

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

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, June 14, 2021, and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Romeo Robles
 Charlie Ramirez Rafael Munguia

**MEMBERS PRESENT
VIA VIDEO**

CONFERENCE: Jonathan Larraga

ABSENT: Luis Madrigal Andy Castro

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Development Services Interim Director
Roy Rodriguez, Assistant Director/Building Official
Anaisa Licerio, Planner I
Nelly Terrazas, Planner I
Carolina Herrera, Secretary
Daniel Gonzalez, Assistant City Attorney

ITEM A. CALL TO ORDER

Chairman, Danny Wylie, called the meeting to order at 6:00 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 JUNE 28, 2021

Chairman, Danny Wylie, introduced the item.

There being no discussion Rafael Munguia moved to approve the minutes of June 28, 2021. Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) MELDEN & HUNT, INC., REPRESENTING MARIA D. ALVAREZ, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING .538 ACRES, MORE OR LESS, OUT OF LOTS 1 AND 2, BLOCK 1, THE VAN WILLIAMS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 229 WEST SAM HOUSTON AVENUE. COZ#210634**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned Residential Multi-Family District (R-MF). On March 30, 1982, the property, and the property to the north, east, west and south were zoned to Single Family Residential District (R-1) when the city adopted the zoning ordinance we use today. On August 2, 2010, a portion of the property was rezoned to Neighborhood Commercial District (N-C) and later on August 19, 2019, the other portion was rezoned to Neighborhood Commercial District (NC). A portion of the property to the north was rezoned to General Business District (C) on May 15, 2007 and the other portion to the north was rezoned to Residential Multi-Family High Density District (R-MFHD). On May 3, 2021 the subject property was rezoned to Residential Multi-Family District (R-MF). There have been no other zoning requests within the vicinity of the subject property since that time. The property is generally designated for commercial use in the Land Use Plan. The Residential Multi-Family High Density District is established to provide adequate space and site diversification for medium to high density areas. This may be a zone for transitional areas developed for single-family usage, but because of the need for rehabilitation, or changes in the character of the neighborhood, are now deemed suitable for some multifamily development. This zone allows medium to high density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met. R-MFHD uses should not run traffic over long distances of single-family residential-sized streets or neighborhoods and should be located close to arterials or collectors capable of carrying the additional traffic. Multi-family developments are not a buffer between single-family and commercial uses and should be property buffered from nonresidential land uses and traffic, or from pollution and environmental hazards. She further reported twenty-five (25) 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 request to re-zone from Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD) 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.

Rafael Munguia asked for the maximum number of apartments allowed in a Residential Multi Family (R-MF) zone.

Anaisa Licerio, Planner I, clarified the maximum allowed amount is 4 apartments.

There being no further discussion Rafael Munguia moved to approve the request to re-zone from Residential Multi-Family District (R-MF) to Residential Multi-Family High Density District (R-MFHD). Charlie Ramirez second the motion and when put to a vote, it carried unanimously.

- 2) DR. NARCISO GARCIA, REPRESENTING VANGUARD ACADEMY INC., OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE OF USE CONDITIONAL USE PERMIT TO ALLOW AN INSTITUTIONAL USE IN AN AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 1, ORATORY ACADEMY OF ST. PHILIP NERI SUBDIVISION AND A 10.56 ACRES TRACT OF LAND, MORE OR LESS, OUT OF LOT 6, BLOCK 8, AJ. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1407 WEST MOORE ROAD. CUP#210635**

Anaisa Licerio, Planner I, introduced the item and stated the property is currently zoned Agricultural and/or Open Space District (A-O). The surrounding area is zoned Single Family Residential District (R-1) and Townhouse Residential District (R-TH) to the North, Single Family Residential District (R-1) to the East, Residential Multi-Family High Density District (R-MFHD) to the South, General Business District (C) and Agricultural and/or Open Space District (A-O) and City of Pharr Limits lie to the West. This area is generally designated for Commercial and Public/Semi-Public Use in the Land Use Plan. Fire, Code, Health and Planning recommended approval of the Conditional Use Permit. She further reported one-hundred and twenty-two (122) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received one (1) telephone call for information only.

Anaisa Licerio, Planner I, further stated staff recommended approval of request for Life-of-the-Use Conditional Use Permit to allow a school in a Agricultural and/or Open Space District (A-O). Applicant shall obtain a Certificate of Occupancy and meet all City Department requirements prior to the issuance of the Conditional Use Permit as well as being subject to the listed conditions.

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 asked if the Conditional Use permit was valid for one year.

Anaisa Licerio, Planner I, explained this Conditional Use Permit was a Life of the Use and would not need renewal.

