

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. April 12, 2021 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, April 12, 2021 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Charlie Ramirez
 Rafael Munguia Porfirio Rodriguez

**MEMBERS PRESENT
VIA VIDEO**

CONFERENCE: Luis Madrigal

ABSENT: Jonathan Larraga Romeo Robles
 Andy Castro

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Development Services Assistant Director
 Roy Rodriguez, Assistant Director/Building Official
 Eddie Martinez, Planner II
 Anaisha Licerio, Planner I
 Carolina Herrera, Secretary
 Daniel Gonzalez, Assistant City Attorney

ITEM A. CALL TO ORDER

Chairman, Danny Wylie, called the meeting to order at 6:11 p.m. Roll call established a quorum.

Rafael Munguia moved to excuse the absent members. Charlie Ramirez 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 22, 2021

Chairman, Danny Wylie, introduced the item.

There being no discussion Charlie Ramirez moved to approve the minutes of March 22, 2021. Rafael Munguia 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**

Anaisa Licerio, 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**

Anaisa Licerio, 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**

Anaisa Licerio, Planner I, introduced the item and stated the item would continue to be tabled.

- 4) **SPOOR ENGINEERING CONSULTANTS, INC. 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 6.93-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 107, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 700-800 BLOCK OF WEST NOLANA LOOP. COZ#210316**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). The property and the property to the east, south, and a portion to the west were zoned to Agricultural and/or Open Space District (A-O), a portion to the west was zoned to Single Family Residential District (R-1), and the property to the north was zoned General Business District (C) when the property was annexed on October 3, 1989. Later the property to the south was zoned to Single Family Residential on September 20, 1994. There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for Commercial use in the Land Use Plan. She further reported twenty four (24) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

Anaisa Licerio, 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 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.

Rafael Munguia questioned why the property did not comply with the Future Land Use Plan.

Anaisa Licerio, Planner I, stated the property is designated Commercial.

There being no further discussion Rafael Munguia moved to **approve** the request to re-zone 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) **AEC ENGINEERING, LLC. 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 GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.25-ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 8, BLOCK 12, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 7500-7600 BLOCK OF SOUTH JACKSON ROAD. COZ#210317**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). The property and the property to the north, south, east, and west were zoned Agricultural and/or Open-Space (A-O) when it was annexed to the City of Pharr on November 1, 1994. On February 21, 1995 the properties to the north and west were rezoned to General Business District (C). There has been no other zoning request 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 two (2) 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.

Anaisa Licerio, Planner I, further stated staff recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to General Business District (C) 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 request to re-zone from Agricultural and/or Open Space District (A-O) to General Business District (C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 6) **RED TAPE II, INC., D/B/A STILETTOS GENTLEMEN'S CLUB IS REQUESTING RENEWAL OF THE SEXUALLY ORIENTED BUSINESS LICENSE IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS ALL OF LOT 2, ALBRAD SUBDIVISION UNIT #3, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1050 NORTH SUGAR ROAD. SOB#001254**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned General Business District (C). The surrounding area to the North, South, East and West is zoned General Business District (C). The area is generally designated for commercial use in the Land Use Plan. She further reported nine (9) letters were mailed out to the surrounding property owners. Staff received no response to the letters.

Anaisa Licerio, Planner I, further stated staff recommended approval of the renewal request of the Sexually Oriented Business License in a General Business District (C). 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 item for discussion.

There being no discussion Rafael Munguia moved to approve the renewal request of the Sexually Oriented Business License in a General Business District (C). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) M GARCIA ENGINEERING, LLC., REPRESENTING NATASHA DEL BARRIO, CHIEF EXECUTIVE OFFICER FOR MIDNIGHT RIVER, LLC, OWNERS, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MASTER PLAT OF BERT OGDEN PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 28.45 ACRE TRACT OF LAND OUT OF LOT 76, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 5600-5700 BLOCK OF NORTH IH 69C. SUB#200516**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Limited Industrial District (L-I). The adjacent zones are City limits to the north, General Business District (C) and Limited Industrial District (L-I) to the east, Limited Industrial District (L-I) to the south and Residential Mobile Homes District (R-MH) 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 recommends preliminary plat approval of the proposed Master Plat of Bert Ogden 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 Charlie Ramirez moved to approve the request for preliminary plat approval of the proposed Master Plat of Bert Ogden Pharr 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

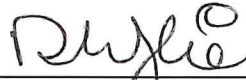
None.

ITEM H. RECONVENE

None.

ITEM I. ADJOURNMENT

There being no further business Charlie Ramirez moved to **adjourn**. Rafael Munguia second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:26 p.m.



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: April 26, 2021