

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. February 13, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, February 13, 2023 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Rafael Munguia
 Charlie Ramirez Guadalupe Cano

ABSENT: Jonathan Larraga Luis Madrigal
 Romeo Robles Andy Castro

STAFF PRESENT: Kimberly Mendoza, Director of Development Services
 Anaisa Licerio, Planner II
 Laura Fonseca, Planner I
 Eddie Martinez, Planner II
 Joanna Villarreal, Secretary
 Roy Rodriguez, Assistant Director Building and Code

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

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

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

ITEM C. APPROVAL OF MINUTES

1) APPROVAL OF MINUTES FOR JANUARY 23, 2023

Chairman, Danny Wylie, introduced the item.

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

ITEM D. PUBLIC HEARING:

- 1) MA. DEL ROSARIO R. ORNELAS, D/B/A AIMEE'S BEAUTY SALON AND BARBER SHOP, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A BEAUTY SALON IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 117, CROWN POINT ESTATES SUBDIVISION PHASE 2, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3806 NORTH SILVER LANE. CUP#230152**

Anaisa Licerio, Planner II, introduced the item and stated Ma. Del Rosario R. Ornelas, d/b/a Aimee's Beauty Salon and Barber Shop, had requested a Conditional Use Permit to allow a beauty salon in a Single-Family Residential District (R-1). She stated the property was legally described as being Lot 117, Crown Point Estates Subdivision Phase 2, Pharr, Hidalgo County, Texas and the property's physical address was 3806 North Silver Lane.

Anaisa Licerio, Planner II, further stated the property was currently zoned Single Family Residential District (R-1) and the surrounding area was zoned Single Family Residential District (R-1) to the north, south and west and Limited Industrial District (L-I) to the east. She stated the area was generally designated for Single Family Residential Use in the Land Use Plan and the hours of operation would be by appointment only from 9:00 a.m. to 7:00 p.m. Monday through Sunday. She added thirty-nine (39) letters were mailed out to surrounding property owners within a 300-foot radius on January 27, 2023, and a legal notice was published on the Advance News Journal on January 25, 2023. Staff received one response in opposition to the request.

Anaisa Licerio, Planner II, went over conditions and stated the home occupation shall be limited to a certain area of the home and customers should be taken by appointment only with one customer at a time in the beauty salon. She further stated 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. Additionally, there shall be no exterior display or alterations indicating that the building was being used for any purpose other than of a dwelling and the Conditional Use Permit shall be issued for a period of one (1) year. She also stated it shall be the owner's responsibility to apply for renewal 30 days before its expiration date and any request to revise, alter or amend the conditions or requirements shall require the applicant to reapply for a new Conditional Use Permit.

Anaisa Licerio, Planner II, further stated any violations would terminate the Conditional Use Permit and 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. She went over the grounds of revocation of a home occupation conditional use permit. She stated 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 shall result in revocation. Additionally, 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.

Anaisa Licerio, Planner II, stated staff recommended approval of the Conditional Use Permit to allow a beauty salon in a Single-Family Residential District (R-1) subject to applicant and site following all City Ordinance 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 board discussion.

There being no further discussion, Rafael Munguia **moved** to approve the request for a Conditional Use Permit to allow a beauty salon in a Single-Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLATS:

- 1) R. E. GARCIA & ASSOCIATES, REPRESENTING RAMIRO RIVAS, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED RIVAS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.00-ACRE TRACT OF LAND BEING A PORTION OF LOT 375, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1000 BLOCK OF WEST HI-LINE ROAD. SUB#220830**

Eddie Martinez, Planner II, introduced the item. He stated the property was legally described as being a portion of Lot 375, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas and the property was located within the 1000 block of West Hi-line Road. He further stated the property was currently zoned Limited Industrial District (L-I) and the adjacent zones were Agricultural Open Space District (A-O) to the north, east and west and Limited Industrial District (L-I) to the south. He further stated the property was designated for industrial use in the Land Use Plan. The proposed property would be used for a truck parking yard.

Eddie Martinez, Planner II, stated staff recommended preliminary plat approval of the proposed Rivas Subdivision subject to the following conditions: remove the 10' additional right-of-way being dedicated, not required and provide streetlights along W. H-

Line Road, showing all existing easement adjacent to property. He further stated additional requirements were to provide a 15' exclusive easement to City of Pharr along W. Hi-Line Road and follow City of Pharr standards. He mentioned the drainage report need to be approved and the engineer and surveyor signatures on plat were required. Lastly, he stated they need to provide net or gross for lot acreage and square foot was also required for the plat notes follow the numbering sequence. He stated on plat note #4 to add the northing and easting and plat note #15 to add the address per fire department comments and provide recorded subdivision on location map.

Eddie Martinez, Planner II, stated there was representation.

At this time Chairman, Danny Wylie, opened the item for board discussion there being no further discussion. Rafael Munguia moved to approve the request for preliminary plat approval of the proposed Rivas Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

Kimberly Mendoza, Director of Development Services invited the board members to the Land Use Fundamentals webinar on February 16th from 9am to 12pm hosted by Bojorquez Law Group.

ITEM G. CLOSED SESSION:

None

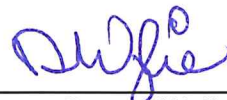
ITEM H. RECONVENE:

None.

ITEM I. ADJOURNMENT

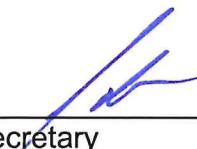
There being no further business, Charlie Ramirez moved to adjourn. Guadalupe Cano seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:07 p.m.

PLANNING & ZONING COMMISSION



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: March 13, 2023