Charlie Ramirez asked if there was an estimated number of students.

Anaisa Licerio, Planner I, stated an estimated 576 students would attend for the 2021-2022 school year.

Charlie Ramirez asked the plan for student pick up, drop off, a bus area, and traffic security.

Anaisa Licerio Planner I, stated there are two entrances for drop off on Jackson Rd and Moore Rd. She continued to state she would verify if there would be traffic security.

Rafael Munguia stated that with the estimated number of students to attend there would be traffic issues similar to Vanguard's other campus on Kelly St.

Roland Gomez, Interim Director, stated the campus has plans to allow vehicles in certain areas at certain times of the day. He continued to state the campus does have signs directing traffic and all vehicles would only be allowed to exit to the right to continue movement of traffic. He stated that a requirement would be the use of cones and to have a security guard directing traffic.

Charlie Ramirez stated a concrete barrier would be beneficial.

Roland Gomez, Interim Director, stated the concrete barrier was suggested to Omar Anzaldua, City Engineer, as Moore Rd is expected to be updated to a 3-lane road within the next three years.

Charlie Ramirez stated he believed requiring vehicles to turn in one direction would cause additional issues as vehicles would make U-turns in the surrounding neighborhoods.

Rafael Munguia stated he believed considering the number of students estimated to attend, traffic would be manageable especially after the Moore Road expansion.

Johnathan Larraga explained a current issue at other schools is when gates are closed at inconvenient times of the day causing vehicles to line up alongside of busy roads causing more traffic.

Roland Gomez, Interim Director, stated he is working with both Vanguard campuses on their traffic issues.

Chairman, Danny Wylie, asked if Development Services has plans to set requirements for schools on handling the flow of traffic.

Roland Gomez, Interim Director, explained the City did have requirements for schools to have a right in and right out at certain times of the day to address traffic issues. He continued to explain it would be difficult at the beginning but as the issues come up we would work with the school to correct any traffic issues.

Chairman, Danny Wylie, stated traffic would get worse during the Moore Road expansion.

Roland Gomez, Interim Director, explained the plan was to have the expansion done in the summer.

There being no further discussion Rafael Munguia moved to approve request for a Life of Use Conditional Use Permit to allow an Institutional Use in an Agricultural and/or Open Space District (A-O). Romeo Robles second the motion and when put to a vote, it carried unanimously.

ITEM G. PLAT APPROVAL

- 3) B.I.G. NAIN ENGINEERING, L.L.C., REPRESENTING RAUL BOCANEGRA, PRESIDENT FOR BOCANEGRA INVESTMENTS, L.L.C., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED BOCANEGRA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.54 ACRE TRACT OF LAND BEING ALL OF LOTS 1, 2 AND THE WEST 22.80 FEET OF LOT 3 AND ALL OF LOT 23 AND THE WEST 16.80 FEET OF LOT 22, BLOCK 1, EULA YOUNG SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 700 BLOCK OF WEST BUSINESS HWY 83. SUB#210514**

Anaisa Licerio, Planner I, introduced the item. She stated the property is currently zoned General Business District (C). The adjacent zones are General Business District (C) to the north, south, east and west. The property is designated for single family residential and commercial use in the Land Use Plan. She added no variances were being requested and staff recommends preliminary plat approval of the proposed Bocanegra 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.

Chairman, Danny Wylie, questioned the reimbursement of sanitary sewer improvements regarding Moore Road

Anaisa Licerio, Planner I, stated she would look into the file to verify what the reimbursement was for.

Chairman, Danny Wylie, questioned where vehicles would be unloaded.

Anaisa Licerio, Planner I, stated there were no official requirements on where vehicles could unload, but this business would be allowed to drive into the property to unload.

Roland Gomez, Interim Director, stated the plans were required to provide drives, which consists of 24-inch-wide entrance for fire truck or emergency vehicles. He continued to state the entrance would be located off of Park Avenue and could also be used for vehicle drop off. He stated he would continue monitoring this issue and it would be addressed during the building permit phase.

Rafael Munguia questioned if there were still Residential homes on Park Avenue.

Roland Gomez, Interim Director, stated there were still residential homes on Park Avenue which is why the emergency entrance would not be used often.

Chairman, Danny Wylie, questioned if the business would be used for car sales

Roland Gomez, Interim Director, confirmed and stated the proposed business was a car lot.

There being no further discussion Rafael Munguia moved to approve the request for preliminary approval of the proposed Bocanegra Subdivision. Charlie Ramirez 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. Charlie Ramirez second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:25 p.m.

ATTEST:



Andy Castro, Secretary



Chairman, Danny Wylie

APPROVED: July 26, 2021