

**MINUTES
PLANNING & ZONING COMMISSION
MONDAY, SEPTEMBER 12, 2022
118 S. CAGE BLVD. 2ND FLOOR**

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, September 12, 2022, and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie
Romeo Robles
Guadalupe Cano
Rafael Munguia
Charlie Ramirez
Andy Castro

MEMBERS ABSENT: Luis Madrigal
Jonathan Larraga

STAFF PRESENT: Kimberly Mendoza, Director
Patricia Rigney, City Attorney
Roy Rodriguez, Asst. Director
Eddie Martinez, Planner II
Anaisa Licerio, Planner II

ITEM A. CALL TO ORDER

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

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

Danny Wylie moved to excuse 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 22, 2022

Danny Wylie introduced the item.

Danny Wylie moved to table. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING

- 1) MARIO ANAYA, REPRESENTING ANGO INVESTMENTS, LLC OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (R-MFHD) TO SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) IN ORDER TO DEVELOP AND CONSTRUCT SINGLE FAMILY DWELLINGS. THE SUBJECT SITE IS LOCATED ON THE WEST SIDE OF NORTH SUGAR ROAD, APPROXIMATELY 330 NORTH OF WEST MINNESOTA ROAD AND HAS A PHYSICAL ADDRESS OF 5414 NORTH SUGAR ROAD. THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 6, TRI-CITY ACRES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. COZ: #220844**

Anaisa Licerio, Planner II, introduced the item and stated the property to the north, south, east, and west were zoned to Agricultural and/or Open Space District (A-O) when the properties were annexed to the City of Pharr on March 6, 1984. On August 25, 2015, the subject property was rezoned to Residential Multi Family High Density District (R-MFHD). A portion of the property to the west was rezoned to General Business District (C) on November 20, 2012. Later, the remaining portion to the west was rezoned to Single Family Residential (R-1) on September 8, 2020. The properties to the east were rezoned to Single Family Residential District (R-1) on March 20, 2017. There have been no other zoning requests in the general vicinity since that time. The property is generally designated for commercial and single-family use in the Land Use Plan. She further reported twenty-eight (28) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received one response for information to the letters and the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended approval of the request to re-zone to Single Family Residential District (R-1) as the property meets area requirements and was in line with the future land use plan and has adequate ingress and egress. She stated if approved, the owner must comply with all City Ordinances and City Department requirements.

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, Mr. Wylie opened the item for discussion. The public hearing was then closed.

After discussion, Rafael Munguia moved to approve the request for a Change of Zone from Residential Multi-Family High Density District (R-MFHD) to Single Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) BALLI INVESTMENTS AND HOLDINGS LLC., D/B/A CALACAS TACOS AND BEER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.062 ACRES, MORE OR LESS, OUT OF LOT 1, JUNCTION VIEW SUBDIVISION PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 2101 North CAGE BOULEVARD, SUITE 110 AND 111. CUP#220845**

Anaisa Licerio, Planner II, introduced the item and stated the property was currently zoned General Business District (C) and the surrounding area was zoned General Business District (C) to the north, south, east, and west. She further stated this area was generally designated for commercial use in the Land Use Plan. She reported eleven (11) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received one response in opposition.

Anaisa Licerio, Planner II, further stated staff recommended approval of the request for the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). If approved, the owner must comply with all City Ordinances and City Department requirements.

Danny Wylie opened the public hearing and asked if anyone signed up to speak. There being no one signed up the public hearing was closed. Mr. Wylie opened the item for discussion.

Mr. Castro asked staff if a permit would be issued if the business was still pending items. Anaisa Licerio, Planner II, stated the business was still under construction and would not be issued a conditional use permit until all inspections have passed. Once all conditions are met the final permit would be issued.

After some discussion, Andy Castro moved to approve to request for the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Romeo Robles seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLATS

- 1) SALINAS ENGINEERING, REPRESENTING OLIVER E. GUTIERREZ AND ENRIQUE GUTIERREZ CANTU, OWNERS, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED OLIVER SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.08 ACRE TRACT OF LAND OUT OF LOT 7, BLOCK 5, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 3000 BLK. OF NORTH JACKSON RD. SUB#210829**

Eddie Martinez, Planner II, introduced the item and stated the property was currently zoned General Business District (C). The adjacent zones were Agricultural and/or Open Space District (A-O) to the north and south, Heavy Commercial District (H-C) to the east, and the city limits to the west. He further stated the property was designated for commercial use in the Land Use Plan—and no variances were being requested. He stated staff recommended final plat approval of the proposed Oliver Subdivision subject to the listed conditions.

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

There being no discussion, Andy Castro moved to **approve** the request for final plat approval of the proposed Oliver Subdivision. Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

- 2) MELDEN & HUNT, INC., REPRESENTING JEFFREY ERICKSON, MANAGER, FOR ERICKSON CONSTRUCTION, LLC., A TEXAS LIMITED LIABILITY COMPANY, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED MINNESOTA ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 15.455 ACRE TRACT OUT OF LOT 91, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 600 BLOCK OF WEST MINNESOTA RD. SUB#210935**

Eddie Martinez, Planner II, introduced the item and stated the property was currently zoned Residential Multi-family District (R-MF). The adjacent zones were Residential Town House District (R-TH) and Single-Family Residential District (R-1) to the north, Residential Multi-Family District (R-MF) to the east, Single-Family Residential District (R-1) to the west and Agricultural and/or Open Space (A-O) to the south. He further stated the property was designated for commercial use in the Land Use Plan and no variances were being requested. He stated staff recommended final plat approval of the proposed Minnesota Estates Subdivision subject to the listed conditions.

