

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

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

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

ABSENT: Jonathan Larraga Romeo Robles
 Luis Madrigal

STAFF PRESENT: Kimberly Mendoza, Director of Development Services
 Ricardo Rodriguez Jr., Asst. City Attorney
 Joe Garza, Asst. Director of Development Services
 Daniel Garza, Planner III
 Eddie Martinez, Planner II
 Laura Fonseca, Planner I

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 6:01 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

Daniel Garza, Planner III, stated there was no one signed up to speak.

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR JUNE 26, 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) GUILLERMO FLORES IBARRA, REPRESENTING RUTH IDALIA SALINAS PRADO, 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 2.85 ACRES, MORE OR LESS, OUT OF LOT 252, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3310 SOUTH CAGE BOULEVARD. COZ#230605**

Laura Fonseca, Planner I, introduced the item and stated Guillermo Flores Ibarra, representing Ruth Idalia Salinas Prado, owner, had filed a request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C) to develop and construct commercial uses on the property. She went over the property's legal description and physical address and stated the property was located on the southwest corner of West Javelina Drive and South Cage Boulevard. She stated the property fronts South Cage Boulevard, 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.

Laura Fonseca, Planner I, briefly stated the property and the property to the west were zoned Agricultural and/or Open Space District (A-O) upon annexation on June 7, 1983. She further stated the property to the north was zoned Agricultural and/or Open Space District (A-O) upon annexation on May 4, 1976 and the properties to the south were rezoned from Agricultural and/or Open Space District (A-O) on May 20, 2003. Ms. Fonseca further reported the property to the east was rezoned from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) on June 12, 2023 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 and single-family 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 six (6) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on June 23, 2023, and a legal notice was published in the Advance News Journal on June 20, 2023. Staff received no response to the letters or the legal notice.

Lastly, Laura Fonseca, Planner I, stated staff recommended approval of the request to re-zone 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. Guillermo Flores Ibarra, representative for owner, Ruth Idalia Salinas Prado, stated they would like to be established in the City of Pharr and briefly stated the locations would consist of offices, garage for vehicles, food trucks, family gathering locations, suites, and a shop to provide maintenance.

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.

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

- 2) IRADIER ADAN HERNANDEZ, REPRESENTING HDZ HOLDINGS, LLC., HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS 5.275 ACRES, MORE OR LESS, OUT OF LOT 129, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3155 NORTH VETERANS BOULEVARD. COZ#230606**

Laura Fonseca, Planner I, introduced the item and stated Iradier Adan Hernandez, representing HDZ Holdings, LLC., had filed a request for a change of zone from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF) to construct a 16 lot multi-family residential subdivision. 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 830 feet north of East Sioux Road and had a physical address of 3155 North Veterans Boulevard. She stated the property fronts North Veterans Boulevard, a 100-foot minor arterial which runs north and south with a posted speed limit of 30 to 45 miles per hour or less as identified on in the City of Pharr's Thoroughfare Plan.

Laura Fonseca, Planner I, stated the property and the property to the south were zoned Single-Family Residential (R-1) upon annexation on June 29, 1990. She further stated city limits lie to the east side of the property and there have been no other zoning requests within the general vicinity of the subject property since that time. Ms. Fonseca reported the property was generally designated for mobile home use in the Land Use Plan.

Laura Fonseca, Planner I, explained Residential Multi-Family District was established to provide adequate space and site diversification for low to medium density residential development where adequate streets and other community facilities were available for present and future needs. She further stated the district was established for duplex-fourplex development as low to medium-density use, and additional requirements for streets, water and fire protection, wastewater, drainage, and adequate open space shall be met before zoning to such use. She briefly explained this was established to protect residential areas as far as possible against heavy traffic and zoned to promote the most desirable use of land and direction of building development not in conflict with the city's comprehensive plan. She reported seventeen (17) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on June 23, 2023, and a legal notice was published in the Advance News Journal on June 20, 2023. Staff received no response to the letters or the legal notice.

Laura Fonseca, Planner I, further stated staff recommended denial of the request to re-zone from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF) as the proposed use was not compatible with existing zoning uses in the area. She stated the development trend along North Veterans Boulevard was mostly single-family residential and commercial uses.

