

**AGENDA**  
**PLANNING & ZONING COMMISSION**  
**City Commissioner's Room**  
**118 S. Cage Blvd. February 12, 2024 – 6:00 PM**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and city ordinances. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law.

If during the course of the meeting, the PLANNING & ZONING COMMISSION should determine that a closed, or executive session of the COMMISSION is required, then such closed or executive session or meeting is authorized by Sections 551.071 et seq. of the Texas Government Code. Notice of closed or executive session will be given after the commencement of the meeting covered by this notice.

Should any final action, decision, or vote be required in the opinion of the Commission with regard to any item during the meeting, then such final action, final decision, or final vote shall be made during the open meeting covered by this notice upon the reconvening of the public meeting.

In compliance with Section 551.041 et seq. of the Texas Government Codes, VTCS (Open Meetings Act), notice is given that the Planning & Zoning Commission will meet to consider and act upon the following:

**A. CALL TO ORDER:**

- 1) Roll call and possible action on the excusing of any absent member.

**B. PUBLIC TESTIMONY:** *(Ordinance No. O-2019-45). A person intending on addressing the governing body may speak at a scheduled meeting of the governing body following registration with the presiding clerk and prior to the scheduled meeting. A registered speaker may speak only on items on the agenda and may not exceed 1.5 minutes when addressing the board regarding an agenda item. A registered speaker may not donate time to another speaker. A sign-in form for public testimony shall be promulgated by the presiding clerk and be made available at the city clerk's office. A person may sign up for public testimony beginning at the time the agenda is posted for the meeting. A person may not sign up later than one hour before the posted meeting is scheduled to begin. No registered speaker may be allowed to speak regarding an item once the public testimony portion of the agenda has ended.*

### **C. APPROVAL OF MINUTES:**

- 1) Minutes for January 22, 2024 – Regular Scheduled Meeting
- 2) Minutes for February 1, 2024 – Special Called Meeting

**D. PUBLIC HEARING:** *(Ordinance No. O-2019-31). A registered speaker during the public hearing may not exceed 1.5 minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the presiding clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed*

- 1) The City of Pharr, 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 General Business District (C). The property is legally described as being 3.4 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is located at 4800 North Jackson Road. **COZ#240103**
- 2) Cross Development CC Pharr, LLC., representing Heavy Investments, LTD., 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 General Business District (C). The property is legally described as being 2.09 acres, more or less, out of Lots 13 and 14, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is located at 1400 East Ferguson Avenue. **COZ#240101**
- 3) Diana L. Bojorquez De Robles, DBA Royal Garden, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. The property is legally described as being 0.21 acres, more or less, out of Lots 12 and 13, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 213 East Ferguson Avenue, Suite C. **CUP#240101**

### **E. ANNOUNCEMENTS:**

**F. 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.*

**governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the Commission may convene in a closed, non-public meeting to discuss any matters related to real property and deliberate the purchase, exchange, lease, or value of **real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the Commission may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the Commission may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the Commission may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.087, the Commission may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

**G. RECONVENE:** *into Regular Session, and consider action, if necessary on any items(s) discussed in closed session.*

**H. ADJOURNMENT:**

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the Planning & Zoning Commission was posted on the bulletin board at City Hall and on the City's web page at [www.pharr-tx.gov](http://www.pharr-tx.gov). This Notice was posted on the 7<sup>th</sup> day of February 2024 at 9:00 a.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

**WITNESS MY HAND AND SEAL, this 7<sup>th</sup> day of February 2024**



Hilda Pedraza, TRMC/CMC  
City Clerk

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
*City Commissioner's Room*  
*118 S. Cage Blvd. January 22, 2024 - 6:00 p.m.*

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, January 22, 2024 and following is the record of attendance.

**MEMBERS PRESENT:** Rafael Munguia                      Ruben Luna  
                                 Charlie Ramirez                      Mercedes Guillen  
                                 Andy Castro

**ABSENT:** Danny Wylie                      Romeo Robles  
                         Jonathan Larraga

**STAFF PRESENT:** Ricardo Rodriguez, 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  
                         Joanna Villarreal, Planner I  
                         Julia Rios, Administrative Assistant  
                         Jose Navarro, Assistant Fire Marshal  
                         Catherine Cadena, Fire Inspector

**ITEM A.        CALL TO ORDER**

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

Board Member Rafael Munguia called the meeting to order at 6:00 p.m. Roll call established a quorum.

Board Member Charlie Ramirez moved to excuse the absent members. Board Member Ruben Luna seconded the motion and when put to a vote it carried unanimously.

**ITEM B.        PUBLIC TESTIMONY**

Board Member Rafael Munguia asked if anyone signed up to speak.

Julia Rios, Administrative Assistant, stated there was no one who signed up to speak.

**ITEM C.        APPROVAL OF MINUTES**

**1) MINUTES FOR JANUARY 8, 2024**

Board Member Rafael Munguia introduced the item.

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

**ITEM D. PUBLIC HEARING**

- 1) ROGELIO IBANEZ, 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**

Joanna Villarreal, Planner I, stated the item was tabled and recommended to untabled it.

Board Member Charlie Ramirez **moved** to untable. Board Member Andy Castro seconded the motion and when put to a vote, it carried unanimously.

Joanna Villarreal, Planner I, introduced the item and stated applicant was requesting a change of zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF) to develop and construct apartments. Ms. Villarreal went over the property's legal description and physical address and stated the property was located on the south side of East Moore Road, approximately 0.33 miles west of South Veterans Boulevard. Ms. Villarreal further stated the property fronts an 80 ft. major collector that runs east and west with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

Joanna Villarreal, Planner I, stated the property to the west, south and east were zoned Agricultural and/or Open Space District (A-O) upon annexation on June 29, 1984 and to the north was zoned Residential Mobile Home District (R-MH) upon annexation on June 29, 1984. She reported there have been no other rezoning requests within the general 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.

Joanna Villarreal, Planner I, explained Residential Multi-Family District (R-MF) was established to provide adequate space and site diversification for low to medium-density residential development where adequate streets and other community facilities were available for present and future needs. Ms. Villarreal stated the district was established

for duplex-fourplex development as low to medium-density use, and additional requirements for streets, water and fire protection, wastewater, drainage, and adequate open space would be met before zoning to such use. She further stated it would be established to protect residential areas as far as possible against heavy traffic and zoned promote the most desirable use of land and direction of building development not in conflict with the city's comprehensive plan.

Joanna Villarreal, Planner I, further reported seven (7) 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 stated staff received one response for information only.

Lastly, Joanna Villarreal, Planner I, further stated staff recommended denial of the request to rezone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF) as the property was not in conformance with the future land use plan.

Rogelio Ibanez, applicant, representing Teysha Group, LLC., approached the podium and went over current zoning in the future land use plan and stated the property would be suitable for multifamily development and requested approval of his request.

There being no further discussion, Board Member Rafael Munguia closed the public hearing and opened for board discussion.

At this time, Board Member Charlie Ramirez stated the board would deviate from the agenda and 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 6:07 p.m., Board Member Rafael Munguia 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 6:24 p.m. Board Member Rafael Munguia stated the commission would be resuming the open meeting.

#### **ITEM D. PUBLIC HEARING**

- 1) 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**

Board Member Rafael Munguia reintroduced the item.

Board Member Andy Castro **moved** to approve the 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. Charlie Ramirez seconded the motion and when put to vote, it carried unanimously.

#### **ITEM E. PLATS:**

- 1) M2 ENGINEERING, PLLC., REPRESENTING ABEL HERNANDEZ, MANAGING MEMBER FOR HDZ HOLDINGS LLC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED VETERANS OAKS APARTMENTS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 5.576 ACRES TRACT OF LAND, OUT OF LOT 129, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 3100 BLOCK OF NORTH VETERANS BOULEVARD. SUB#240101**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 3100 Block of North Veterans Boulevard and was currently zoned Residential Multi-family District (R-MF) and the adjacent properties were zoned Single Family Residential District (R-1) and General Business District (C) to the north, city limits to the east, Single Family Residential District (R-1) to the south and Agricultural Open Space District (A-O) to the west. He further stated the property was designated for manufactured homes in the Land Use Plan and the proposed use was multi-family.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Veterans Oaks Apartments Subdivision subject to the conditions noted in the packet.

There being no discussion, Board Member Charlie Ramirez **moved** to approve the request for preliminary plat approval of the proposed Veterans Oaks Apartments Subdivision. Board Member Ruben Luna seconded the motion and when put to a vote, it carried unanimously.

- 2) **J & J ENGINEERING, LLC., REPRESENTING AIDA CUELLAR, MANAGING MEMBER FOR CARRILLO PROPERTIES I, LTD., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED JAVELINA ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 8.00 ACRE TRACT OF LAND OUT OF LOT 245, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS THE PROPERTY IS LOCATED WITHIN THE 3200 BLOCK OF SOUTH CAGE BOULEVARD. SUB#230923**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 3200 Block of South Cage Boulevard and was currently zoned Single Family Residential District (R-1) and General Business District (C). The adjacent zones were Single Family Residential District (R-1) and General Business District (C) to the north, Agricultural Open Space District (A-O) and General Business District (C) to the east and south and Single-Family Residential District (R-1) to the west. Mr. Martinez further stated the property was designated for single family residential and commercial use in the Land Use Plan and the proposed use was single family lots and retail for commercial lot.

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

There being no discussion, Board Member Charlie Ramirez **moved** to approve the request for preliminary plat approval of the proposed Javelina Estates Subdivision. Board Member Ruben Luna 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, Board Member Charlie Ramirez **moved** to adjourn. Board Member Ruben Luna seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:29 p.m.

**PLANNING & ZONING COMMISSION**

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Rafael Munguia

ATTEST:

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Andy Castro, Secretary

APPROVED: \_\_\_\_\_

**MINUTES**  
**PLANNING & ZONING COMMISSION**  
*City Commissioner's Room*  
*118 S. Cage Blvd. February 1, 2024 - 12:00 p.m.*

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Thursday, February 1, 2024 and following is the record of attendance.

