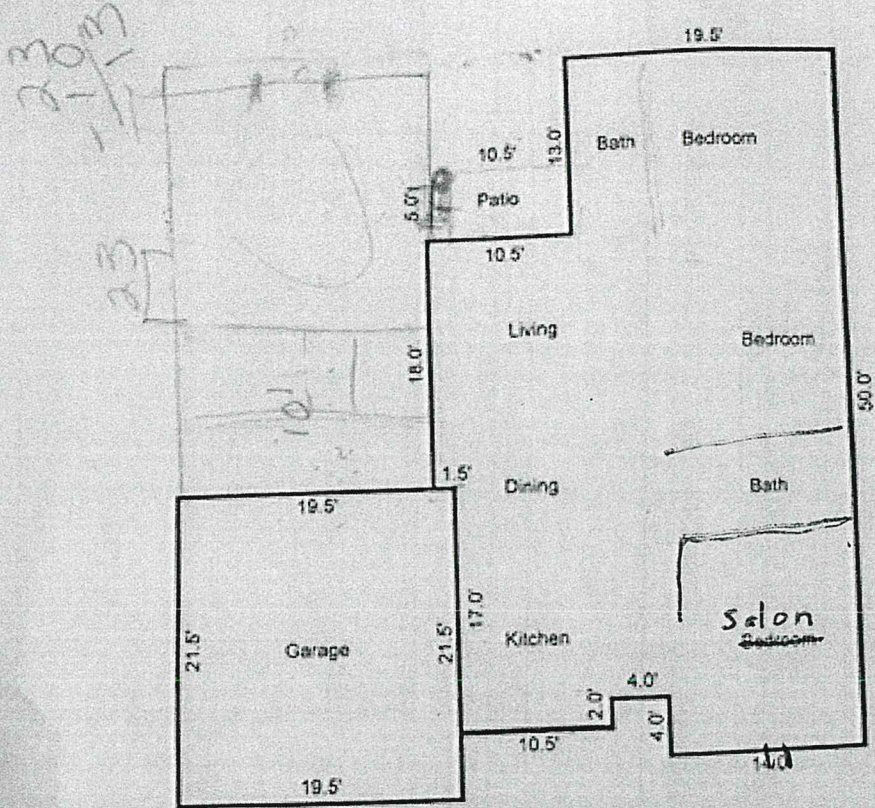
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|--|---|---|
|  Agricultural Open Space |  Government Owned |  PSJA ISD |
|  Single Family |  General Business |  Hidalgo ISD |
|  Single Family Small Lot |  Business District |  Valley View ISD |
|  Residential Multi-Family |  Drainage Easement |  Planned Unit Development |
|  Residential Multi-Family High Density |  Heavy Commercial |  Location |
|  Mobile Home |  Heavy Industrial |  Notified Properties |
|  Townhouse |  Limited Industrial |  300 ft. Notification Buffer |
|  HUD Code |  Neighborhood Commercial |  Quarter Mile Radius |
|  Rail Road R.O.W |  Office Professional | |

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Building Sketch (Page - 1)

Borrower/Clerk: Francisco & Sandra Molina
 Property Address: 808 Grosbeak Avenue
 City: Pharr County: Hidalgo State: Texas Zip Code: 78577
 Lender: FARMAS Co Financial Services



Sketch by: April 5, 2004
 Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Size	Net Totals
GLA1	First Floor	1298.00	1298.00
P/P	Patio	52.50	52.50
GAR	Garage	419.25	419.25

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
19.5	x	46.0	897.00
4.0	x	14.0	56.00
1.5	x	2.0	3.00
10.5	x	18.0	189.00
9.0	x	17.0	153.00



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.3.

DATE SUBMITTED: August 21, 2023

MEETING DATE: August 28, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Joseph W. Holand, representing Just A Closet #7, LLC., 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). The property is legally described as being 6.34 acres, more or less, out of the South 24.19 acres out of Lot 5, Block 4, A.J. McColl Subdivision (Proposed Lot 6, Just A Closet #7 Subdivision), Pharr, Hidalgo County, Texas. The property's physical address is 3800 North Jackson Road. **CUP#230717**

Classification: Public Hearing

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

Issue: Joseph W. Holand, representing Just A Closet #7, LLC., 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).

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) 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
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 8/21/2023
Approved - 8/21/2023
Final Approval - 8/25/2023

MEMORANDUM

DATE: MONDAY, AUGUST 28, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR LIFE OF THE USE (SELF STORAGE)
FILE NO. **CUP#230717**

GENERAL INFORMATION:

APPLICANT: Joseph W. Holand, representing Just A Closet #7, LLC., 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).

LEGAL DESCRIPTION: The property is legally described as being 6.34 acres, more or less, out of the South 24.19 acres out of Lot 5, Block 4, A.J. McColl Subdivision (Proposed Lot 6, Just A Closet #7 Subdivision), Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 3800 North Jackson Road.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) and Residential Multi-Family High Density District (R-MFHD) to the north, Agricultural Open Space (A-O) to the east, General Business District (C) and Single Family (R-1) to the south, and a to the west is Outside City Limits. This area is generally designated for commercial and single family residential 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:

