

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. December 11, 2023 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, December 11, 2023 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Ruben Luna
 Charlie Ramirez Mercedes Guillen

ABSENT: Rafael Munguia Andy Castro
 Jonathan Larraga Romeo Robles

STAFF PRESENT: Ricardo Rodriguez III, City Attorney
 Dr. David Friedlein, Assistant City Manager
 Kimberly Mendoza, Director of Development Service
 Joe Garza, Asst. Director of Development Services
 Eddie Martinez, Planner III
 Laura Fonseca, Planner II
 Joanna Villarreal, Planner I
 Nancy Hernandez, Secretary
 Julia Rios, Administrative Assistant
 Jose Navarro, Assistant Fire Marshal
 Ricardo Dominguez, Fire Prevention Inspector

ITEM A. CALL TO ORDER

1) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER

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. Ruben Luna seconded the motion and when put to a vote it carried unanimously.

ITEM B. PUBLIC TESTIMONY

Chairman, Danny Wylie, introduced the item and asked if anyone signed up to speak.

Nancy Hernandez, Secretary, stated there was no one who signed up to speak.

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR NOVEMBER 27, 2023

Chairman, Danny Wylie, introduced the item.

Charlie Ramirez moved to approve the minutes as submitted. Ruben Luna seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) TED MORALES, REPRESENTING LAMAR STRONG, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW THE OUTDOOR STORAGE OF MATERIALS AND/OR EQUIPMENT IN A HEAVY INDUSTRIAL DISTRICT (HI). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 10.317 ACRES, MORE OR LESS, OUT OF LOT 40, L. R. BELL DEVELOPMENT "E" SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 101 NORTH VETERANS BOULEVARD. CUP#231104**

Joanna Villarreal, Planner I, introduced the item and stated applicant was requesting a conditional use permit to allow the outdoor storage of materials and/or equipment in a Heavy Industrial District (HI). She went over the property's legal description and physical address and stated the property was currently zoned Heavy Industrial District (HI) and the surrounding area was zoned General Business District (C) to the south. She further stated a portion of the property to the north was zoned Single-Family Residential Small Lot District (R1-A) and the remaining portion was zoned Heavy Industrial District (HI). She reported the city limits lie to the east side of the property and stated the area was generally designated for commercial use in the Land Use Plan.

Joanna Villarreal, Planner I, briefly stated Fire, Code Compliance and Development Services Department recommended approval of the Conditional Use Permit. She reported fifty-six (56) surrounding property owners within a three hundred (300) foot radius were notified of the request by letter on November 22, 2023, and a legal notice was published in the Advance News Journal on November 22, 2023. She stated staff received no response to the legal notice or Advance News Journal.

Joanna Villarreal, Planner I, further stated staff recommended approval of the request for a Conditional Use Permit to allow the outside storage of materials and/or equipment in a Heavy Industrial District (HI) and applicant shall comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if there were any comments from the applicant. Joanna Villarreal, Planner I, reported there were no comments.

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.

At this time, Board member Charlie Ramirez stated the board would go into closed session. There was no objection.

ITEM G. 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 SESSION (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 H. RECONVENE:

The time being 6:29 p.m. Chairman, Danny Wylie stated the commission would be resuming the open meeting.

ITEM D. PUBLIC HEARING

- 1) **TED MORALES, REPRESENTING LAMAR STRONG, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW THE OUTDOOR STORAGE OF MATERIALS AND/OR EQUIPMENT IN A HEAVY INDUSTRIAL DISTRICT (HI). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 10.317 ACRES, MORE OR LESS, OUT OF LOT 40, L. R. BELL DEVELOPMENT "E" SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 101 NORTH VETERANS BOULEVARD. CUP#231104**

Chairman, Danny Wylie, re-introduced the item.

Charlie Ramirez moved to approve the Conditional Use Permit to allow the outside storage of materials and/or equipment in a Heavy Industrial District (HI). Ruben Luna seconded the motion and when put to vote, it carried unanimously.

- 2) **ROGELIO IBABNEZ, JR., REPRESENTING TEYSHA GROUP, LLC., 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 DISTRICT (R-MF) IN ORDER TO DEVELOP AND CONSTRUCT APARTMENTS. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 5.33 ACRES, MORE OR LESS, OUT OF LOT 223, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS LOCATED AT 1100 EAST MOORE ROAD. COZ#221103**

Laura Fonseca, Planner II, reported the applicant had requested the item be tabled for the next Planning and Zoning Meeting on December 26, 2023.

Charlie Ramirez moved to table the item. Ruben Luna seconded the motion and when put to a vote, it carried unanimously.

