

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. May 22, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, May 22, 2023 and following is the record of attendance.

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

ABSENT: Luis Madrigal Romeo Robles

STAFF PRESENT: Kimberly Mendoza, Director of Development Services
 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. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

ITEM B. PUBLIC TESTIMONY

One individual signed up to speak but was not present.

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR MAY 8, 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) MARCIAL SANCHEZ, REPRESENTING OLD TEXAS BRICK LLC., HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW THE OUTSIDE STORAGE OF MATERIALS AND/OR EQUIPMENT. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.83 ACRES, MORE OR LESS, OUT OF LOT 175, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 901 WEST STATE AVENUE. CUP#230495**

Laura Fonseca, Planner I, introduced the item and stated Marcial Sanchez, representing Old Texas Brick LLC., was requesting a Conditional Use Permit to allow the outside storage of materials and/or equipment in a Heavy Commercial District (H-C) and General Business District (C). She went over the property's legal description and physical address and stated the property was currently zoned Heavy Commercial District (H-C) and General Business District (C). The surrounding area was zoned General Business District (C) to the west, east, south and a portion of the north and Single-Family Residential Small Lot District (R-1A) to the north. She further stated the area was generally designated for commercial use in the Land Use Plan.

Laura Fonseca, Planner I, reported Fire Department, Code Compliance and Development Services Department had conducted their inspections for Conditional Use Permit and were recommending approval. She stated forty-six (46) surrounding property owners were notified of the request by letter on May 12, 2023 and a legal notice was published in the Advance News Journal on May 10, 2023. Staff received (2) phone calls for information.

Laura Fonseca, Planner I, stated staff recommended approval of the Conditional Use Permit to allow the outside storage of materials and/or equipment in a Heavy Commercial District (H-C) and General Business District (C). 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.

Board member Charlie Ramirez questioned business expanding to property next door. Chairman, Danny Wylie, responded it would be change of owners.

Laura Fonseca, Planner I, briefly stated it would be change of ownership.

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

There being no discussion, Jonathan Larraga moved to approve the request of the Conditional Use Permit to allow the outside storage of materials and/or equipment re-zone from Heavy Commercial District (H-C) and General Business District (C). Rafael Munguia seconded the motion and when put to vote, it carried unanimously.

2) IRASEMA ALMAZAN, REPRESENTING MARTIN ALMAZAN AND IRASEMA SALINAS, OWNER (S), FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM OFFICE AND PROFESSIONAL DISTRICT (O-P) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 45, SING'S SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 2621 SOUTH GARDENIA STREET. COZ#230498

Laura Fonseca, Planner I, introduced the item and stated Irasema Almazan, representing Martin Almazan and Irasema Salinas, owner (s), had filed with the Planning and Zoning Commission a request for a Change of Zone from Office and Professional District (O-P) to General Business District (C) to develop and construct a commercial plaza. She went over the property's legal description and physical address and stated the property was located at the southeast corner of West Hall Acres Road and South Gardenia Street and had the physical address of 2621 South Gardenia Street and stated the property fronts South Gardenia Street, a 70 ft. minor collector street which runs north and south and West Hall Acres Road, an 80 ft. major collector which runs east and west both with a posted speed limit of 30 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

Laura Fonseca, Planner I, stated the property was currently zoned Office and Professional District (O-P) and the property was rezoned from Single-Family Residential District (R-1) to Office and Professional District (O-P) on February 18, 2018. She further stated the properties to the south and east were rezoned from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) on February 21, 1995, when the city amended the ordinance on March 30, 1982, adopting the current zoning ordinance. She further stated a portion of the property to the north was rezoned from Agricultural and/or Open Space District (A-O) to High Density Multi-Family Residential District (R-4) on March 2, 2004 and the remaining portion to the north was rezoned from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) on October 07, 2003. She also stated the property to the west was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on September 19, 2006 and there have been no other zoning requests within the general vicinity of the subject property since that time. She reported the property was generally designated for single-family residential use in the Land Use Plan.

