

**MINUTES
PLANNING & ZONING COMMISSION**

*City Commissioner's Room
118 S. Cage Blvd. November 13, 2023 - 6:00 p.m.*

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

MEMBERS PRESENT: Danny Wylie Ruben Luna
 Charlie Ramirez Andy Castro
 Jonathan Larraga Mercedes Guillen

ABSENT: Rafael Munguia Romeo Robles

STAFF PRESENT: Ricardo Rodriguez, City Attorney
David Friedlein, Asst. City Manager
Kimberly Mendoza, Director of Development Service
Joe Garza, Asst. Director of Development Services
Eddie Martinez, Planner III
Laura Fonseca, Planner II
Joanna Villarreal, Planner I
Nancy Hernandez, Secretary
Julia Rios, Administrative Assistant

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 6:01 p.m. Roll call established a quorum.

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

ITEM B. PUBLIC TESTIMONY

Nancy Hernandez, Secretary, stated there was no one who signed up to speak.

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR OCTOBER 23, 2023

Chairman, Danny Wylie, introduced the item.

Jonathan Larraga 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) 7-ELEVEN INC., DBA 7-ELEVEN CONVENIENCE STORES AND STRIPES STORES, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR 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 LOT 1 P&T SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 2710 NORTH CAGE BOULEVARD, SUITE 1 CUP#231031**

Laura Fonseca, Planner II, introduced the item and stated 7-Eleven Inc. DBA 7-Eleven Convenience Store's and Stripes Stores was requesting a conditional use permit to allow the sale of alcoholic beverages for on-premise consumption. 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 properties were zoned General Business District (C) to the east, west, north, and south. She further stated the area was generally designated for commercial use in the Land Use Plan.

Laura Fonseca, Planner II, briefly stated Police Chief and Fire Department were pending inspections and Code Compliance, Health, and Development Services Departments recommended approval of the Conditional Use Permit. She reported nine (9) surrounding property owners within a three hundred (300) foot radius were notified of the request by letter on October 27, 2023, and a legal notice was published in the Advance News Journal on October 25, 2023.

Laura Fonseca, Planner II, stated staff recommended approval of the Conditional Use Permit to allow the sale of 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.

Chairman, Danny Wylie, asked if there were any comments. Board member Charlie Ramirez asked if there would be a designated area for alcohol consumption. Laura Fonseca, Planner II, briefly explained alcohol consumption would be inside the store.

Board member Charlie Ramirez asked if it would be a bar and grill. Laura Fonseca, Planner II, briefly stated it would not be a bar and grill and the sale of alcoholic beverages would be wine margaritas.

Board member Andy Castro asked if it would be same hours of operation. Laura Fonseca, Planner II, briefly stated for on-premise consumption it would only be until midnight every day.

There being no further discussion, Jonathan Larraga moved to approve the 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 vote, it carried unanimously.

2) VILLA DEL MAR RESTAURANT, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR 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 0.108 ACRES, MORE OR LESS, OUT OF LOT 3, RIVERAINE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 6502 SOUTH CAGE BOULEVARD, SUITE 1 CUP#231029

Laura Fonseca, Planner II, introduced the item and stated Villa Del Mar Restaurant, was requesting a conditional use permit to allow the sale of alcoholic 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 properties were zoned General Business District (C) to the east, north, and south. She further stated the property to the west was zoned Single-Family Residential District (R-1) and the area was generally designated for commercial use in the Land Use Plan.

Laura Fonseca, Planner II, briefly stated Fire Department, Code Compliance and Health Departments were pending inspections and Police Chief and Development Services recommended approval of the Conditional Use Permit. She reported eleven (11) surrounding property owners within a three hundred (300) foot radius were notified of the request by letter on October 27, 2023, and a legal notice was published in the Advance News Journal on October 25, 2023.

Laura Fonseca, Planner II, stated staff recommended approval of the Conditional Use Permit to allow the sale of 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.

There being no comments, Jonathan Larraga moved to approve the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Ruben Luna seconded the motion and when put to vote, it carried unanimously.