**MEMBERS PRESENT:** Danny Wylie  
Ruben Luna  
Charlie Ramirez  
Andy Castro

**ABSENT:** Rafael Munguia  
Mercedes Guillen  
Romeo Robles  
Jonathan Larraga

**STAFF PRESENT:** Ricardo Rodriguez Jr., City Attorney  
Kimberly Mendoza, Director of Development Service  
Ruben Alfaro, City Engineer  
Joe Garza, Asst. Director of Development Services  
Juan Vasquez, Commercial Industrial Development Specialist  
Eddie Martinez, Planner III  
Joanna Villarreal, Planner I

**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 12:00 p.m. Roll call established a quorum.

Board Member Charlie Ramirez moved to excuse the absent members. Board Member Andy Castro seconded the motion and when put to a vote it carried unanimously.

**ITEM B. PUBLIC TESTIMONY**

Chairman Danny Wylie asked if anyone signed up to speak.

Joanna Villarreal, Planner I, stated there was no one who signed up to speak.

#### **ITEM C. PUBLIC HEARING**

None.

#### **ITEM D. PLATS:**

- 1) RUBEN ALFARO, P.E., ENGINEERING THE CITY OF PHARR, IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED PHARR HEALTH SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING AN 11.227 ACRES TRACT OF LAND BEING THE NORTH 594.00 FT. OF THE WEST 823.20 FT. OF LOT 7, BLOCK 4, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 4800 NORTH JACKSON ROAD. SUB#240102**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located at 4800 North Jackson Road and was currently zoned General Business District (C) and Agricultural and/or Open Space District (A-O) the adjacent properties were zoned Residential Multi-Family High Density District (R-MFHD) to the north, Agricultural and/or Open Space District (A-O) to the east, General Business District (C) to the south and city limits to the west. He further stated the property was designated for commercial use in the Land Use Plan and the proposed use was medical.

Eddie Martinez, Planner III, stated staff recommended preliminary and final plat approval of the proposed Pharr Health Subdivision subject to the conditions noted in the packet.

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

#### **ITEM E. ANNOUNCEMENTS/OTHER BUSINESS:**

None.

#### **ITEM F. CLOSED SESSION**

None.

#### **ITEM G. RECONVENE:**

None.

**ITEM H. ADJOURNMENT**

There being no further business, Board member, Andy Castro **moved** to adjourn. Board Member Charlie Ramirez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 12:03 p.m.

**PLANNING & ZONING COMMISSION**

\_\_\_\_\_  
Danny Wylie, Chairman

ATTEST:

\_\_\_\_\_  
Andy Castro, Secretary

APPROVED: \_\_\_\_\_



## AGENDA MEMORANDUM



**BOARD:** Planning & Zoning Commission

**AGENDA ITEM #:** D.1.

**DATE SUBMITTED:** February 6, 2024

**MEETING DATE:** February 12, 2024

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** The City of Pharr, 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 General Business District (C). The property is legally described as being 3.4 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is located at 4800 North Jackson Road. **COZ#240103**

**Classification:** Public Hearing

(\* If closed session, City Attorney must review and approve.)

**Issue:** The City of Pharr, 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 General Business District (C) in order to develop and construct a medical facility.

### **Fiscal Consideration:**

**Staff Recommendation:** Development Services recommends approval of the rezoning request from Agricultural and/or Open Space District (A-O) to General Business District (C) as the property complies with the land use plan, meets area requirements, has adequate ingress and egress and will be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

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### **ROUTING:**

Kimberly Mendoza  
Ricardo Rodriguez  
Kimberly Mendoza

Created/Initiated - 2/6/2024  
Approved - 2/6/2024  
Final Approval - 2/9/2024



## MEMORANDUM

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**DATE:** MONDAY, FEBRUARY 12, 2024

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** DEVELOPMENT SERVICES

**SUBJECT:** Re-zoning Request: Agricultural and/or Open Space District (A-O) to General Business District (C). The property is legally described as being 3.4 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is located at 4800 North Jackson Road. COZ#240103

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Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

## DESCRIPTION OF PROPERTY:

The City of Pharr, 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 General Business District (C) in order to develop and construct a medical facility.

The subject site is located on the east side of North Jackson Road, approximately 0.14 miles north of West Nolana Loop, with a physical address of 4800 North Jackson Road. The property is legally described as being 3.4 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas.

The property fronts North Jackson Road, a 120 ft. – 150 ft. principal arterial that runs north and south with a posted speed limit of 40 – 50 miles per hour or less, as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). The property to the north was rezoned from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High Density District (R-MFHD) on May 15, 2023. The property to the east was zoned Agricultural and/or Open Space District (A-O) on October 13, 1989, upon annexation to the City of Pharr. The property to the south was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on June 07, 2011. The city limits lie to the west side of the property. 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 General Business District (C) is established to provide adequate space and site diversification for most types of commercial development in the City of Pharr. Larger shopping centers and more existing commercial strips along major arterials would be included in this district. The noise, traffic, litter, late-night hours, and possible blighting influences require adequate buffering from residential areas, and the traffic from such uses should not pass-through residential areas, except on arterials or major collectors.

Five (5) letters were mailed out to the surrounding property owners on February 2, 2024, and a legal notice was published in the Advance News Journal on January 31, 2024. Staff received no response to letter or public notice.

Development Services is recommending **approval** of the request to re-zone from Agricultural and/or Open Space District (A-O) to General Business District (C) as the property complies with the land use plan, meets area requirements, has adequate ingress and egress and will be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

**NOTE:** This item will go to before the City Commission Meeting of **February 19, 2024 at 4:00 p.m.**

## **PLANNING COMMISSION OPTIONS:**

- 1. Approve the rezoning request;**
- 2. Table the item for:**
  - a) consideration by the full board;**
  - b) additional information;**
  - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**



## REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

The City of Pharr, owner  
APPLICANT

Agricultural and/or Open Space District (A-O)  
CURRENT ZONE

4800 North Jackson Road  
ADDRESS

General Business District (C)  
PROPOSED ZONE

|                                                                                            | YES | NO |
|--------------------------------------------------------------------------------------------|-----|----|
| 1 Does the property meet the minimum area requirements for the proposed zone?              | X   |    |
| 2 Does the property have adequate ingress and egress?                                      | X   |    |
| 3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use) | X   |    |
| 4 Is the property located along a major thoroughfare?                                      | X   |    |
| 5 Will the property have adequate parking for the proposed use?                            | X   |    |
| 6 Will the property have adequate landscaping as per City Ordinance?                       | X   |    |
| 7 Will the zone change increase the volume of traffic?                                     |     | X  |
| 8 Will a buffer be required?                                                               | X   |    |
| 9 Is the proposed change in line with the Future Land Use Plan?                            | X   |    |

STAFF RECOMMENDATIONS:

**Approval**

Development Services is recommending approval of the request to re-zone to from Agricultural and/or Open Space District (A-O) to General Business District (C) as the property complies with the land use plan, meets area requirements, and has adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

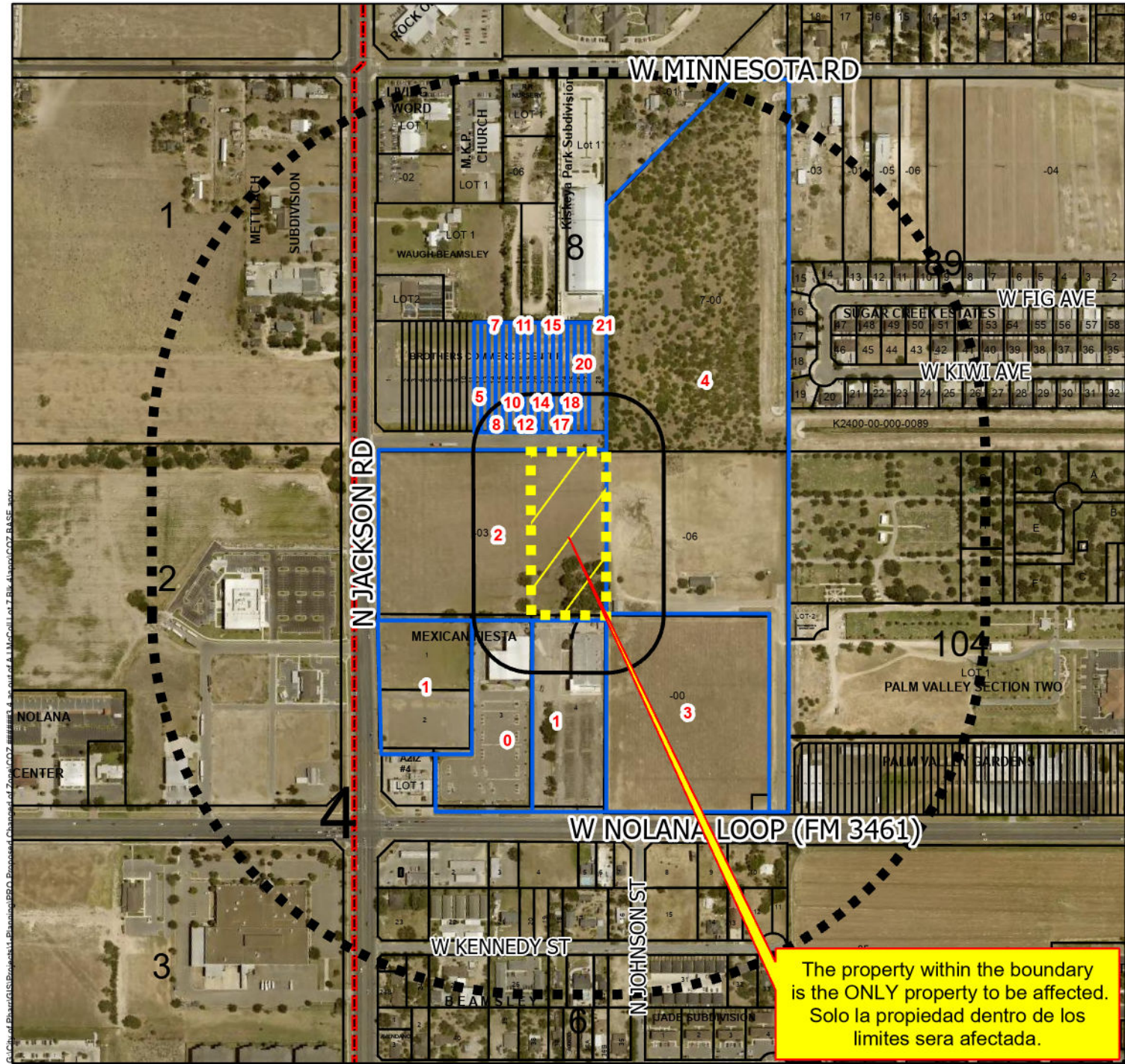
Laura Fonseca  
PREPARED BY

February 1, 2024  
DATE

Proposed Change of Zone  
3.4 ac out of A.J. McColl Lot 7 Blk 4  
The City of Pharr