Chairman, Danny Wylie, asked if applicant had any comments. Rafael Mendoza, representing the applicant, approached the podium and cited goals and objectives from the City's Comprehensive Plan, particularly land use, development regulations and diverse housing types within the city. He also stated the project would consist of a high-end, gated multifamily community with 16 lots.

Hector Moreno, from M2 Engineering was also present on behalf of Hernandez holdings. He briefly stated the proposed project was a good fit along the North Veterans Boulevard thoroughfare and reiterated a 16-lot multifamily, gated development was proposed and prepared a feasibility plan. He requested the rezoning be approved since they felt it was a good fit along the thoroughfare.

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, Chairman Danny Wylie stated they would go into 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 HERBY 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 IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 6:22 p.m., Chairman Danny 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 6:43 p.m., Chairman Danny Wylie stated the commission would be resuming the open meeting.

- 2) **IRADIER ADAN HERNANDEZ, REPRESENTING HDZ HOLDINGS, LLC., HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS 5.275 ACRES, MORE OR LESS, OUT OF LOT 129, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3155 NORTH VETERANS BOULEVARD. COZ#230606**

Chairman Danny Wylie reintroduced the item.

There being no discussion, Rafael Munguia **moved** to approve the request to rezone from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF). Charlie Ramirez seconded the motion and when put to vote, it carried by a majority vote of five (5) ayes and one (1) nay. Chairman Danny Wylie voted against.

ITEM E. PLATS:

- 1) **R.E. GARCIA AND ASSOCIATES, REPRESENTING JENE BYROM AND JONATHAN BYROM, OWNERS, ARE REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED RANCHO BLANCO SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.83 ACRE TRACT OF LAND BEING A PORTION OF LOT 249, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 900 BLOCK OF WEST JAVELINA DRIVE. SUB#221240**

Eddie Martinez, Planner II, introduced the item and went over the property's legal description. He stated the property was located within the 900 block of West Javelina Drive and was currently zoned Single-Family Residential District (R-1). He further stated the adjacent zones were Agricultural Open Space District (A-O) and City limits to the north, City limits to the south, Agricultural Open Space District (A-O) and City limits to the east and Agricultural Open Space District (A-O) to the west. He stated the property was designated for single family residential use in the Land Use Plan and was zoned residential lot.

Eddie Martinez, Planner II, stated staff recommended final plat approval of the proposed Rancho Blanco Estates Subdivision subject to the conditions noted in the packet.

There being no discussion, Andy Castro moved to approve the request for final plat approval of the proposed Rancho Blanco Estates Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) RIO DELTA ENGINEERING, REPRESENTING JOSEPH HOLAND, OWNER, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED JUST A CLOSET #7 SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 22.88 ACRE TRACT OF LAND, MORE OR LESS, SAME BEING OUT OF THE SOUTH 24.19 ACRES OF LOT 5, BLOCK 4, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 3800 BLOCK OF NORTH JACKSON ROAD. SUB#210722**

Eddie Martinez, Planner II, introduced the item and went over the property's legal description. He stated the property was located within the 3800 block of North Jackson Road and was currently zoned General Business District (C). He further stated the adjacent zones were General Business District (C) and Residential Multi-Family High Density District (R-MFHD) to the north, Agricultural Open Space District (A-O) to the east, General Business District (C) and Single-Family Residential District (R-1) to the south and City limits to the west. He stated the property was designated for commercial and single family residential use in the Land Use Plan and was zoned for retail/storages.

Eddie Martinez, Planner II, stated staff recommended final plat approval of the proposed Just A Closet #7 Subdivision subject to the following conditions as noted in the packet.

There being no discussion, Charlie Ramirez moved to approve the request for final plat approval of the proposed Just A Closet #7 Subdivision. Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

None

ITEM I. ADJOURNMENT

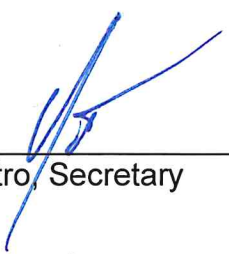
There being no further business, Guadalupe Cano moved to adjourn. Charlie Ramirez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:49 p.m.

PLANNING & ZONING COMMISSION



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: July 24, 2023