

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. October 23, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, October 23, 2023, and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Ruben Luna
 Charlie Ramirez Mercedes Guillen
 Rafael Munguia Andy Castro

ABSENT: Jonathan Larraga Romeo Robles
 Guadalupe Cano

STAFF PRESENT: Ricardo Rodriguez, City Attorney
 David Friedlein, Assistant City Manager
 Joe Garza, Asst. Director of Development Services
 Eddie Martinez, Planner III
 Joanna Villarreal, Planner I
 Nancy Hernandez, Secretary

ITEM A. CALL TO ORDER

1) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER

Chairman, Danny Wylie, called the meeting to order at 6:00 p.m. Roll call established a quorum.

Charlie Ramirez moved to excuse the absent members. Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

ITEM B. PUBLIC TESTIMONY

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

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR OCTOBER 9, 2023

Chairman, Danny Wylie, introduced the item.

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

ITEM D. PUBLIC HEARING:

- 1) **J & R ENGINEERING, REPRESENTING CARILLO PROPERTIES I, LTD., 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 1.96 ACRES, MORE OR LESS OUT OF LOT 245, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 3210 SOUTH CAGE BOULEVARD. COZ#230923**

Joe Garza, Assistant Director of Development Services, introduced the item and stated J & R Engineering, representing Carillo Properties I, LTD., owner, was requesting a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C) for commercial use. He went over the property's legal description and physical address and stated the property was located on the northwest corner of South Cage Boulevard and West Javelina Drive and property fronts South Cage Boulevard, a 120 ft.-150 ft. principal arterial street which runs north and south with a posted speed limit of 40-55 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

Joe Garza, Assistant Director of Development Services, stated the property and properties to the east and west were zoned Agricultural and/or Open Space District (A-O) upon annexation on May 4, 1976. He further stated the property to the north was zoned General Business District (C) upon annexation on May 4, 1976 and the property to the south was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on July 17, 2023. He briefly stated 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 use in the Land Use Plan.

Joe Garza, Assistant Director of Development Services, briefly explained 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. Mr. Garza stated larger shopping centers and most types of commercial strips along major arterials would be included in the district. He added 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.

Joe Garza, Assistant Director of Development Services, further reported thirteen (13) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on October 6, 2023, and a legal notice was published in the Advance News Journal on October 4, 2023. Staff received one (1) response to the letters or the legal notice for information only.

Lastly, Joe Garza, Assistant Director of Development Services, 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 requirements.

Chairman, Danny Wylie, asked if applicant had any comments. Roberto Salinas had no comments.

There being no discussion, Charlie Ramirez 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) J & R ENGINEERING, REPRESENTING CARILLO PROPERTIES I, LTD., 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 4.66 ACRES, MORE OR LESS, OUT OF LOT 245, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 100 WEST JAVELINA DRIVE. COZ#230924**

Joe Garza, Assistant Director of Development Services, introduced the item and stated J & R Engineering, representing Carillo Properties I, LTD., owner, was requesting a change of zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) for single family lots. He went over the property's legal description and physical address and stated the property was located on the north side of West Javelina Drive, approximately 300 ft. west of south Cage Boulevard and property fronts west Javelina Drive, a 70 ft. minor collector street which runs east and west with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

Joe Garza, Assistant Director of Development Services, stated the property and properties to the east and south were zoned Agricultural and/or Open Space District (A-O) upon annexation on June 7, 1983. He further stated the property to the north was rezoned Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) on July 3, 1988. He briefly stated the property to the west was rezoned from Agricultural and/or Open Space District (A-O) on November 18, 2013 and 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 single family use in the Land Use Plan.

Joe Garza, Assistant Director of Development Services, briefly explained the Single-Family Residential District (R-1) was intended to be composed of single-family

dwelling together with public, denominational, and private schools, churches, and public parks essential to create basic neighborhood units. He further stated areas zoned for the use shall have water, wastewater, drainage, and access to paved streets based on single-family usage. Mr. Garza stated it 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.

Joe Garza, Assistant Director of Development Services, further reported twenty-four (24) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on October 6, 2023, and a legal notice was published in the Advance News Journal on October 4, 2023. Staff received two (2) responses to the letters or the legal notice for information only.

Lastly, Joe Garza, Assistant Director of Development Services, 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. Applicant had no comments.

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

3) 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 SINGLE – FAMILY RESIDENTIAL DISTRICT (R-1) TO RESIDENTIAL MOBILE HOME DISTRICT (R-MH). 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 IS PHYSICALLY LOCATED AT 2400 NORTH VETERANS BOULEVARD. COZ#230925

Joe Garza, Assistant Director of Development Services, introduced the item and stated Pablo Soto Jr., representing Pablo Quintanilla Salinas and Claribel Salinas, owners, were requesting a change of zone from Single-Family Residential District (R-1) to Residential Mobile Home District (R-MH) to move a mobile home onto the property. He 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 ft. north of East Ferguson Avenue and property fronts North Veterans Boulevard, a 100 ft. 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.

Joe Garza, Assistant Director of Development Services, stated the property was rezoned from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) on August 21, 2023. He further stated the property to the west was zoned Agricultural and/or Open Space District (A-O) upon annexation on December 19, 1972, and the property to the north was zoned Residential Mobile Home District (R-MH) upon annexation on December 19, 1972. He briefly stated 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. Lastly, he stated property was generally designated for right-of-way uses in the Land Use Plan.

