

AGENDA
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. April 8, 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 March 25, 2024 -Regular 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) Jorge Pena Architects, LLC., representing Luis Biasi, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Heavy Commercial District (H-C). The property is legally described as being 0.52 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8901 South Cage Boulevard. **(TABLED) COZ#240208**

- 2) Jorge Pena Architects, LLC., representing Luis Biasi, owner has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Heavy Commercial District (H-C). The property is legally described as being 0.17 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8901 South Cage Boulevard. **(TABLED) COZ#240209**

- 3) Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C). The property is legally described as being 1.13 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8911 South Cage Boulevard. **(TABLED) COZ#240210**

- 4) Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C). The property is legally described as being 1.82 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8907 South Cage Boulevard. **(TABLED) COZ#240211**

- 5) Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C). The property is legally described as being 1.82 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8915 South Cage Boulevard. **(TABLED) COZ#240212**

6) R.E.T.Y., LLC., representing Pharr Economic Development Corporation, 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 Heavy Industrial District (H-I). The property is legally described as being 241.56 acres, more or less, out of Porcion 71, Pharr, Hidalgo County, Texas. The property's physical address is 2101 West Doffing Road. **COZ#240313**

7) Salinas Engineering & Associates, representing Maria Del Carmen Pacheco and Ruben Pacheco, owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Townhouse Residential District (R-TH). The property is legally described as being 0.27 acres, more or less, out of Lot 8, Block 9, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2506 and 2508 South Salamanca Street. **COZ#240314**

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.*

Pursuant to Section 551.071, the Commission may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the 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. This Notice was posted on the 4th day of April 2024, at 1:00 p.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 4th day of April 2024





Hilda Pedraza, TRMC, CMC
City Clerk

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. March 25, 2024 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, March 25, 2024 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie
Andy Castro
Charlie Ramirez
Ruben Luna
Mercedes Guillen

ABSENT: Rafael Munguia
Jonathan Larraga
Romeo Robles

STAFF PRESENT: David Friedlein, Assistant City Manager
Ricardo Rodriguez, City Attorney
Kimberly Mendoza, Director of Development Service
Joe Garza, Asst. Director of Development Services
Juan Vasquez, Development Assistance Specialist
Eddie Martinez, Planner III
Laura Fonseca, Planner II
Joanna Villarreal, Planner I
Nancy Hernandez, 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 6:09 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

Chairman Danny Wylie asked if anyone signed up to speak.

Nancy Hernandez, Secretary, stated there were two individuals who signed up to speak, Eduardo Anaya and Alma Cortez.

Eduardo Anaya, surrounding property owner, spoke on agenda item D.5. He stated he was joined with other surrounding property owners who were also against the change of zone request and voiced his concern with the heavy commercial traffic that would occur on the road due to the tractor trailers using the street. However, he would be in support of other commercial developments such as restaurants or offices.

Alma Cortez, surrounding property owner, spoke on agenda item D.5 and voiced her concern regarding current issues with exiting onto her roadway as there were cars and trailers that occupy Anaya Road. She expressed her concern with trailers colliding with her car when attempting to approach the roadway.

There being no other public comments, public testimony was closed.

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR FEBRUARY 26, 2024

Chairman Danny Wylie introduced the item.

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

ITEM D. PUBLIC HEARING

1) DIANA L. BOJORQUEZ DE ROBLES, DBA THE FORUM BY REGENCY, 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). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.08 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 D. CUP#240203

Joanna Villarreal, Planner I, introduced the item and stated applicant was requesting a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C) and went over the property's legal description and physical address. She stated the adjacent zoning was General Business District (C) to the south, the properties to the east and west were zoned Heavy Commercial District (H-C) and the property to the north was zoned Single-Family Residential-Small Lot District (R-1A). She further stated the area was generally designated for commercial use in the Land Use Plan.

Joanna Villarreal, Planner I, briefly stated Police, Fire, Health, Code and Development Services recommended approval of the Conditional Use Permit and reported thirty-one (31) surrounding property owners within a three hundred (300) foot radius were notified of the request by letter on March 8, 2024, and a legal notice was published in the Advance News Journal on March 6, 2024. She stated staff received no response to the letter or legal notice.

Joanna Villarreal, Planner I, further stated staff recommended approval of the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C) and applicant shall comply with all City Ordinances and City Department requirements.

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

There being no discussion, Board Member Andy Castro **moved** to approve. Board Member Mercedes Guillen seconded the motion and when put to vote, it carried unanimously.

- 2) MARIO A. CANTU, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS LOTS 29 AND 30, BLOCK 25, CHAPA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 407 EAST STATE STREET. COZ#240207**

Joanna Villarreal, Planner I, introduced the item and stated applicant was requesting a change of zone from Single-Family Residential District (R-1) to General Business District (C) to construct an office. Ms. Villarreal went over the property's legal description and physical address and stated the property was located on the north side of East State Street, approximately 80 feet east of North Cypress Street. Ms. Villarreal further stated the property fronts East State Street, a 50 ft – 60 ft. local street which 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 and properties to the north and east were zoned to Single-Family Residential District (R-1) and the property to the south and west were zoned to Heavy Commercial District (H-C) on March 30, 1982, when the city adopted the current zoning ordinance. 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 Industrial use in the Land Use Plan. However, the area was transitioning to commercial uses, with some remaining residences along East State Avenue.

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

Joanna Villarreal, Planner I, further reported seventeen (17) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on March 12, 2024, and a legal notice was published in the Advance News Journal March 13, 2024. She stated staff received no response to the letters or legal notice.

Lastly, Joanna Villarreal, Planner I, stated staff recommended denial due to the property not meeting the minimum lot area requirements for General Business District (C). Alternatively, staff recommended Office and Professional District (OP) as the property had adequate ingress and egress. She further stated the proposed use would be compatible with the development trends in the area and if approved, the owner must comply with all City Ordinances and City Department requirements.

Mario Cantu, applicant and owner, approached the podium and stated when he purchased the lot it was in bad shape. Chairman Danny Wylie asked him if he agreed to staff's recommendations, he replied that he did agree.

Mario Cantu further stated his intent was to build a small office for his business and residential would not be adequate since there was a paint body shop next to it and a furniture store across from his location.

Board member Charlie Ramirez recommended to give the owner what he was requesting and asked applicant what he would store in this office. Mario Cantu stated he would store Fiber optic cable, connectors, and PVC pipes. Member Charlie Ramirez stated the main concern was if he would be storing a vehicle. Mr. Cantu stated mainly he would be working out of town, and he would be the only one in the building.

At this time, Board member Charlie Ramirez stated they would deviate from the agenda and go into executive 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 6:25 p.m., Chairman Danny Wylie, stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

ITEM H. RECONVENE:

The time being 6:42 p.m. Chairman Danny Wylie, stated the commission would be resuming the open meeting.

ITEM D. PUBLIC HEARING

- 2) **MARIO A. CANTU, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE - FAMILY RESIDENTIAL DISTRICT (R-1) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS LOTS 29 AND 30, BLOCK 25, CHAPA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 407 EAST STATE SREET. COZ#240207**

Chairman Danny Wylie re-introduced the item.

Andy Castro moved to deny the Change of Zone from Single-Family Residential District (R-1) to General Business District (C) but moved to approve the Change of Zone from Single-Family Residential District (R-1) to Office and Professional District (OP) to develop and construct an office. Board Member Charlie Ramirez seconded the motion and when put to vote, it carried unanimously.

- 3) **JERRY BENAVIDES ENGINEERING, REPRESENTING ARO COFFEE, LLC., HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.413 ACRES, MORE OR LESS, OUT OF LOT 1, BLOCK 5, BAGWELL ACRES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1220 EAST ALAN AVENUE. COZ#240205**

Laura Fonseca, Planner II, introduced the item and stated applicant was requesting a change of zone from Single-Family Residential District (R-1) to General Business District (C) to construct a commercial development. Ms. Fonseca went over the property's legal description and physical address and stated the property fronts East Alan Avenue, a 50 ft.- 60 ft local street which 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. She also stated the property also fronts North Veterans Boulevard, a 100 ft minor arterial which runs north and south with a posted speed limit of 30-45 miles per hour as identified in the City of Pharr's Thoroughfare plan.

Laura Fonseca, Planner II, further stated the property to the west was zoned Single-Family Residential District (R-1) upon comprehensive zoning on October 19, 1982 and the property to the north was rezoned from Single-Family Residential District (R-1) to General Business District (C) on August 21, 2023. She also stated the property to the south was rezoned from Single-Family Residential District (R-1) to Office and Professional District (O-P) on September 3, 2002 and city limits to the east. She further reported there have been other rezoning requests within the general vicinity of the subject property since that time. She stated the property was generally designated for commercial use in the Land Use Plan.

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

Laura Fonseca, Planner II, further reported eleven (11) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on March 12, 2024, and a legal notice was published in the Advance News Journal March 13, 2024. She stated staff received one response to the letters or legal notice for information only.

Lastly, Laura Fonseca, Planner II, further stated staff recommended approval of the request to rezone from Single-family Residential District (R-1) to General Business District (C) as the property complies with the future land use plan, meets area requirements, and had adequate ingress and egress. The proposed use will be compatible with the development trends in the area. If approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if there were any comments from the applicant. Mr. Jerry Benavides, applicant, approached the podium and reported he was available for additional questions if the board had any.

There being no discussion, Board Member Charlie Ramirez **moved** to approve. Board Member Ruben Luna seconded the motion and when put to vote, it carried unanimously.

- 4) JERRY BENAVIDES ENGINEERING, REPRESENTING RCDS INVESTMENTS, LLC., HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM LIMITED INDUSTRIAL DISTRICT (L-I) TO HEAVY INDUSTRIAL DISTRICT (H-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 8, MONARCH BUSINESS PARK PHASE I SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1250 EAST ZARAGOSA DRIVE. COZ#240206**

Laura Fonseca, Planner II, introduced the item and stated applicant was requesting a change of zone from Limited Industrial District (L-I) to Heavy Industrial District (H-I) to develop and construct an office, a warehouse and parking facility. Ms. Fonseca went over the property's legal description and physical address and stated the property fronts East Zaragosa Drive, a 50 ft.- 60 ft local street which 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. She stated the property also fronts South Juniper Street, a 50 ft -60 ft local street which runs north and south with a posted speed limit of 30-45 miles per hour as identified in the City of Pharr's Thoroughfare plan.

Laura Fonseca, Planner II, further stated the properties to the west, east, north, and south were zoned from Heavy Commercial District (H-C) to Limited Industrial District (L-I) on Dec 16, 2024. She reported there have been no other rezoning requests within the general vicinity of the subject property since that time and the property was generally designated for Industrial use in the Land Use Plan.

Laura Fonseca, Planner II, explained Heavy Industrial District (H-I) was established to provide adequate space and site diversification. The area requirements in this district were minimal and would allow both large and small industrial uses either on separate small lots or as part of a park. She added some screening was required, but because of the potential for hazardous or possibly blighting uses, this district should not be located close to residential areas of any type. The areas should not be zoned to this usage unless they were located on or close to arterials capable of carrying commercial and truck traffic.

Laura Fonseca, Planner II, further reported seven (7) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on March 12, 2024, and a legal notice was published in the Advance News Journal March 13, 2024. She stated staff received one response to the letters or legal notice.

Lastly, Laura Fonseca, Planner II, further stated staff recommended approval of the request to re-zone from Limited Industrial District (L-I) to Heavy Industrial District (H-I) as the property complied with the future land use plan, met area requirements, and had adequate ingress and egress. The proposed use would be compatible with the development trends in the area and if approved, the owner must comply with all City Ordinances and City Department requirements.

Chairman, Danny Wylie, asked if there were any comments from the applicant. Laura Fonseca, Planner II, reported there were no comments.

There being no discussion, Board Member Charlie Ramirez moved to approve. Board Member Andy Castro seconded the motion and when put to vote, it carried unanimously.

- 5) **JORGE PENA ARCHITECTS, LLC., REPRESENTING LUIS BIASI, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM GENERAL BUSINESS DISTRICT (C) TO HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.52 ACRES, MORE OR LESS, OUT OF LOT 356 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 8901 SOUTH CAGE BOULEVARD. COZ#240208**

Laura Fonseca, Planner II, introduced the item and recommended it be tabled until the next Planning and Zoning Meeting.

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

- 6) **JORGE PENA ARCHITECTS, LLC., REPRESENTING, LUIS BIASI, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.17 ACRES, MORE OR LESS, OUT OF LOT 356 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 8901 SOUTH CAGE BOULEVARD. COZ#240209**

Laura Fonseca, Planner II, introduced the item and recommended it be tabled until the next Planning and Zoning Meeting.

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

- 7) **JORGE PENA ARCHITECTS, LLC., REPRESENTING, LUIS BIASI, 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 HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.13 ACRES, MORE OR LESS, OUT OF LOT 356 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 8911 SOUTH CAGE BOULEVARD. COZ#240210**

Laura Fonseca, Planner II, introduced the item and recommended it be tabled until the next Planning and Zoning Meeting.

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

- 8) **JORGE PENA ARCHITECTS, LLC., REPRESENTING, LUIS BIASI, 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 HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.82 ACRES, MORE OR LESS, OUT OF LOT 356 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 8907 SOUTH CAGE BOULEVARD. COZ#240211**

Laura Fonseca, Planner II, introduced the item and recommended it be tabled until the next Planning and Zoning Meeting.

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

- 9) **JORGE PENA ARCHITECTS, LLC., REPRESENTING LUIS BIASI, 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 HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.82 ACRES, MORE OR LESS, OUT OF LOT 356 KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 8915 SOUTH CAGE BOULEVARD. COZ#240212**

Laura Fonseca, Planner II, introduced the item and recommended it be tabled until the next Planning and Zoning Meeting.

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

ITEM E. PLATS:

- 1) **B.I.G. ENGINEERING, REPRESENTING ARMANDO ALONZO, PRESIDENT OF EMX DESIGN, LLC., IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED MONARCH ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 3.69 ACRE TRACT OF LAND, OUT OF LOT 192, KELLY-PHARR SUBDIVISION. THE PROPERTY IS LOCATED WITHIN THE 900 BLOCK OF EAST SAM HOUSTON AVENUE. SUB#140922**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 900 Block of East Sam Houston Avenue and was currently zoned Residential Townhouse District (R-TH) and the adjacent zones were Single-family Residential District (R-1) to the north, south and east and Agricultural and/or Open Space District (A-O) to the West. He further stated the property was designated for single family residential use in the Land Use Plan.

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

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

- 2) BROWNSTONE CONSULTANTS, REPRESENTING RHEA NANETTE MORA, OWNER, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED SAN DIEGO CROSSING SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 10.854 ACRE TRACT OF LAND OUT OF THE SOUTH ½ OF THE SOUTH ½ OF LOT 6, BLOCK 5, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS THE PROPERTY IS LOCATED WITHIN THE 2200 BLOCK OF NORTH JACKSON ROAD. SUB#220724**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 2200 Block of North Jackson Road and was currently zoned Residential Multi-Family District (R-MF). The adjacent zones were General Business District (C) and Limited Industrial District (L-I) and Residential Multi-Family High Density District (R-MFHD) to the north, Residential Mobile Home District (R-MH) to the east, Agricultural and/or Open Space District (A-O) to the south and city limits to the west. Mr. Martinez further stated the property was designated for single family residential, multi-family residential and commercial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended final plat approval of the proposed San Diego Crossing Subdivision, subject to the conditions noted in the packet.

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

- 3) FULCRUM CONSULTING SERVICES, REPRESENTING ZEPPELIN TEXAS LLC AND DELTA PROPERTIES LLP., IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED DEKAL SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 77.405 ACRE TRACT OF LAND OUT LOTS 382 And 385, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS THE PROPERTY IS LOCATED WITHIN THE 400 BLOCK OF E. MILITARY HIGHWAY.SUB#210827**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 400 Block of E. Military Highway and was currently zoned Heavy Industrial District (H-I). The adjacent zones were Agricultural and/or Open Space District (A-O) to the north and west, and Limited Industrial District (L-I) to the south and Heavy Industrial District (H-I) to the east. Mr. Martinez further stated the property was designated for industrial use in the Land Use Plan.

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

There being no discussion, Board Member Andy Castro **moved** to approve the request for final plat approval of the proposed Dekal Subdivision. Board Member Ruben Luna seconded the motion and when put to a vote, it carried unanimously.

- 4) MELDEN & HUNT INC., REPRESENTING MICHAEL BIRD, MANAGING MEMBER FOR SOUTHWIND GARDENS, LLC., REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED SOUTHWIND GARDENS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 13.125 ACRES BEING OUT OF LOT 5, BLOCK 7, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS THE PROPERTY IS LOCATED WITHIN THE 1800 BLOCK OF WEST RIDGE ROAD.SUB#230515**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 1800 Block of West Ridge Road and was currently zoned General Business District (C). The adjacent zones were General Business District (C) to the north, south and west, and Agricultural Open Space District (A-O) to the east. Mr. Martinez further stated the property was designated for commercial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended final plat approval of the proposed Southwind Gardens Subdivision, subject to the conditions noted in the packet.

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

- 5) MELDEN & HUNT INC., REPRESENTING WILLIAM R. STEELE, PRESIDENT FORCHILDREN'S HAVEN INTERNATIONAL INC., IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED PHARR BESS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 5.376 ACRE TRACT OF LAND BEING OUT OF CHILDREN'S HAVEN SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS THE PROPERTY IS LOCATED WITHIN THE 400 EAST MINNESOTA ROAD.SUB#230415**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 400 East Minnesota Road and was currently zoned Limited Industrial District (L-I) and Agricultural and/or Open Space District (A-O). The adjacent zones were Single Family Residential District (R-1) to the north and east, and Limited Industrial district (L-I) to the north, west and south. Mr. Martinez further stated the property was designated for single family residential use in the Land Use Plan.