AERIAL



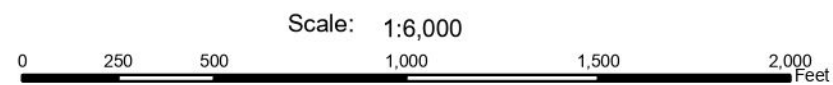
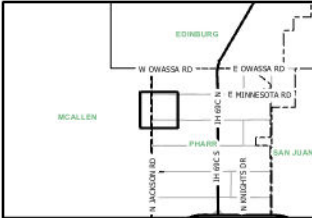
- Zoning**
- ZONE**
- Agricultural Open Space
  - Single Family
  - Single Family Small Lot
  - Residential Multi-Family
  - Residential Multi-Family High Density
  - Mobile Home
  - Townhouse
  - HUD Code

- Rail Road R.O.W
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD

- Hidalgo ISD
  - Valley View ISD
  - Planned Unit Development
- Future Land Use**
- FUTURELAND**
- Irrigation
  - Agriculture
  - Single Family Res.
  - Multi-Family Res.

- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Quarter Mile Radius
- Subject Property
- 200 ft Radius
- Notified Properties

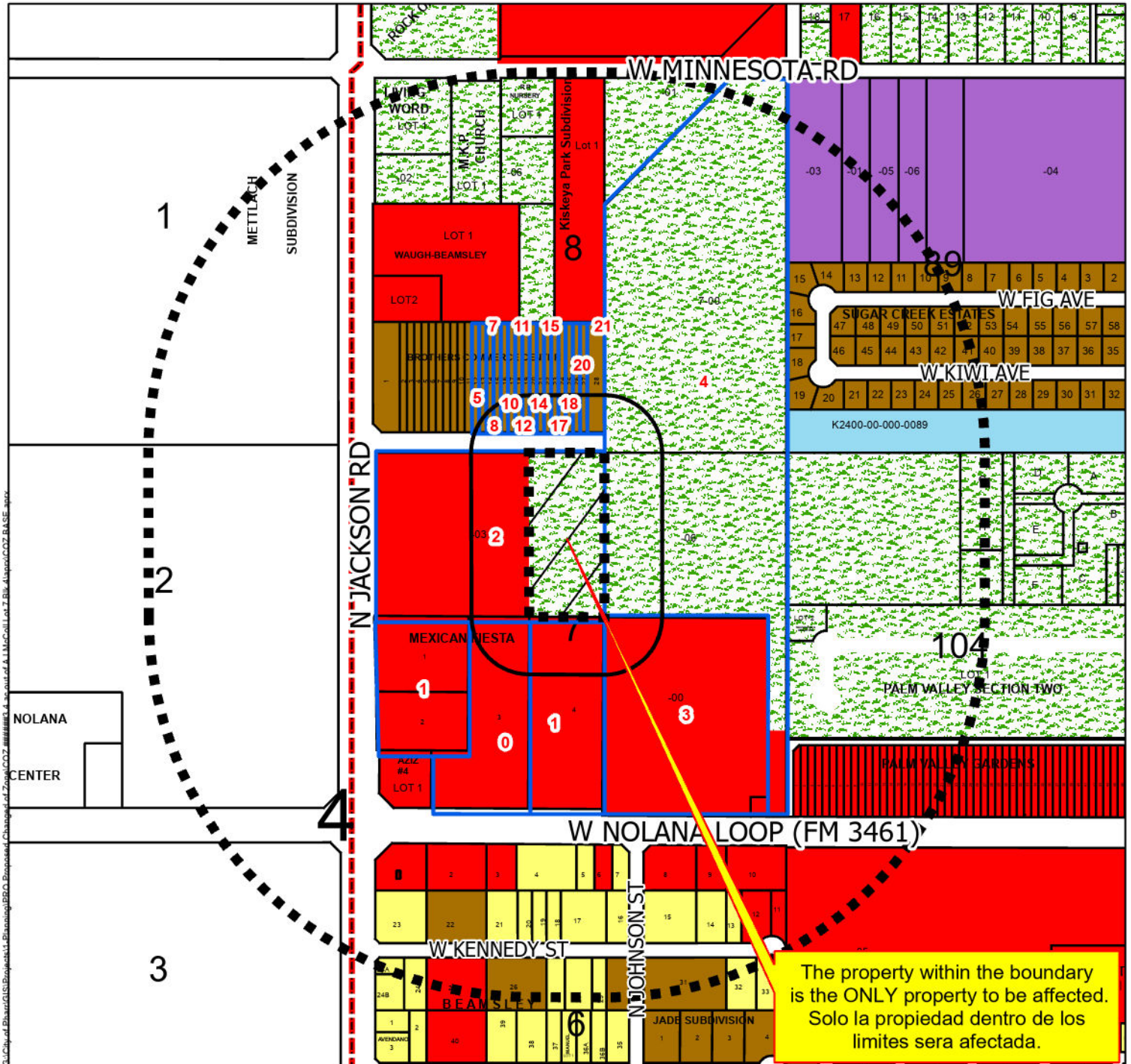
All Information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Proposed Change of Zone  
3.4 ac out of A.J. McColl Lot 7 Blk 4  
The City of Pharr



ZONING

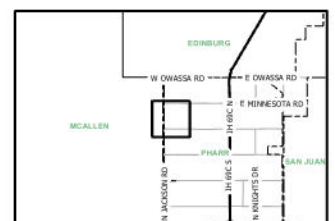


The property within the boundary is the ONLY property to be affected.  
Solo la propiedad dentro de los limites sera afectada.

- Zoning**
- ZONE**
- Agricultural Open Space
  - Single Family
  - Single Family Small Lot
  - Residential Multi-Family
  - Residential Multi-Family High Density
  - Mobile Home
  - Townhouse
  - HUD Code
  - General Business
  - Business District
  - Drainage Easement
  - Heavy Commercial
  - Heavy Industrial
  - Limited Industrial
  - Neighborhood Commercial
  - Office Professional
  - PSJA ISD
  - Hidalgo ISD
  - Valley View ISD
  - Planned Unit Development
  - Manufactured Homes
  - Industrial
  - Commercial
  - Public/Semi Public
  - ROW
  - Parks
  - Quarter Mile Radius
  - Subject Property
  - 200 ft Radius
  - Notified Properties

- Future Land Use**
- FUTURELAND**
- Irrigation
  - Agriculture
  - Single Family Res.
  - Multi-Family Res.

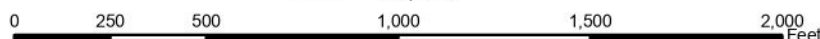
All Information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