Joe Garza, Assistant Director of Development Services, briefly explained the Residential Mobile Home District (R-MH) was established to provide adequate space and site diversification for mobile home parks as a viable alternative to the typical single-family residence. Mr. Garza stated Mobile home developments were of low-to medium-density use and had the same additional requirements for streets, water, fire protection, wastewater, drainage, and open space shall be met before zoning to such use.

Joe Garza, Assistant Director of Development Services, reported twenty (20) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on October 6, 2023, and a legal notice was published in the Advance News Journal on October 4, 2023. Staff received one (1) response in opposition to the letters or the legal notice.

Lastly, Joe Garza, Assistant Director of Development Services, stated staff recommended approval of the request to re-zone from Single-Family Residential District (R-1) to Residential Mobile Home District (R-MH) 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 requirements.

Chairman, Danny Wylie, asked if applicant had any comments. Mr. Pablo Soto had no comments.

Board member Rafael Munguia asked if the property would be single family residence. Joe Garza, Assistant Director of Development Services, briefly stated the property was Residential Mobile Home District.

There being no discussion, Rafael Munguia **moved** to approve the request to rezone from Single-Family Residential District (R-1) to Residential Mobile Home District (R-MH). Ruben Luna seconded the motion and when put to vote, it carried unanimously.

ITEM E. PLATS:

- 1) **M2 ENGINEERING, PLLC., REPRESENTING JORGE A. ANDRADE, MANAGER FOR BLUE-MAN INVESTMENTS, LLC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED BLUE-MAN ACRES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 17.425 ACRES OUT OF LOTS 6 AND 7, RE-SUBDIVISION OF CLOSER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 10200 BLOCK OF SOUTH VETERANS BOULEVARD. SUB#230204**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 10200 block of South Veterans Boulevard and was currently zoned Limited Industrial District (L-I). The adjacent properties were zoned Agricultural Open/Space District (A-O) to the north and city limits to the east and south and Single-Family Residential District (R-1) and Agricultural and/or Open Space District (A-O) to the west. He further stated the property was designated for industrial use in the Land Use Plan and the property was proposed use for a truck business.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Blue-Man Acres Subdivision subject to the conditions noted in the packet.

There being no discussion, Rafael Munguia **moved** to approve the request for preliminary plat approval of the proposed Blue-Man Acres Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) **PABLO SOTO JR., P.E. REPRESENTING ASHLEY ANETTE PEREZ AND HUSBAND, DIEGO ARMANDO TORRES, OWNERS ARE REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED DIEGO TORRES ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.96 ACRE TRACT OF LAND, OUT OF LOT 5, BLOCK 11, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1400 BLOCK OF WEST GREG DRIVE. SUB#220725**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 1400 Block of West Greg Drive and was currently zoned Single-Family Residential District (R-1). The adjacent zones were zoned Single-Family Residential District (R-1) to the north, south, east, and west. He further stated the property was designated for single family residential use in the Land Use Plan and the property's proposed use for single family homes.

Eddie Martinez, Planner III, stated staff recommended final plat approval of the proposed Diego Torres 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 Diego Torres Estates Subdivision. Ruben Luna seconded the motion and when put to a vote, it carried unanimously.

- 3) TREVINO ENGINEERING, REPRESENTING ALBERTO GARZA, OWNER IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED SAM HOUSTON SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.510 OF AN ACRE, TRACT OF LAND, MORE OR LESS, OUT OF LOT 1, 2 AND 3, BLOCK 1 SOUTH SIDE ADDITION SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 100 BLOCK OF EAST SAM HOUSTON AVENUE. SUB#220306**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 100 Block of East Sam Houston Avenue and was currently zoned Residential Multi-Family District (R-MF). The adjacent zones were zoned Single-Family Residential District (R-1) to the north and south, Office and Professional District (O-P) to the east and General Business District (C) to the west. He further stated the property was designated for single family residential use in the Land Use Plan and the property's proposed use was for apartments.

Eddie Martinez, Planner III, stated staff recommended final plat approval of the proposed Sam Houston Cage Subdivision subject to the conditions noted in the packet.

There being no discussion, Ruben Luna moved to approve the request for final plat approval of the proposed Sam Houston Cage Subdivision. Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

- 4) S2 ENGINEERING, PLLC., REPRESENTING CARLOS GOMEZ, MANAGER FOR GOMEZ GROUP, LLC., IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED BIG D INDUSTRIAL PARK SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 8.635 ACRE TRACT OF LAND AND A PART OR PORTION OF LOT 98, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 700 BLOCK OF EAST NOLANA LOOP (FM 3461). SUB#221036**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 700 Block of East Nolana Loop (FM 3461) and was currently zoned Heavy Commercial District (H-C). The adjacent zones were zoned Single-Family Residential District (R-1) to the north, Heavy Commercial District (H-C) to the south, General Business District (C) to the east and Agricultural Open Space District (A-O) to the west. He further stated the property was designated for multi-family residential use in the Land Use Plan and the property's proposed use was rental equipment for construction.

Eddie Martinez, Planner III, stated staff recommended final plat approval of the proposed Big D Industrial Parks Subdivision subject to the conditions noted in the packet.

Chairman, Danny Wylie, questioned if there was going to be a buffer. Eddie Martinez, Planner III, stated a buffer would be on the back and the west side.

Board member Charlie Ramirez questioned access to the property. Eddie Martinez, Planner III, stated common access would be through Nolana and J.C. Brown Subdivision #2.

There being further no discussion, Rafael Munguia **moved** to approve the request for final plat approval of the proposed Big D Industrial Parks Subdivision. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

None

ITEM G. CLOSED SESSION

None

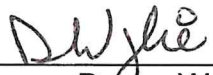
ITEM H. RECONVENE:

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: November 13, 2023