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

There being no discussion, Board Member Andy Castro **moved** to approve the request for final plat approval of the proposed Pharr Bess Subdivision. Board Member Mercedes Guillen seconded the motion and when put to a vote, it carried unanimously.

- 6) MELDEN & HUNT INC., REPRESENTING KEVIN MATTSON, MANAGER FOR RS PHARR, LLC., TEXAS LIMITED LIABILITY, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED SIOUX REP SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 2.826 ACRES BEING 1.853 ACRES OUT OF LOT 140, KELLY-PHARR SUBDIVISION AND 0.973 OF ONE ACRE OUT OF LOT 1, SILVER SPUR SUBDIVISION PHARR, HIDALGO COUNTY, TEXAS THE PROPERTY IS LOCATED WITHIN THE 2700 BLOCK OF NORTH IH 69C. SUB#211037**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 2700 Block of North IH 69C and was currently zoned General Business District (C). The adjacent zones were General Business District (C) to the north, south, east and west. Mr. Martinez further stated the property was designated for commercial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended final plat approval of the proposed Sioux Rep Subdivision, subject to the conditions noted in the packet.

There being no discussion, Board Member Charlie Ramirez **moved** to approve the request for final plat approval of the proposed Sioux Rep 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 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 7:04 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: April 2, 2024

MEETING DATE: April 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Jorge Pena Architects, LLC., representing Luis Biasi, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Heavy Commercial District (H-C). The property is legally described as being 0.52 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8901 South Cage Boulevard. **(TABLED) COZ#240208**

Classification: Public Hearing

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

Issue: Jorge Pena Architects, LLC., representing Luis Biasi, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

Fiscal Consideration:

Staff Recommendation: Development Services recommends disapproval of the rezoning request from General Business District (C) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. 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 - 4/2/2024
Approved - 4/3/2024
Final Approval - 4/4/2024



MEMORANDUM

DATE: MONDAY, APRIL 08, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: **Re-zoning Request: From General Business District (C) to Heavy Commercial District (H-C). The property is legally described as being 0.52 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8901 South Cage Boulevard. COZ#240208**

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:

Jorge Pena Architects, LLC., representing Luis Biasi, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

The subject site is located on the east side of South Cage Boulevard, approximately 260 ft. north of East Anaya Road and has a physical address of 8901 South Cage Boulevard. The property is legally described as being 0.52 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Cage Boulevard, a 120 ft - 150 ft. principal arterial street which runs north and south with a posted speed limit of 40 – 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) and Single-Family Residential District (R-1) on August 16, 2005. The property to the north was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on December 19, 2006. The property to the south and east were zoned Agricultural and/or Open Space District (A-O) upon annexation on October 3, 1989. The property to the west was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on April 10, 2012. 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 Heavy Commercial District (H-C) is established to provide adequate space and site diversification for commercial establishments which would involve influences that would be objectionable in the other commercial districts or adjacent to residential districts. Included in this district are commercial uses that involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly blighting influences. This district is commercial in nature but has some aspects that are similar to industrial uses. The noise, traffic, litter, late-night hours, outside storage of materials and equipment, and other possibly blighting influences require adequate buffering.

Three (3) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on March 8, 2024, and a legal notice was published in the Advance News Journal on March 6, 2024. Staff received no response to the letters or the legal notice.

Development Services is recommending **disapproval** of the request to re-zone from General Business District (C) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE:

This item will go before the City Commission Meeting of **April 15, 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

Jorge Pena Architects, LLC.

APPLICANT

General Business District (C)

CURRENT ZONE

8901 South Cage Boulevard

ADDRESS

Heavy Commercial District (H-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:

Denial

Development Services is recommending disapproval of the request to re-zone from General Business District (C) to Heavy Commercial District (H-C) as the property is not compatible with nearby uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

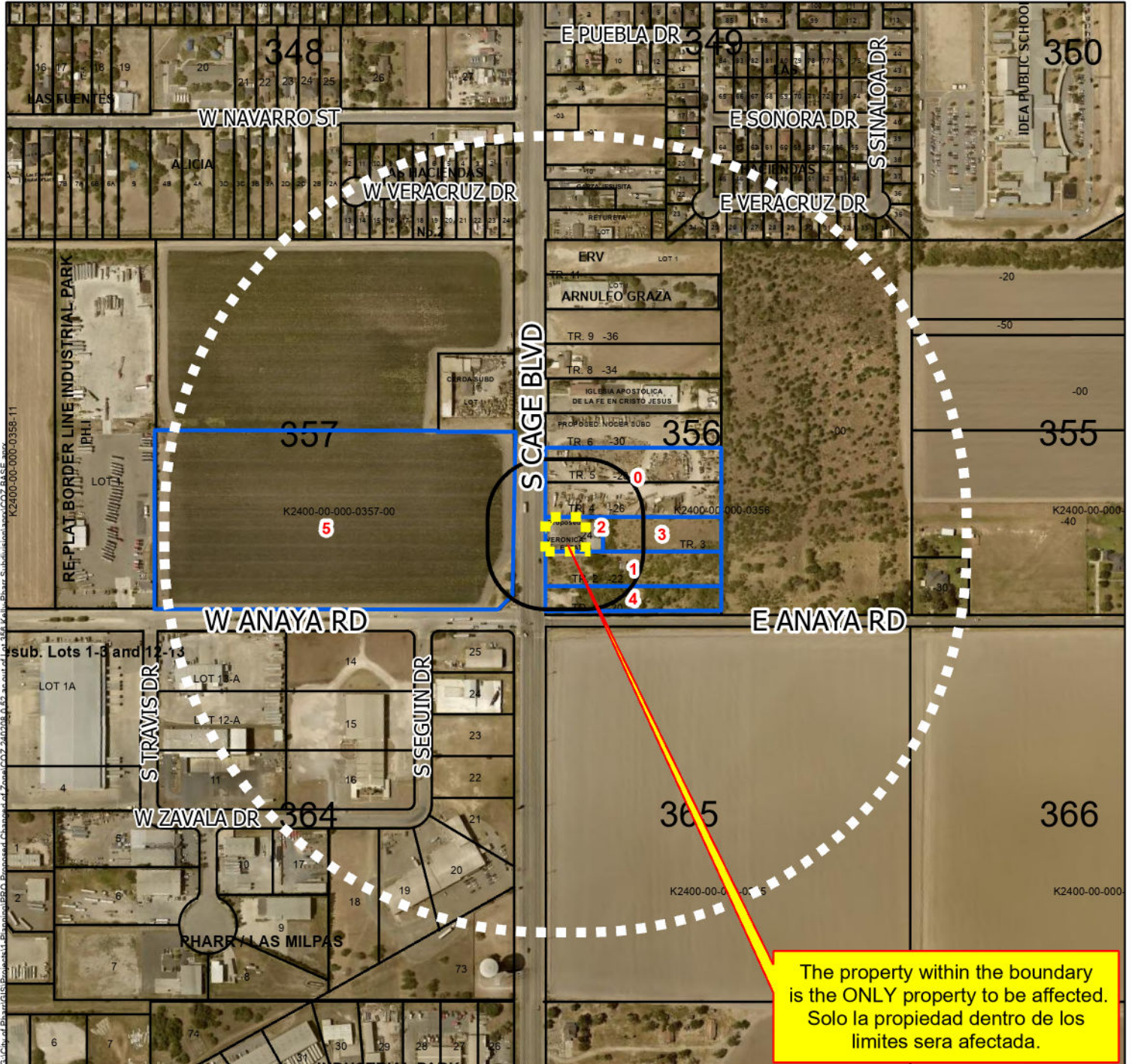
Laura Fonseca, Planner II

PREPARED BY

3.8.2024

DATE

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

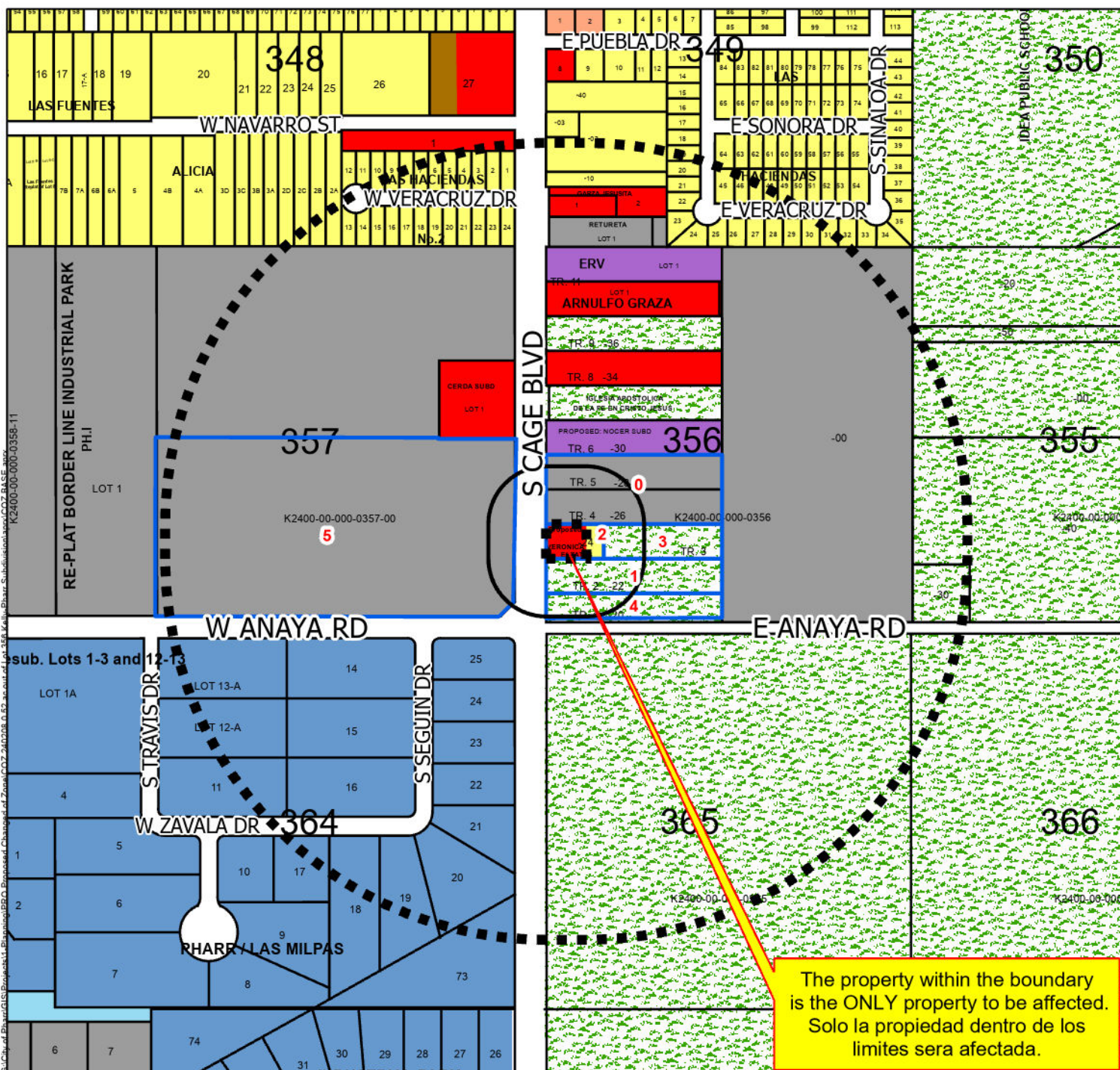
- Hidalgo ISD
 - Valley View ISD
 - Planned Unit Development
- Future Land Use**
- FUTURELAND**
- Irrigation
 - Agriculture
 - Single Family Res.
 - Multi-Family Res.

- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Quarter Mile Radius
- 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.



ZONING



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

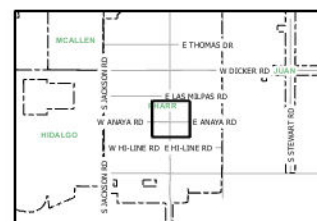
-  Hidalgo ISD
 Valley View ISD
 Planned Unit Development

Future Land Use

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

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

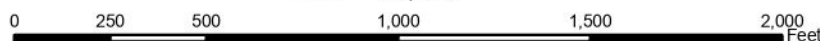
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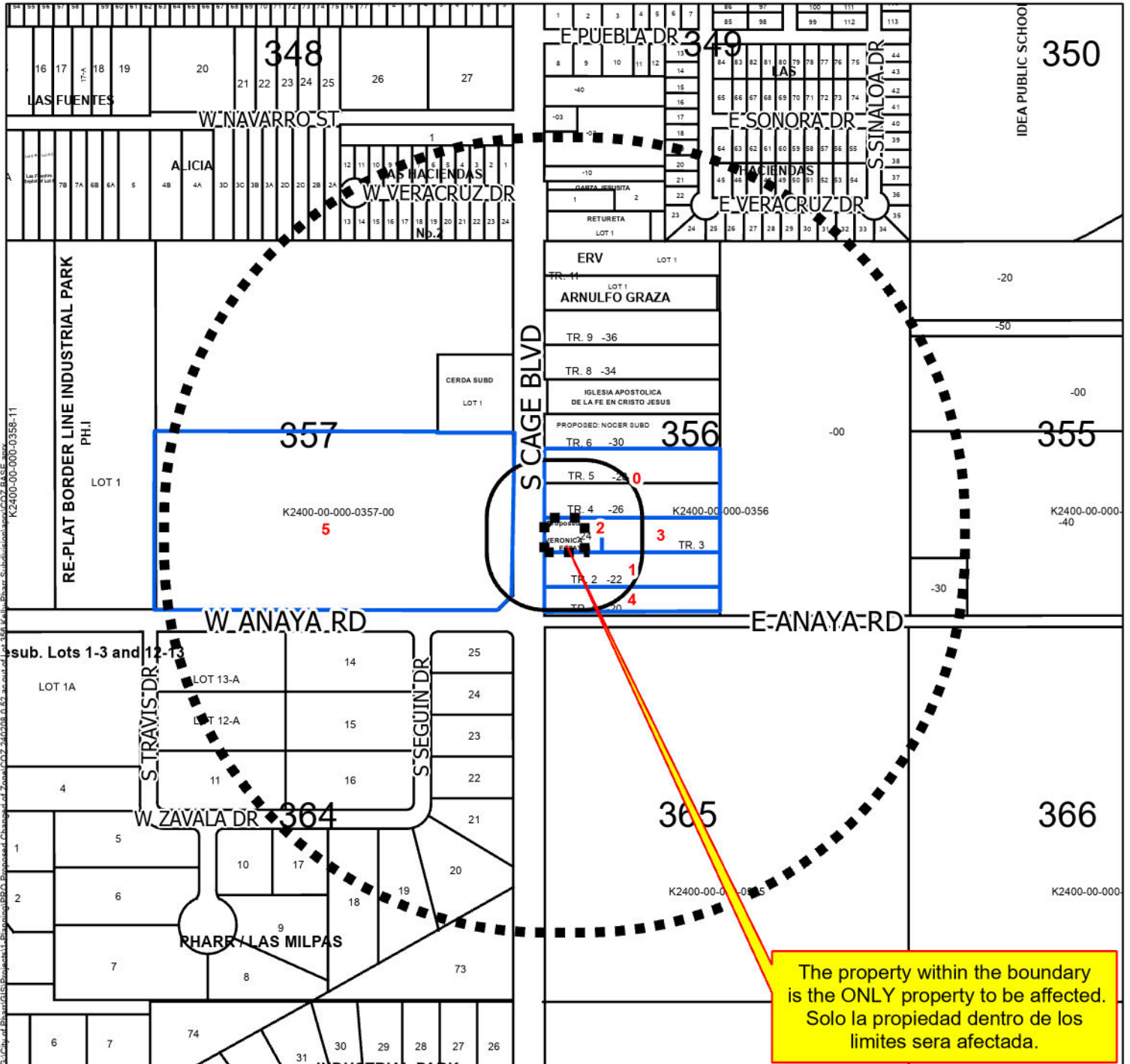
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 2/29/2024

Scale: 1:6,000



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
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD

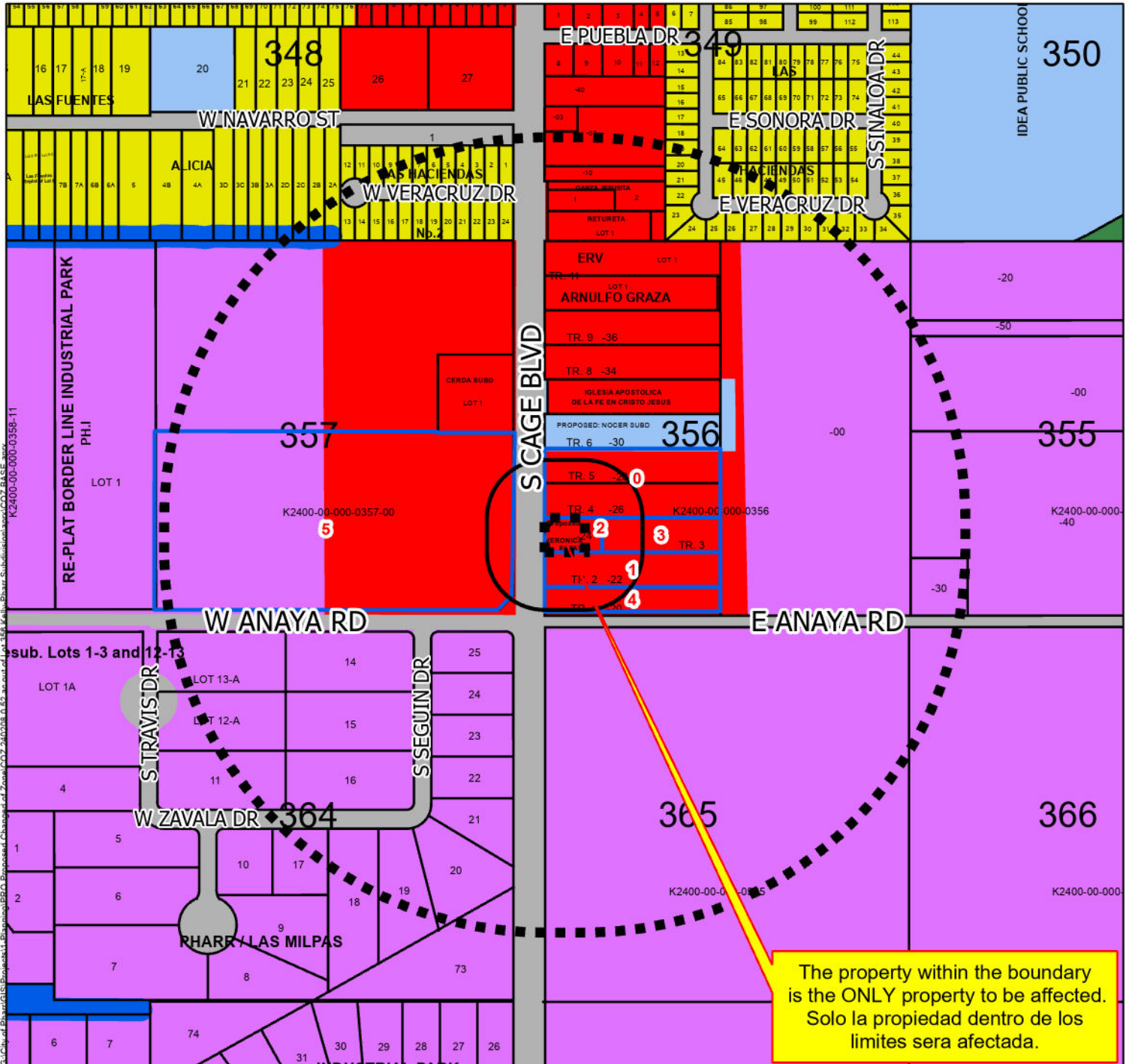
- Hidalgo ISD
 - Valley View ISD
 - Planned Unit Development
- Future Land Use**
- FUTURELAND**
- Irrigation
 - Agriculture
 - Single Family Res.
 - Multi-Family Res.

- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Quarter Mile Radius
- 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.



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
-  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

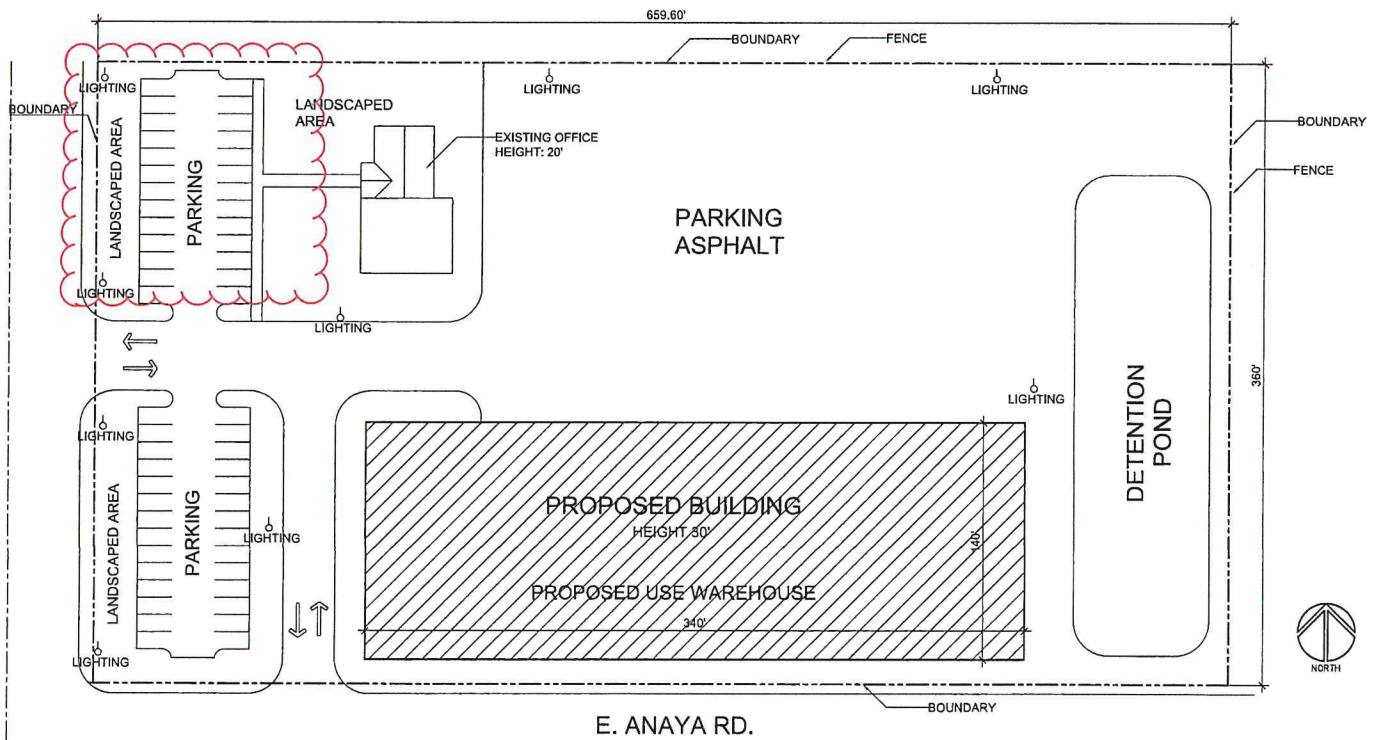
FUTURELAND

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

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



S. CAGE BLVD.



E. ANAYA RD.



Pharr
Development Services



Site Photo

8901 South Cage Boulevard





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.

DATE SUBMITTED: April 2, 2024

MEETING DATE: April 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Jorge Pena Architects, LLC., representing Luis Biasi, owner has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Heavy Commercial District (H-C). The property is legally described as being 0.17 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8901 South Cage Boulevard. **(TABLED) COZ#240209**

Classification: Public Hearing

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

Issue: Jorge Pena Architects, LLC., representing Luis Biasi, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

Fiscal Consideration:

Staff Recommendation: Development Services recommends disapproval of the rezoning request from Single-Family Residential District (R-1) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. 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 - 4/2/2024
Approved - 4/3/2024
Final Approval - 4/4/2024



MEMORANDUM

DATE: MONDAY, APRIL 08, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Single-Family Residential District (R-1) to Heavy Commercial District (H-C). The property is legally described as being 0.17 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8901 South Cage Boulevard. COZ#240209

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:

Jorge Pena Architects, LLC., representing Luis Biasi, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

The subject site is located at the east side of South Cage Boulevard, approximately 260 ft. north of East Anaya Road and has a physical address of 8901 South Cage Boulevard. The property is legally described as being 0.17 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Cage Boulevard, a 120 ft - 150 ft. principal arterial street which runs north and south with a posted speed limit of 40 – 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) and Single-Family Residential District (R-1) on August 16, 2005. The property to the north was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on December 19, 2006. The property to the south and east are zoned Agricultural and/or Open Space District (A-O) upon annexation on October 3, 1989. The property to the west was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on April 10, 2012. 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 Heavy Commercial District (H-C) is established to provide adequate space and site diversification for commercial establishments which would involve influences that would be objectionable in the other commercial districts or adjacent to residential districts. Included in this district are commercial uses that involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly blighting influences. This district is commercial in nature but has some aspects that are similar to industrial uses. The noise, traffic, litter, late-night hours, outside storage of materials and equipment, and other possibly blighting influences require adequate buffering.

Two (2) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on March 8, 2024, and a legal notice was published in the Advance News Journal on March 6, 2024. Staff received no response to the letters or the legal notice.

Development Services is recommending **disapproval** of the request to re-zone from Single-Family Residential District (R-1) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

This item will go before the City Commission Meeting of **April 15, 2024**, at **4:00**
NOTE: 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

Jorge Pena Architects, LLC.

APPLICANT

Single-Family Residential District (R-1)

CURRENT ZONE

8901 South Cage Boulevard

ADDRESS

Heavy Commercial District (H-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:

Denial

Development Services is recommending disapproval of the request to re-zone from Single-Family Residential District (R-1) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

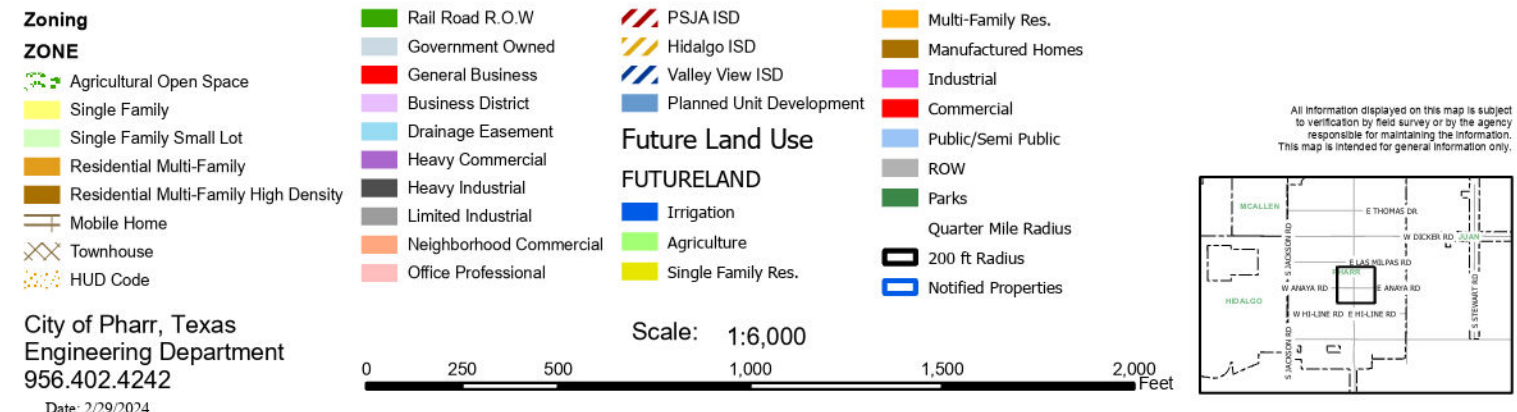
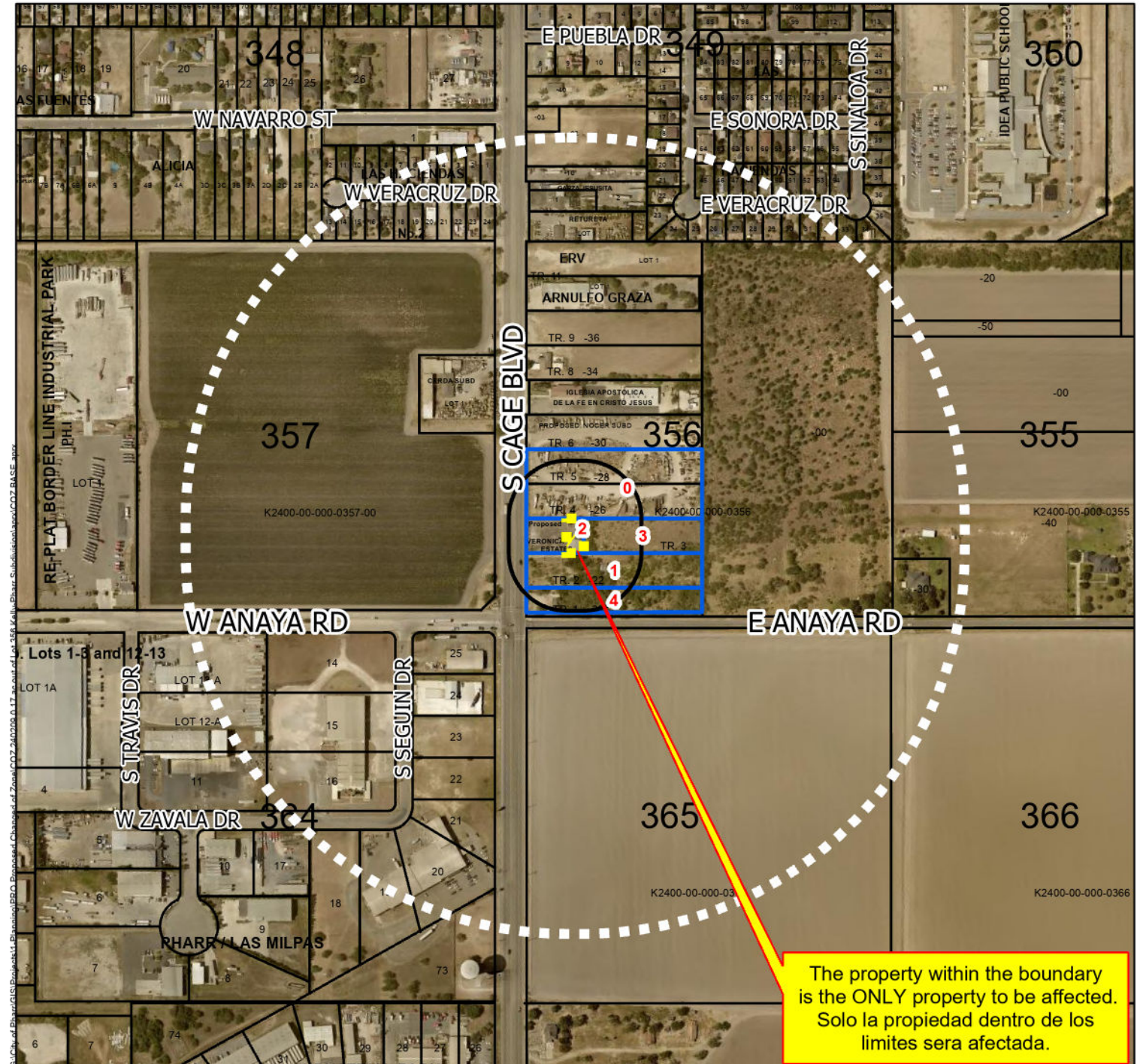
Laura Fonseca, Planner II

