

MINUTES
PLANNING & ZONING COMMISSION

City Commissioner's Room
118 S. Cage Blvd. December 27, 2022 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Tuesday, December 27, 2022 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie Romeo Robles
 Charlie Ramirez Andy Castro

ABSENT: Rafael Munguia Luis Madrigal
 Jonathan Larraga

STAFF PRESENT: Kimberly Mendoza, Director of Development Services
 Anaisha Licerio, Planner II
 Alyn Cervantes, Code Compliance Inspector/Officer
 Joanna Villarreal, Secretary

ITEM A. CALL TO ORDER

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

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

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

ITEM B. PUBLIC TESTIMONY

Chairman, Danny Wylie, opened the public testimony and asked if anyone signed up to speak.

Joanna Villarreal, Secretary, stated there was no one signed up to speak.

ITEM C. APPROVAL OF MINUTES

1) APPROVAL OF MINUTES FOR DECEMBER 12, 2022

Chairman, Danny Wylie, introduced the item.

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

ITEM D. PUBLIC HEARING

- 1) 33 CONSTRUCTION AND ENERGY, LLC., REPRESENTING NORMA D. RODRIGUEZ TREJO, 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 0.97 ACRES, MORE OR LESS, OUT OF LOT 326, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 500 WEST DICKER ROAD. COZ#221169 (THIS ITEM WILL GO TO CITY COMMISSION)**

Anaisa Licerio, Planner II, introduced the item and stated owner was requesting a Change of Zone from Agricultural and/or Open Space District (A-O) to General Business District (C) in order to develop and construct storage facilities. She stated the subject site was located on the north side of West Dicker Road, approximately 0.33 miles west of South Cage Boulevard. The property was legally described as being 0.97 acres, more or less, out of Lot 326, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property fronts West Dicker Road, a 120' – 150' principal arterial street that runs west and east with a posted speed limit of 40-55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

Anaisa Licerio, Planner II, further stated the property was zoned Agricultural and/or Open Space District (A-O) since the property was annexed to the City of Pharr on December 15, 1987. The subject property and the properties to the east and west were 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 Single-Family Residential on July 17, 2001 and the property to the south was zoned General Business District (C). The property was generally designated for single family residential use in the Land Use Plan.

Anaisa Licerio, Planner II, also stated General Business District (C) was established to provide adequate space and site diversification for most types of commercial development in the City of Pharr and 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 required adequate buffering from residential areas and the traffic from such uses should not pass-through residential areas, except on arterials or major collectors. She reported twenty-seven (27) letters were mailed out to the surrounding property owners within a 200 ft radius on December 9, 2022, and a legal notice was published in the Advance News Journal on December 7, 2022. Staff received (1) response for information to the letters or the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended 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 requirements, and had adequate ingress and

egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the item for board discussion.

There being no discussion, Charlie Ramirez moved to approve the request to re-zone from Agricultural and/or Open Space District (A-O) to General Business District (C). Andy Castro seconded the motion and when put to a vote, it carried unanimously.

2) R. E. GARCIA & ASSOCIATES, REPRESENTING JENE & JONATHAN BYROM, OWNERS, 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 SINGLE FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.83 ACRES, MORE OF LESS, OUT OF LOT 249, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 1000-1200 BLOCK OF WEST JAVELINA DRIVE. COZ#221168 (THIS ITEM WILL GO TO CITY COMMISSION)

Anaisa Licerio, Planner II, introduced the item and stated R. E. Garcia & Associates, representing Jene & Jonathan Byrom, owners, were requesting a Change of Zone from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1) in order to develop and construct a single-family residence on one lot. The subject site was located on the south side of West Javelina Drive and approximately 2,500 feet of South Jackson Road. The property is legally described as being 1.83 acres, more or less, out of Lot 249, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas and the physical address is 1000-1200 Block of West Javelina Drive. The property fronts West Javelina Drive, an 80' minor collector with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

Anaisa Licerio, Planner II, further stated the property was zoned Agricultural and/or Open Space District (A-O) and the property and the properties to the west and a portion to the north and east were annexed on November 7, 2022. She further stated a portion of the city limits lie to the south and another portion to the north and east and there has been no other zoning request within the general vicinity of the subject property since that time. She also stated the property was generally designated for single family residential use in the Land Use Plan and the Single-Family District was intended to be composed of single-family dwellings together with public, denominational, and private schools, churches, and public parks essential to create basic neighborhood units. She mentioned areas that were zoned for this use shall have water, wastewater, drainage, and access to paved streets based on single-family usage and it was intended for areas that were properly buffered from nonresidential uses and protected from pollution and/or environmental hazards or from high volume of non-single-family traffic. She reported five (5) letters were mailed out to the surrounding property owners December 9, 2022, and a

legal notice was published in the Advance News Journal on December 7, 2022. Staff received no response to the letters or the legal notice.

Anaisa Licerio, Planner II, further stated staff recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1) as the property meets requirements and had adequate ingress and egress. If approved, the owner must comply with all City Ordinances and City Department requirements.

Anaisa Licerio, Planner II, stated there was representation.

Chairman, Danny Wylie, asked if the applicant had any comments. At the time, Raul Garcia Engineer, for R. E. Garcia & Associates, briefly stated the use would be a single-family residential unit and they would be building a home behind their parents. Also, the subdivision request was further down on the agenda to go ahead and comply with all the city ordinances.

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the item for board discussion.

