

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. March 22, 2021 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, March 22, 2021 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Charlie Ramirez
 Romeo Robles Andy Castro

**MEMBERS PRESENT
VIA VIDEO**

CONFERENCE: Jonathan Larraga Luis Madrigal

ABSENT: Rafael Munguia

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
 Anaisha Licerio, Planner I
 Iris Mata, Administrative Assistant
 Carolina Herrera, Secretary
 Daniel Gonzalez, Assistant City Attorney

ITEM A. CALL TO ORDER

Chairman, Danny Wylie, called the meeting to order at 6:01 p.m. Roll call established a quorum.

Charlie Ramirez moved to excuse the absent members. Luis Madrigal 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 MARCH 08, 2021

Chairman, Danny Wylie, introduced the item.

There being no discussion Romeo Robles moved to approve the minutes of March 08, 2021. 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) **GILMA T. RIVAS 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 DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 10.00-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 119 KELLY PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 3800 NORTH SUGAR ROAD. COZ#210214**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). On September 04, 1990, the property to the east was zoned to Single-Family Residential District (R-1). On May 06, 2003, property to the south was zoned to Residential Multi-Family District (R-MF) and on January 20, 2004, the property to the north was also zoned to Residential Multi-Family District (R-MF). The property to the west is zoned Agricultural and/or Open Space District (A-O). There have been no other rezoning 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 seventy-six (76) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received one (1) telephone call for information only.

Della Robles, Planner I, further stated staff recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF) as the property meets area requirements and has adequate ingress and egress. The property is not currently compatible with the future Land Use Plan; however, the zoning will allow for reasonable use of the property and granting the request results in equal treatment of similarly situated properties. 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 Charlie Ramirez moved to approve the request to re-zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF). Luis Madrigal seconded the motion and when put to a vote, it carried unanimously.

- 5) **TELECOM STEWARDSHIP, L.L.C., D/B/A BRANDWOOD WIRELESS INC, 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 GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.01-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 8, JOHNSTONE SUPPLY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 971 WEST SHARM DRIVE. CUP#210215**

Della Robles, Planner I, introduced the item and stated the property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, east and west and Heavy Commercial District (H-C) to the south. This area is generally designated for commercial and public/semi-public use in the Land Use Plan. She further reported six (6) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

Della Robles, Planner I, further stated staff recommended approval of the request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in a General Business District (C). If approved, the owner must comply with all City Ordinances and City Department requirements. She reiterated there will be no communication equipment on the tower, it will be solely for training purposes.

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.

Charlie Ramirez recommended the item be discussed in Executive Session.

ITEM E. 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 6:10 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 F. RECONVENE:

The time being 6:30 p.m., Chairman Wylie stated the commission would be resuming the open meeting.

- 5) TELECOM STEWARDSHIP, L.L.C., D/B/A BRANDWOOD WIRELESS INC, 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 GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.01-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 8, JOHNSTONE SUPPLY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 971 WEST SHARM DRIVE. CUP#210215**

There being no further discussion Charlie Ramirez moved to approve the request for a Life Of Use Conditional Use Permit to allow a new telecommunications tower in a General Business District (C). Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM G. PLAT APPROVAL

- 1) **PABLO SOTO, JR., P.E., REPRESENTING RAMON GUAJARDO, JR., OWNER, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED FERGUSON PLAZA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.00-ACRE TRACT OF LAND OUT OF LOT 147, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 429 EAST FERGUSON AVENUE. SUB#200824**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned General Business District (C). The adjacent zones are Agricultural and/or Open Space District (A-O) to the north, Heavy Commercial District (H-C) to the east and south and General Business District (C) and Agricultural and/or Open Space District (A-O) to the west. The property is designated for commercial and single-family use in the Land Use Plan. He added no variances were being requested and staff recommends final plat approval of the proposed Ferguson Plaza 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 Luis Madrigal moved to approve the request for final plat approval of the proposed Ferguson Plaza Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) **LINFIELD, HUNTER & JUNIUS INC., REPRESENTING GORDON & CATHERINE JENKINS FAMILY LTD. PARTNERSHIP ARE REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED LOPEZVILLE MEADOWS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.739 ACRE TRACT OF LAND IN THE ANTONIO VELASCO SURVEY, ABSTRACT AND BEING A PORTION OF LOT 96, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED AT THE 5200 BLOCK OF NORTH VETERANS BOULEVARD ("I" ROAD). SUB#190101**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned General Business District (C). The adjacent zones are City limits to the north and east and Agricultural Open Space District (A-O) to the south and west. The property is designated for commercial use in the Land Use Plan. He added no variances were being requested and staff recommends final plat approval of the proposed Lopezville Meadows 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 Luis Madrigal moved to approve the request for staff plat final approval of the proposed Lopezville Meadows Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM H. ANNOUNCEMENTS/OTHER BUSINESS:

Roland Gomez, Development Services Assistant Director, stated it would be Della Robles, Planner I, last meeting as she was moving on to her next endeavor. He continued to wish her well and thanked her for her 11 years of service to the City of Pharr.

ITEM I. ADJOURNMENT

There being no further business Romeo Robles moved to adjourn. Charlie Ramirez second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:51 p.m.



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: April 12, 2021