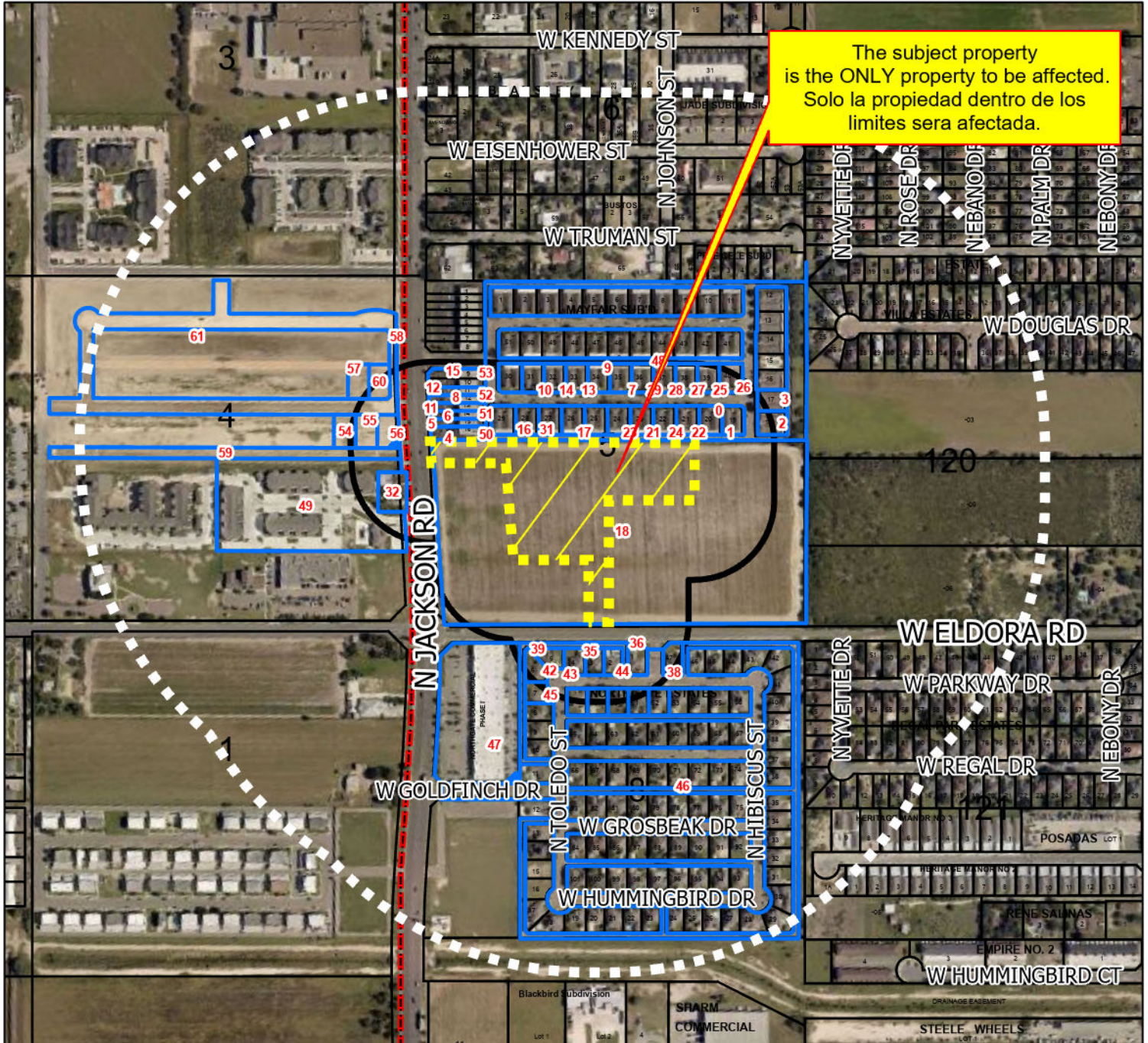
Seventy-two (72) letters were mailed out to the surrounding property owners within a 300-foot radius on August 15, 2023, and a legal notice was published in the Advance News Journal on August 9, 2023. Staff received no response to the letters or the legal notice.

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) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

Conditions of Conditional Use Permit:

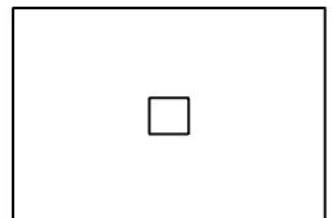
1. This permit shall be for the Life-of-the Use and issued to the current owner only;
2. No living amenities shall be installed in any unit;
3. Applicant shall comply with all City of Pharr Ordinances and codes, any violation will terminate this Conditional Use Permit;
4. Must be in compliance with Ordinance 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.



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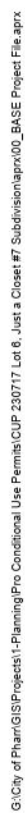
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|---------------------------------------|-------------------------|-----------------------------|
| Agricultural Open Space | Government Owned | PSJA ISD |
| Single Family | General Business | Hidalgo ISD |
| Single Family Small Lot | Business District | Valley View ISD |
| Residential Multi-Family | Drainage Easement | Planned Unit Development |
| Residential Multi-Family High Density | Heavy Commercial | Quarter Mile Radius |
| Mobile Home | Heavy Industrial | Location |
| Townhouse | Limited Industrial | Notified Properties |
| HUD Code | Neighborhood Commercial | 300 ft. Notification Buffer |
| Rail Road R.O.W | Office Professional | |

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.