- 3) PINPOINT CONSTRUCTION & INVESTMENTS, LLC., OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT (R1-E) TO TOWNHOUSE RESIDENTIAL DISTRICT (R-TH). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 18.52 ACRES MORE OR LESS, OUT OF LOT 73, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1500 WEST OWASSA ROAD. COZ#231102**

Laura Fonseca, Planner II, introduced the item and stated applicant was requesting a change of zone from Single-Family Residential Estate District (R1-E) to Townhouse Residential District (R-TH) construct townhomes. Ms. Fonseca went over the property's legal description and physical address and stated the property was located on the south side of West Owassa Road, a 100 ft. minor arterial street that runs west and east with a posted speed limit of 30-45 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

Laura Fonseca, Planner II, stated the property was currently zoned Single Family Residential Estate District (R1-E) and the properties to the west were zoned Single-Family Residential District (R-1) on September 8, 2020 and on November 21, 2022, the subject property to the east was rezoned to Single Family Residential Estate District (R1-E). She further stated a portion of the property to the east was rezoned to High Density Multi-Family Residential District (R-4) on March 21, 2016 and the remaining section to the east and area to the south were currently zoned Agricultural and or Open Space District (A-O). She reported the city limits lie to the north side of the property and there have been no other zoning requests within the vicinity of the subject property since that time. She stated the property was generally designated for single family residential use in the Land Use Plan.

Laura Fonseca, Planner II, explained Residential Townhouse District (R-TH) was established to provide adequate space and site diversification for medium-density residential development that was single-family, on separate lots, and typically owner occupied. She stated townhouse development was a low to medium density use and before zoning to townhouse usage, the increased requirements for street, water and fire protection, wastewater, drainage, and adequate open space must be met. She further stated townhouse developments must be properly buffered from nonresidential uses and protected from high volumes of non-single-family traffic, or from pollution and/or environmental hazards.

Laura Fonseca, Planner II, further reported fifteen (15) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on November 22, 2023, and a legal notice was published in the Advance News Journal on November 22, 2023. She briefly stated staff received no response to the letters or the legal notice.

Lastly, Laura Fonseca, Planner II, stated staff recommended denial of the request to as the property was not in conformance with the future land use plan and was not compatible with the adjacent zones or land uses in the surrounding areas.

Chairman, Danny Wylie, asked if applicant had any comments. Omar Cano, Supreme Engineering, representing Pinpoint Construction, approached the podium and stated his client was proposing smaller townhouses due to no demand for bigger lots and stated he was available for any questions.

There being no further discussion, Charlie Ramirez moved to deny the request to rezone from Single-Family Residential Estate District (R1-E) to Townhouse Residential District (R-TH). Ruben Luna seconded the motion and when put to vote, it carried unanimously.

ITEM E. PLATS:

- 1) HALFF, REPRESENTING JAIME GARZA, BEBO DISTIBUTING COMPANY, INC., A TEXAS CORPORATION, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED LOT 1 DSV SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 36.458 ACRES OUT OF LOT 403, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1100 BLOCK OF WEST PRODUCE DRIVE. SUB#231130**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 1100 Block of West Produce Drive and was currently zoned Limited Industrial District (L-1) and the adjacent properties were zoned Limited Industrial District (L-1) to the north, east, and west and city limits to the south. He further stated the property was designated for industrial use in the Land Use Plan and the proposed use was warehouses.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Lot 1 DSV Subdivision subject to the conditions noted in the packet.

There being no discussion, Charlie Ramirez moved to approve the request for preliminary plat approval of the proposed Lot 1 DSV Subdivision. Ruben Luna seconded the motion and when put to a vote, it carried unanimously.

- 2) WESTWOOD PROGESSIONAL SERVICES, INC., REPRESENTING K.V. CHOWDARY, MANAGER OF KVS DEV ELOPMENT, L.L.C., IS REQUESTING PRELIMIARY PLAT APPROVAL OF THE PROPOSED MAJESTIC INTERNATIONAL TRADE PORT PHASE 2 SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 79.022 ACRE TRACT OUT OF LOTS 47 AND 48 BLOCK 15, LOTS 49 AND 50, BLOCK 16, LOTS 51 AND 52, BLOCK 17, LOTS 53 THROUGH 55, BLOCK 18 AND A PORTION OF A 40 FOOT ROAD, SHOWN ON THE RE-SUBDIVISION OF LOT 1 AND 5 TO 32, INCLUSIVE OF THE SAN JUAN PLANTATION SUBDIVISION AND OUT OF LOTS 3 AND 4, AS SHOWN ON THE RE-SUBDIVISION OF CLOSER SUBDIVISION. SUB#221025

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 9000 Block of South Veterans Blvd and was currently within the City of Pharr Extraterritorial Jurisdiction (ETJ). The adjacent zones were within City of Pharr Extraterritorial Jurisdiction (ETJ) to the north, south, east, and west and the property was designated for industrial use in the Land Use Plan. He further stated the proposed use was warehouses.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Majestic International Trade Port Phase 2 Subdivision, subject to the conditions noted in the packet.

There being no discussion, Charlie Ramirez moved to approve the request for preliminary plat approval of the proposed Majestic International Trade Port Phase 2 Subdivision. Mercedes Guillen seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

None.

ITEM I. ADJOURNMENT

There being no further business, Ruben Luna moved to adjourn. Charlie Ramirez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:41 p.m.

PLANNING & ZONING COMMISSION



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: January 8, 2024