

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. December 28, 2020 - 6:00 p.m.

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

MEMBERS PRESENT: Danny Wylie
Romeo Robles
Rafael Munguia
Charlie Ramirez
Andy Castro

**MEMBERS PRESENT
VIA VIDEO**

CONFERENCE: Jonathan Larraga

ABSENT: Luis Madrigal

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Development Services Assistant Director
Roy Rodriguez, Assistant Director/Building Official
Eddie Martinez, Planner II
Della Robles, Planner I
Iris Mata, Administrative Assistant
Daniel Gonzalez, Assistant City Attorney

ITEM A. CALL TO ORDER

Chairman, Danny Wylie, called the meeting to order at 6:02 p.m. Roll call established a quorum.

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

ITEM B. PUBLIC TESTIMONY

ITEM C. APPROVAL OF MINUTES

1) MINUTES OF DECEMBER 14, 2020

Chairman, Danny Wylie, introduced the item.

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

ITEM D. PUBLIC HEARING

- 1) INSIGHT PUBLIC SECTOR HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A NEW TELECOMMUNICATIONS TOWER IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.01 ACRES, MORE OR LESS, OUT OF LOT 327, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1000 WEST DICKER ROAD. CUP#201153**

Della Robles, Planner I, introduced the item and stated the item would continue to be tabled.

- 2) INSIGHT PUBLIC SECTOR HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A NEW TELECOMMUNICATIONS TOWER IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) AND RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (R-HDMF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.01 ACRES, MORE OR LESS, OUT OF 24.05 ACRES, PSJA I.S.D. ELEMENTARY NO. 9 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 401 EAST THOMAS ROAD. CUP#201154**

Della Robles, Planner I, introduced the item and stated the item would continue to be tabled.

- 3) INSIGHT PUBLIC SECTOR HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A NEW TELECOMMUNICATIONS TOWER IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.01 ACRES, MORE OR LESS, OUT OF LOT 1, J. CONNALLY KELLY ELEMENTARY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 201 EAST LAS MILPAS ROAD. CUP#201155**

Della Robles, Planner I, introduced the item and stated the item would continue to be tabled.

- 4) **R. GUTIERREZ ENGINEERING CORPORATION, REPRESENTING REYNALDO MATA, 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 RESIDENTIAL MULTI-FAMILY HIGH-DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.12-ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE WEST 5 ACRES OF LOT 222, KELLY-PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 400 EAST MOORE ROAD. COZ#201156**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). On October 27, 2009, the property to the north was zoned to Multi-Family High-Density District (R-MFHD). There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for single-family residential use in the Land Use Plan. She further reported ten (10) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She stated staff received no response to the letters or the legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request to re-zone to Residential Multi-Family High-Density District (R-MFHD) as the property meets area requirements, 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. Mr. Wylie opened the items for discussion.

There being no discussion Rafael Munguia moved to **approve** the rezoning request from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 5) **FAITH FAMILY CHURCH RGV HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A CHURCH IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.52 ACRES, MORE OR LESS, OUT OF LOT 4, 0.92 ACRES NET, L.R. BELL DEVELOPMENT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1215 EAST FERGUSON, SUITE A. CUP#2012057**

Della Robles, Planner I, introduced the item and stated the property is currently zoned General Business District (C). The surrounding area is zoned Residential Multi-Family District (R-MF) to the north, General Business District (C) to the west, General Business District (C) and Agricultural and/or Open Space District (A-O) to the south, and General Business District (C) and Residential Multi-Family High Density District (R-MFHD) to the east. This area is generally designated for commercial use in the Land Use Plan. She further reported twenty (20) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She staff received no response to the letter or legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request for Life-of-the-Use Conditional Use Permit to allow a church 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. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the items for discussion.

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

Chairman, Danny Wylie, asked if the church had enough parking.

Della Robles, Planner I, stated the property currently has twenty-one (21) parking spaces and the property owner was in the process of subdividing the property. She continued to state that parking will be reviewed with the Engineering Department to bring the property into compliance.

There being no discussion Jonathan Larraga moved to approve the request for Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 6) **MARISCOS EL MUELLE, LLC, D/B/A MUELLE 37, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.28 ACRES, MORE OR LESS, OUT OF LOT A, H E B FUTURAMA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1300 EAST BUSINESS HIGHWAY 83. CUP#201258**

Della Robles, Planner I, introduced the item and stated the property is currently zoned eneral Business District (C). The surrounding area is zoned Heavy Industrial District (H-I) to the north, General Business District (C) to the west, Single-Family Residential District (R-1) and Neighborhood Commercial District (N-C) to the south and City of Pharr limits lie to the east. This area is generally designated for commercial use in the Land Use Plan. She further reported fourteen (14) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She staff received no response to the letter or legal notice.

Della Robles, 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. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the items for discussion.

Andy Castro asked if the parking lot could be addressed as it was very dark.

Della Robles, Planner I, stated the parking would be addressed by the appropriate department.

Chairman, Danny Wylie, asked staff if there were enough parking spaces for the businesses.

Della Robles, Planner I, stated there were enough parking spaces for the businesses.

Chairman, Danny Wylie, asked if the spaces were assigned.

Della, Robles, Planner I, stated they were on a first come first serve basis.

There being no 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). Andy Castro seconded the motion and when put to a vote, it carried unanimously.

- 7) CITY OF PHARR 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 7.15 ACRES, MORE OR LESS, OUT OF LOT 378, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED BETWEEN THE 802 – 1100 BLOCK OF WEST HI-LINE ROAD. COZ#201151**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). The properties to the east, west, and south were rezoned to Limited Industrial District (L-I) on September 03, 2013. The property to the north was annexed on June 03, 2003 and was zoned Agricultural and/or Open Space District (A-O). There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for industrial use in the Land Use Plan. She further reported eight (8) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She stated staff received no response to the letters or the legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request to re-zone to Limited Industrial District (L-I) as the property meets area requirements, 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. Mr. Wylie opened the items for discussion.

There being no discussion Jonathan Larraga moved to **approve** the rezoning request from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I). Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) K.C.I. TECHNOLOGIES., REPRESENTING JOAQUIN SPAMER, OWNER, IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED RE-SUBDIVISION PLAT OF LOT 2, SPAMER BUSINESS PARK. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.303 ACRES, BEING ALL OF LOT 2, SPAMER BUSINESS PARK, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY PHYSICAL ADDRESS IS 8101 S. JACKSON ROAD. SUB#201029**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the north and east, Heavy Commercial District (H-C) and Agricultural Open Space District (A-O) to the south and city limits to the west. The property is designated for commercial use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary and final plat approval of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park 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 Charlie Ramirez moved to approve the request for preliminary and final plat approval of the proposed Re-Subdivision plat of Lot 2, Spamer Business. Rafael Mungia 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.

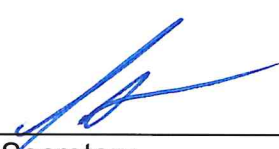
ITEM I. ADJOURNMENT

There being no further business Romeo Robles moved to adjourn. Andy Castro second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:21 p.m.



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: January 25, 2021