- 3) **TEXAS NIGHTLIFE, LLC., DBA GALLINAS LOCAS BAR AND GRILL, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR 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 LOT 187, VALLE DE LA PRIMAVERA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICALLY LOCATED AT 6905 SOUTH JACKSON ROAD. CUP#231030**

Laura Fonseca, Planner II, introduced the item and stated Texas Nightlife, LLC., DBA Gallinas Locas Bar and Grill, was requesting a conditional use permit to allow the sale of alcoholic 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 property was zoned General Business District (C) to the north, and south and the property to the east was zoned Single-Family Residential District (R-1). She further stated the city limits lie to the west and the area was generally designated for commercial use in the Land Use Plan.

Laura Fonseca, Planner II, briefly stated Police Chief, Fire Department, Code Compliance, Health, and Development Services recommended approval of the Conditional Use Permit. She reported forty-one (41) surrounding property owners within a three hundred (300) foot radius were notified of the request by letter on October 27, 2023, and a legal notice was published in the Advance News Journal on October 25, 2023.

Laura Fonseca, Planner II, stated staff recommended approval of the Conditional Use Permit to allow the sale of 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.

Chairman, Danny Wylie, asked if the sign at the location would be changed. Laura Fonseca, Planner II, responded yes.

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

- 4) MICHAEL WRIGHT, CFO., DBA PARRY'S PIZZA, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR 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 LOT 1B OF THE 2ND REPLAT OF VACATED CAR-MEL SUBDIVISION, VACATED EL CENTRO MALL NO. 3 AND 4 SUBDIVISIONS, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICALLY LOCATED AT 550 NORTH JACKSON ROAD. CUP#231032**

Laura Fonseca, Planner II, introduced the item and stated Michael Wright, CFO., DBA Parry's Pizza, was requesting a conditional use permit to allow the sale of alcoholic 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) to the east, north, and south. She further stated the city limits lie to the west and the area was generally designated for commercial use in the Land Use Plan.

Laura Fonseca, Planner II, briefly stated Police Chief had pending inspection. Fire Department, Code Compliance, and Health were pending inspections and Development Services recommended approval of the Conditional Use Permit. She reported five (5) surrounding property owners within a three hundred (300) foot radius were notified of the request by letter on November 3, 2023, and a legal notice was published in the Monitor Newspaper on November 4, 2023.

Laura Fonseca, Planner II, stated staff recommended approval of the Conditional Use Permit to allow the sale of 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.

There being no discussion, Andy Castro moved to approve the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption on a General Business District (C). Jonathan Larraga seconded the motion and when put to vote, it carried unanimously.

- 5) ANDRES JORGE ZUNIGA, REPESENTING ZUKO FAMILY LIMITED PARTNERSHIP, 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 HEAVY INDUSTRIAL DISTRICT (HI). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 14.88 ACRE TRACT OF LAND BEING A PORTION OF LOT 5, CLOSER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICALLY LOCATED AT 1700 WEST HI-LINE ROAD COZ#231028**

Laura Fonseca, Planner II, introduced the item and stated Andres Jorge Zuniga, representing Zuko Family Limited Partnership, was requesting a change of zone from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (HI) to develop and construct warehouses. She went over the property's legal description and stated the property was located on the southeast corner of South Veterans Boulevard and West Hi-Line Road

Laura Fonseca, Planner II, stated that property fronts South Veterans Boulevard, 100 ft. minor arterial street which runs north and south with a posted speed limit of 30-45 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan. She also stated the property also had frontage on West Hi-Line Road, a 50 ft.- 60 ft. local street which runs east and west with a posted speed limit of 20-30 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

Laura Fonseca, Planner II, stated the property was zoned Agricultural and/or Open Space District (A-O) upon annexation on September 18, 2023. She further stated the property to the west was rezoned from Heavy Commercial District (H-C) to Limited Industrial District (L-I) on December 16, 2014 and the property to the south was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on April 17, 2023. She reported city limits lie to the north and half of the east side of the property and the remaining half of the east was zoned Agricultural and/or Open Space District (A-O) upon annexation on February 20, 2023. Lastly, she reported 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 heavy commercial use in the Land Use Plan.