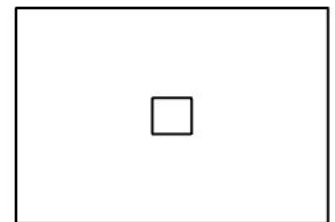


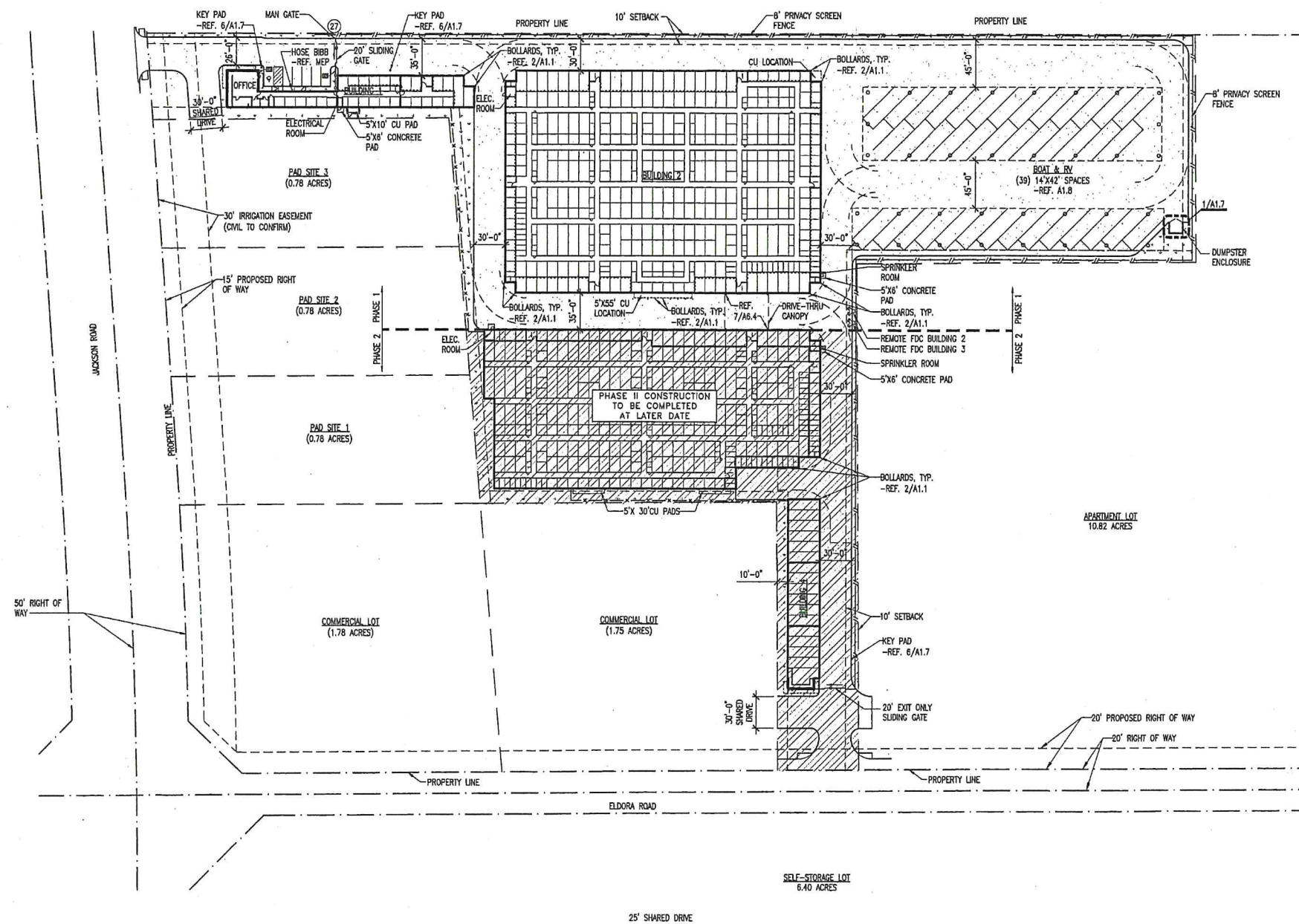


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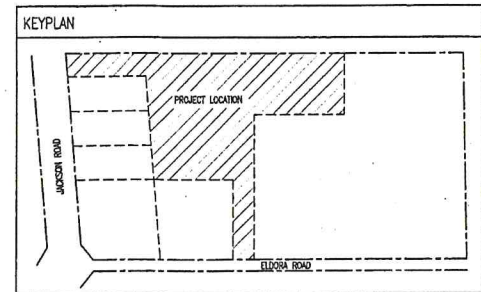
- All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.





1 SITE PLAN
SCALE: 1" = 60'-0"

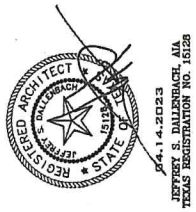
TRUE NORTH
PLAN NORTH



SITE PLAN LEGEND	
	BUFFERS/ EASEMENTS
	PROPERTY LINES
	6'-0" HIGH, CHAIN LINK FENCE
	6'-0" PRIVACY SCREEN FENCE - CEDAR FENCE
	6'-0" HIGH, ORNAMENTAL IRON FENCE W/ SLIDING GATE -REF. 4/A1.7
	CONCRETE PAVING -REF. CIVIL DWGS.
	LANDSCAPE AREA
	6" STEEL PIPE BOLLARD -REF. 2/A1.1
	FIRE EXTINGUISHER
	4" STRIPES PAINTED ON PAVING AT 2'-0" O.C. -PARKING LOT STRIPING TO BE WHITE
SITE PLAN NOTES	
1. REFER CIVIL DRAWINGS FOR RECORDED PLAT/SURVEY FOR PROPERTY BOUNDARIES, EASEMENTS, SETBACKS, ETC. REPORT ANY DISCREPANCIES TO ARCHITECT PRIOR TO CONSTRUCTION.	
2. REFER CIVIL DRAWINGS FOR ALL DRIVE, PARKING, AND CURB LOCATIONS, DETAILS, AND DIMENSIONAL INFORMATION.	
3. REFER LANDSCAPE DRAWINGS FOR EXTENTS OF REQUIRED LANDSCAPING.	
4. PROVIDE CONCRETE FILLED STEEL TUBE BOLLARD AT BUILDING CORNERS AND BUILDING ENTRIES AT DRIVE AREAS (REF. DETAIL 2/A1.1 FOR LOCATIONS, CIVIL FOR DETAIL).	
5. PROVIDE MANUAL FAIL SAFE OPERATION, KEY BOX, AND 20'-0" GATE OPENING FOR ELECTRICAL GATE PER FIRE MARSHALL REQUIREMENTS.	

DALLENBACH-COLE
ARCHITECTURE

315 NINTH STREET, SUITE 1
SAINT ANTONIO, TEXAS 78201
WWW.DALLENBACHCOLE.COM
P 210.493.2234



**JUST-A-CLOSET
SELF STORAGE #7**

ELDORA ROAD & JACKSON ROAD
PHARR, TX 78577

PROJECT NO. 2110
DATE: 04.14.2023
DRAWN: CH & RC
REVISIONS:

**OVERALL
SITE PLAN**

SHEET NO.
A1.2



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: E.1.