City of Pharr, Texas  
Engineering Department  
956.402.4242

Date: 1/23/2024

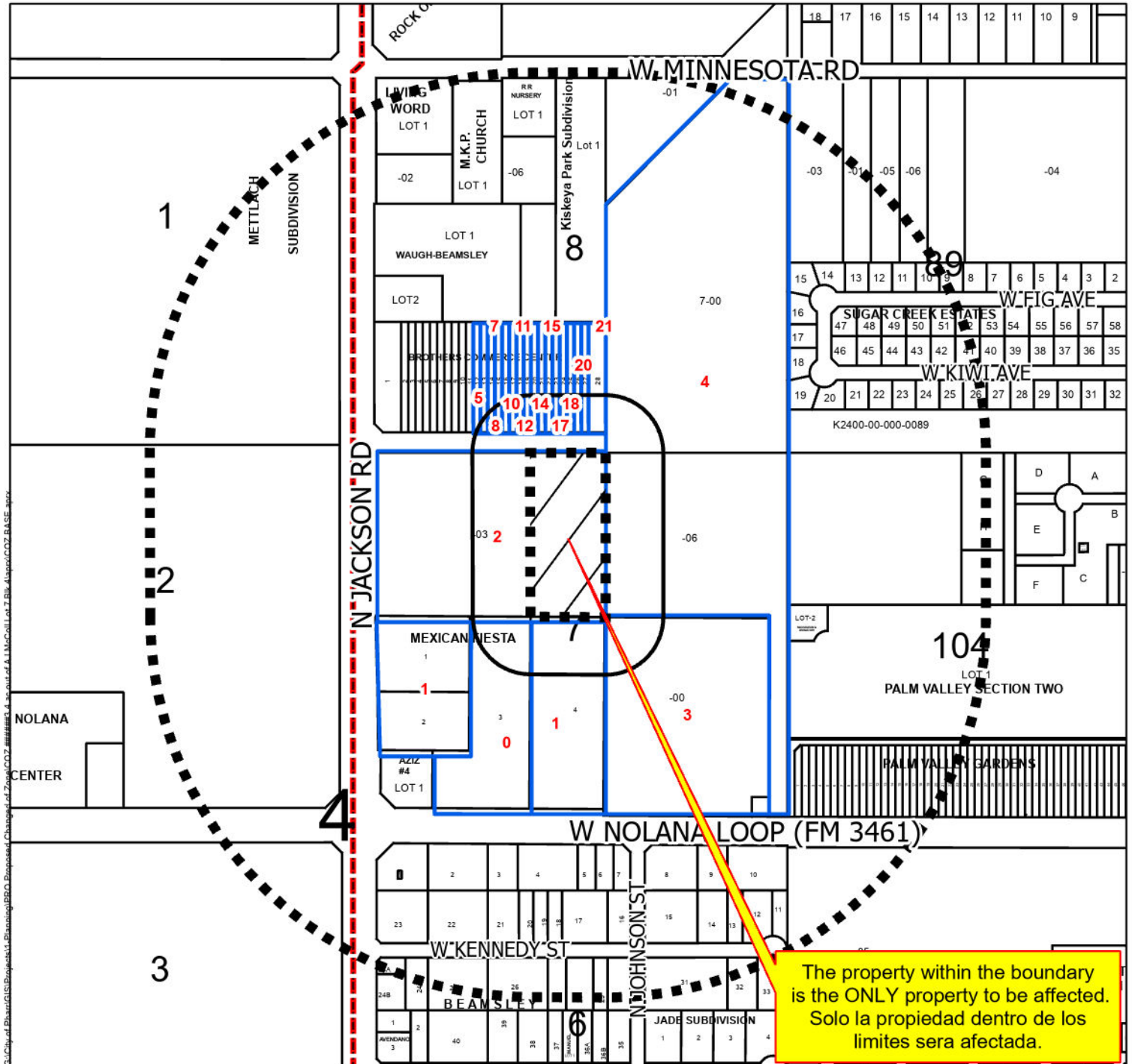
Scale: 1:6,000



Proposed Change of Zone  
3.4 ac out of A.J. McColl Lot 7 Blk 4  
The City of Pharr



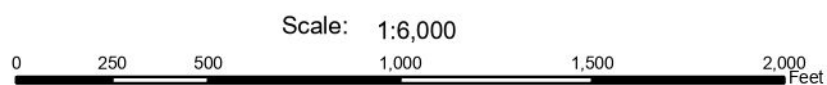
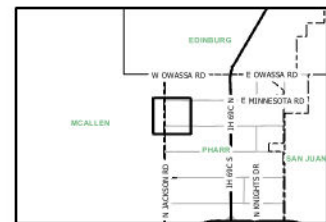
RADIUS



- |                                       |                         |                          |                     |
|---------------------------------------|-------------------------|--------------------------|---------------------|
| <b>Zoning</b>                         | Rail Road R.O.W         | Hidalgo ISD              | Manufactured Homes  |
| <b>ZONE</b>                           | Government Owned        | Valley View ISD          | Industrial          |
| Agricultural Open Space               | General Business        | Planned Unit Development | Commercial          |
| Single Family                         | Business District       | <b>Future Land Use</b>   | Public/Semi Public  |
| Single Family Small Lot               | Drainage Easement       | <b>FUTURELAND</b>        | ROW                 |
| Residential Multi-Family              | Heavy Commercial        | Irrigation               | Parks               |
| Residential Multi-Family High Density | Heavy Industrial        | Agriculture              | Quarter Mile Radius |
| Mobile Home                           | Limited Industrial      | Single Family Res.       | Subject Property    |
| Townhouse                             | Neighborhood Commercial | Multi-Family Res.        | 200 ft Radius       |
| HUD Code                              | Office Professional     |                          | Notified Properties |
|                                       | PSJA ISD                |                          |                     |

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## FUTURE LAND USE



A horizontal scale bar with markings at 0, 250, 500, 1,000, 1,500, and 2,000 feet.



**Pharr**  
Development Services



**Site Photo**  
4800 N Jackson Avenue





## AGENDA MEMORANDUM



**BOARD:** Planning & Zoning Commission

**AGENDA ITEM #:** D.2.

**DATE SUBMITTED:** February 6, 2024

**MEETING DATE:** February 12, 2024

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** Cross Development CC Pharr, LLC., representing Heavy Investments, LTD., 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 General Business District (C). The property is legally described as being 2.09 acres, more or less, out of Lots 13 and 14, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is located at 1400 East Ferguson Avenue. **COZ#240101**

**Classification:** Public Hearing

(\* If closed session, City Attorney must review and approve.)

**Issue:** Cross Development CC Pharr, LLC., representing Heavy Investments, LTD., 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 General Business District (C) in order to develop and construct an automobile repair shop.

**Fiscal Consideration:**

**Staff Recommendation:** Development Services recommends approval of the rezoning request 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 and will be compatible with the surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Kimberly Mendoza  
Ricardo Rodriguez  
Kimberly Mendoza

Created/Initiated - 2/6/2024  
Approved - 2/6/2024  
Final Approval - 2/9/2024



## MEMORANDUM

---

**DATE:** MONDAY, FEBRUARY 12, 2024

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** DEVELOPMENT SERVICES

**SUBJECT:** Re-zoning Request: Agricultural and/or Open Space District (A-O) to General Business District (C). The property is legally described as being 2.09 acres, more or less, out of Lots 13 and 14, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is located at 1400 East Ferguson Avenue. COZ#240101

---

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

## DESCRIPTION OF PROPERTY:

Cross Development CC Pharr, LLC., representing Heavy Investments, LTD., 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 General Business District (C) in order to develop and construct an automobile repair shop.

The subject site is located on the south side of East Ferguson Avenue, approximately 0.08 miles west of North Veterans Boulevard, with a physical address of 1400 East Ferguson Avenue. The property is legally described as being 2.09 acres, more or less, out of Lots 13 and 14, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas.

The property fronts East Ferguson Avenue, a 120 ft. – 150 ft. principal arterial that runs east and west with a posted speed limit of 40 – 50 miles per hour or less, as identified in the City of Pharr's Thoroughfare Plan.

The property and the property to the west, were zoned Agricultural and/or Open Space District (A-O) upon adoption of comprehensive zoning in 1982. The property to the north was zoned General Business District (C) upon adoption of comprehensive zoning in 1982. A portion of the property to the east was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on February 20, 2017. The remaining portion to the east was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on January 20, 2020. The property to the south was zoned Single-Family Residential District (R-1) upon annexation on October 19, 1982. There have been no other rezoning requests within the general vicinity of the subject property since that time. The property is generally designated for commercial and residential use in the Land Use Plan. However, is compatible with surrounding zoning.

The General Business District (C) is established to provide adequate space and site diversification for most types of commercial development in the City of Pharr. Larger shopping centers and most existing commercial strips along major arterials would be included in this district. The noise, traffic, litter, late-night hours, and possible blighting influences require adequate buffering from residential areas, and the traffic from such uses should not pass-through residential areas, except on arterials or major collectors.

Sixteen (16) letters were mailed out to the surrounding property owners on January 26, 2024, and a legal notice was published in the Advance News Journal on January 24, 2024. Staff received two (2) responses for information only, to letter or public notice.

Development Services is recommending **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 and will be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

**NOTE:** This item will go to before the City Commission Meeting of **February 19, 2024** at **4:00 p.m.**

**PLANNING COMMISSION OPTIONS:**

1. **Approve the rezoning request;**
2. **Table the item for:**
  - a) **consideration by the full board;**
  - b) **additional information;**
  - c) **additional time for applicant and adjacent property owners to meet;**
3. **Disapprove the request.**



## REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Cross Development CC Pharr, LLC., representing  
Investments, LTD., owner  
APPLICANT

Heavy

Agricultural and/or Open Space District (A-O)  
CURRENT ZONE

1400 East Ferguson Avenue  
ADDRESS

General Business District (C)  
PROPOSED ZONE

|   |                                                                                          | YES | NO |
|---|------------------------------------------------------------------------------------------|-----|----|
| 1 | Does the property meet the minimum area requirements for the proposed zone?              | X   |    |
| 2 | Does the property have adequate ingress and egress?                                      | X   |    |
| 3 | Will the change of zone be compatible with surrounding properties? (Zoning and Land Use) | X   |    |
| 4 | Is the property located along a major thoroughfare?                                      | X   |    |
| 5 | Will the property have adequate parking for the proposed use?                            | X   |    |
| 6 | Will the property have adequate landscaping as per City Ordinance?                       | X   |    |
| 7 | Will the zone change increase the volume of traffic?                                     |     | X  |
| 8 | Will a buffer be required?                                                               | X   |    |
| 9 | Is the proposed change in line with the Future Land Use Plan?                            | X   |    |

STAFF RECOMMENDATIONS:

Approval

Development Services is recommending 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 and will be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