PREPARED BY

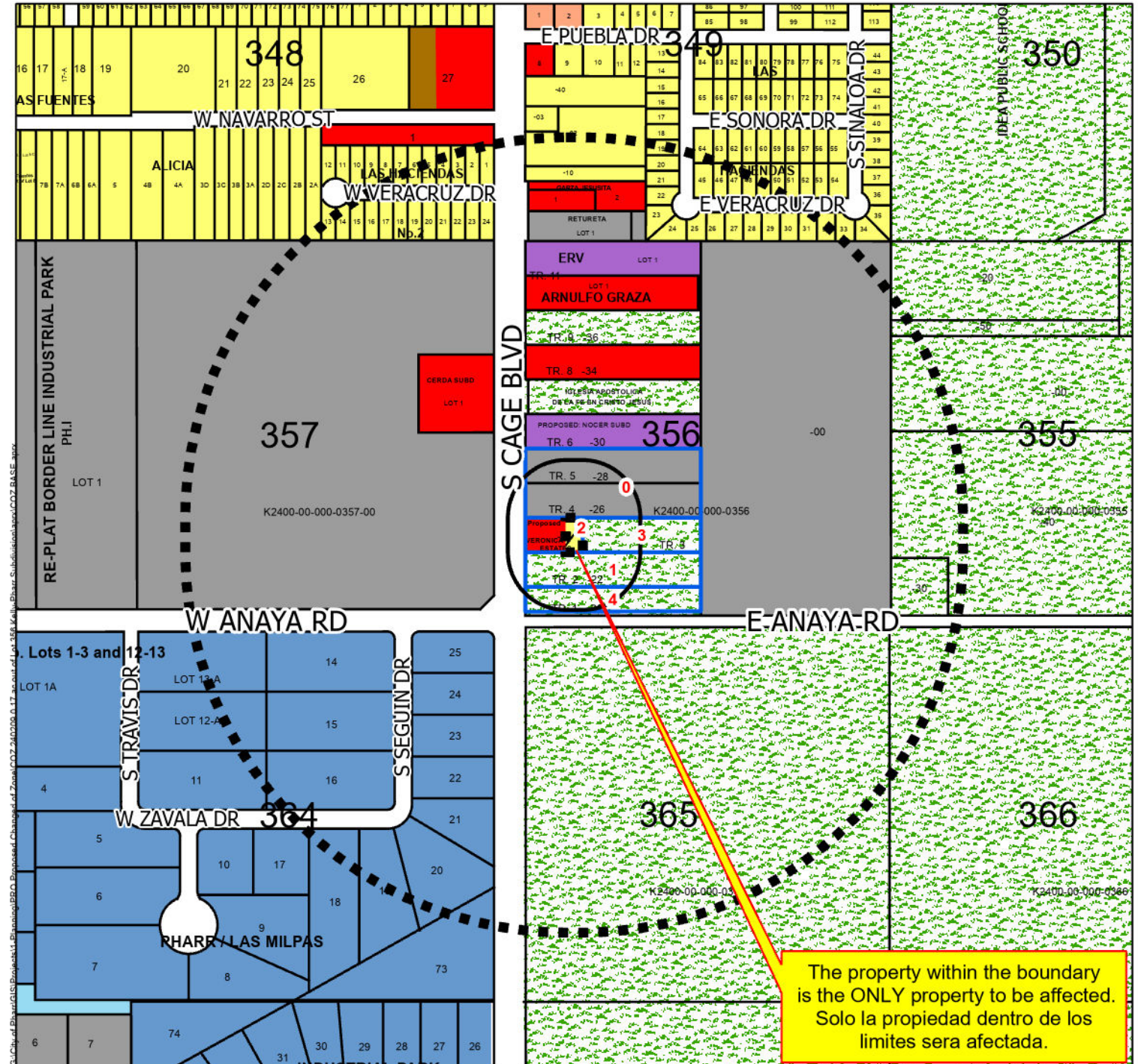
3.8.2024

DATE

AERIAL



ZONING



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

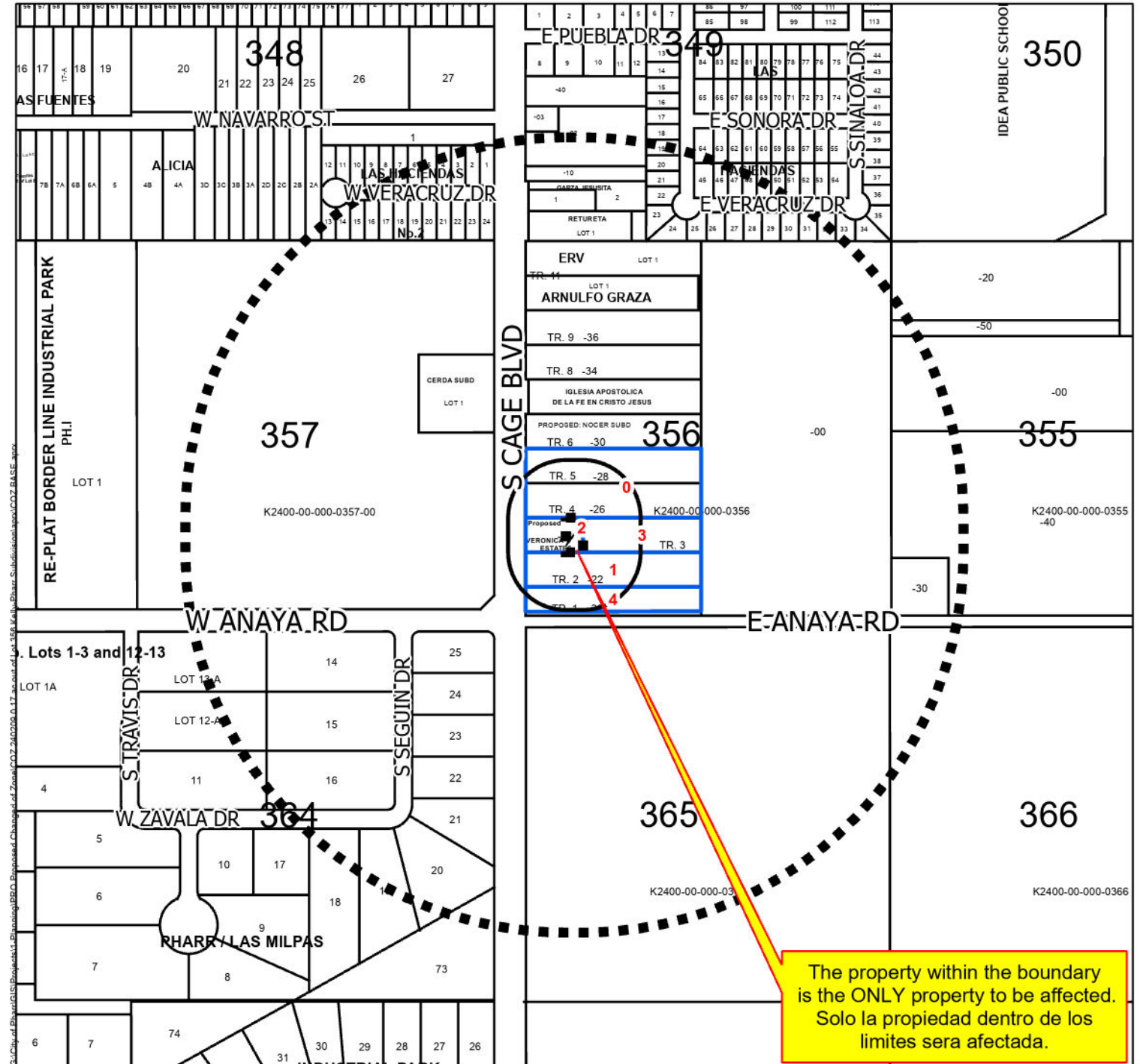
- 200 ft Radius

- 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.



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

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

200 ft Radius

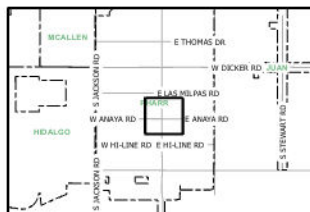
Notified Properties

City of Pharr, Texas
Engineering Department
956.402.4242
Date: 2/29/2024

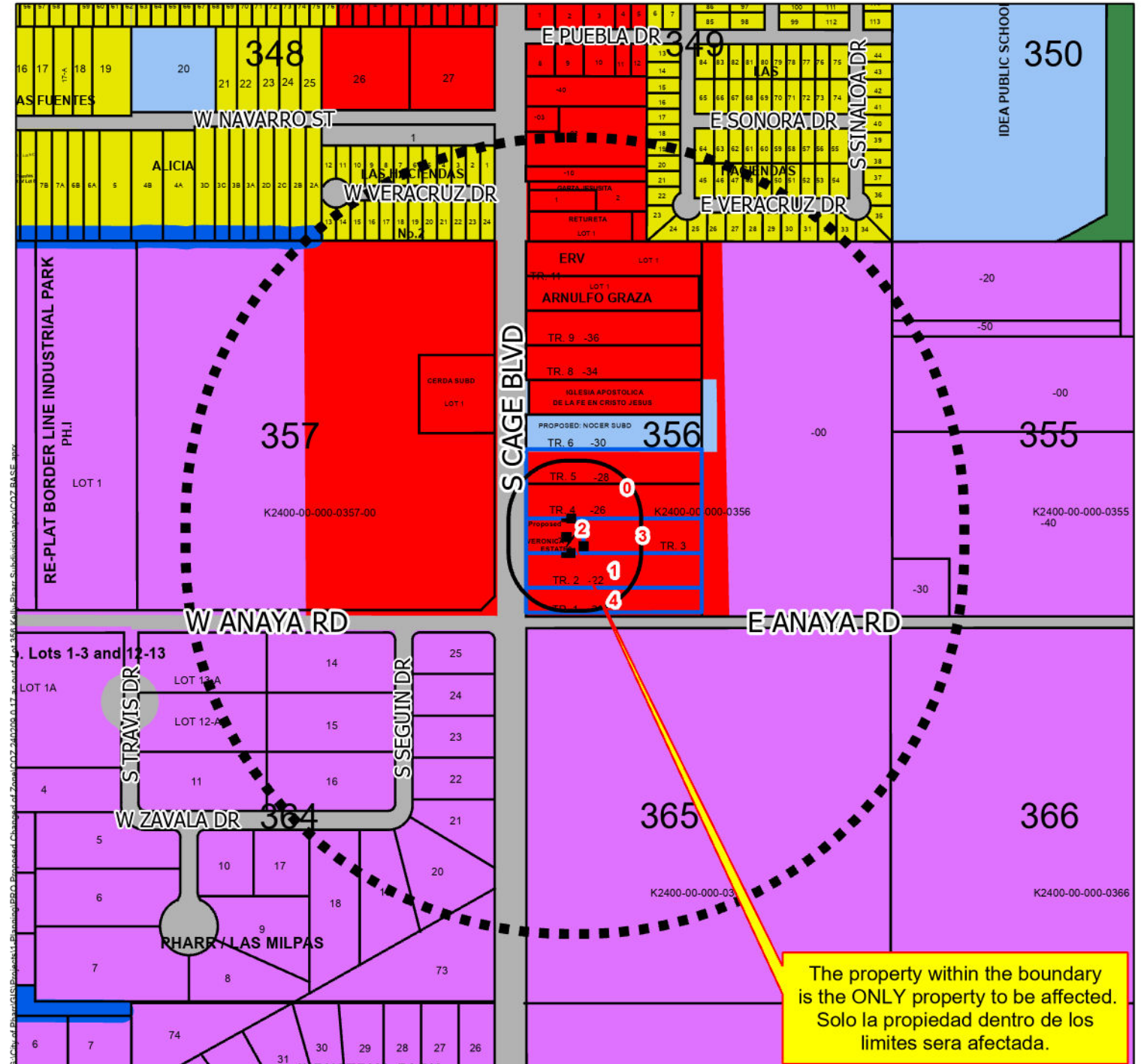
Scale: 1:6,000

0 250 500 1,000 1,500 2,000 Feet

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.



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 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 200 ft Radius Notified Properties
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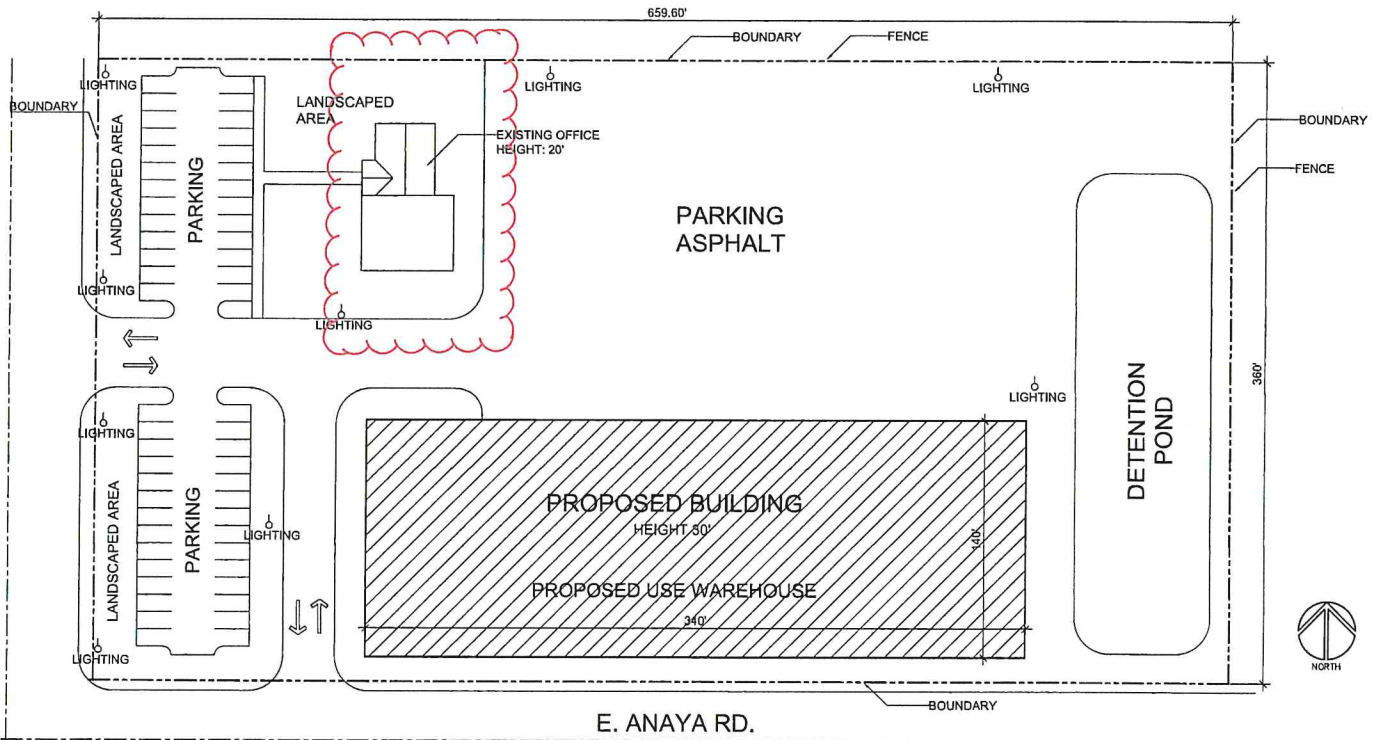
City of Pharr, Texas
Engineering Department
956.402.4242
Date: 2/29/2024

Scale: 1:6,000

0 250 500 1,000 1,500 2,000 Feet

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.

S. CAGE BLVD.



E. ANAYA RD.



Pharr
Development Services



Site Photo

8901 South Cage Boulevard





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.3.

DATE SUBMITTED: April 2, 2024

MEETING DATE: April 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C). The property is legally described as being 1.13 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8911 South Cage Boulevard. **(TABLED) COZ#240210**

Classification: Public Hearing

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

Issue: Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

Fiscal Consideration:

Staff Recommendation: Development Services recommends disapproval of the rezoning request from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. 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 - 4/2/2024
Approved - 4/3/2024
Final Approval - 4/4/2024



MEMORANDUM

DATE: MONDAY, APRIL 08, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C). The property is legally described as being 1.13 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8911 South Cage Boulevard. COZ#240210

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:

Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

The subject site is located at the east side of South Cage Boulevard, approximately 260 ft. north of East Anaya Road and has a physical address of 8911 South Cage Boulevard. The property is legally described as being 1.13 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property is located to the rear of 8901 South Cage Boulevard, a 120 ft - 150 ft. principal arterial street which runs north and south with a posted speed limit of 40 – 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property and the property to the south were zoned Agricultural and/or Open Space District (A-O) upon annexation on October 3, 1989. The property to the west was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) and Single-Family Residential District (R-1) on August 16, 2005. The property to the north was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on December 19, 2006. The property to the east was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on October 6, 2015. 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 Heavy Commercial District (H-C) is established to provide adequate space and site diversification for commercial establishments which would involve influences that would be objectionable in the other commercial districts or adjacent to residential districts. Included in this district are commercial uses that involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly blighting influences. This district is commercial in nature but has some aspects that are similar to industrial uses. The noise, traffic, litter, late-night hours, outside storage of materials and equipment, and other possibly blighting influences require adequate buffering.

Three (3) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on March 8, 2024, and a legal notice was published in the Advance News Journal on March 6, 2024. Staff received no response to the letters or the legal notice.

Development Services is recommending **disapproval** of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **April 15, 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

Jorge Pena Architects, LLC.

APPLICANT

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

CURRENT ZONE

8911 South Cage Boulevard

ADDRESS

Heavy Commercial District (H-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:

Denial

Development Services is recommending disapproval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able to withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