DATE SUBMITTED: August 21, 2023

MEETING DATE: August 28, 2023

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: M. Garcia Engineering, LLC., representing Natasha Del Barrio, Chief Executive Officer for Midnight River, LLC, is requesting final plat approval of the proposed Bert Ogden Pharr Subdivision Phase I. The property is legally described as being a 10.64 acre tract of land out of Lot 76, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 5600-5700 Block of North IH 69C. **SUB#200516**

Classification: Regular

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

Issue: M. Garcia Engineering, LLC., representing Natasha Del Barrio, Chief Executive Officer for Midnight River, LLC, is requesting final plat approval of the proposed Bert Ogden Pharr Subdivision Phase I.

Fiscal Consideration:

Staff Recommendation: Development Services recommends final plat approval of the proposed Bert Ogden Pharr Subdivision Phase I subject to the listed conditions.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 8/21/2023
Approved - 8/21/2023
Final Approval - 8/25/2023



MEMORANDUM

DATE: MONDAY, AUGUST 28, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: BERT OGDEN PHARR SUBDIVISION PHASE I FILE NO. SUB#200516
--

GENERAL INFORMATION:

APPLICANT: M. Garcia Engineering, LLC., representing Natasha Del Barrio, Chief Executive Officer for Midnight River, LLC, is requesting final plat approval of the proposed Bert Ogden Pharr Subdivision Phase I.

LEGAL DESCRIPTION: The property is legally described as being a 10.64 acre tract of land out of Lot 76, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 5600-5700 Block of North IH 69C.

ZONING: The property is currently zoned Limited Industrial District (L-I). The adjacent zones are City limits to the north, General Business District (C) and Limited Industrial District (L-I) to the east, Limited Industrial District (L-I) to the south and Residential Mobile Homes District (R-MH) to the west. The property is designated for industrial and commercial use in the Land Use Plan.

PROPERTY PROPOSED USE: Auto dealership, 1 lot.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed Bert Ogden Pharr Subdivision Phase I subject to the following conditions:

STREETS, PAVING AND R.O.W.:	1. Provide streetlight layout. 2. Provide 30'x30' corner clips on new street and W. Owassa Rd. and frontage. 3. Provide street names North Connie Street to be dedicated by plat.
EASEMENTS:	1. Must add a 5' ft landscape easement along North I-69 and a 10' ft landscape easement along W. Owassa Rd. 2. Label and show all existing easements. 3. Need to remove the word proposed from dedicated easements and only show dedicated by plat.
SIDEWALK: ADA:	1. Follow City of Pharr Construction Standards Manual.
FIRE PROTECTION:	1. See attached comments.
WATER:	1. See attached comments. 2. Follow City of Pharr Construction Standards Manual.
SEWER:	1. See attached comments. 2. Follow City of Pharr Construction Standards Manual.
DRAINAGE:	1. Provide drainage report. 2. Follow engineering comments.
OTHER:	1. Label and show all recorded subdivisions on location map. 2. Show the directional east and west for Owassa Rd. 3. On metes & bounds add west for Owassa Rd. 4. On plat layout label ½ iron rods. 5. On metes & bounds paragraph #7 verify the radius with table. 6. Update benchmark for plat note #9, provide northing, easting and the location description for B.M. 7. Revise plat note #8, to include sidewalks along all R.O.W. streets. 8. Recording with Letter of Credit: L/C number: 5550-500 \$353,049.44 9. Provide signatures for engineer and surveyor. 10. Plat note #4, provide numbers. 11. Provide all details for street, sewer and water. 12. Staff plat notes are attached.

This item will go before the City Commission meeting of September 05, 2023, at 4:00 p.m.



To: Mariano Garcia, P.E.
From: Heriberto Martinez, Planner II
Date: 03/25/2021
Re: **MASTER PLAT OF BERT OGDEN PHARR SUBDIVISION – (Staff review Comments 3-30-2021)**

Below are the following comments by staff for the above mentioned subdivision:

GENERAL PLAT NOTE:

1. On location map show true north.
2. Label and show all recorded subdivisions on location map.
3. Show the directional east and west for Owassa Rd.
4. On metes & bounds add west for Owassa Rd.
5. On plat layout label ½ iron rods.
6. Provide street names North Connie Street to be dedicated by plat.
7. On metes & bounds paragraph #7 verify the radius with table.
8. Provide 30'x30' corner clips on new street and W. Owassa Rd. and frontage.
9. Remove the word proposed from plat and just leave dedicated by plat.
10. Label and show all existing easements.
11. Label phases for future development.
12. Provide drainage report.
13. Update benchmark for plat note #9, provide northing, easting and the location description for B.M.
14. Revise plat note #8, to include side walks along all R.O.W. streets.
15. Natasha del Barrio – managing partner is not shown on the unanimous consent of the members and managers of Mittanck Investments, LLC. Need to provide articles of incorporation.
16. Provide signatures for engineer and surveyor.
17. Provide street light layout.
18. Plat note #4, provide numbers.
19. Provide all details for street, sewer and water.
20. Must add a 5' ft landscape easement along North I-69 and a 10' ft landscape easement along W. Owassa Rd.
21. Staff plat notes are attached comments.

FIRE DEPARTMENT:

1. See attach comments.

PUBLIC UTILITIES WATER & SEWER:

1. See attach comments.

PUBLIC WORKS:

1. See attach comments.

ENGINEERING DEPARTMENT:

1. See attach comments.

PLAT REVIEW MEETING FOR:

MASTER PLAT OF BERT OGDEN

PHARR SUBDIVISION

COMMENTS: **Initials:** J.R. / R. B. **APRIL 01, 2021**

WATER:

- Will need to show details to all connections of water lines to all corners of the property
- Will need to show details of A/C line connections to remain
- Will need to verify water line on southwest corner of the property
- Water line on west side of property (north and south) will need to be 8"
- TX Dot will determine the Abandonment or Removal of A/C lines in the area
- All entrances will require Steel Casing on water line locations
- Will need 20' UI on the west side of the property
- Follow City of Pharr Construction Standards Manual

SEWER:

- Will need to show details of all sewer connections
- All Manhole Ring and Covers will need to be Composite Based with City Logo
- Will need projected Flow and Peak Flow and capacity of subdivisions sewer
- Follow City of Pharr Construction Standards Manual

Developer/Owner/Responsible Party must comply with the conditions stated above. WATER METERS WILL NOT BE INSTALLED IF THERE IS A failure to comply with ANY OF THE conditions. METERS WILL BE INSTALLED UPON PAYMENT AND COMPLIANCE WITH ALL CONDITIONS STATED. By signing this you understand you must comply with the condition(s) or the water meter(s) will not be installed.