Laura Fonseca, Planner II  
PREPARED BY

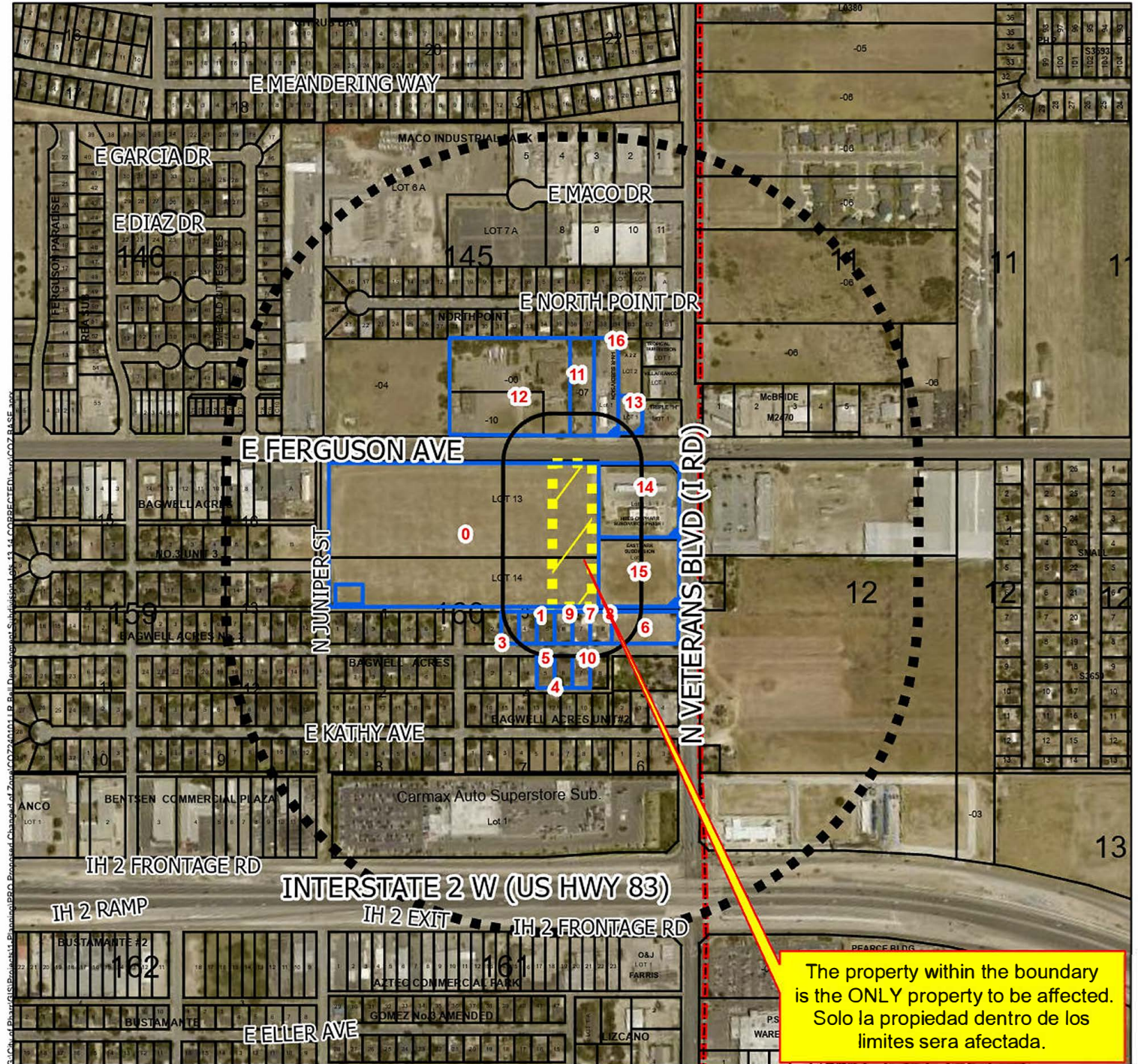
February 1, 2024  
DATE

Proposed Change of Zone  
being 2.09 acres, more or less, out of Lots 13 and 14, L. R.  
Bell Development "E" Subdivision

Heavy Investments LTD



Aerial



Zoning

ZONE

- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home
- Townhouse
- HUD Code
- General Business
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD

Hidalgo ISD

- Valley View ISD
- Planned Unit Development

Future Land Use

FUTURELAND

- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.

Manufactured Homes

- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Notified Properties
- 200 ft Radius
- Quarter Mile Radius

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City of Pharr, Texas  
Engineering Department  
956.402.4242

Date: 1/18/2024

Scale: 1:7,000

0 290 580 1,160 1,740 2,320 Feet

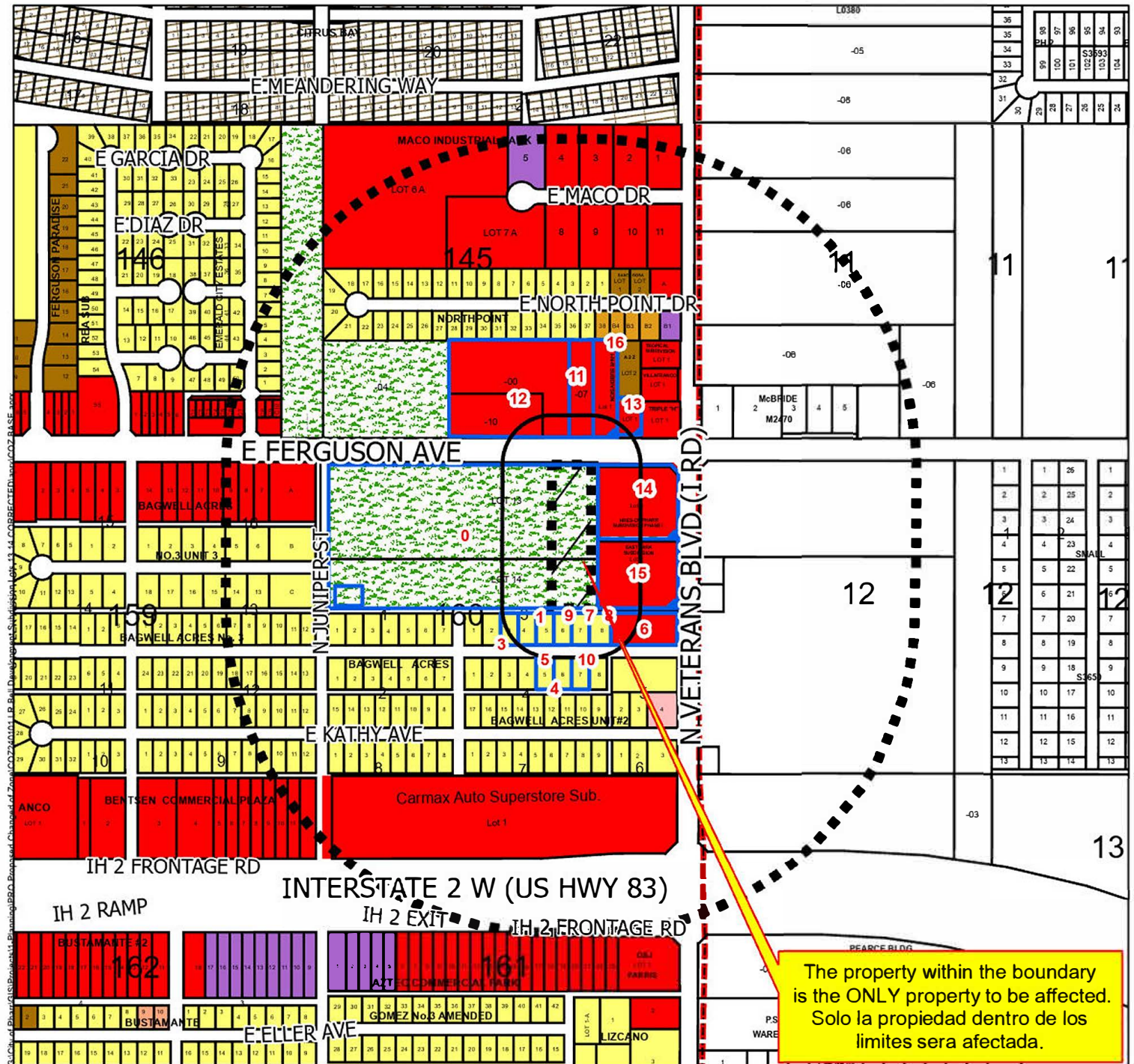


Proposed Change of Zone  
being 2.09 acres, more or less, out of Lots 13 and 14, L. R.  
Bell Development "E" Subdivision



Heavy Investments LTD

ZONING



The property within the boundary  
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limites sera afectada.

- |                                       |                         |                          |                     |
|---------------------------------------|-------------------------|--------------------------|---------------------|
| <b>Zoning</b>                         | Rail Road R.O.W         | Hidalgo ISD              | Manufactured Homes  |
| <b>ZONE</b>                           | Government Owned        | Valley View ISD          | Industrial          |
| Agricultural Open Space               | General Business        | Planned Unit Development | Commercial          |
| Single Family                         | Business District       | <b>Future Land Use</b>   | Public/Semi Public  |
| Single Family Small Lot               | Drainage Easement       | <b>FUTURELAND</b>        | ROW                 |
| Residential Multi-Family              | Heavy Commercial        | Irrigation               | Parks               |
| Residential Multi-Family High Density | Heavy Industrial        | Agriculture              | Subject Property    |
| Mobile Home                           | Limited Industrial      | Single Family Res.       | Notified Properties |
| Townhouse                             | Neighborhood Commercial | Multi-Family Res.        | 200 ft Radius       |
| HUD Code                              | Office Professional     |                          | Quarter Mile Radius |
|                                       | PSJA ISD                |                          |                     |