Laura Fonseca, Planner I, further stated the owner was requesting to rezone the property to General Business District (C) to develop and construct a commercial plaza for uses such as a coffee shop, daycare, and mini school for after school children. She briefly

stated the 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 stated larger shopping centers and most existing commercial strips along major arterials would be included in the district. She reported the noise, traffic, litter, late-night hours, and possible blighting influences require adequate buffering from residential areas, and the traffic from such uses should not pass-through residential areas, except on arterials or major collectors.

Laura Fonseca, Planner I, reported eighteen (18) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on May 12, 2023, and a legal notice was published in the Advance News Journal on May 10, 2023. Staff received four (4) calls for information.

Laura Fonseca, Planner I, stated staff recommended approval of the request to re-zone from Office and Professional District (O-P) to General Business District (C) as the property met area requirements, had adequate ingress and egress and will be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if there was representation. Ms. Fonseca stated there was representation.

Irasema Almazan, applicant, briefly stated a couple of neighbors were inquiring about a traffic light at intersection of Gardenia Street and Hall Acres Road.

Kimberly Mendoza, Director of Development Services, stated a couple of owners were concerned and met with the Engineering department to discuss traffic issues.

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.

Board member, Rafael Munguia, asked staff why Office Professional District (O-P) to General Business District (C) was less restrictive or more restrictive.

Kimberly Mendoza, Director of Development Services, briefly explained this would be a rezoning higher intense commercial as applicant was proposing a daycare, coffee shop, and other children related activities.

There being no further discussion, Jonathan Larraga **moved** to approve the request to re-zone from Office and Professional District (O-P) to General Business District (C). Charlie Ramirez seconded the motion and when put to vote, it carried unanimously.

3) RICARDO RAMOS, REPRESENTING INTERNATIONAL DEVELOPMENT PROPERTIES, LLC., HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM LIMITED INDUSTRIAL DISTRICT (L-I) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 2, NOLANA HAMPTON SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 308 WEST NOLANA LOOP. COZ#230499

Laura Fonseca, Planner I, introduced the item and stated Ricardo Ramos, representing International Development Properties, LLC., was requesting a Change of Zone from Limited Industrial District (L-I) to General Business District (C) to comply with the minimum lot area requirements for the property. She stated a proposed replat by the name of Lots 2A & 2B, Nolana Hampton, was also on the same agenda for consideration by the Board and went over the property's legal description and physical address. She further stated the property fronts West Nolana Loop, a 120 ft. - 150 ft. principal arterial street which runs east and west with a posted speed limit of 40 to 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

Laura Fonseca, Planner I, stated the property and properties to the east, west, and south were zoned Limited Industrial District (L-I), when the city amended the ordinance on March 30, 1982, adopting the current zoning ordinance we use today. She stated there were no other zoning requests within the general vicinity of the subject property since that time and the property was generally designated for industrial use in the Land Use Plan.

Laura Fonseca, Planner I, further stated the 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 explained 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 require adequate buffering from residential areas, and the traffic from such uses should not pass-through residential areas, except on arterials or major collectors.

Laura Fonseca, Planner I, also reported fourteen (14) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on May 12, 2023, and a legal notice was published in the Advance News Journal on May 10, 2023. Staff received one response to the letters or the legal notice.

Laura Fonseca, Planner I, stated staff recommended approval of the request to re-zone from Limited Industrial District (L-I) to General Business District (C) as the property met area requirements and had adequate ingress and egress and will 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.

Ricardo Ramos, Project Engineer, briefly stated he agreed with staff's recommendation to approve the item.

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, Rafael Munguia **moved** to approve the request to re-zone from Limited Industrial District (L-I) to General Business District (C). Charlie Ramirez seconded the motion and when put to vote, it carried unanimously.

