

**MINUTES
PLANNING & ZONING COMMISSION
MONDAY, AUGUST 22, 2022
118 S. CAGE BLVD. 2ND FLOOR**

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, August 22, 2022 and following is the record of attendance.

MEMBERS PRESENT: Rafael Munguia
Romeo Robles
Guadalupe Cano
Jonathan Larraga
Charlie Ramirez

MEMBERS ABSENT: Luis Madrigal
Andy Castro
Danny Wylie

STAFF PRESENT: Kimberly Mendoza, Director
Roland Gomez, Director
Patricia Rigney, City Attorney
Eddie Martinez, Planner II
Anaisa Licerio, Planner II
Laura Fonseca, Planner I
Alvaro De Leon, Plans Examiner
Iris Mata, Administrative Assistant
Melissa Ramirez, Administrative Assistant

ITEM A. CALL TO ORDER

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

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

Rafael Munguia moved to excuse the absent members. Jonathan Larraga 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 AUGUST 8, 2022

Rafael Munguia introduced the item.

Rafael Munguia moved to approve the minutes as submitted. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) BROWNSTONE CONSULTANTS LLC., ON BEHALF OF RHEA NANNETTE MORA, 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). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 10.854-ACRE TRACT OF LAND, OUT OF THE SOUTH 1/2, OF THE SOUTH 1/2 OF LOT 6, BLOCK 5, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 2300 – 2500 BLOCK OF NORTH JACKSON ROAD. COZ#220739**

Laura Fonseca, Planner I, introduced the item. She stated the property was currently zoned Agricultural and/or Open Space District (A-O) and a portion of the property to the north was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on March 2, 1999. She stated another portion to the north was rezoned from General Business District (C) to Limited Industrial District (L-I) on April 19, 2011 and a last portion to the north was rezoned from Limited Industrial District (L-I) to High Density Multi-Family Residential District (R-4) on January 11, 2016. The property to the south was zoned Agricultural and/or Open Space District (A-O).

Laura Fonseca, Planner I, stated city limits lie to the west and there have been no other zoning requests within the vicinity of the subject property since that time and the property was generally designated for Commercial, Single-Family Residential, and Multi-family residential use in the Land Use Plan. She further reported twenty-six (26) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She reported staff received one response for information to the letters and the legal notice.

Laura Fonseca, Planner I, further stated staff recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF) as the property meets area requirements, and has adequate ingress and egress. She stated the owner must comply with all City Ordinances and City Department requirements if approved.

Rafael Munguia opened the public hearing and asked if anyone signed up to speak. There being one in the affected area who signed up, Mr. Munguia opened the item for discussion. The public hearing was then closed.

After discussion, Carlos Ramirez moved to approve the request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF). Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

- 2) MARIA LETICIA ZUNIGA, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A HOME OCCUPATION FOR A BARBER SHOP IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 12, BLOCK 2, COUNTRYSIDE TERRACE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 713 WEST DOUGLAS DRIVE. CUP#220740**

Laura Fonseca, Planner I, introduced the item. She stated the property was currently zoned Single-Family Residential District (R-1), the surrounding area was zoned Single-Family Residential District (R-1) to the north, east, and west, and Residential Multi-Family High-Density District (RHDMF) to the south and the area was generally designated for Single-Family Residential District (R-1) in the Land Use Plan. She reported thirty-nine (39) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She reported staff received one response in opposition.

Laura Fonseca, Planner I, further stated staff recommended approval of the home occupation for a barber shop in a Single-Family Residential District (R-1). She stated the owner must comply with all City Ordinances and City Department requirements if approved.

Rafael Munguia opened the public hearing and asked if anyone signed up to speak. There being one signed up but did not show. The public hearing was closed. Mr. Munguia opened the item for discussion.

There being no discussion, Guadalupe Cano moved to approve the request for a Conditional Use Permit to allow a home occupation for a barber shop in a Single-Family Residential District (R-1). Carlos Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 3) CITY OF PHARR, FOR THE BETTERMENT OF THE CITY, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) TO SINGLE FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.30 ACRES, MORE OR LESS, OUT OF LOT 233, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 1207 WEST HALL ACRES ROAD. COZ#220741**

Anaisa Licerio, Planner II, introduced the item. She stated the property was currently zoned General Business District (C) and the properties to the east, south, and west were zoned Residential Single-Family District (R-1) and the subject property and property to the north were zoned to General Business District (C) on February 21, 1995.