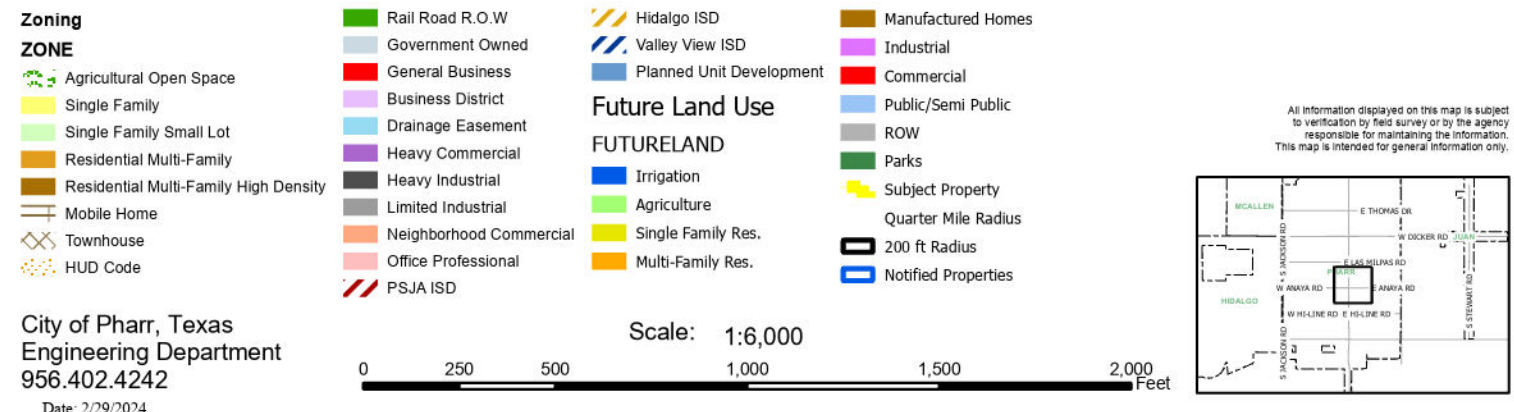
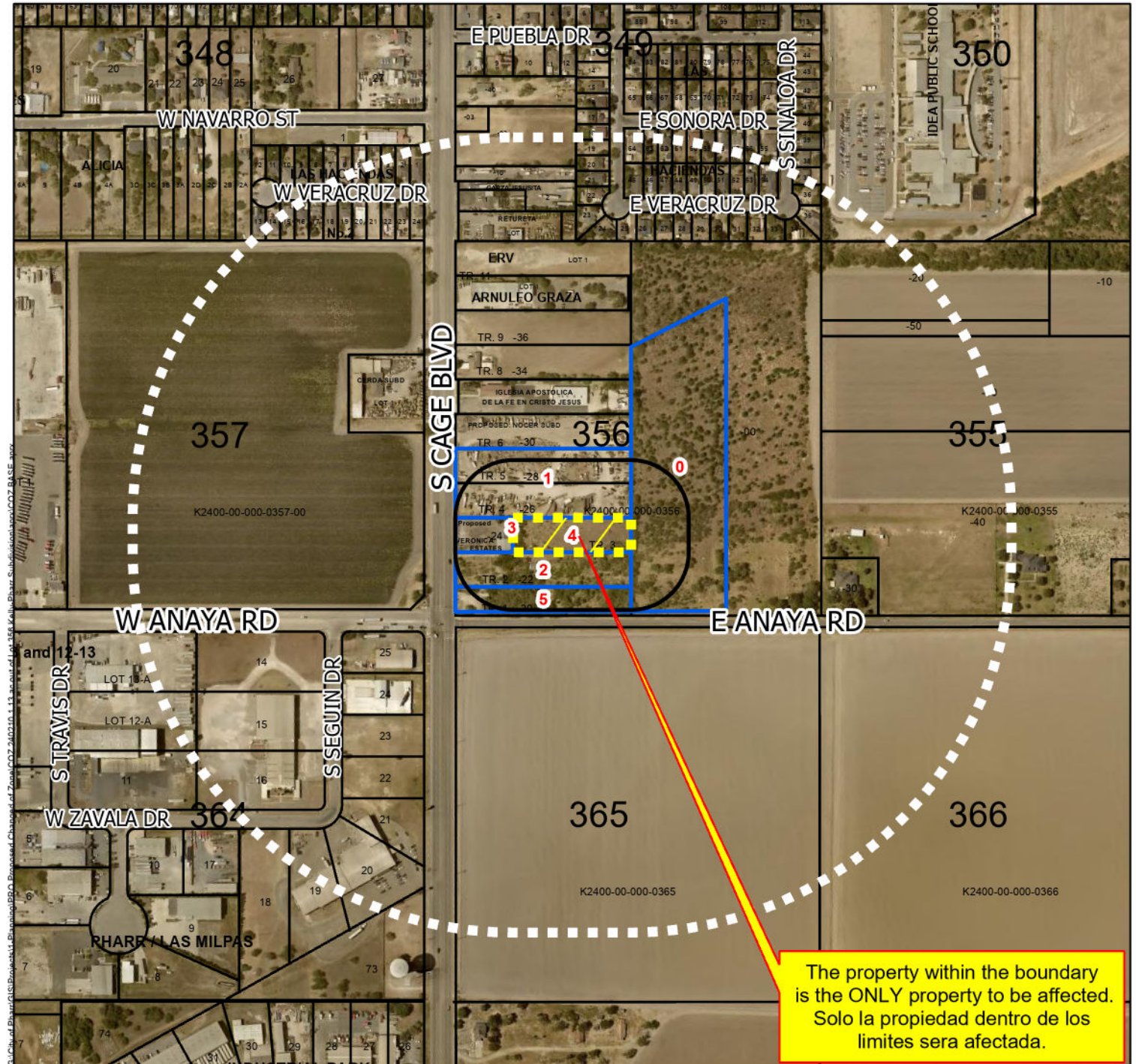
Laura Fonseca, Planner II

PREPARED BY

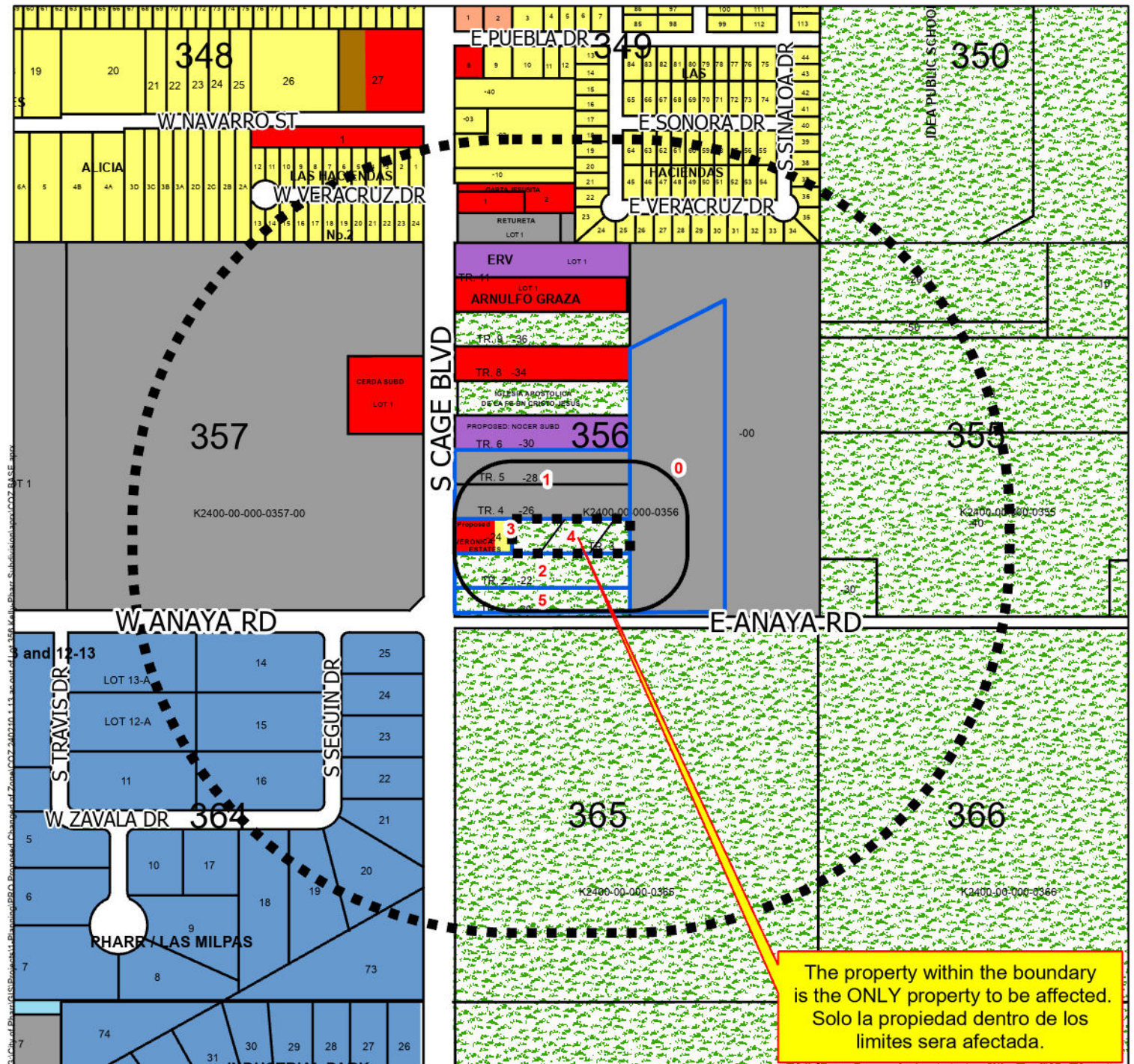
3.8.2024

DATE

AERIAL



ZONING



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

Subject Property

Quarter Mile Radius

200 ft Radius

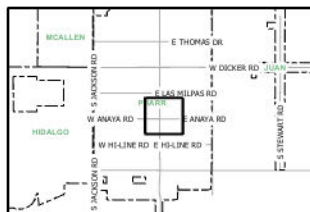
Notified Properties

City of Pharr, Texas
Engineering Department
956.402.4242
Date: 2/29/2024

Scale: 1:6,000

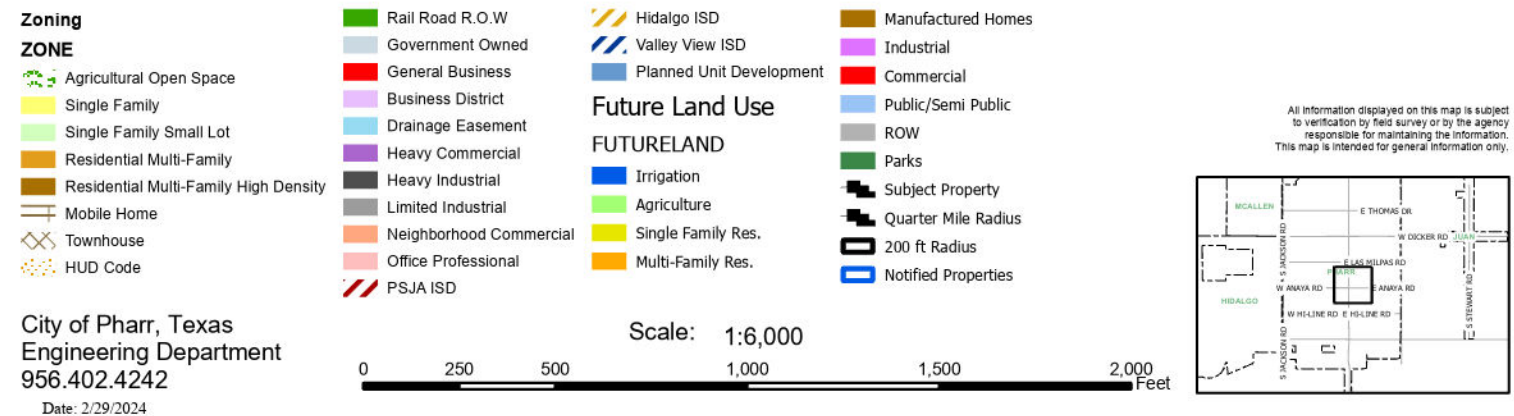
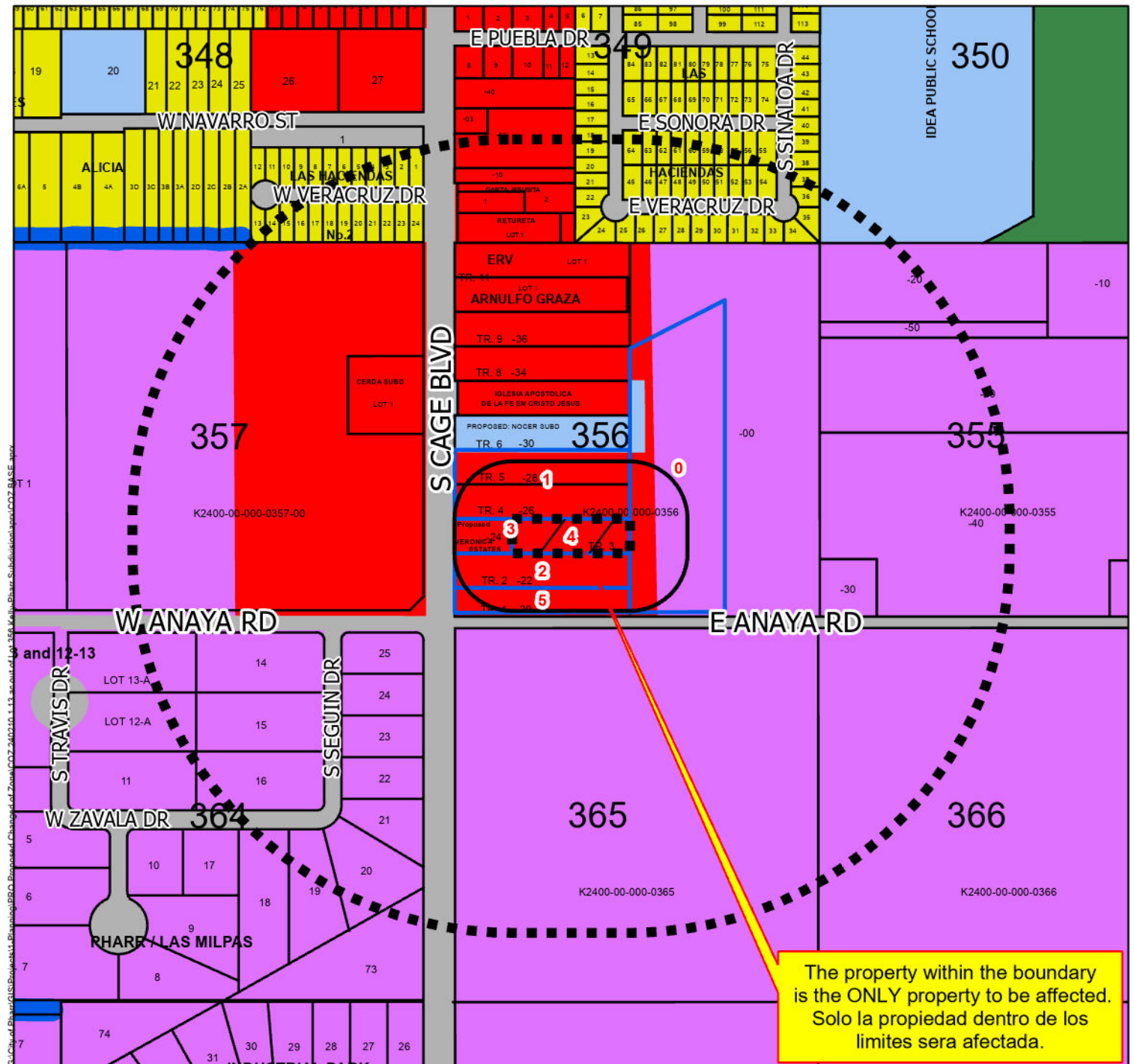
0 250 500 1,000 1,500 2,000 Feet

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.



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FUTURE LAND USE





Pharr
Development Services



Site Photo

8911 South Cage Boulevard





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.4.

DATE SUBMITTED: April 2, 2024

MEETING DATE: April 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C). The property is legally described as being 1.82 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8907 South Cage Boulevard. **(TABLED) COZ#240211**

Classification: Public Hearing

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

Issue: Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

Fiscal Consideration:

Staff Recommendation: Development Services recommends disapproval of the rezoning request from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. 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 - 4/2/2024
Approved - 4/3/2024
Final Approval - 4/4/2024



MEMORANDUM

DATE: MONDAY, APRIL 08, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C). The property is legally described as being 1.82 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8907 South Cage Boulevard. COZ#240211

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:

Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

The subject site is located at the east side of South Cage Boulevard, approximately 135 ft. north of East Anaya Road and has a physical address of 8907 South Cage Boulevard. The property is legally described as being 1.82 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Cage Boulevard, a 120 ft - 150 ft. principal arterial street which runs north and south with a posted speed limit of 40 – 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property, a portion of the northeast, and the property to the south were zoned Agricultural and/or Open Space District (A-O) upon annexation on October 3, 1989. The remaining portion of the property to the northwest was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) and Single-Family Residential District (R-1) on August 16, 2005. The property to the west was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on April 10, 2012. The property to the east was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on October 6, 2015. 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 Heavy Commercial District (H-C) is established to provide adequate space and site diversification for commercial establishments which would involve influences that would be objectionable in the other commercial districts or adjacent to residential districts. Included in this district are commercial uses that involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly blighting influences. This district is commercial in nature but has some aspects that are similar to industrial uses. The noise, traffic, litter, late-night hours, outside storage of materials and equipment, and other possibly blighting influences require adequate buffering.

Five (5) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on March 8, 2024, and a legal notice was published in the Advance News Journal on March 6, 2024. Staff received no response to the letters or the legal notice.

Development Services is recommending **disapproval** of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **April 15, 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

Jorge Pena Architects, LLC.