ITEM E. PLATS:

1) DO-RITE ENGINEERING, LLC. REPRESENTING PATRICK STARNES, OWNER AND MANAGER OF INTERNATIONAL DEVELOPMENT PROPERTIES, LLC. IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED LOTS 2A & 2B, REPLAT OF LOT 2, NOLANA HAMPTON SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.01 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 2, NOLANA HAMPTON SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. SUB#230414

Kimberly Mendoza, Director of Development Services, introduced the item and stated DO-RITE Engineering, LLC. representing Patrick Starnes Owner/Manager of International Development Properties, LLC. was requesting preliminary and final plat approval of the proposed Lots 2A & 2B, Replat of Lot 2, Nolana Hampton Subdivision. She went over the property's legal description and stated the property was located at 308 west Nolana Loop. She further stated the property was currently zoned Limited Industrial District (L-I) and the rezoning request from Limited Industrial District (L-I) to General Business District (C) was also on the same agenda for consideration by the Board. The adjacent zoning was Limited Industrial District (L-I) in all directions and the property was designated for industrial use in the Land Use Plan and was zoned for Commercial.

Kimberly Mendoza, Director of Development Services, stated staff recommended preliminary and final plat approval of the proposed Lots 2A & 2B, Replat of Lot 2, Nolana Hampton Subdivision subject to the following conditions as noted in the packet.

There being no discussion, Guadalupe Cano **moved** to approve the request for preliminary and final plat approval of the proposed Lots 2A & 2B, Replat of Lot 2, Nolana Hampton Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

2) MELDEN & HUNT INC., REPRESENTING WILLIAM R. STEELE, PRESIDENT FOR CHILDREN'S HAVEN INTERNATIONAL INC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED PHARR BESS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 5.376 ACRE TRACT OF LAND OUT OF CHILDREN'S HAVEN SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED AT 400 EAST MINNESOTA ROAD. SUB#230415

Kimberly Mendoza, Director of Development Services, introduced the item and stated Melden & Hunt Inc., representing William R. Steele, President for Children's Haven International Inc., was requesting preliminary plat approval of the proposed Pharr Bess Subdivision. She went over the property's legal description and stated the property was located at 400 East Minnesota Road. She further stated the property was currently zoned Limited Industrial District (L-I) and Agricultural and/or Open Space District (A-O) and the adjacent zones were Single Family Residential District (R-1) to the north, and east, and Limited Industrial District (L-I) also to the north, west and south. The property was designated for single family residential use in the Land Use Plan and was zoned and proposed for Battery Energy Storage System on proposed Lot 1 (BESS) and Children's Haven International on proposed Lot 2.

Kimberly Mendoza, Director of Development Services, stated staff recommended preliminary plat approval of the proposed Pharr Bess Subdivision subject to the following conditions as noted in the packet.

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

3) PABLO SOTO, P.E., REPRESENTING JAIME ARREOLA, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MASTER PLAN OF LOS PAVORREALES SUBDIVISION. 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 IS LOCATED AT 600 WEST HABITAT CIRCLE. SUB#230416

Kimberly Mendoza, Director of Development Services, introduced the item and stated Pablo Soto, P.E., representing Jaime Arreola, was requesting preliminary plat approval of the proposed Master Plan of Los Pavorreales Subdivision. She went over the property's legally described and stated the property was located at 600 West Habitat Circle. She further stated the property was currently zoned General Business District (C) and the adjacent zones were Single Family Residential District (R-1) to the north, east and south, and Agricultural and/or Open Space District (A-O) to the west. She stated the property was designated for single family residential use in the Land Use Plan and was

zoned for an Event Center (Lot 1, Phase I) and Multifamily Residential (Lots 1 & 2, Phase II).

Kimberly Mendoza, Director of Development Services, stated staff recommended preliminary plat approval of the proposed Master Plan Los Pavorreales Subdivision subject to the conditions as noted in the packet.

There being no discussion, Andy Castro moved to approve the request for preliminary plat approval of the proposed Master Plan Los Pavorreales 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

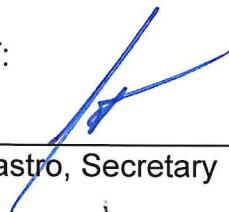
There being no further business, Andy Castro moved to adjourn. Charlie Ramirez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:22 p.m.

PLANNING & ZONING COMMISSION



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: June 12, 2023