

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

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

MEMBERS PRESENT: Danny Wylie Jonathan Larraga
 Charlie Ramirez Rafael Munguia

ABSENT: Luis Madrigal Guadalupe Cano
 Romeo Robles Andy Castro

STAFF PRESENT: Kimberly Mendoza, Director of Development Services
 Anaisa Licerio, Planner II
 Eddie Martinez, Planner II
 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. 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 who had signed up to speak.

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR MARCH 27, 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) TAQUERIA TEPEQUE EXPRESS REQUESTED A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.041 ACRES, MORE OR LESS, OUT OF LOT 2, HACIENDA SANTA LUCIA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 701 EAST NOLANA LOOP, SUITE #3A. CUP#230384**

Laura Fonseca, Planner I, introduced the item and stated Taqueria Tepeque Express, had filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcohol beverages for on premise consumption in a General Business District (C). She went over the property's legal description and physical address and stated the property was currently zoned General Business District (C) and the adjacent zoning was General Business District (C) to the east and west. She further stated the property to the north was zoned Residential Multi-Family High Density (R-MFHD) and the property to the south was zoned Agricultural and/or Open Space District (A-O). The area was generally designated for commercial in the Land Use Plan.

Laura Fonseca, Planner I, reported Police Chief, Fire Department, Code Compliance Division, Health Division, and Planning Division were recommending approval of the Conditional Use Permit. She stated sixteen (16) surrounding property owners were notified of the request by letter on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.

Laura Fonseca, Planner I, further stated Development Services staff recommended approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

At this time, 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, Jonathan Larraga moved to approve the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 1) EMIGDIO “MILO” SALINAS, P.E., REPRESENTING BLU-MAN INVESTMENTS, LLC., FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 17.425 ACRES, MORE OR LESS, OUT OF LOT 6 AND LOT,7 OUT OF RE-SUBDIVISION OF CLOSNER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY’S PHYSICAL ADDRESS IS WITHIN THE 10400 BLOCK OF SOUTH VETERANS ROAD. COZ#230382 (THIS ITEM WILL GO TO CITY COMMISSION)**

Anaisa Licerio, Planner II, introduced the item and stated Emigdio “Milo” Salinas, P.E., representing Blu-Man Investments, LLC., filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) to develop and construct some buildings and a parking facility. She stated the subject site was located on the north east corner of South Veterans Boulevard and West Military Hwy and had a physical address within the 10400 Block of South Veterans Boulevard. She went over the property’s legal description and physical address and stated the property fronts South Veterans Boulevard, a 100-foot minor arterial, that runs north and south with a posted speed limit of 30 to 45 miles per hour as identified in the City of Pharr’s Thoroughfare Plan.

Anaisa Licerio, Planner II, further stated the property was zoned Agricultural and/or Open Space District (A-O) upon annexation on February 20, 2023 and the properties to the north, east and south were outside city limits. She also stated a portion of the properties to the west were zoned to Agricultural and/or Open Space District (A-O) on November 19, 1991, and the remaining portion was zoned Single-Family Residential District (R-1). She reported the property was generally designated for industrial use in the Land Use Plan and the Limited Industrial District (L-I) was intended for industrial parks and larger, cleaner types of industries. She briefly explained the manufacturing uses should be conducted within a totally enclosed building and any activities conducted outside should be screened and buffered, and no external effects such as excessive noise or odor should extend beyond the property lines. The sites for such uses were typically a minimum of two acres and average five to ten acres, with a significant amount of land dedicated to landscaping. She reported fourteen (14) letters were mailed out to the surrounding property owners on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.

