

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. September 11, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, September 11, 2023 and following is the record of attendance.

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

ABSENT: Jonathan Larraga Romeo Robles
 Guadalupe Cano

STAFF PRESENT: Ricardo Rodriguez, Asst. City Attorney
 David Friedlein, Asst. City Manager
 Kimberly Mendoza, Director of Development Services
 Joe Garza, Asst. Director of Development Services
 Eddie Martinez, Planner III
 Laura Fonseca, Planner II
 Joanna Villarreal, 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 6:00 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 AUGUST 28, 2023

Chairman, Danny Wylie, introduced the item.

Andy Castro 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) R.E. GARCIA & ASSOCIATES, REPRESENTING RAMIRO RIVAS, 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 LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 8.0 ACRES, MORE OR LESS, OUT OF THE EAST 10.0 ACRES OF THE WEST 20.0 ACRES OF LOT 375, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1400 WEST HI-LINE ROAD. COZ#230818**

Laura Fonseca, Planner II, introduced the item and stated R.E. Garcia & Associates, representing Ramiro Rivas, owner, were requesting a change of zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) to construct a cold storage facility. She went over the property's legal description and physical address and stated the property was located on the north side of West Hi-Line Road, 0.66 miles west from South Cage Boulevard and the property fronts West Hi-Line Road, an 80 ft. major collector 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.

Laura Fonseca, Planner II, stated the property and the properties to the west and east were zoned Agricultural and/or Open Space District (A-O) on June 3, 2003, when annexed into the City of Pharr. Ms. Fonseca added the property to the north was rezoned from Agricultural and/or Open Space District to Limited Industrial District (L-I) on February 18, 2003 and portion of the property to the south was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on February 6, 2023. She stated the remaining property to the south was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on January 4, 2021 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 industrial uses in the Land Use Plan.

Laura Fonseca, Planner II, briefly explained the Limited Industrial District (L-I) was intended for industrial parks and larger, cleaner types of industries and the manufacturing uses should be conducted within a totally enclosed building. Ms. Fonseca stated 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. She added 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 lastly reported three (3) surrounding property owners were notified of the request by letter on August 25,

2023, and a legal notice was published on the Advance News Journal on August 23, 2023. Staff received no response to the letters or the legal notice.

Laura Fonseca, Planner II, briefly stated staff recommended 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 met area requirements, had adequate ingress and egress and will 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. There being no comments, he 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, Andy Castro 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 vote, it carried unanimously.

- 2) RJC ENGINEERING & CONSTRUCTION, LLC., REPRESENTING JESUS JAVIER MONTERO-CASILLAS, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM RESIDENTIAL MUTLI-FAMILY HIGH DENSITY DISTRICT (R-MFHD) TO TOWNHOUSE RESIDENTIAL DISTRICT (R-TH). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.73 ACRES, MORE OR LESS, OUT OF LOT 2, F. GEHLERT SUBDIVISION, OUT OF LOT 189, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 200 EAST HELMER STREET. COZ#230819**

Laura Fonseca, Planner II, introduced the item and stated RJC Engineering & Construction, LLC., representing Jesus Javier Montero-Casillas, owner, were requesting a change of zone from Residential Multi-Family High Density District (R-MFHD) to Townhouse Residential District (R-TH) in order to construct townhomes. She went over the property's legal description and physical address and stated the property was located on the south side of East Helmer Street, 0.15 miles east from South Cage Boulevard and property fronts East Helmer Street, a 50-60 ft. local street which runs east and west with a posted speed limit of 20-30 miles er hour or less as identified in the City of Pharr's Thoroughfare Plan.

Laura Fonseca, Planner II, stated the property was rezoned from Single-Family Residential District (R4) on September 17, 1996. She further stated the property to the west was rezoned from Single-Family Residential District (R-1) to High Density Multi-Family District (R4) on December 13, 1988. She explained the property to the north, east, and south were zoned Single-Family Residential District (R-1) in April 1982, upon annexation to the City of Pharr. There have been no other zoning requests within the general vicinity of the subject property in the Land Use Plan.

Ms. Fonseca briefly explained Residential Townhouse District (R-TH) was established to provide adequate space and site diversification for medium-density residential development that was single-family, on separate lots, and typically owner occupied. She added townhouse development was a low to medium density use and before zoning to townhouse usage, the increased requirements for street, water and fire protection, wastewater, drainage, and adequate open space must be met. She stated townhouse developments must be properly buffered from nonresidential uses and protected from high volumes of non-single-family traffic, or from pollution and/or environmental hazards. She reported eleven (11) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on August 25, 2023, and a legal notice was published in the Advance News Journal on August 23, 2023. Staff received no response to the letters or legal notice.

Laura Fonseca, Planner II, stated Staff was recommending approval of the request to rezone from Residential Multi-Family High Density District (R-MFHD) to Townhouse Residential District (R-TH) as property met area requirements, had adequate ingress and egress and will 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. There being no comments, he 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, Rafael Munguia **moved** to approve the request to rezone from Residential Multi-Family Density District (R-MFHD) to Townhouse Residential District (R-TH). Charlie Ramirez seconded the motion and when put to 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 10.0 ACRE TRACT OF LAND BEING THE EAST 10.0 ACRES OF THE WEST 20.0 ACRES OF LOT 375, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1000 BLOCK OF WEST HI-LINE ROAD. SUB#230822**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 1000 Block of West Hi-Line Road and was currently zoned Agricultural and/or Open Space District (A-O) and Limited Industrial District (L-I). The adjacent zones were Limited Industrial District (L-I) to the north and south, Agricultural Open Space District (A-O) and Limited Industrial District (L-I) to the east and Agricultural Open Space District (A-O) to the west. He further stated the

property was designated for industrial use in the Land Use Plan. He further stated the property was proposed use for warehouses.

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

There being no discussion, Charlie Ramirez moved to approve the request for preliminary plat approval of the proposed Rivas Subdivision. Rafael Munguia 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

None

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 6:12 p.m.

PLANNING & ZONING COMMISSION

Chairman, Danny Wylie

ATTEST:

Andy Castro, Secretary

APPROVED: *September 28, 2023*

P&Z Meeting Minutes of 09.11.2023