She stated there have been no other zoning requests within the vicinity of the subject property since that time and the property was generally designated for industrial use in the Land Use Plan. She further reported eighteen (18) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She reported staff received no response to the letters and the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended approval of the request for a Change of Zone to Single Family Residential District (R-1) as the property meets area requirements and has adequate ingress and egress. She stated the owner must comply with all City Ordinances and City Department requirements if approved.

Rafael Munguia 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. Rafael Munguia opened the item for discussion.

There being no discussion Jonathan Larraga moved to approve the request a Change of Zone from General Business District (C) to Single Family Residential District (R-1). Carlos Ramirez seconded the motion and when put to a vote, it carried unanimously.

4) LISANDRO ESPINOZA, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM OFFICE AND PROFESSIONAL DISTRICT (O-P) TO SINGLE FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.48 ACRES, MORE OR LESS, OUT OF LOT 175, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 220 NORTH SUGAR ROAD. COZ#220742

Anaisa Licerio, Planner II, introduced the item. She stated the property was currently zoned Office and Professional District (O-P) and the subject property and the surrounding properties were zoned to Single-Family Residential District (R-1) on March 30, 1982, when the city originally adopted the current zoning ordinance. She further stated on November 4, 2013, the subject property was rezoned from Single-Family Residential District (R-1) to Office and Professional District (O-P). and there have been no other zoning requests within the vicinity of the subject property since that time. She added the property was generally designated for industrial use in the Land Use Plan and reported twenty-four (24) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She reported staff received no response to the letters and the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended approval of the request re-zone to Single Family Residential District (R-1) and the owner must comply with all City Ordinances and City Department requirements if approved.

Rafael Munguia 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. Munguia opened the item for discussion.

There being no discussion, Guadalupe Cano moved to approve the request a Change of Zone from Single-Family Residential District (R-1) to Office and Professional District (O-P). Carlos Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 5) **ERIKA OF TEXAS, INC., HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE OF THE USE CONDITIONAL USE PERMIT TO ALLOW A NEW TELECOMMUNICATIONS TOWER IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.00048 ACRES, OUT OF LOT 2, PHARR BRIDGE BUSINESS PARK PHASE 3 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 900 WEST ZARAGOSA DRIVE. CUP#220843**

Anaisa Licerio, Planner II, introduced the item and stated the property was currently zoned Limited Industrial District (L-I) and the property was generally designated for industrial use in the Land Use Plan. She further reported four (4) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal and staff received no response to the letters and the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended approval of the request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunications tower in a Limited Industrial District (L-I). She stated the owner must comply with all City Ordinances and City Department requirements if approved.

Rafael Munguia 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. Munguia opened the item for discussion.

There being no discussion, Jonathan Larraga moved to approve the request for a Life-of-the-Use Conditional Use Permit. Carlos Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) **MELDEN & HUNT INC., REPRESENTING DERRICK MERCHANT, MANAGER FOR VIA REAL ESTATE, LLC A WYOMING LIMITED LIABILITY COMPANY, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED PHASE I, LOT 1 GO CARWASH PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.470 ACRES BEING A PART OF PORTION OUT OF LOT 7, BLOCK 12, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 7500 BLK. OF SOUTH JACKSON RD. SUB#220827**

Eddie Martinez, Planner II, introduced the item and He stated the property was currently zoned General Business District (C) and Agricultural Open Space District (A-O).

He stated the adjacent zones were General Business District (C) to the north, Agricultural Open Space District (A-O) to the east, General Business District (C) to the south and City limits to the west. He added the property was designated for commercial and single-family residential use in the Land Use Plan. He added no variances were being requested and staff recommended final plat approval of the proposed Phase 1, Lot 1, Go Carwash Pharr Subdivision subject to the listed conditions.

At this time, Rafael Munguia advised a public hearing was not required and opened the item for discussion and action.

There being no discussion, Carlos Ramirez moved to approve the request for final plat approval of the proposed Phase 1, Lot 1, Go Carwash Pharr Subdivision. Jonathan Larraga 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 Romeo Robles moved to adjourn. Carlos Ramirez second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:33 p.m.

PLANNING & ZONING COMMISSION



Rafael Munguia

ATTEST:



Andy Castro, Secretary

APPROVED: September 12, 2022