Laura Fonseca, Planner II, explained Heavy Industrial District (HI) was established to provide adequate space and site diversification and the area requirements in the district were minimal and would allow both large and small industrial uses either on separate small lots or as part of a park. She briefly stated potential hazardous or possible blighting uses and the district would not be located close to residential areas of any type. Ms. Fonseca further explained the areas should not be zoned to usage unless they were located on or close to arterials capable of carrying commercial and truck traffic.

Laura Fonseca, Planner II, further reported fourteen (14) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on October 27, 2023, and a legal notice was published in the Advance News Journal on October 25, 2023. She stated staff received no response to the letters or the legal notice.

Lastly, Laura Fonseca, Planner II, stated staff recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (HI) 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 Ordinance and City Department requirements.

Chairman, Danny Wylie, asked if applicant had any comments. Andres Jorge Zuniga, representing Zuko Family Limited Partnership, approached the podium and stated they had been building about 90% of the warehouses in Pharr. He also stated building new warehouse would bring taxes and new job opportunities to our city.

Chairman, Danny Wylie, asked if a buffer was required on the west side. Laura Fonseca, Planner II, stated a buffer would only be needed if they would be abutting any residential area.

There being no discussion, Jonathan Larraga moved to approve the request to rezone from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (HI). Mercedes Guillen seconded the motion and when put to vote, it carried unanimously.

ITEM E. PLATS:

- 1) TREVINO ENGINEERING, REPRESENTING TOMAS TUDOR, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED JACKSON CROSSING SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.0803 OF AN ACRE, TRACT OF LAND, OUT OF LOT 7 BLOCK 6, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 800 BLOCK OF NORTH JACKSON ROAD SUB#220304**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 800 block of North Jackson Road and was currently zoned General Business District (C). The adjacent properties were zoned General Business District (C) to the north, south, east and city limits to the west. He further stated the property was designated for industrial use in the Land Use Plan.

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

There being no discussion, Ruben Luna moved to approve the request for preliminary plat approval of the proposed Jackson Crossing Subdivision. Mercedes Guillen seconded the motion and when put to a vote, it carried unanimously.

- 2) R.J.C., ENGINEERING AND CONSTRUCTION, REPRESENTING JESUS JAVIER MONTERO CASILLAS, OWNER, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED ESCONDIDO ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.735 ACRES OUT OF LOT 2, F. GEHLERT, LOT 189, KELLY- PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 200 BLOCK OF EAST HELMER STREET. SUB#230924**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 200 block of East Helmer Street and the property was currently zoned Residential Townhouse District (R-TH). The adjacent properties were zoned Single-Family Residential District (R-1) to the north, south, east, and Residential Multi-family High Density District. He further stated the property was designated for multi-family residential use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Escondido Estates 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 Escondido Estates Subdivision. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

3) SOUTH TEXAS INFRASTRUCTURE GROUP, REPRESENTING RHEA MORA, PRESIDENT FOR BROWNSTONE CONSULTANTS, LLC., IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED BSTONE PARK SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.52 ACRES OUT OF LOT 168, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1500 BLOCK OF NORTH SUGAR ROAD. SUB#211247

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 1500 block of North Sugar Road and it was currently zoned General Business District (C). He stated the adjacent properties were zoned Heavy Commercial District (HC) and Single-Family Residential District (R-1) to the north and General Business District (C) to the east, south, and west. He further stated the property was designated for Industrial use in the Land Use Plan.

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

There being no discussion, Ruben Luna moved to approve the request for preliminary plat approval of the proposed Bstone Park Subdivision. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS:

None

ITEM G. CLOSED SESSION

None

ITEM H. RECONVENE:

None

ITEM I. ADJOURNMENT

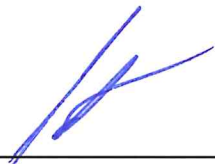
There being no further business, Andy Castro moved to adjourn. Ruben Luna seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:26 p.m.

PLANNING & ZONING COMMISSION



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: November 27, 2023