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

There being no discussion, Rafael Munguia moved to **approve** the request for final plat approval of the proposed Minnesota Estates Subdivision. Andy Castro seconded the motion and when put to a vote, it carried unanimously.

- 3) MAS ENGINEERING, LLC., REPRESENTING ARMANDO GONZALEZ, OWNER, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED ROJAS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.25 ACRE TRACT OF LAND OUT OF THE NORTH 99.00 FEET OF THE SOUTH 198.00 OF THE NORTH 448 FEET OF THE EAST 220.00 FEET OF THE WEST 297.00 FEET OF LOT 233, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1200 BLOCK OF WEST HALL ACRES RD. SUB#210720**

Eddie Martinez, Planner II, introduced the item and stated the property was currently zoned Single-Family Residential District (R-1). The adjacent zones were General Business District (C) to the north and Single-Family Residential District (R-1) to the east, south and west. He stated the property was designated for Single-Family residential use in the Land Use Plan and no variances were being requested. He stated staff recommended final plat approval of the proposed Rojas Subdivision subject to the listed conditions.

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

There being no discussion, Rafael Munguia moved to **approve** the request for final plat approval of the proposed Rojas Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 4) PABLO SOTO JR. P.E., REPRESENTING LISANDRO ESPINOZA, OWNER, REQUESTED PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED LEELAND HEIGHTS ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.48 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 175, KELLY PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 220 NORTH SUGAR ROAD. SUB#220720**

Eddie Martinez, Planner II, introduced the item and stated the property was currently zoned Single-Family Residential District (R-1). The adjacent zones were Single-Family Residential District (R-1) to the north, east, south, and west. He stated the property was designated for public/semi-public use in the Land Use Plan and no variances were being requested. He stated staff recommended final plat approval of the proposed Leeland Heights Estates Subdivision subject to the listed conditions.

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

There being no discussion, Charlie Ramirez moved to **approve** the request for final plat approval of the proposed Leeland Heights Estates Subdivision. Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

- 5) QUINTANILLA, HEADLEY AND ASSOCIATES, INC., REPRESENTING EDUARDO CANTU, VICE PRESIDENT OF ESPONJAS DEVELOPMENT, LTD-REQUESTED PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED VACATE AND PLAT OF MARIA ELISE ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 18.07 ACRE TRACT OF LAND BEING ALL OF LOTS 1 THROUGH 74 AND ALL OF THE 50 FOOT STREET RIGHT OF WAYS, MARIA ELISE ESTATES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 700 BLOCK OF EAST OWASSA ROAD. SUB#210618**

Eddie Martinez, Planner II, introduced the item and stated the property was currently zoned Single-Family Residential District (R-1). The adjacent zones were city limits to the north, Limited Industrial District (L-I) to the east, Single-Family Residential District (R-1) to the south and Agricultural and/or Open Space District (A-O) and Limited Industrial District (L-I) to the west. He stated the property was designated for industrial use in the Land Use Plan and no variances were being requested. He further stated staff recommended preliminary and final plat approval of the proposed Vacate and Plat of Maria Elise Estates 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, Andy Castro moved to **approve** the preliminary and final plat approval of the proposed Vacate and Plat of Maria Elise Estates Subdivision. Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

6) PABLO SOTO JR. P.E., REPRESENTING NOE PRUNEDA, OWNER, REQUESTED PRELIMINARY PLAT APPROVAL OF THE PROPOSED LILY SOFIA ESTATES SUBDIVISION THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.00 ACRE TRACT OF LAND BEING THE WEST HALF (1/2) OF LOT 50 AND LOT 51, ADDITION TO LAS MILPAS SUBDIVISION, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 300 BLOCK OF WEST RUISEÑOR AVENUE. SUB#220516

Eddie Martinez, Planner II, introduced the item and stated the property was currently Residential Multi-family District (R-MF). The adjacent zones were Residential Multi-family High Density District (R-MFHD) to the north and Residential Multi-family District (R-MF) to the east, south and west. He further stated the property was designated for single family residential use in the Land Use Plan and no variances were being requested. He further stated staff recommended preliminary plat approval of the proposed Lily Sofia Estates Subdivision subject to the listed conditions.

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

There being no discussion, Romeo Robles moved to **approve** the request for preliminary plat approval of the proposed Lily Sofia Estates Subdivision. Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

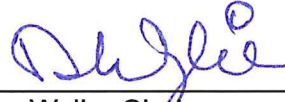
ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

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 6:24 p.m.

PLANNING & ZONING COMMISSION



Danny Wylie, Chairman

ATTEST:



Andy Castro, Secretary

APPROVED: October 10, 2022