APPLICANT

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

CURRENT ZONE

8907 South Cage Boulevard

ADDRESS

Heavy Commercial District (H-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:

Denial

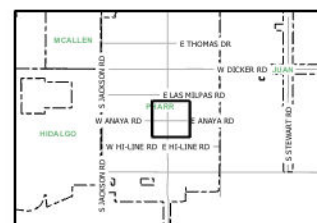
Development Services is recommending disapproval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able to withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

Laura Fonseca, Planner II

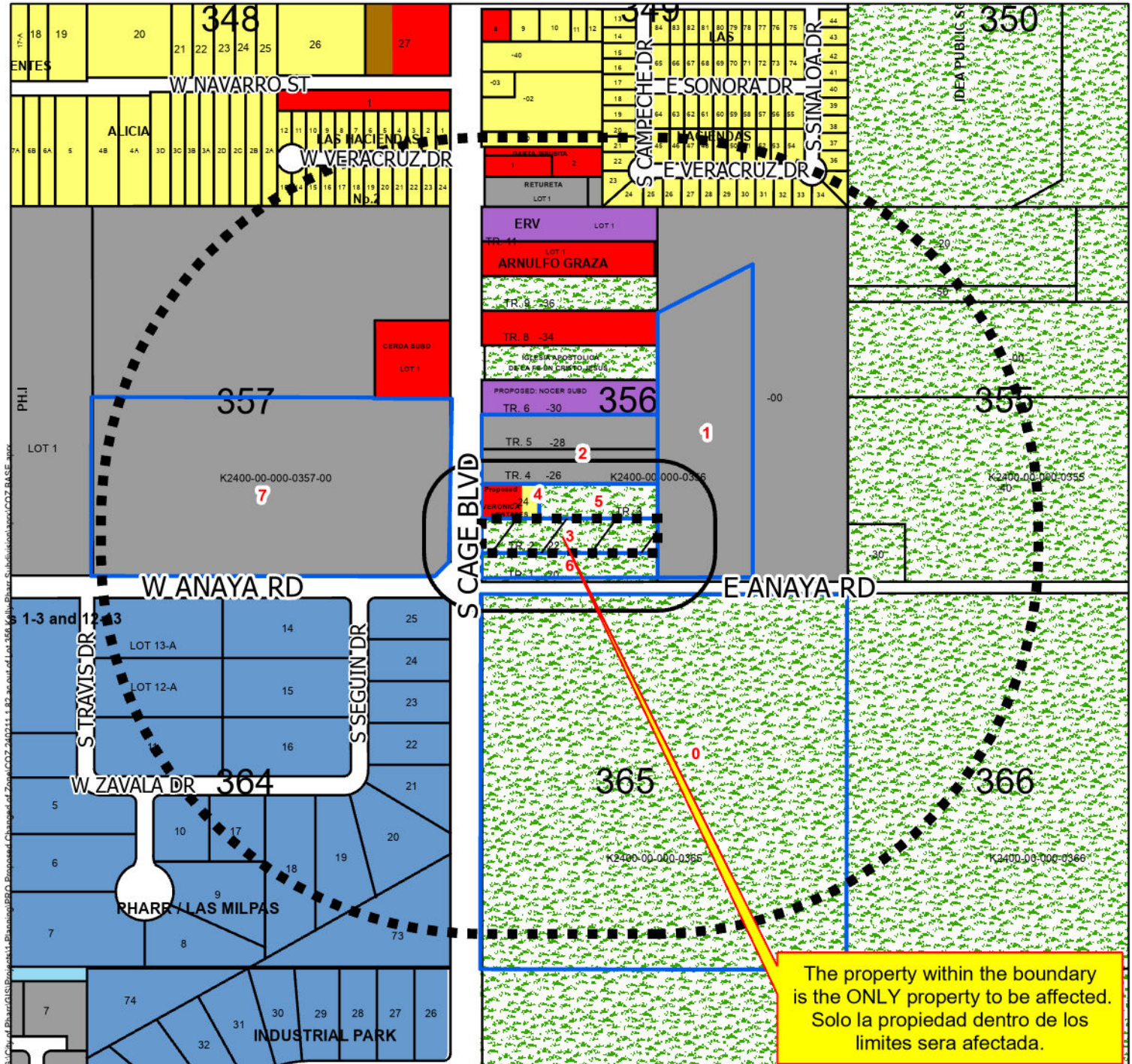
PREPARED BY

3.8.2024

DATE



ZONING



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

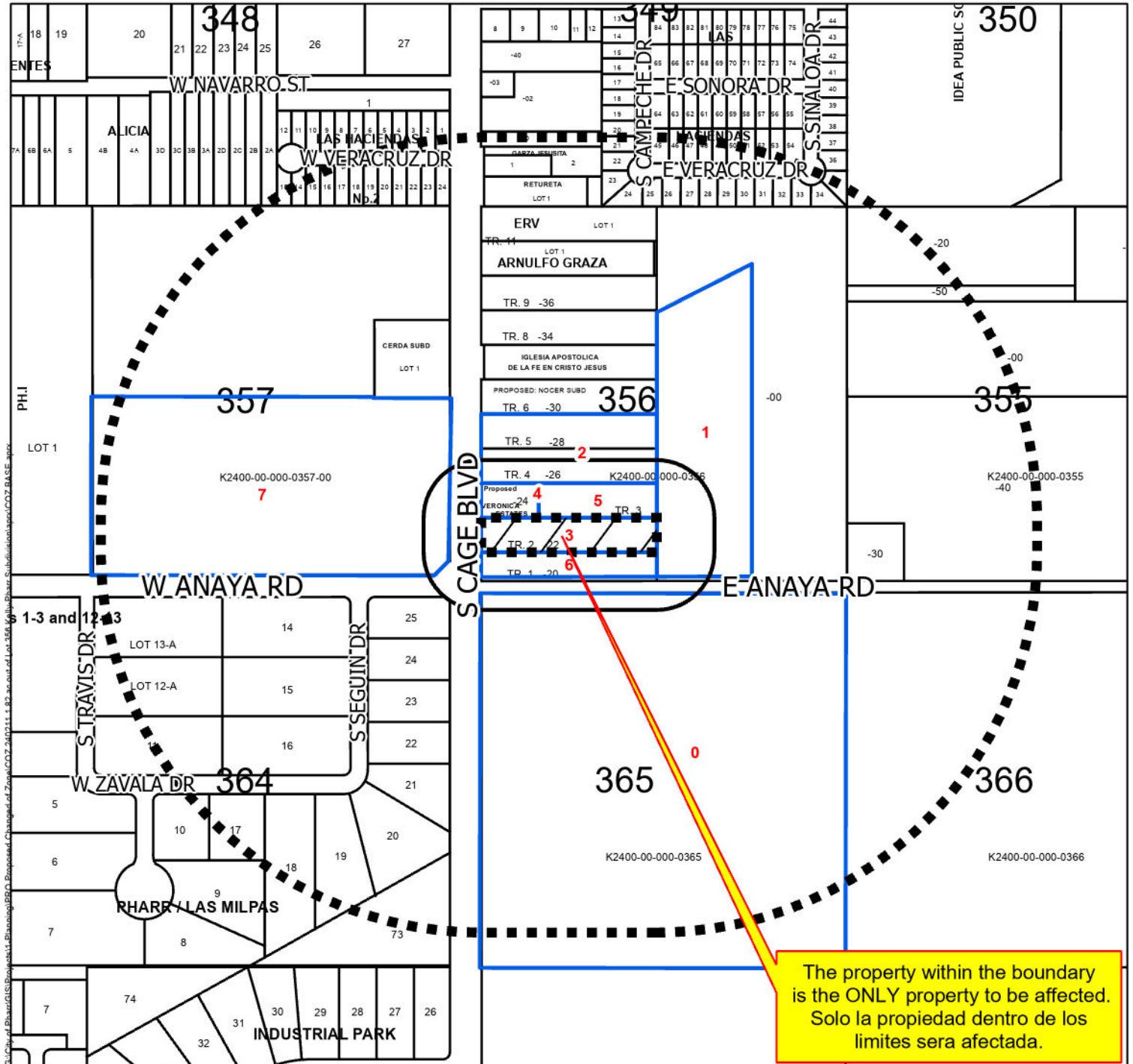
Future Land Use

- Hidalgo ISD
- Valley View ISD
- Planned Unit Development
- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.

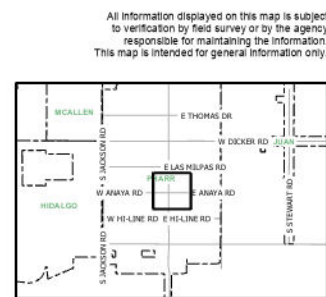
- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Quarter Mile Radius
- 200 ft Radius
- Notified Properties



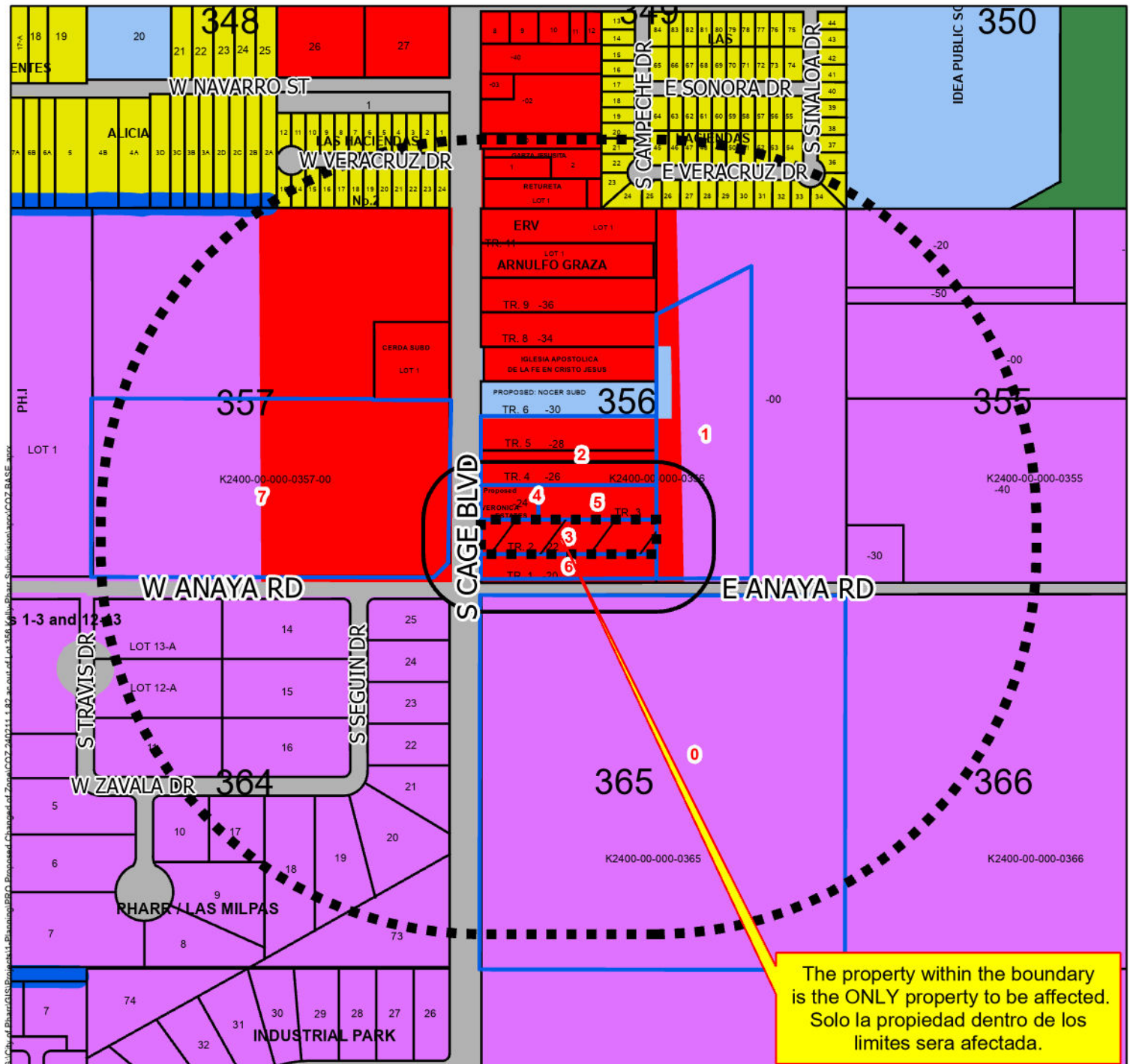
RADIUS



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 - 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 - Quarter Mile Radius 200 ft Radius - Notified Properties
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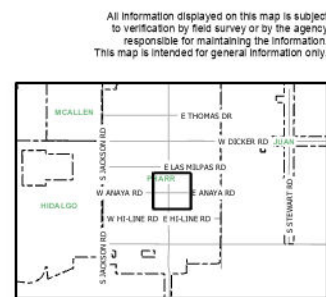
FUTURE LAND USE



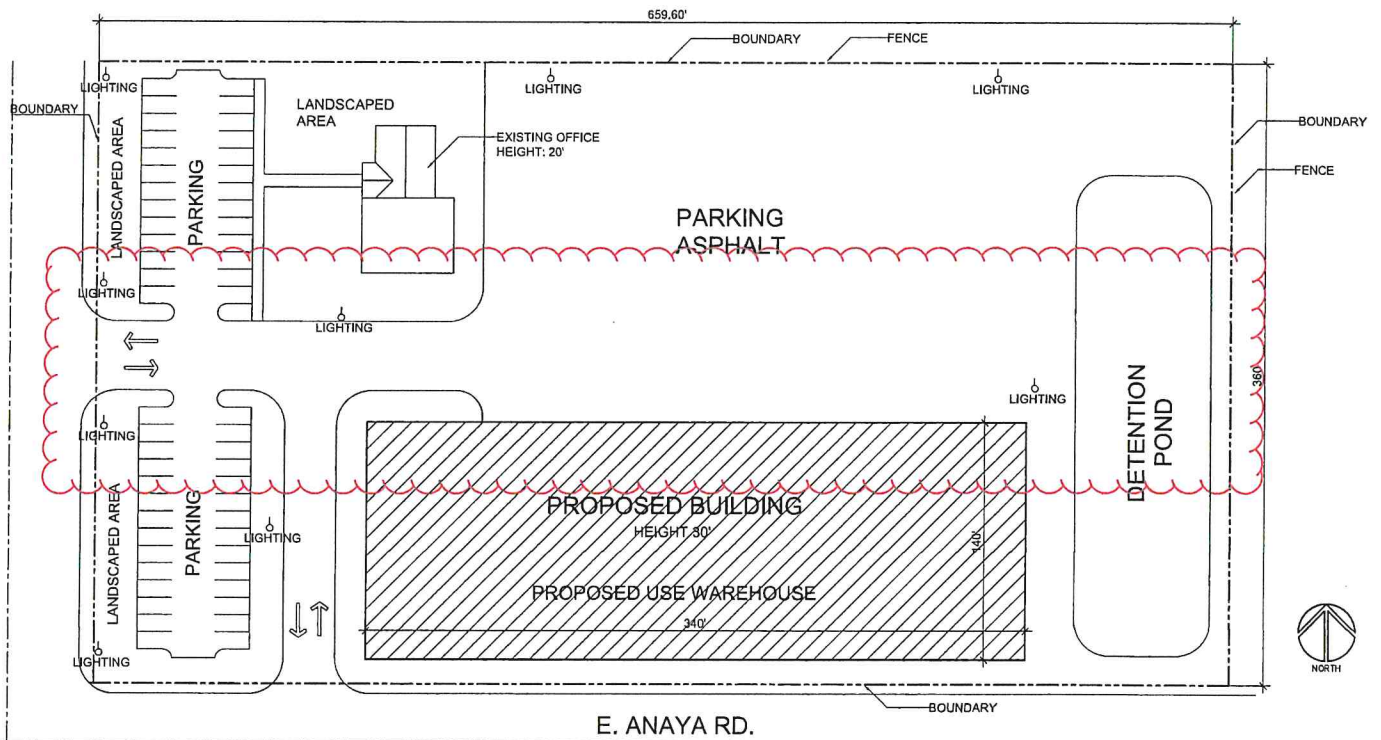
- Zoning**
- ZONE**
- Agricultural Open Space
 - Single Family
 - Single Family Small Lot
 - Residential Multi-Family
 - Residential Multi-Family High Density
 - Mobile Home
 - Townhouse
 - HUD Code

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

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



S. CAGE BLVD.





Pharr
Development Services



Site Photo

8911 South Cage Boulevard





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.5.

DATE SUBMITTED: April 2, 2024

MEETING DATE: April 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C). The property is legally described as being 1.82 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8915 South Cage Boulevard. **(TABLED) COZ#240212**

Classification: Public Hearing

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

Issue: Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

Fiscal Consideration:

Staff Recommendation: Development Services recommends disapproval of the rezoning request from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. 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 - 4/2/2024
Approved - 4/3/2024
Final Approval - 4/4/2024



MEMORANDUM

DATE: MONDAY, APRIL 08, 2024
TO: PLANNING AND ZONING COMMISSION
FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C). The property is legally described as being 1.82 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 8915 South Cage Boulevard. COZ#240212

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:

Jorge Pena Architects, LLC., representing Luis Biasi, 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 Heavy Commercial District (H-C) in order to develop and construct a warehouse with trailer parking.

The subject site is located at the southeast corner of South Cage Boulevard, and has a physical address of 8915 South Cage Boulevard. The property is legally described as being 1.82 acres, more or less, out of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Cage Boulevard, a 120 ft - 150 ft. principal arterial street which runs north and south with a posted speed limit of 40 – 55 miles per hour as identified in the City of Pharr's Thoroughfare Plan.

The property and the property to the south and north were zoned Agricultural and/or Open Space District (A-O) upon annexation on October 3, 1989. The property to the west was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on April 10, 2012. The property to the east was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on October 6, 2015. 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 Heavy Commercial District (H-C) is established to provide adequate space and site diversification for commercial establishments which would involve influences that would be objectionable in the other commercial districts or adjacent to residential districts. Included in this district are commercial uses that involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly blighting influences. This district is commercial in nature but has some aspects that are similar to industrial uses. The noise, traffic, litter, late-night hours, outside storage of materials and equipment, and other possibly blighting influences require adequate buffering.

Five (5) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on March 8, 2024, and a legal notice was published in the Advance News Journal on March 6, 2024. Staff received no response to the letters or the legal notice.

Development Services is recommending **disapproval** of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **April 15, 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

Jorge Pena Architects, LLC.

APPLICANT

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

CURRENT ZONE

8915 South Cage Boulevard

ADDRESS

Heavy Commercial District (H-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:

Denial

Development Services is recommending disapproval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) as the property is not compatible with nearby commercial uses and may have detrimental impact to the area. East Anaya Road is currently a two-lane roadway which measures 25 feet in width and would not be able to withstand the heavy traffic which the development is proposing. If approved, the owner must comply with all City Ordinances and City Department requirements.