Print Name: _____

Signature: _____

Date: _____



118 S. Cage Blvd. 3rd Floor
Pharr, Texas 78577

Phone: (956) 402-4400 Fax; (956) 475-3433

Subdivision: Master Plat of Bert Ogden Pharr Subdivision

Reviewed by: Mike Navarro

August 18, 2023

1. All designed waterlines shall be a minimum of eight (8) inches for residential and eight-twelve (8-12) inches in diameter for commercial and twelve (12) inches or better for industrial areas, unless fire flow requires larger lines for commercial areas.
2. All designed waterlines shall be looped on a Fire Department approved water main (Utilities shall be in place including fire hydrants before any construction above the slab).
3. Fire hydrant shall be installed at a maximum of 300 feet intervals in any mercantile district and every 600 feet in residential areas and shall be **FACTORY YELLOW** from the manufacture with a minimum arrangement being so as to have a hydrant available for distribution to hose to any portion of any building in the premises at distances not exceeding 400 feet, but in no case shall hose lengths be greater than 400 feet. The distance shall be measured on a roadway surface meeting the Fire Department access requirements of 503.1 International Fire Code 2012. Preferably Mueller Brand Fire Hydrant or equivalent.
4. All premises where building or portions of building are located more than 300 feet from a main street fire hydrant system shall be provided with approved on-site fire hydrant(s) and water mains capable of supplying adequate fire flow, approved by the Fire Officials.
5. Shall meet the Fire Flow rate of 20 psi of residual pressure for firefighting.
6. Street names shall be provided prior to or during the pre-construction meeting for review and approval. No street name shall be duplicated within the City of Pharr and its E.T.J. alignment of new streets with existing streets shall take precedence over new street name assignment.
7. During construction, when combustibles are brought on the site in such quantities as deemed hazardous by the Fire Official, access roads and a suitable temporary supply of water acceptable to the Fire Department shall be provided and maintained.
8. A \$25.00 fee for each **BLUE MARKER** to be affixed on payment by city to indicate location of the fire hydrant. **FIRE HYDRANT COLOR MUST BE FACTORY YELLOW FROM MANUFACTURE PRIOR TO INSTALLATION.**
9. Contractor testing waterlines shall dispose highly chlorinated water (Hazardous Waste).
10. Fire lanes must be painted **RED**: 15 feet on each side of hydrant (total of 30 feet). *With lettering at least 3 inches tall (**FIRE LANE – TOW AWAY ZONE**).

11. Any new subdivision with GATED COMMUNITY SECURITY SYSTEMS must obtain the Fire Department approved Knox Box Switch – Rapid Entry System made by the Knox Company (phone: 800-552-5669 * fax: 949-623-4647) or an approved Fire Department siren system before subdivision's final approval of 503.5 in International Fire Code 2012; where security gates are installed, with a minimum of 20 feet (6096 mm) clearance shall be maintained and a means for emergency operations shall be provided and maintained as approved by the Fire Official.
12. Designed fire lanes or roads deemed necessary for Fire Department access by the Fire Official shall be established and maintained in an operable condition. 503.1 International Fire Code 2012; all weather surfaces must be in place before any final inspection is approved. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to the department apparatus by the way of an approved fire apparatus access road with an asphalt, or concrete driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.
13. Access road width with hydrant; where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
14. All water valves (hydrant and main) shall be open prior to final inspection.
15. Public Utilities personnel must be advised prior to opening and closing existing water valves.
16. Must meet City of Pharr Standards Manual Construction & Development Guide.

Additional Comments:

- **Shall Add on Plat Notes: All Fire lines shall be installed by a licensed Sprinkler company.**
 - **Shall Provide Fire Hydrant every 300ft. recommended Mueller brand fire hydrant**
 - **Shall provide detail connection of the water loop.**
 - **Shall Call out existing Fire Hydrants on the Utility Plan**
-



Pharr Public Work



Telephone (956) 402-4350 | 1015 E. Ferguson | Pharr, Texas 78577

SUBDIVISION: Staff review meeting:

Date: 03/26/2021

Master Plat of Bert Ogden Pharr Subdivision

W. Owassa Rd.

Pharr, TX 78577

Plat Notes:

- None

General Notes:

- Show details of tie in or outfall of 8" storm sewer line and 6" storm sewer line on west side of property
- Submit for open cut permit- Public Works
- Detail on detention/retention and outfall

Telephone (956) 402-4350 | 1015 E. Ferguson | Pharr, Texas 78577

www.pharr-tx.gov

SUBDIVISION REVIEW COMMENTS

PHARR ENGINEERING • 118 S. CAGE BLVD., 1ST FLOOR • PHARR, TX 78577 • 956.402.4221

SUBDIVISION: Master Plat of Bert Orden
Pharr Subdivision

DATE: April 1, 2021

REVIEW: Preliminary (comments plans dated 3-22-2021)

PLAT

1. Note No. 4---Use City of Pharr drainage directive: *Storm Water detention is required for this property. The engineer of record for this subdivision plat has estimated that an area of approximately _____ acres and a volume of approximately _____ acre feet will be required for this use. 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.*
2. Note No. 8---Revise note to say... "5.0'-ft sidewalk with ADA compliant ramps and landings will be required to be constructed along all streets at the time of building permit phase.
3. Note No. 9---Verify City of Pharr benchmark and include northing & easting.
4. Show all existing subdivisions on location map.
5. Signature and seal from R.P.L.S.
6. Signature from P.E.
7. Verify proposed 70.0'-ft R.O.W.