City of Pharr, Texas  
Engineering Department  
956.402.4242

Scale: 1:7,000



Date: 1/18/2024

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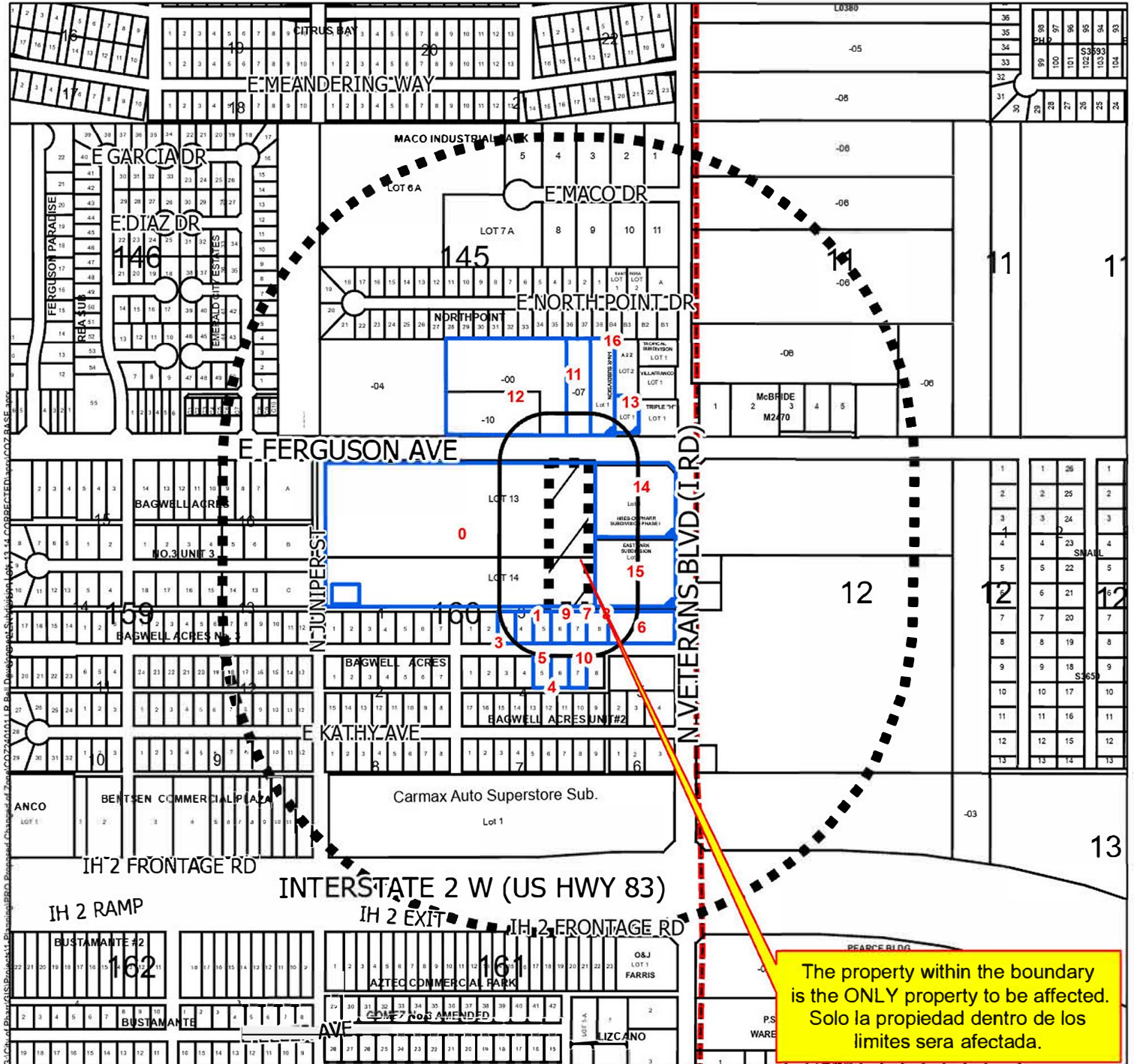


Proposed Change of Zone  
being 2.09 acres, more or less, out of Lots 13 and 14, L. R.  
Bell Development "E" Subdivision



Heavy Investments LTD

RADIUS



Zoning

ZONE

- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home
- Townhouse
- HUD Code

- Rail Road R.O.W
- Government Owned
- General Business
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City of Pharr, Texas  
Engineering Department  
956.402.4242

Date: 1/18/2024

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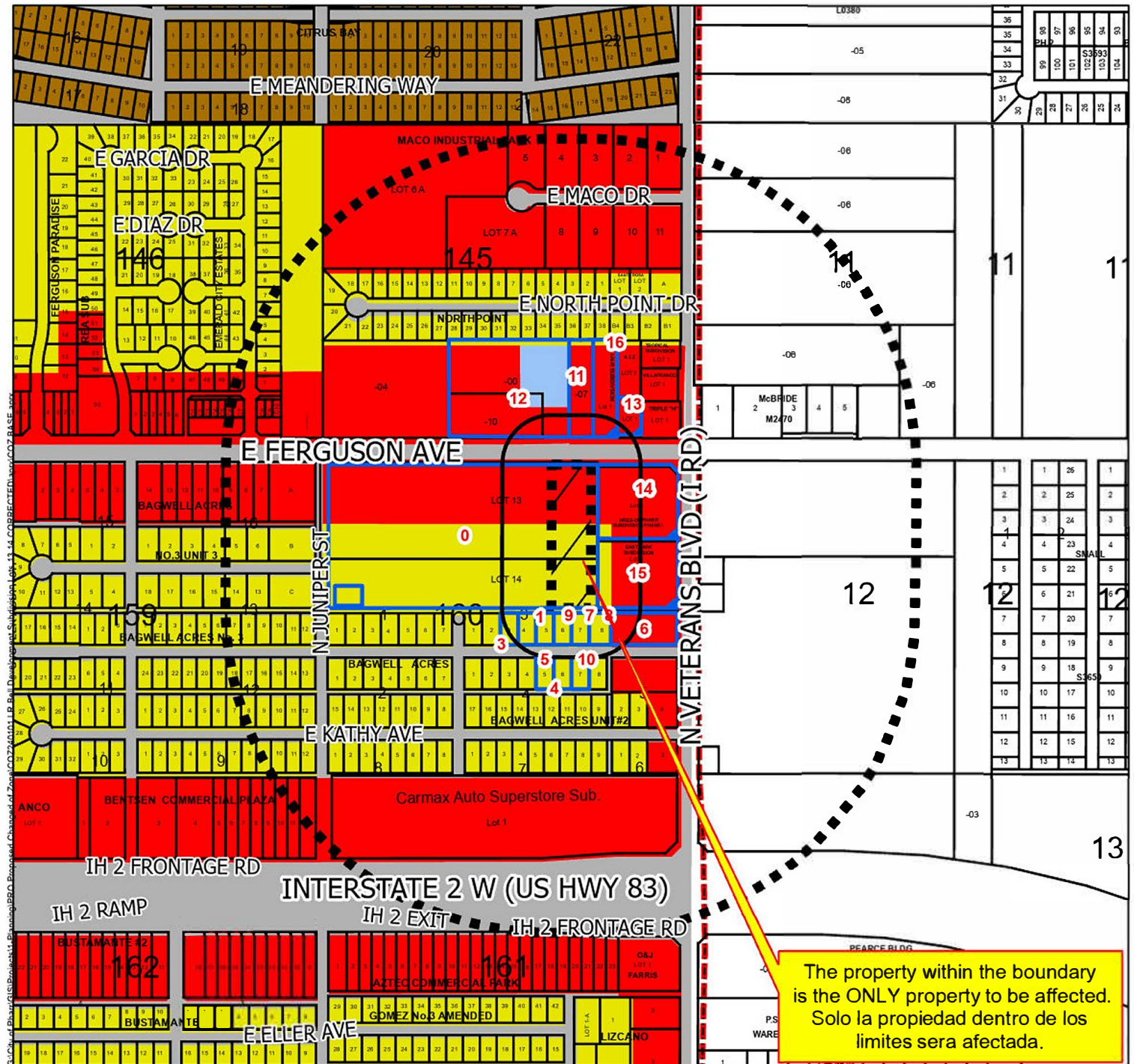
0 290 580 1,160 1,740 2,320 Feet

Proposed Change of Zone  
being 2.09 acres, more or less, out of Lots 13 and 14, L.. R.  
Bell Development "E" Subdivision



Heavy Investments LTD

FUTURE LAND USE



- Zoning**
- ZONE**
- Agricultural Open Space
  - Single Family
  - Single Family Small Lot
  - Residential Multi-Family
  - Residential Multi-Family High Density
  - Mobile Home
  - Townhouse
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- Rail Road R.O.W
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  - Valley View ISD
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- FUTURELAND**
- Irrigation
  - Agriculture
  - Single Family Res.
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- Manufactured Homes
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City of Pharr, Texas  
Engineering Department  
956.402.4242

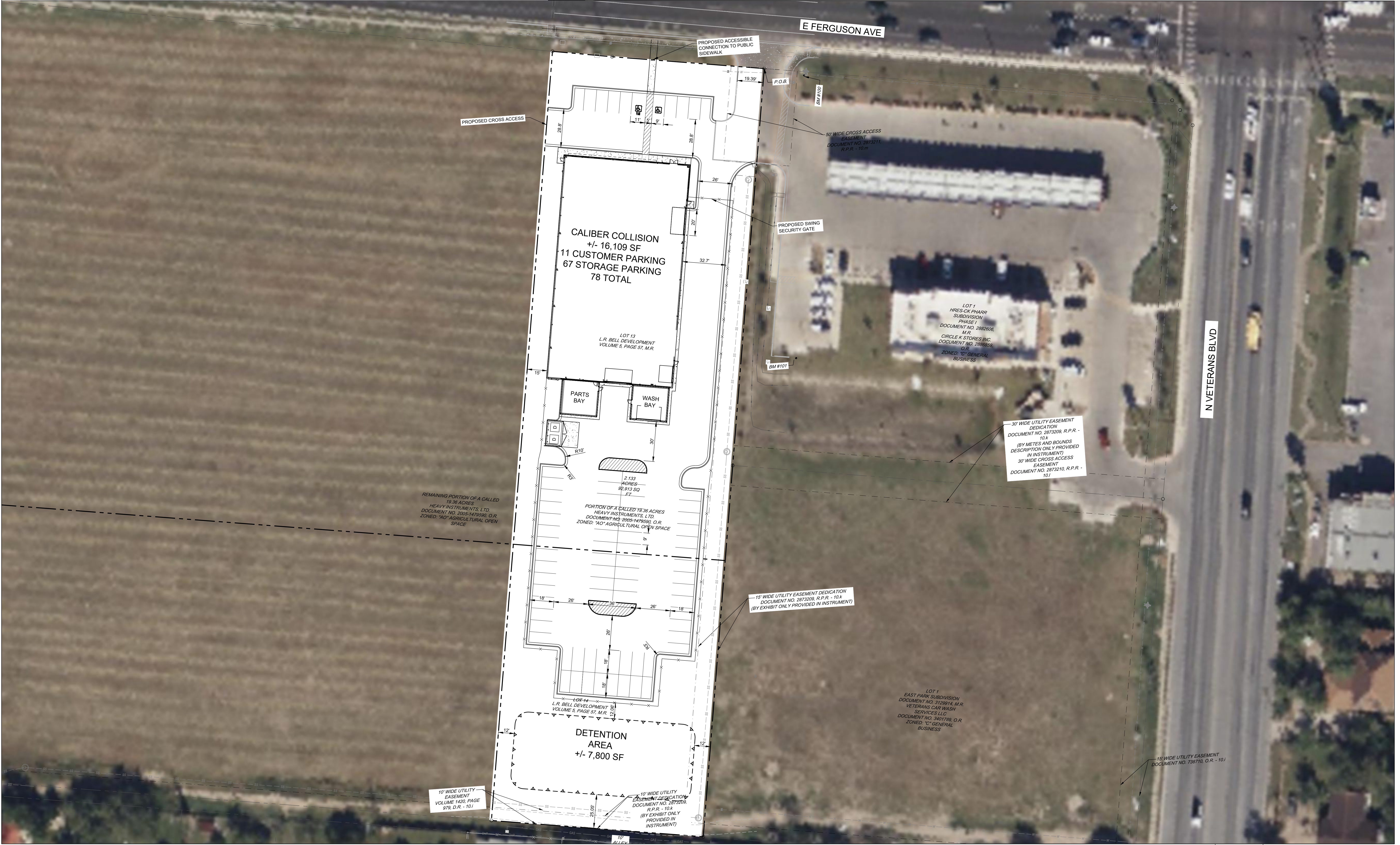
Scale: 1:7,000



Date: 1/18/2024

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CALIBER COLLISION  
EAST FERGUSON AVE, HIDALGO COUNTY, PHARR, TX 78577  
CONCEPT 1