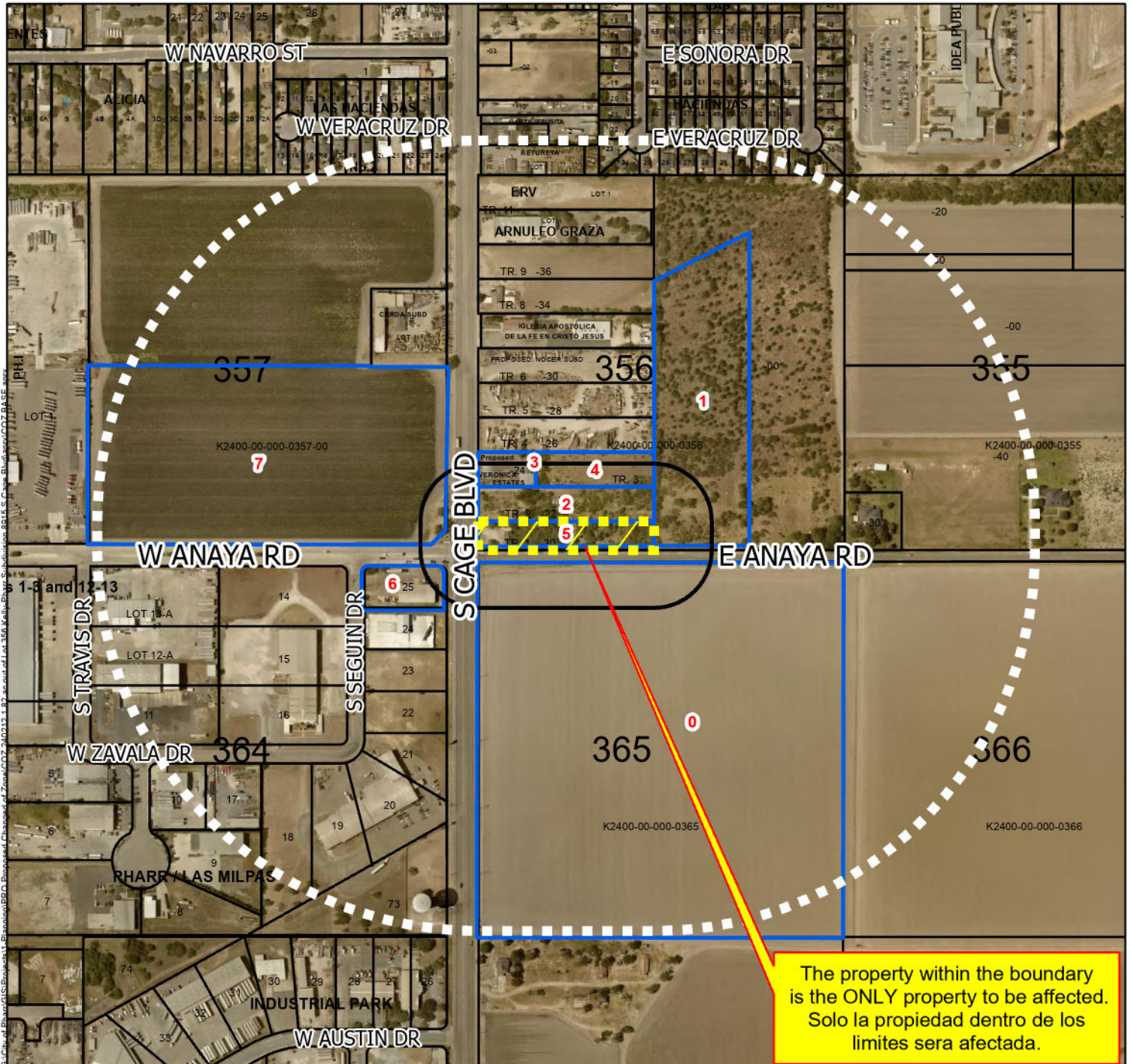
Laura Fonseca, Planner II

PREPARED BY

3.8.2024

DATE

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

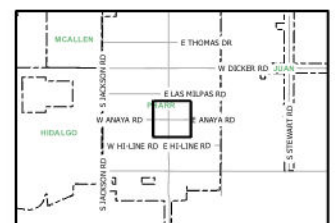
- Valley View ISD
- Planned Unit Development

Future Land Use

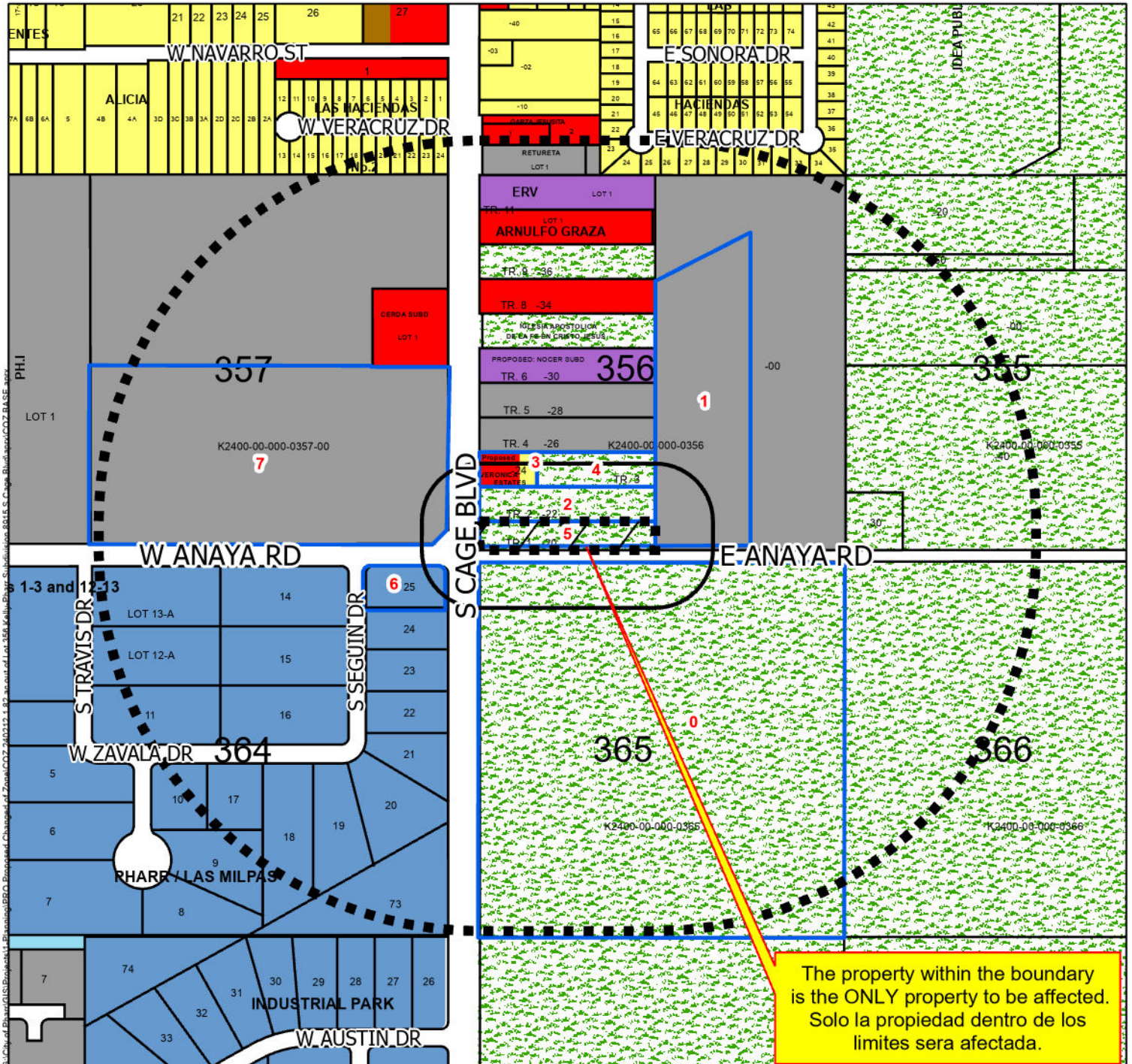
FUTURELAND

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

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



ZONING



Zoning

ZONE

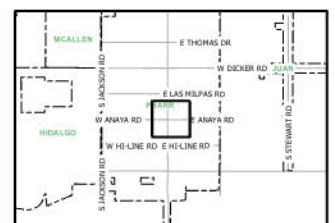
- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home
- Townhouse
- HUD Code

- 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

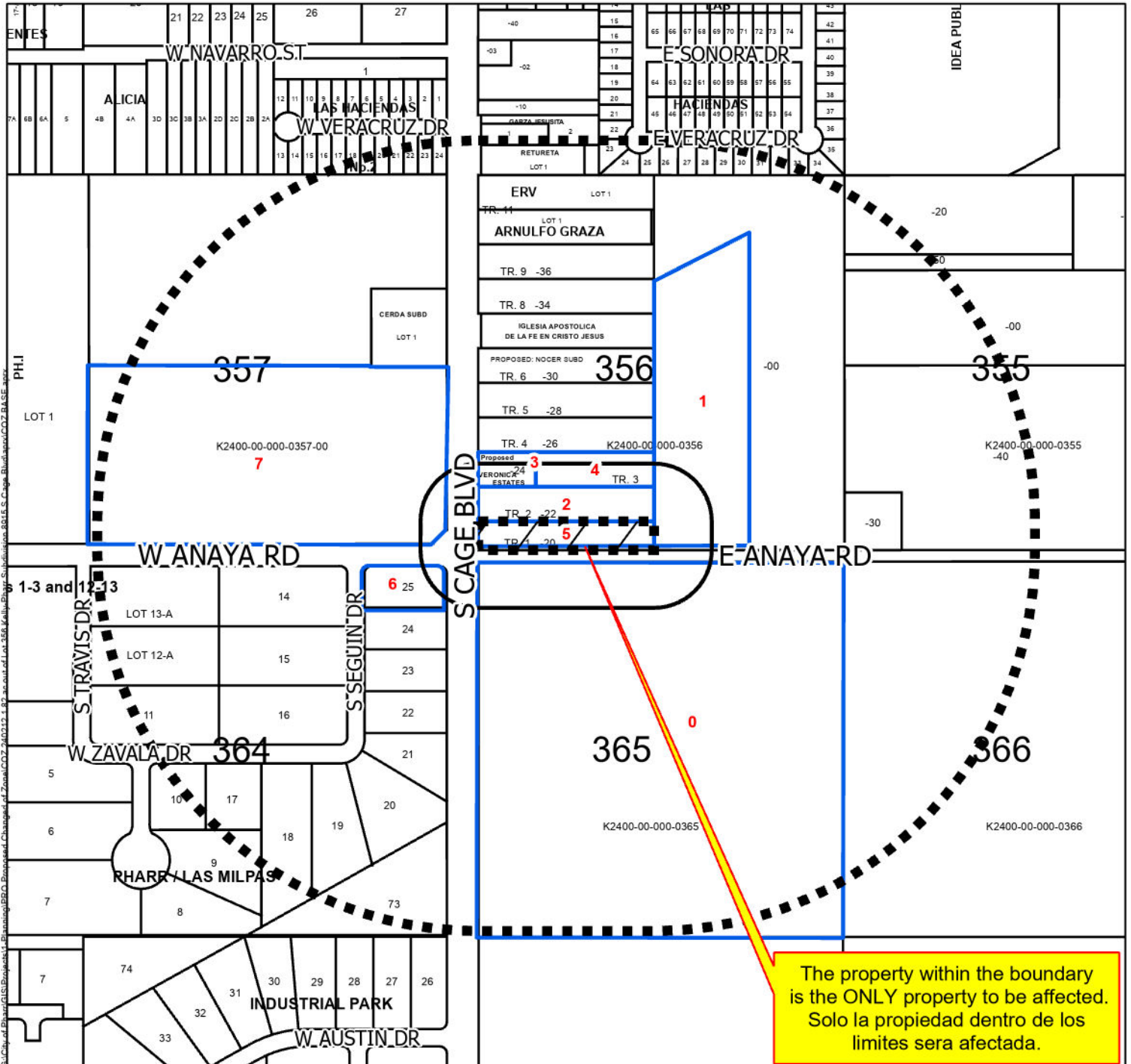
Future Land Use

- Hidalgo ISD
- Valley View ISD
- Planned Unit Development
- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.

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



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
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD

Hidalgo ISD

- Valley View ISD
- Planned Unit Development

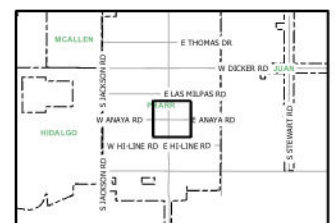
Future Land Use

FUTURELAND

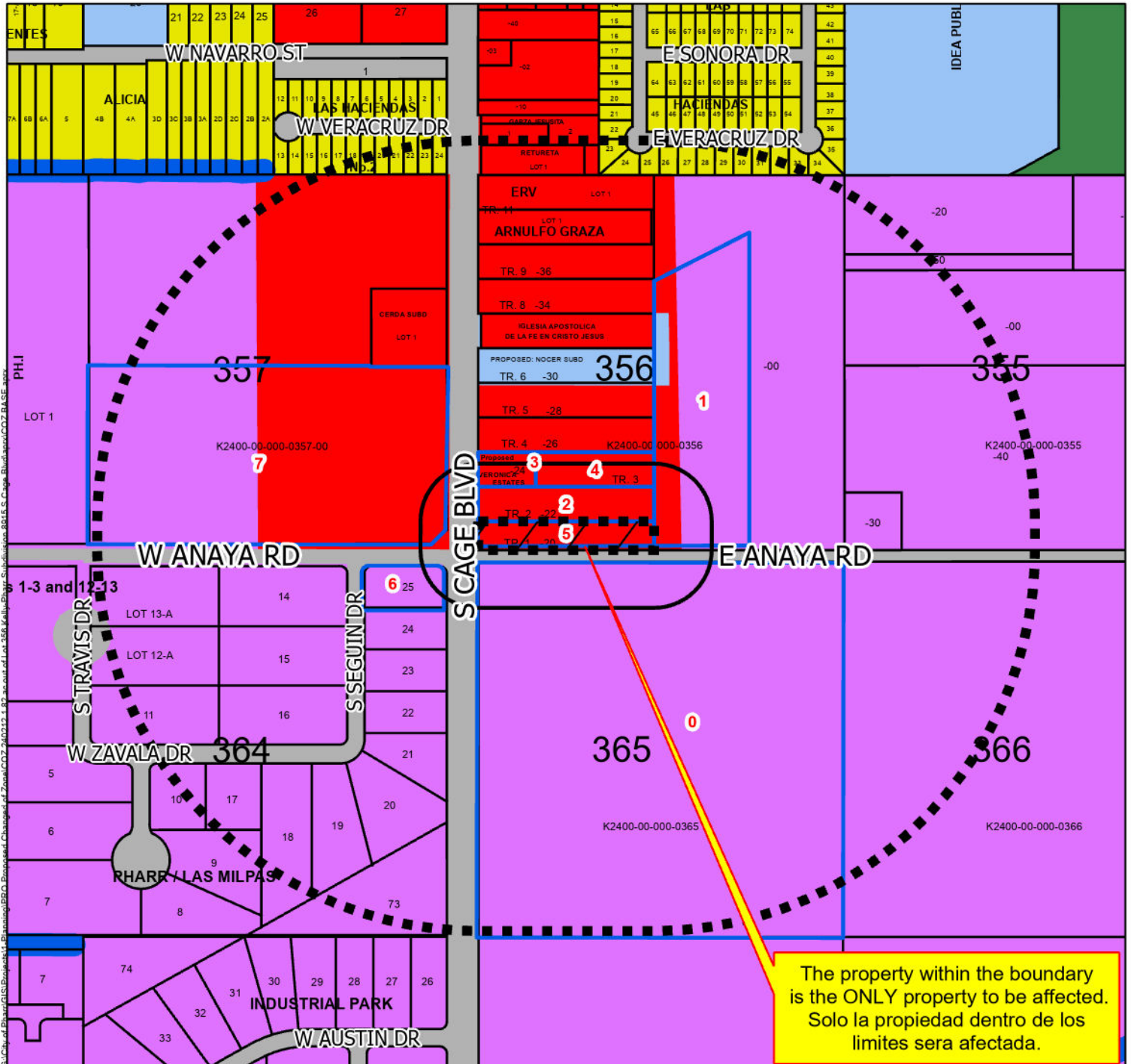
- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.

- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- Subject Property
- Quarter Mile Radius
- 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.