There being no discussion, Andy Castro moved to approve the request to re-zone from Agricultural and/or Open Space District (A-O) to Single Family Residential District (R-1). Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLATS:

- 1) S2 ENGINEERING, PLLC, REPRESENTING CARLOS GOMEZ, MANAGER FOR GOMEZ GROUP, LLC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED BIG D INDUSTRIAL PARK SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING AN 8.635 ACRE TRACT OF LAND AND APART PORTION OF LOT 98, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 700 BLOCK OF EAST NOLANA LOOP (FM 3461) SUB#221036**

Anaisa Licerio, Planner II, introduced the item and stated the property was legally described as being an 8.635-acre tract of land and a part or portion of Lot 98, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. She further stated the property was located within the 700 Block of East Nolana Loop (FM 3461) and was currently zoned Heavy Commercial District (HC). The adjacent zones were Single Family Residential District (R-1) to the north, Heavy Commercial District (HC) to the south, General Business District (C) to the east and Agricultural Open Space District (A-O) to the west. The property was designated for multi-family residential use in the Land Use Plan.

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

There being no discussion, Charlie Ramirez moved to approve the request for preliminary plat approval of the proposed Big D Industrial Park Subdivision. Andy Castro seconded the motion and when put to vote, it carried unanimously.

- 2) R. E. GARCIA & ASSOCIATES, REPRESENTING ROSANA RIOJAS, PRESIDENT FOR RICH HERITAGE CONSTRUCTION, INC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED HERITAGE MANOR NO. 4 SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.28 OF AN ACRE TRACT OF LAND BEING A PORTION OF LOT 121, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1506 WEST HERITAGE DRIVE. SUB#221138**

Anaisa Licerio, Planner II, introduced the item and stated the property was legally described as being an 0.28 of an acre tract of land being a portion of Lot 121, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. She further stated the property physical address was 1506 West Heritage Drive and was currently zoned Agricultural Open Space District (A-O). The adjacent zones were Single Family Residential District (R-1) to the north and west, Residential Multifamily High Density Heavy District (R-MFHD) to the east and Residential Multifamily High Density District (R-MFHD) and Agricultural Open Space District (A-O) to the south. The property was designated for single family residential use in the Land Use Plan.

Anaisa Licerio, Planner II, mentioned there was representation.

Chairman, Danny Wylie, asked if the entrance was going to be cul-de-sac on Heritage. Anaisa Licerio, Planner II, stated entrance was frontage West Heritage Drive.

There being no discussion, Andy Castro moved to approve the request for preliminary plat approval of the proposed Heritage Manor No. 4 Subdivision. Charlie Ramirez seconded the motion and when put to vote, it carried unanimously.

- 3) R. E. GARCIA & ASSOCIATES, REPRESENTING JENE & JONATHAN BYROM, OWNERS, ARE REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED RANCHO BLANCO ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.83 ACRE TRACT OF LAND BEING A PORTION OF LOT 249, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 900 BLOCK OF WEST JAVELINA DRIVE. SUB#221240**

Anaisa Licerio, Planner II, introduced the item and stated the property was legally described as being a 1.83 acre tract of land being a portion of Lot 249, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. She further stated the property was located within the 900 Block of West Javelina Drive and was currently zoned Agricultural Open Space District (A-O). The adjacent zones are Agricultural Open Space District (A-O) and City limits to the north, City limits to the south, Agricultural Open Space District (A-O) and City limits to the east and Agricultural Open Space District (A-O) to the west. The property is designated for Single family residential use in the Land Use Plan.

Anaisa Licerio, Planner II, stated that there was representation.

There being no discussion, Charlie Ramirez moved to approve the request for preliminary plat approval of the proposed Rancho Blanco Estates Subdivision. Andy Castro seconded the motion and when put to vote, it carried unanimously.

4) R. GUTIERREZ ENGINEERING CORPORATION, REPRESENTING GABRIELA A. CAVAZOS DE SALAZAR, MANAGER FOR TEXAS QUALITY CONSTRUCTION IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED ANGEL S.C. SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.54 ACRE TRACT OF LAND, BEING A PORTION OF THE NORTH HALF (1/2) OF LOT 1, BLOCK 1, AND A PORTION OF LOT 2, BLOCK 1, THE VAN WILLIAMS SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 200 BLOCK OF WEST SAM HOUSTON AVENUE. SUB#220932

Anaisa Licerio, Planner II, introduced the item and stated the property was legally described as being a 0.54 acre tract of land, being a portion of the north half (1/2) of Lot 1, Block 1, and a portion of Lot 2, Block 1, The Van Williams Subdivision, Pharr, Hidalgo County, Texas. She further stated the property was located within the 200 Block of West Sam Houston Avenue and was currently zoned Residential Multi-Family District (R-MF). The adjacent zones were Single Family Residential District (R-1), Residential Multi-Family High Density (R-MFHD), and General Business District (C) to the north and Single-Family Residential District (R-1) to the east, south and west. The property was designated for commercial use in the Land Use Plan.

Anaisa Licerio, Planner II, stated that there was no representation.

There being no discussion, Andy Castro moved to approve the request for preliminary plat approval of the proposed Angel S. C. Subdivision. Romeo Robles seconded the motion and when put to vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS:

Kimberly Mendoza, Director, informed board about next meeting between holidays and wished the board a Happy New Year.

ITEM G. CLOSED SESSION:

None

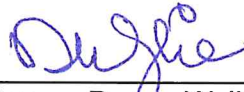
ITEM H. RECONVENE:

None.

ITEM I. ADJOURNMENT

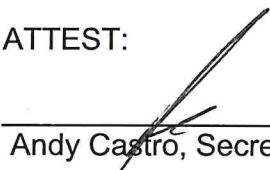
There being no further business, Romeo Robles moved to **adjourn**. Charlie Ramirez second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:16 p.m.

PLANNING & ZONING COMMISSION



Chairman, Danny Wylie

ATTEST:



Andy Castro, Secretary

APPROVED: January 9, 2023