

MINUTES PLANNING & ZONING COMMISSION

City Commissioner's Room
118 S. Cage Blvd. September 28, 2020 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, September 28, 2020 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Andy Castro
 Romeo Robles Rafael Munguia

**MEMBERS PRESENT
VIA VIDEO
CONFERENCE:** None

ABSENT: Charlie Ramirez Jonathan Larraga
Luis Madrigal

OTHERS PRESENT: See attached list

STAFF PRESENT: Melanie Cano, Development Services Director
Roy Rodriguez, Building Official
Eddie Martinez, Planner II
Della Robles, Planner I
Anaisa Licerio, Planner I
Iris Mata, Secretary
Patricia Rigney, City Attorney

ITEM A. CALL TO ORDER

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

Andy Castro moved to excuse the absent members. Romeo Robles 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 SEPTEMBER 14, 2020

Chairman, Danny Wylie, introduced the item.

There being no discussion Romeo Robles moved to approve the minutes of September 14, 2020. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) **OLLY'S DRIVE THRU HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR 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 A 0.04 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOTS 27 AND 28, LA QUINTA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5850 SOUTH CAGE BOULEVARD. CUP#200836**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned General Business District (C) to the north, south, and east and Single-Family Residential District (R-1) to the west. This area is generally designated for commercial in the Land Use Plan. She further reported twenty-one (21) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She stated one (1) person signed up to speak at the public hearing.

Anaisa Licerio, Planner I, further stated staff recommended approval of the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to applicant and site being in compliance 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, Secretary stated one (1) person, Margarita V. Martinez, signed up, but was not present. She continued to state that the comments were provided to the Commission.

Chairman, Danny Wylie, closed the public hearing and opened the item for discussion and action.

Rafael Munguia suggested 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 6:04 p.m., Chairman 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 6:28 p.m., Chairman Wylie stated the commission would be resuming the open meeting.

ITEM D. PUBLIC HEARING

- 1) **OLLY'S DRIVE THRU HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR 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 A 0.04 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOTS 27 AND 28, LA QUINTA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5850 SOUTH CAGE BOULEVARD. CUP#200836**

There being no further discussion Rafael Munguia 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). Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) **CDSMUERY ENGINEERS, REPRESENTING, TODD IRELAND, REAL ESTATE MANAGEMENT MANAGER FOR AEP TEXAS CENTRAL COMPANY IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED AEP YOUNG SUBDIVISION LOTS 1 & 2, BLOCK 1. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 5.150 ACRE AND 3.143 ACRE TRACTS OF LAND LYING IN THE SOUTH 10 ACRES OF LOT 7, BLOCK 5 OF THE A.J. MCCOLL SUBDIVISION. THE PROPERTY IS LOCATED WITHIN THE 2900 BLOCK OF N. JOHNSON STREET. SUB#190202**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Limited Industrial District (L-I). The adjacent zones are Heavy Commercial District (H-C) and Agricultural Open-Space District (A-O) to the north, Heavy Commercial District (H-C) to the east, General Business District (C), Limited Industrial District (L-I) and High Density Multi-Family Residential District (R-4) to the south and City limits to the west. The property is designated for industrial and commercial use in the Land Use Plan. He added no variances were being requested and staff recommended final plat approval of the proposed AEP Young Subdivision Lots 1 & 2, Block 1 subject to the listed conditions.

At this time Chairman, Danny Wylie, advised a public hearing was not required and opened the item for discussion and action.

There being no discussion Andy Castro moved to approve the request for final plat approval of the proposed AEP Young Subdivision Lots 1 & 2, Block 1. Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

- 2) **CDSMUERY ENGINEERS, REPRESENTING, TODD IRELAND, REAL ESTATE MANAGEMENT MANAGER FOR AEP TEXAS CENTRAL COMPANY IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED AEP NORTH PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 20.836 ACRE TRACT OF LAND LYING IN PORCION 69, JUAN JOSE HINOJOSA SURVEY, ABSTRACT 40, SAME BEING A PORTION OF LOT 93, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 200 BLOCK OF E. MINNESOTA ROAD. SUB#180105**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the north, south and west and Agricultural Open-Space District (A-O) and Limited Industrial District (L-I) to the east. The property is designated for industrial use in the land use plan. He added no variances were being requested and staff recommended final plat approval of the proposed AEP North Pharr Subdivision subject to the listed conditions.

At this time Chairman, Danny Wylie, advised a public hearing was not required and opened the item for discussion and action.

There being no discussion Rafael Munguia moved to approve the request for final plat approval of the proposed AEP North Pharr Subdivision. Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

Rafael Munguia thanked Mr. Juan Ludwig and the Development Services staff for their work on the buffer fencing consideration.

ITEM G. CLOSED SESSION

None.

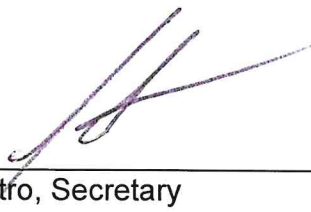
ITEM H. RECONVENE

None.

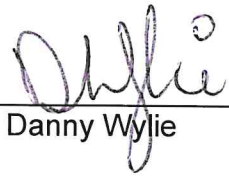
ITEM I. ADJOURNMENT

There being no further business Romeo Robles moved to adjourn. Andy Castro second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:35 p.m.

ATTEST:



Andy Castro, Secretary



Chairman, Danny Wylie

APPROVED: October 12, 2020