**Pharr**  
Development Services



**Site Photo**  
1400 East Ferguson Avenue





## AGENDA MEMORANDUM



**BOARD:** Planning & Zoning Commission

**AGENDA ITEM #:** D.3.

**DATE SUBMITTED:** February 6, 2024

**MEETING DATE:** February 12, 2024

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** Diana L. Bojorquez De Robles, DBA Royal Garden, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. The property is legally described as being 0.21 acres, more or less, out of Lots 12 and 13, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 213 East Ferguson Avenue, Suite C. **CUP#240101**

**Classification:** Public Hearing

(\* If closed session, City Attorney must review and approve.)

**Issue:** Diana L. Bojorquez De Robles, DBA Royal Garden, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C).

**Fiscal Consideration:**

**Staff Recommendation:** Development Services recommends approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Kimberly Mendoza  
Ricardo Rodriguez  
Kimberly Mendoza

Created/Initiated - 2/6/2024  
Approved - 2/6/2024  
Final Approval - 2/9/2024



## MEMORANDUM

---

**DATE:** MONDAY, FEBRUARY 12, 2024

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** DEVELOPMENT SERVICES

|                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SUBJECT:</b> CONDITIONAL USE PERMIT FOR ABC FILE NO. <b>CUP#240101</b><br/>(Diana L. Bojorquez-Robles, DBA Royal Garden)</p> |
|------------------------------------------------------------------------------------------------------------------------------------|

---

### GENERAL INFORMATION:

**APPLICANT:** Diana L. Bojorquez De Robles, DBA Royal Garden, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C).

**LEGAL DESCRIPTION:** The property is legally described as being 0.21 acres, more or less, out of Lots 12 and 13, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property is physically located at 213 East Ferguson Avenue, Suite C.

**ZONING:** The property and properties to the east and west are currently zoned Heavy Commercial District (H-C). The adjacent zoning is General Business District (C) to the south. The property to the north is zoned Single-Family Residential-Small Lot District (R-1A) The area is generally designated for commercial in the Land Use Plan.

|                  |                         |                                                    |
|------------------|-------------------------|----------------------------------------------------|
| <b>COMMENTS:</b> | <b>POLICE CHIEF:</b>    | Recommends approval of the Conditional Use Permit. |
|                  | <b>FIRE DEPARTMENT:</b> | Recommends approval of the Conditional Use Permit. |

**CODE COMPLIANCE:** Pending inspection.

**HEALTH:** Pending inspection.

**DEVELOPMENT SERVICES:** Recommends approval of the Conditional Use Permit.

**NOTIFICATION OF PUBLIC:** Twenty (20) surrounding property owners were notified of the request by letter on January 26, 2024, and a legal notice was published in the Advance News Journal on January 24, 2024. Staff received no response to the letters or the legal notice.

**DEVELOPMENT SERVICES RECOMMENDATIONS:** Development Services is recommending approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

**NOTE:** This item is scheduled to go before the City Commission Meeting of **Monday, February 19, 2024, at 4:00 p.m.**

*Conditions of Conditional Uses Sec. 1.48(F) of the Zoning Ordinance: Establishments selling or distributing alcoholic beverages for consumption on premises:*

1. An establishment that sells or allows the on-premises consumption of alcoholic beverages in the City of Pharr shall operate in a "C" zone, general business district; "C-2" zone, business district; "HC" zone, heavy commercial; "LI" zone, limited industrial; "HI" zone, heavy industrial; or in recreational facilities located within a private development.
2. In addition to the restricted locations as stated above, the above-mentioned establishments may be allowed to sell or allow the on-premises consumption of alcoholic beverages within 300 feet of a church, public or private school, or public hospital.
3. The establishment shall notify the church, public or private school, or public hospital, and the City of Pharr's Planning and Zoning department in written form of their interest in selling or consuming alcoholic beverages within 300 feet of such locations. If the church or school objects to the request, the City of Pharr's authorized designee may deny the request.
4. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:

- A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
  - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
- 5. For premises where minors are prohibited from entering the premises under V.T.C.A., Alcoholic Beverage Code § 109.53, the measurement of the distance between the premises and a public school shall be:
  - A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
  - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
- 6. In accordance with V.T.C.A., Alcoholic Beverage Code § 109.32, the above mentioned establishment businesses shall be not less than 300 feet from the nearest residential zone, unless located within a private development, or publicly owned building shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections, measured in a straight line or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from such residential zone or publicly owned building and must be designed to prevent disruption of the character of adjacent residential areas. As applies to this provision, a street or alley does not constitute buffering and sound insulation. The above-mentioned businesses, unless located within a private development, must be adjacent to or abutting a minor arterial street or a street of larger classification.
- 7. The above-mentioned establishment must meet lot size requirements in the zoning ordinance for all uses within this zone.
- 8. The above-mentioned establishment must provide parking sufficient to comply with all ordinance requirements.
- 9. The above-mentioned establishment shall restrict the number of persons within the building to those allowed by the city commission with the recommendation of the planning and zoning commission at the time of permit issuance, which number shall

be determined by the commission after having taken into account the recommendations of the fire marshal, code enforcement officer [head building inspector], and director of planning. This number cannot exceed the number provided for in existing city ordinances.

10.The above-mentioned establishment shall take action to prevent and be designed to discourage criminal activities and vandalism both on site and on adjacent property by means of sufficient lighting, elimination of dark areas, and the orientation of the building such that it provides maximum visibility from a public street, unless located within a private development.

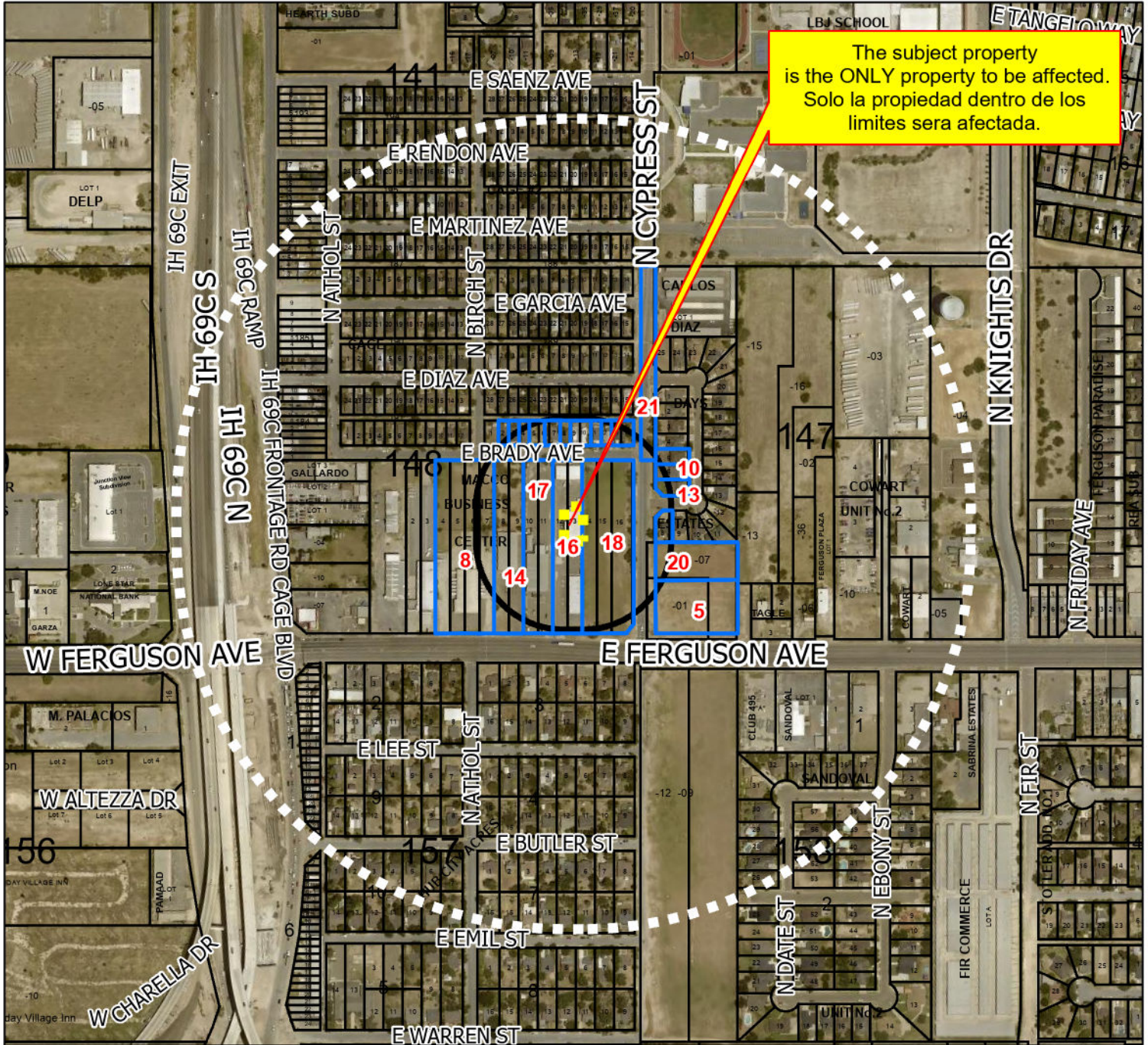
11.The above-mentioned businesses must make provisions to keep litter from being spread to adjacent streets and property.