Anaisa Licerio, Planner II, stated staff was recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) as the property meets area requirements and 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. 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, Jonathan Larraga moved to approve the request to rezone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

2) AL YAZJI DEVELOPMENT LLC., REPRESENTING ASAS ECO LLC., OWNERS, 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 6.987 ACRES, MORE OR LESS, OUT OF LOT 7, BLOCK 4, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 4800 NORTH JACKSON ROAD. COZ#230385 (THIS ITEM WILL GO TO CITY COMMISSION)

Anaisa Licerio, Planner II, introduced the item and stated Al Yazji Development LLC., representing ASAS ECO LLC., owners, filed with the Planning and Zoning Commission a request for a Change of Zone Agricultural and/or Open Space District (A-O) to General Business District (C) to develop and construct a commercial plaza. She stated the subject site was located on the east side of North Jackson Road, approximately 675 feet north of West Nolana Loop. She went over the property's legal description and physical address and stated the property fronts North Jackson Road, a 120-ft. principal arterial with a posted speed limit of 40 – 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

Anaisa Licerio, Planner II, reported the property was zoned Agricultural and/or Open Space District (A-O) and the property to the north was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on April 01, 2008. The property to the east was zoned Agricultural and/or Open Space District (A-O) on September 04, 1990, upon annexation to the City of Pharr and the property to the south was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on June 07, 2011. She briefly stated city limits lie to the west side of the property and there have been no other zoning requests within the vicinity of the subject property since that time. The property was generally designated for commercial use in the Land Use Plan.

Anaisa Licerio, Planner II, 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 and stated larger shopping centers and more existing commercial strips along major arterials would be included in this district. She stated 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. She reported three (3) letters were mailed

out to the surrounding property owners on March 24, 2023, and a legal notice was published in the Advance News Journal on March 22, 2023. Staff received no response to the letters or the legal notice.

Anaisa Licerio, Planner II, stated staff recommended approval of the request to rezone from Agricultural and/or Open Space District (A-O) to General Business District (C) as the property meets area requirements and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman 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.

Board member, Rafael Munguia asked staff on buffer not being required since there were not any residential properties currently adjacent. Anaisa Licerio, Planner II, briefly stated there were no residential uses/zones and any future residential must install buffer.

Board member, Charlie Ramirez asked staff about future use retail or office. Anaisa Licerio, Planner II, briefly stated the site plan attached proposed 3 lots mainly for medical and retail purposes.

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

Board member, Jonathan Larraga moved to approve the request to rezone from Agricultural and/or Open Space District (A-O) to General Business District (C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLATS:

- 1) MELDEN & HUNT, INC., REPRESENTING JAIME LOPEZ, MANAGER FOR THE TRAILS ON JACKSON LLC. A TEXAS LIMITED LIABILITY COMPANY, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED VACATED OF BROTHERS COMMERCE CENTER SUBDIVISION AND PLAT OF THE TRAILS ON JACKSON SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 8.176 ACRES, BEING ALL OF LOTS 1 THROUGH 28 AND ALL OF THE BROTHERS MORA DRIVE, RIGHT-OF-WAY WITHIN, BROTHERS COMMERCE CENTER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 4900 BLOCK OF NORTH JACKSON RD. SUB#230305**

Eddie Martinez, Planner II, introduced the item and stated Melden & Hunt, Inc., representing Jaime Lopez, Manager for The Trails on Jackson LLC. A Texas Limited

Liability Company was requesting preliminary plat approval of the proposed Vacated of Brothers Commerce Center Subdivision and Plat of The Trails on Jackson Subdivision. He went over the property's legal description and stated the property was located within the 4900 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 Agricultural Open Space District (A-O) to the north and Agricultural Open Space District (A-O) to the east and south and City limits to the west. The property was designated for commercial, multi-family and public/semi public use in the Land Use Plan which was zoned and proposed for apartments.

Eddie Martinez, Planner II, stated staff recommended preliminary plat approval of the proposed Vacate of Brothers Commerce Central Subdivision and Plat of The Trails on Jackson Subdivision subject to the following conditions as noted in the packet. He further stated another rezoning should be approved prior to the final plat approval.

There being no discussion, Rafael Munguia moved to approve the request for preliminary plat approval of the proposed Vacated of Brothers Commerce Center Subdivision and Plat of the Trails on Jackson 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

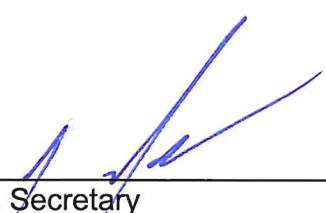
There being no further business, Jonathan Larraga moved to adjourn. Rafael Munguia seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:14 p.m.

PLANNING & ZONING COMMISSION



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: April 24, 2023