SITE PLAN

1. Include all pertinent City of Pharr details at the time of each phase. (Access road cross-section with all layers, curb & gutter with continuous rebar, concrete apron, sidewalk with ADA wheel chair ramps and landings, sanitary sewer services, sanitary sewer manholes with composite lids that show City of Pharr logo, mandrel, water services, Type "A" inlet & tie-in, profile of utility crossings if any & storm sewer manhole)

DRAINAGE

1. Drainage plan to be reviewed and approved by H.C.D.D. No. 1.

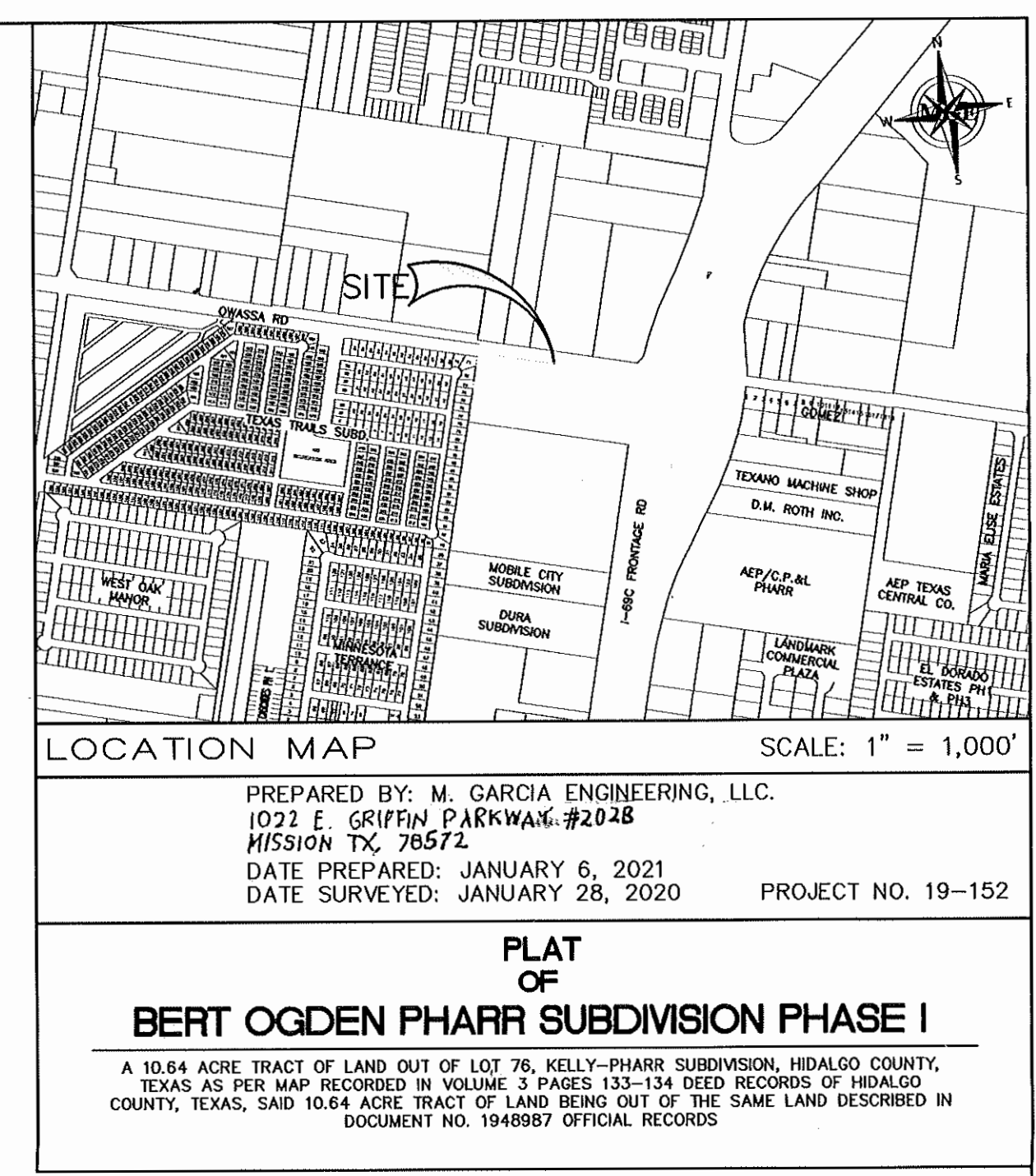
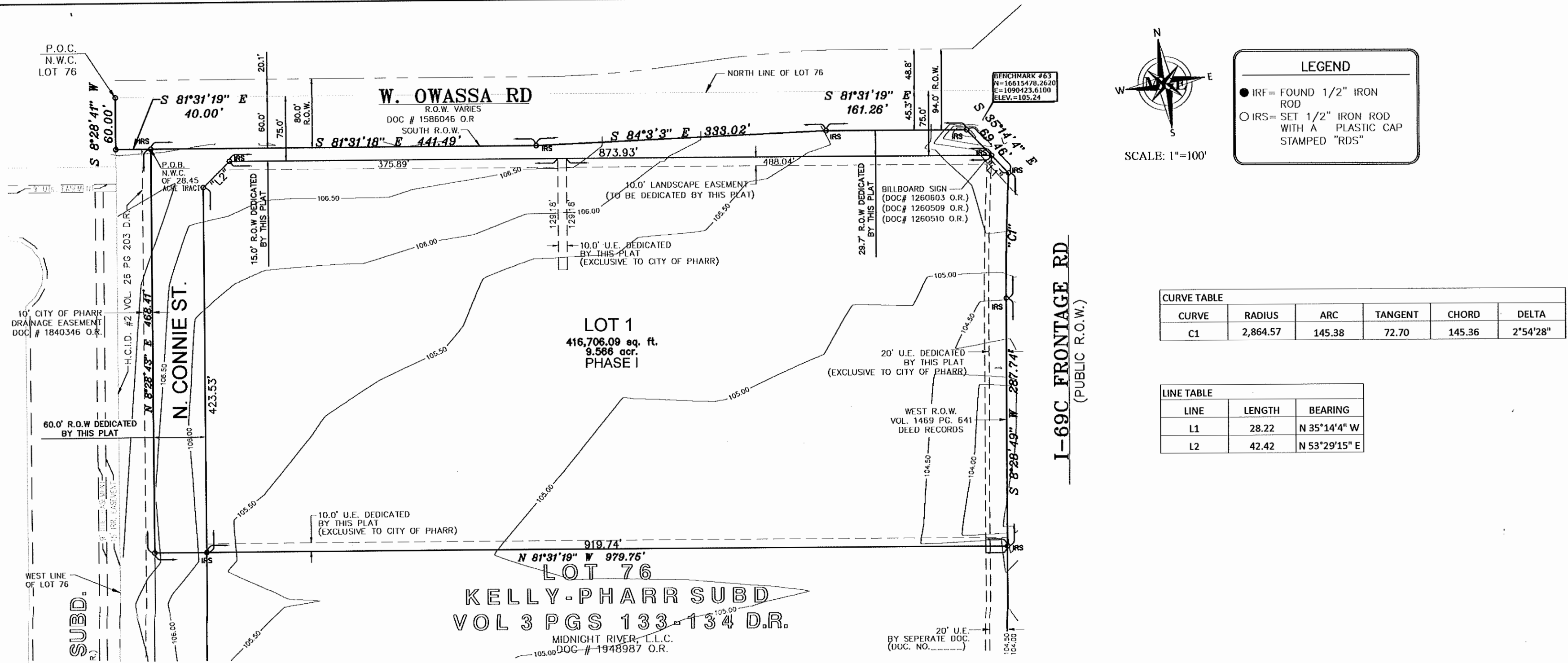
2. Drainage plan to be reviewed and approved at building permit stage.