12.Alcoholic beverage establishments shall fall into two categories: (A) Alcohol as a principle use where 51 percent or more of sales come from alcohol; or (B) Food as a principle use where 51 percent or more of sales are food related (a copy of the establishment's full menu must be provided for documentation).

13.The city reserves the right to approve, amend or deny any city regulation that may be allowed by the Texas Alcoholic and Beverage Code as may be amended from time to time. The City of Pharr shall also be authorized to carry out any and all duties and responsibilities as directed by the City of Pharr and as may be allowed by law. Should any person or establishment be found to have committed acts or allowed the commission of any act or condition found by the City of Pharr to be detrimental to the public health, safety, and welfare of the residents of the City of Pharr or persons located within corporate boundaries, the City of Pharr shall be authorized to take any action allowed by ordinance, state or federal law, or other regulation. These actions may include but not limited to quarantine, abatement of premises, closure, condemning, removal of dangerous substances and persons, and other preventive measures and actions.

AERIAL

G:\City of Pharr\GIS\Projects\1-Planning\PRO Conditional Use Permits\CUP240101 0.21 ac out of Lots 12 and 13 Maco Business Center Subdivision\proj\00\_BASE Project File.aprx



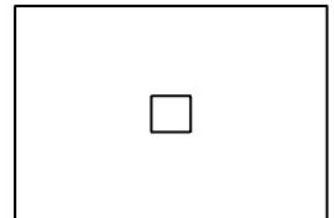
- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home
- Townhouse
- HUD Code

- Rail Road R.O.W
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial

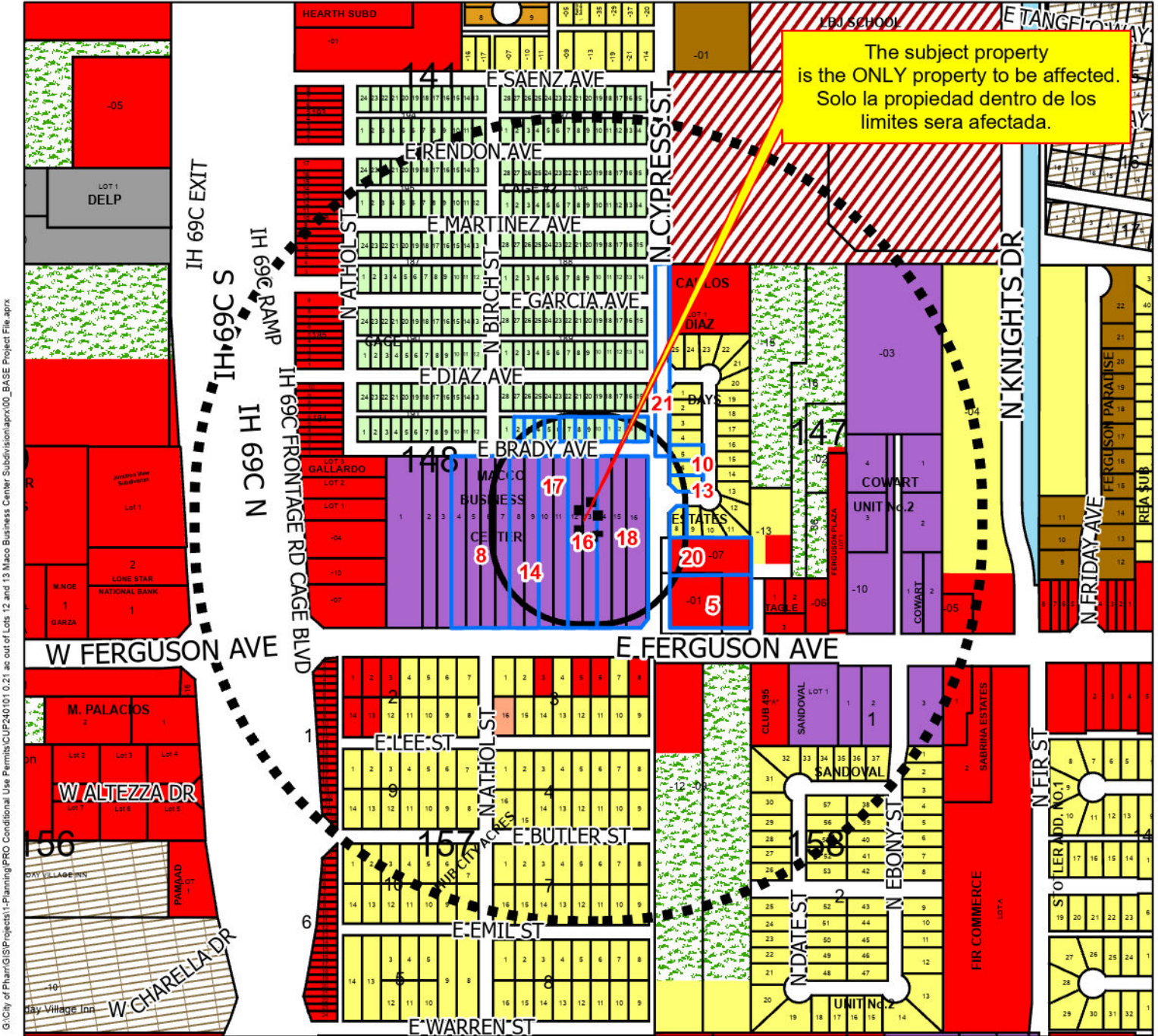
- Neighborhood Commercial
- Office Professional
- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

- Notified Properties
- 300 ft. Notification Buffer
- Subject Property
- Quarter Mile Radius

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



ZONING



- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home
- Townhouse
- HUD Code
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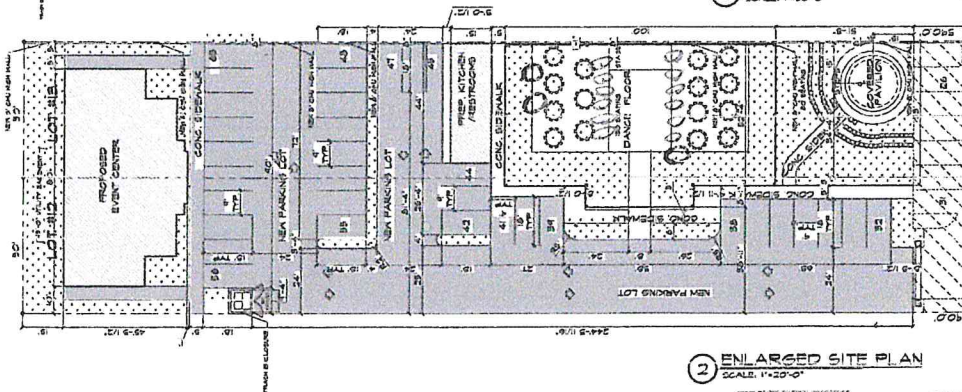
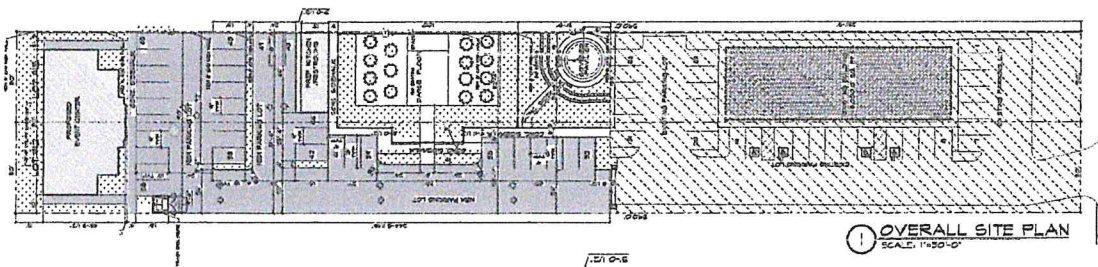
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# ROYAL GARDEN

## 300 GUEST

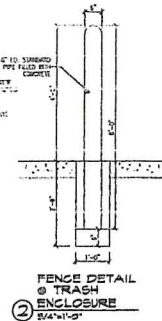
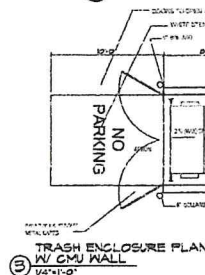


| LEGAL DESCRIPTION |                     |
|-------------------|---------------------|
| LOT               | 0.0                 |
| SUBDIVISION       | HARDY SQUARE CENTER |
| CITY              | PHASE 1A            |



| SITE LEGEND   |  |
|---------------|--|
| BRASS         |  |
| EXISTING AREA |  |

TOTAL PARKING LOT: 14,709 S.F.  
TOTAL SIDEWALK: 234 S.F.  
TOTAL HAND CAP PARKING SPACES: 4  
TOTAL PARKING SPACES: 69



PROJECT: *Regency Event Center*

DATE: 10-19-17 PLAN: #0237-17

2404 S. EXPRESSWAY SUITE #1  
HARLINGEN, TX 78532  
OFFICE: (956) 425-7710  
FAX: (956) 425-7711

**D** **DISTINCTIVE**  
DRAFTING & DESIGN L.L.C.

SHEET

**C-1**

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**Pharr**  
Development Services



## Site Photo

213 East Ferguson Avenue

