

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. July 25, 2022 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, July 25, 2022 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Rafael Munguia
 Jonathan Larraga Romeo Robles
 Andy Castro Guadalupe Cano

ABSENT: Luis Madrigal Charlie Ramirez

OTHERS PRESENT: See attached list

STAFF PRESENT: Kimberly Mendoza, Director
 Roy Rodriguez, Asst. Director
 Patricia Rigney, City Attorney
 Eddie Martinez, Planner II
 Anaïsa Licerio, Planner II
 Laura Fonseca, Planner I
 Iris Mata, Administrative Assistant

ITEM A. CALL TO ORDER

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

Jonathan Larraga moved to excuse the absent members. Rafael Munguia seconded the motion and when put to a vote it carried unanimously.

ITEM B. PUBLIC TESTIMONY

None.

ITEM C. APPROVAL OF MINUTES

1) MINUTES OF JULY 11, 2022

Chairman, Danny Wylie, introduced the item.

There being no discussion Rafael Munguia moved to approve the minutes of July 11, 2022. Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) TEJAS BAR HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A BUSINESS DISTRICT (C-2). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.05 ACRES, MORE OR LESS, OUT OF LOTS 13 THRU 16 AND A PORTION OF LOT 12, BLOCK 32, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 410 WEST STATE AVENUE, SUITE D. CUP#220634**

Anaisa Licerio, Planner II, introduced the item and stated the property is currently zoned Business District (C-2). The surrounding area is zoned General Business District (C) to the south and west, Business District (C-2) to the east and Single-Family Residential District (R-1) to the north. This area is generally designated for commercial in the Land Use Plan. She further reported thirty-four (34) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters and the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended approval the request for Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). 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. Mr. Wylie opened the item for discussion.

There being no discussion Jonathan Larraga moved to approve the request of the Life-of-the-Use Conditional Use Permit to allow a church in a Single-Family Residential District (R-1). Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

- 2) LISANDRO ESPINOZA, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM NEIGHBORHOOD COMMERCIAL DISTRICT (N-C) TO SINGLE FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING .48 ACRES, MORE OR LESS, OUT OF LOT 175, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 220 NORTH SUGAR ROAD. COZ#220635**

Anaisa Licerio, Planner II, stated the item was withdrawn and no action was needed.

- 3) **M & S ESTATE LTD., OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) TO HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, FOX SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 1527 SOUTH JACKSON ROAD. COZ#220636**

Anaisa Licerio, Planner II, introduced the item and stated the property is currently zoned General Business District (C). The subject property and the properties to the north, east and south were annexed on November 18, 1986. The subject property was rezoned to General Business District (C) on June 17, 2019. A portion of the properties to the north was rezoned to General Business District (C) and the remaining portion was rezoned to Residential Multi-Family High Density District (R-MFHD) on April 21, 2015. The City Limits lie to the west. There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for commercial and single-family use in the Land Use Plan. She further reported sixteen (16) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended approval of the request to re-zone from General Business District (C) to Heavy Commercial District (H-C) as the property meets area requirements, has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak.

Iris Mata, Administrative Assistant, stated there was one (1) individual signed up to speak, Cheri Zarzecki.

Cheri Zarzecki, residing at 1601 S. Jackson, stated her property was adjacent to the property and did not believe this was in the best interest of the surrounding area. Ms. Zarzecki continued to state the heavy equipment could be detrimental to the traffic on Jackson Road. She reported instances of loading and unloading on Jackson Road and stated this would not be in the best interest of the businesses in the area. Ms. Zarzecki continued to state her disapproval due to the noise, dust, and trash that affected her property due to no fence.

Mr. Wylie closed the public hearing and opened the items for discussion.

Jonathan Larraga requested the item be discussed in Executive Session.

ITEM F. 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 IN ACCORDANCE WITH THE FOLLOWING BELOW

The time being 6:09 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 G. RECONVENE:

The time being 6:24 p.m., Chairman, Danny Wylie, stated the commission would be resuming the open meeting.

There being no further discussion Rafael Mungia moved to approve the request to re-zone from General Business District (C) to Heavy Commercial District (H-C). Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

None.

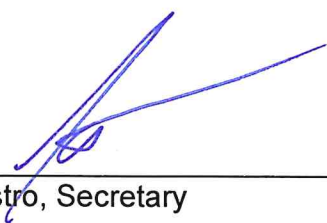
ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

None.

ITEM I. ADJOURNMENT

There being no further business Romeo Robles moved to adjourn. Charlie Ramirez second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:25 p.m.

ATTEST:



Andy Castro, Secretary



Chairman, Danny Wylie

APPROVED: August 8, 2022