CLOSEOUT DOCUMENTS

- All As-builts must have the following requirements:
 - As-builts must reflect current field changes. Mark all field changes as existing.
 - Must be Geo referenced, and in an AUTOCAD file.
 - Submit a physical and electronic copy (USB or CD).

ADDITIONAL COMMENTS

- Mandrel test and low air pressure test will be required for sanitary sewer line.
- Bacteriological test will be required for waterline.
- Lab for site work will be required for the following items: backfill material, paving items and concrete items.
- Curb & gutter and sidewalk shall meet a 3000-psi design strength.
- Concrete apron shall meet a design strength of 4000-psi



STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE BERT OGDEN PHARR SUBDIVISION PHASE I TO THE CITY OF PHARR AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

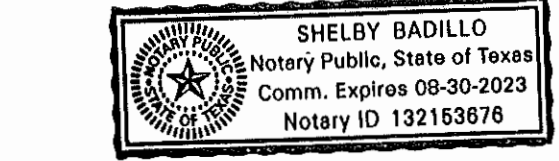
Natasha Del Barrio
NATASHA DEL BARRIO - CHIEF EXECUTIVE OFFICER
MIDNIGHT RIVER LLC
104 CANARY AVE.
MCALLEN, TEXAS 78504

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED THE ABOVE NAMED TRUSTEES, KNOWN TO ME BY THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR PURPOSED AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 7th DAY OF October 2021.

Shelby Badillo
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



STATE OF TEXAS
COUNTY OF HIDALGO

I, MARIANO GARCIA, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

Mariano Garcia, P.E.
MARIANO GARCIA, P.E.
REG. PROFESSIONAL ENGINEER No. 90956



STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE ABOVE PLAT AND DESCRIPTION OF BERT OGDEN PHARR SUBDIVISION PH I WERE PREPARED FROM A SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

Jose Mario Gonzalez
JOSE MARIO GONZALEZ, R.P.L.S.
REG. PROFESSIONAL LICENSED SURVEYOR No. 5571
RIO DELTA SURVEYING, LLC
24593 FM 88
MONTE ALTO, TEXAS 78538
T.B.P.L.S. FIRM # 10013900



STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, MAYOR OF PHARR, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

AMBROSIO HERNANDEZ
MAYOR, CITY OF PHARR

ATTEST:
CITY CLERK

STATE OF TEXAS
COUNTY OF HIDALGO

REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

APPROVED THIS THE 20 DAY OF October 2021.

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PHARR, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION

DANNY WYLIE, CHAIRMAN
PLANNING AND ZONING COMMISSION

APPROVED BY DRAINAGE DISTRICT:

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODES §49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1.

RAUL E. SESIN, P.E., C.F.M.
GENERAL MANAGER

HIDALGO COUNTY IRRIGATION DISTRICT # 2

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT # 2 ON THIS THE 20th DAY OF October 2021.

NO IMPROVEMENTS OF ANY KIND(INCLUDING WITHOUT LIMITATION TREES, FENCES AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT #2 RIGHT OF WAY EASEMENTS.

Raul E. Sesin
PRESIDENT

ATTEST: *Maria Guajardo*
SECRETARY



PLAT OF BERT OGDEN PHARR SUBDIVISION PHASE I

A 10.64 ACRE TRACT OF LAND OUT OF LOT 76, KELLY-PHARR SUBDIVISION, HIDALGO COUNTY, TEXAS AS PER MAP RECORDED IN VOLUME 3 PAGES 133-134 DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAID 10.64 ACRE TRACT OF LAND BEING OUT OF THE SAME LAND DESCRIBED IN DOCUMENT NO. 1948987 OFFICIAL RECORDS

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: MIDNIGHT RIVER LLC	104 CANARY AVE.	MCALLEN, TEXAS 78504	(956) 925-3996	
ENGINEER: MARIANO GARCIA	1022 E. GRIFFIN PARKWAY	MISSION TX, TEXAS 78572	(956) 598-5417	
SURVEYOR: MARIO GONZALEZ, R.P.L.S.	24593 FM 88	MONTE ALTO, TEXAS 78538	(956) 380-5154	(956) 380-5156

GENERAL PLAT NOTES AND RESTRICTONS:

1. THIS PROPERTY IS LOCATED IN ZONE "B" ON A FLOOD INSURANCE RATE MAP - COMMUNITY PANEL No.480347-0005 C, REVISED NOVEMBER 19, 1982. 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 DEPTHS LESS THAN ONE FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN 1 SQUARE MILE OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
2. FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AS MEASURED FROM THE CENTER OF THE LOT.
3. A 8' OPAQUE BUFFER IS REQUIRED BETWEEN RESIDENTIAL ZONES AND COMMERCIAL ZONES.
4. STORM WATER DETENTION IS REQUIRED FOR THIS PROPERTY. THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 0.454 ACRES AND A VOLUME OF APPROXIMATELY 2,280 ACRE FEET WILL BE REQUIRED FOR THIS USE. 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.
5. OWNERS TO MAINTAIN DETENTION/RETENTION AREAS.
6. NO STRUCTURES SHALL BE CONSTRUCTED ON ANY EASEMENTS.
7. MINIMUM BUILDING SETBACKS SHALL BE AS PER CITY OF PHARR ORDINANCE.
8. 5' SIDEWALK WITH ADA COMPLIANT RAMPS AND LANDINGS WILL BE REQUIRED TO BE CONSTRUCTED ALONG ALL STREETS AT THE TIME OF BUILDING PERMIT PHASE.
9. BENCH MARK CITY OF PHARR'S BENCH MARK: BM #63 LOCATED CLOSE TO SOUTHWEST INTERSECTION OF W. OWASSA ROAD AND I-69C FRONTAGE ROAD
NORTHING=16615478.282
EASTING=1090423.610
ELEVATION=105.24
10. LANDSCAPING SHALL BE AS PER CITY OF PHARR ORDINANCE.
11. EROSION & SEDIMENT CONTROL DURING CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT TEXAS POLLUTION DISCHARGE ELIMINATION SYSTEM (TPDES).
12. ADDITIONAL FIRE PROTECTION MAY BE REQUIRED DURING THE PLAN REVIEW PHASE IN ORDER TO PROVIDE ANY ADDITIONAL FIRE PROTECTION REQUIREMENT.
13. ALL FIRE LINES SHALL BE INSTALLED BY A LICENSED SPRINKLER COMPANY.
14. ENFORCEMENT OF ALL PLAT NOTES AND DEDICATIONS SHALL BE THE RESPONSIBILITY OF THE AGENCY OR ENTITY TO WHOM THE DEDICATION IS GRANTED.
15. OWNERS TO MAINTAIN R.O.W. AND PERIMETER OF ENTIRE SUBDIVISION.

METES & BOUNDS DESCRIPTION:

A 10.64 ACRE TRACT OF LAND OUT OF LOT 76, KELLY-PHARR SUBDIVISION, HIDALGO COUNTY, TEXAS AS PER MAP RECORDED IN VOLUME 3 PAGES 133-134 DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAID 10.64 ACRE TRACT OF LAND BEING OUT OF THE SAME LAND DESCRIBED IN DOCUMENT NO. 1948987 OFFICIAL RECORDS AND IS ALSO BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 76, KELLY-PHARR SUBD.; THENCE S 08°28'41" W, WITH THE WEST LINE OF SAID LOT 76, A DISTANCE OF 60.00' TO THE SOUTH RIGHT OF WAY LINE OF OWASSA ROAD RECORDED IN DOC # 1586046 O.R.; THENCE S 81°31'19" E, WITH SAID SOUTH RIGHT OF WAY, A DISTANCE OF 40.00' TO A 1/2" ROD WITH RED CAP SET FOR THE NORTHWEST CORNER OF THIS TRACT OF LAND AND THE POINT OF BEGINNING;

THENCE S 81°31'18" E, WITH THE SOUTH RIGHT OF WAY LINE OF SAID OWASSA ROAD, A DISTANCE OF 441.49' TO A 1/2" ROD WITH RED CAP SET FOR A CORNER OF THIS TRACT OF LAND;

THENCE S 84°03'03" E, CONTINUING WITH SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 333.02' TO A 1/2" ROD WITH RED CAP SET FOR A CORNER OF THIS TRACT OF LAND;

THENCE S 81°31'19" E, WITH THE SOUTH RIGHT OF WAY LINE OF SAID OWASSA ROAD, A DISTANCE OF 161.26' TO A 1/2" ROD WITH RED CAP SET FOR A CORNER OF THIS TRACT OF LAND;

THENCE S 35°14'04" E, WITH A RIGHT OF WAY CLIP A DISTANCE OF 69.46' TO A 1/2" ROD WITH RED CAP SET AT THE WEST RIGHT OF WAY LINE OF I-69C FRONTAGE ROAD RECORDED IN VOLUME 1469 PAGE 641, DEED RECORDS FOR A CORNER OF THIS TRACT OF LAND;

THENCE WITH SAID WEST RIGHT OF WAY LINE, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 2864.55', A DELTA ANGLE OF 02°54'28" AND AN ARC LENGTH OF 145.38' TO A 1/2" ROD WITH RED CAP SET FOR A CORNER OF THIS TRACT OF LAND;

THENCE S 08°28'49" W, CONTINUING WITH SAID WEST RIGHT OF WAY, A DISTANCE OF 287.74' TO A 1/2" ROD WITH RED CAP SET AT THE SOUTH LINE OF LOT 76, SAME BEING THE NORTH LINE OF MOBILE CITY SUBDIVISION (VOL. 35 PG 89B M.R.) FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND;

THENCE N 81°31'19" W, WITH SAID SOUTH LINE OF LOT 76, AND NORTH LINE OF MOBILE CITY SUBDIVISION, A DISTANCE OF 979.74' TO A 1/2" ROD WITH RED CAP SET AT THE EAST LINE OF THE WEST 40.00' OF SAID LOT 76 CLAIMED BY H.C.I.D. NO. 2 IN VOLUME 26 PAGE 203 DEED RECORDS FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE N 08°28'42" E, WITH SAID EAST LINE, A DISTANCE OF 468.40' TO THE POINT OF BEGINNING, CONTAINING 10.64 ACRES OF LAND, MORE OR LESS.



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

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