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
- 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

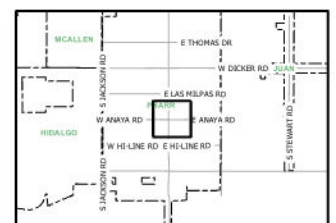
Future Land Use

- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

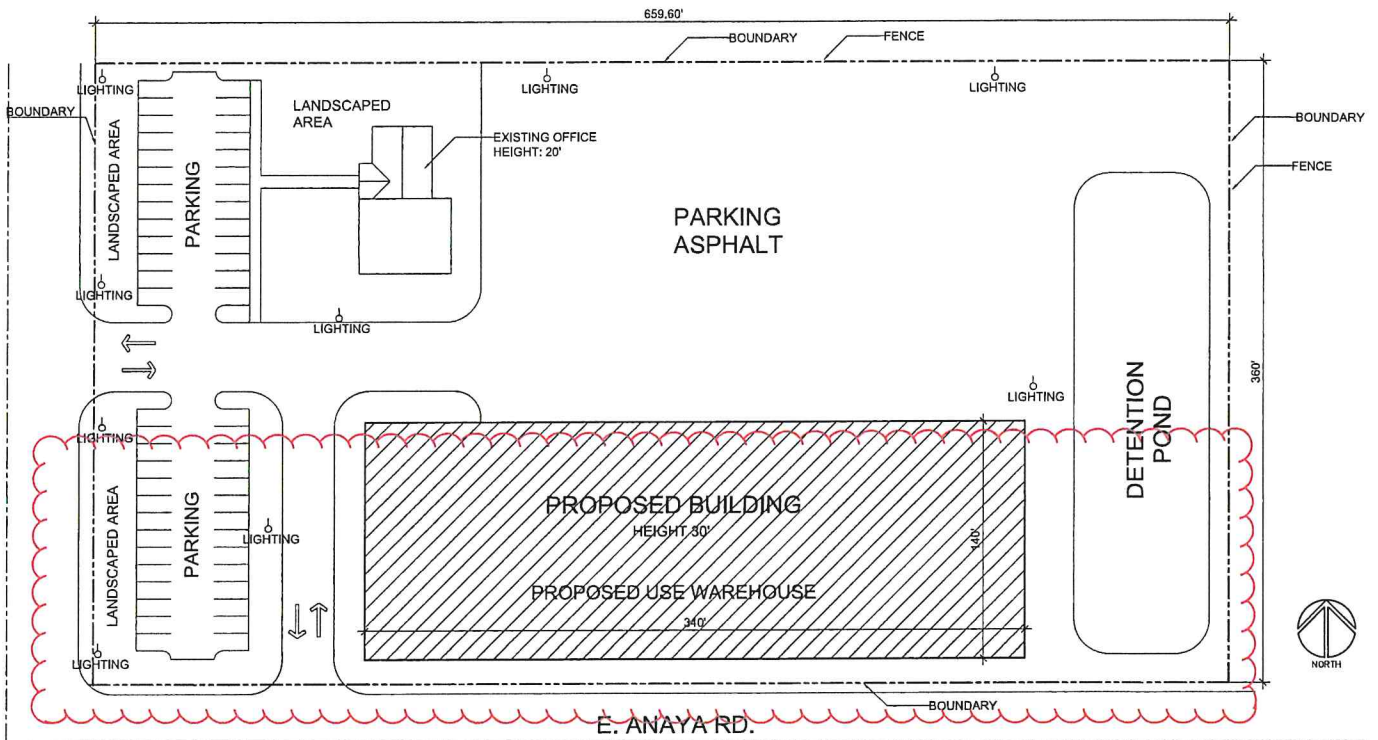
FUTURE LAND

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

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



S. CAGE BLVD.



JPA
JORGE PEÑA ARCHITECTS, INC.
4217 WORTHINGTON AVE.
McALLEN, TX 78503
TEL. (210) 714-9877
WWW.JPA-ARCHITECTS.COM



Pharr
Development Services



Site Photo

8915 South Cage Boulevard





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.6.

DATE SUBMITTED: April 4, 2024

MEETING DATE: April 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: R.E.T.Y., LLC., representing Pharr Economic Development Corporation, 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 Heavy Industrial District (H-I). The property is legally described as being 241.56 acres, more or less, out of Porcion 71, Pharr, Hidalgo County, Texas. The property's physical address is 2101 West Doffing Road. **COZ#240313**

Classification: Public Hearing

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

Issue: R.E.T.Y., LLC., representing Pharr Economic Development Corporation, 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 Heavy Industrial District (H-I) in order to develop and construct industrial uses.

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the rezoning request from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (H-I) as the property complies with the future 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.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 4/4/2024
Approved - 4/4/2024
Final Approval - 4/4/2024



MEMORANDUM

DATE: MONDAY, APRIL 8, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Heavy Industrial District (H-I). The property is legally described as being 241.56 acres, more or less, out of Porcion 71, Pharr, Hidalgo County, Texas. The property's physical address is 2101 West Doffing Road. COZ#240313

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:

R.E.T.Y., LLC., representing Pharr Economic Development Corporation, 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 Heavy Industrial District (H-I) in order to develop and construct industrial uses.

The subject site is located on West Doffing Road, approximately 1,000 ft. east of South Veterans Boulevard and has a physical address of 2101 West Doffing Road. The property is legally described as being 241.56 acres, more or less, out of Porcion 71, Pharr, Hidalgo County, Texas.

The property has frontage on West Doffing Road and currently has a 40 ft. right-of way. Additional right-of-way and the necessary improvements will be required during the subdivision process.

The property was zoned Agricultural and/or Open Space District (A-O) upon annexation on September 18, 2023. The city limits lie to the north, east, west, and south. There have been no other zoning requests within the vicinity of the subject property since that time. The property is generally designated for industrial use in the Land Use Plan.

The Heavy Industrial District (H-I) is established to provide adequate space and site diversification. The area requirements in this district are minimal and will allow both large and small industrial uses either on separate small lots or as part of a park. Some screening is required, but because of the potential for hazardous or possibly blighting uses, this district should not be located close to residential areas of any type. Areas should not be zoned to this usage unless they are located on or close to arterials capable of carrying commercial and truck traffic.

No letters were mailed out as the city limits abuts the property. A legal notice was published in the Advance News Journal on March 20, 2024. Staff received no response to the legal notice.

Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (H-I) as the property complies with the future 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.

NOTE: This item will go before the City Commission Meeting of **April 15, 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

**R.E.T.Y., LLC., representing Pharr
Economic Development Corporation, owner**
APPLICANT

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

2101 West Doffing Road
ADDRESS

Heavy Industrial District (H-I)
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:

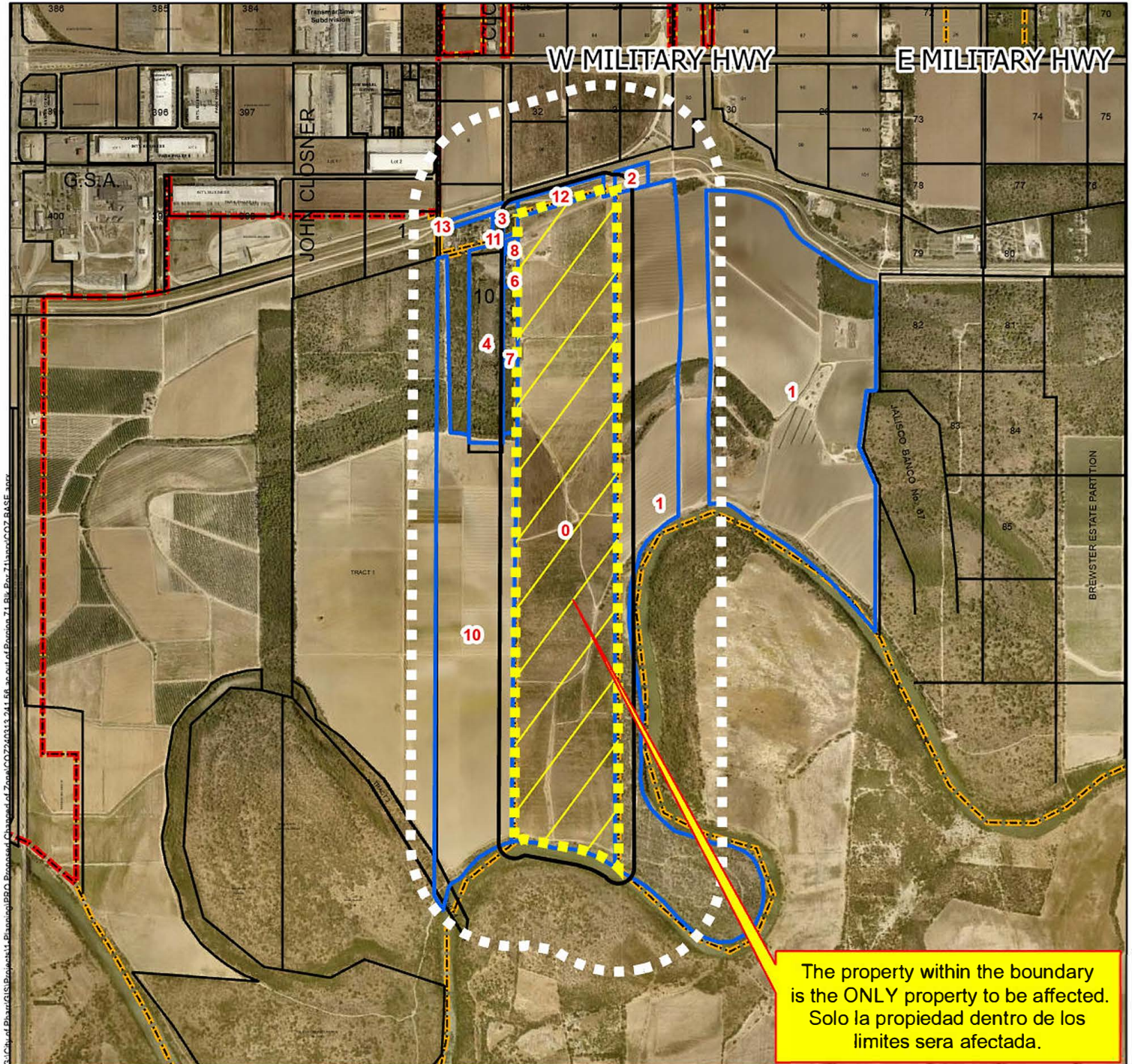
Approval

Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (H-I) as the property complies with the future 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, Planner II
PREPARED BY

04.1.2024
DATE

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

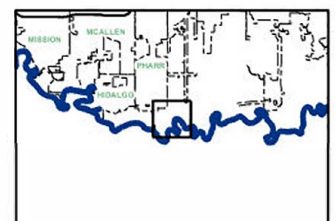
Future Land Use

FUTURELAND

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

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

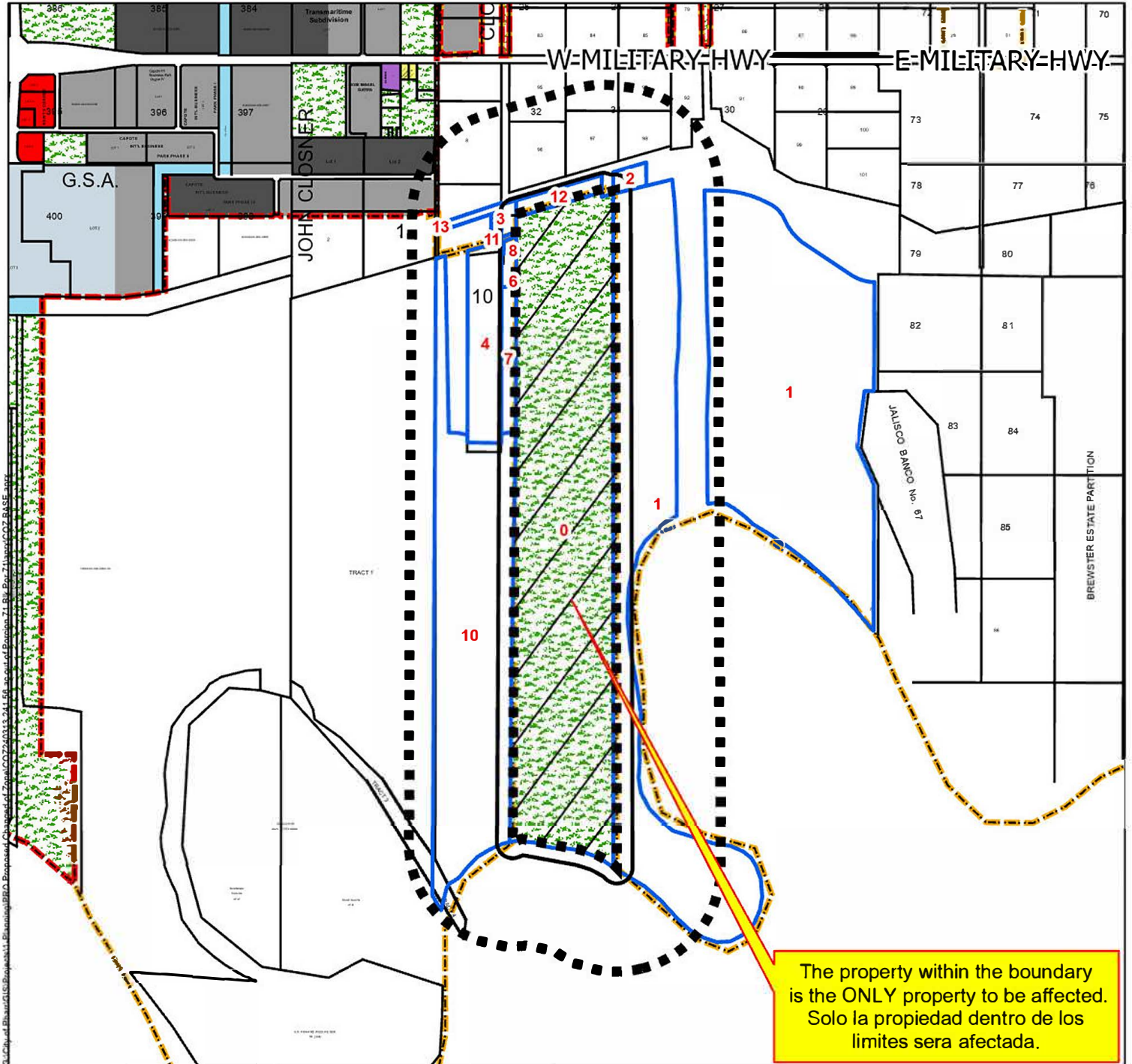
All Information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Proposed Change of Zone
241.56 acres, **T**ore or less, out of Portion
71, Pharr, Hidalgo County, Texas



ZONING



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

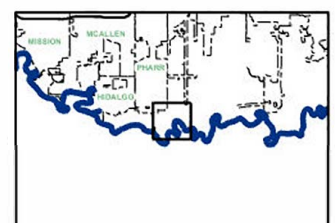
Future Land Use

FUTURELAND

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

-  Manufactured Homes
-  Industrial
-  Commercial
-  Public/Semi Public
-  ROW
-  Parks
-  Subject Property
-  QuarterMileRadius
-  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.



City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/12/2024

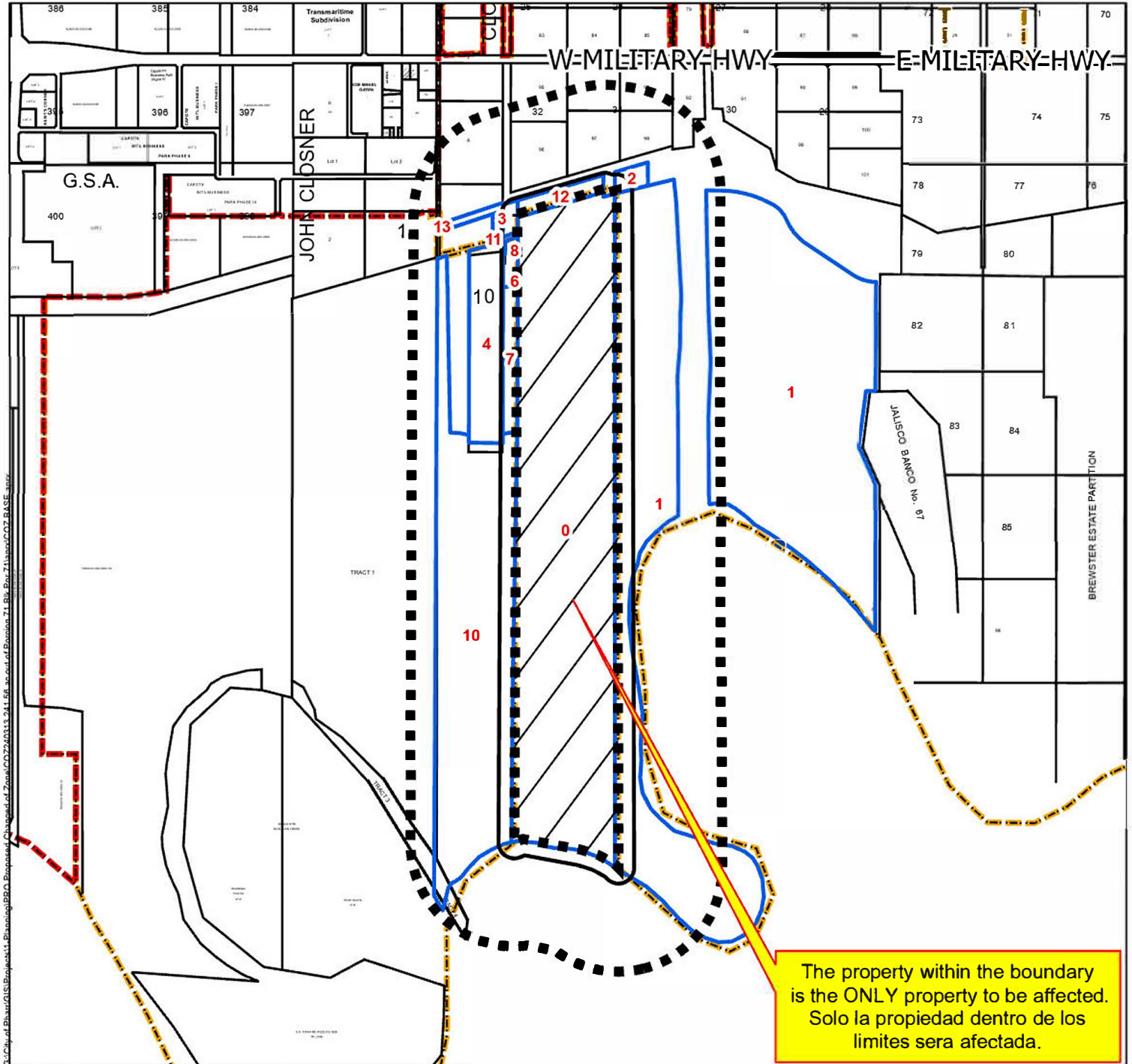
Scale: 1:22,000



Proposed Change of Zone
241.56 acres, More or less, out of
Porcion 71, Pharr, Hidalgo County,
Texas



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
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD

- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

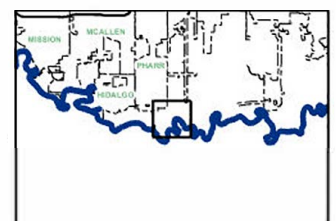
Future Land Use

FUTURELAND

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

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

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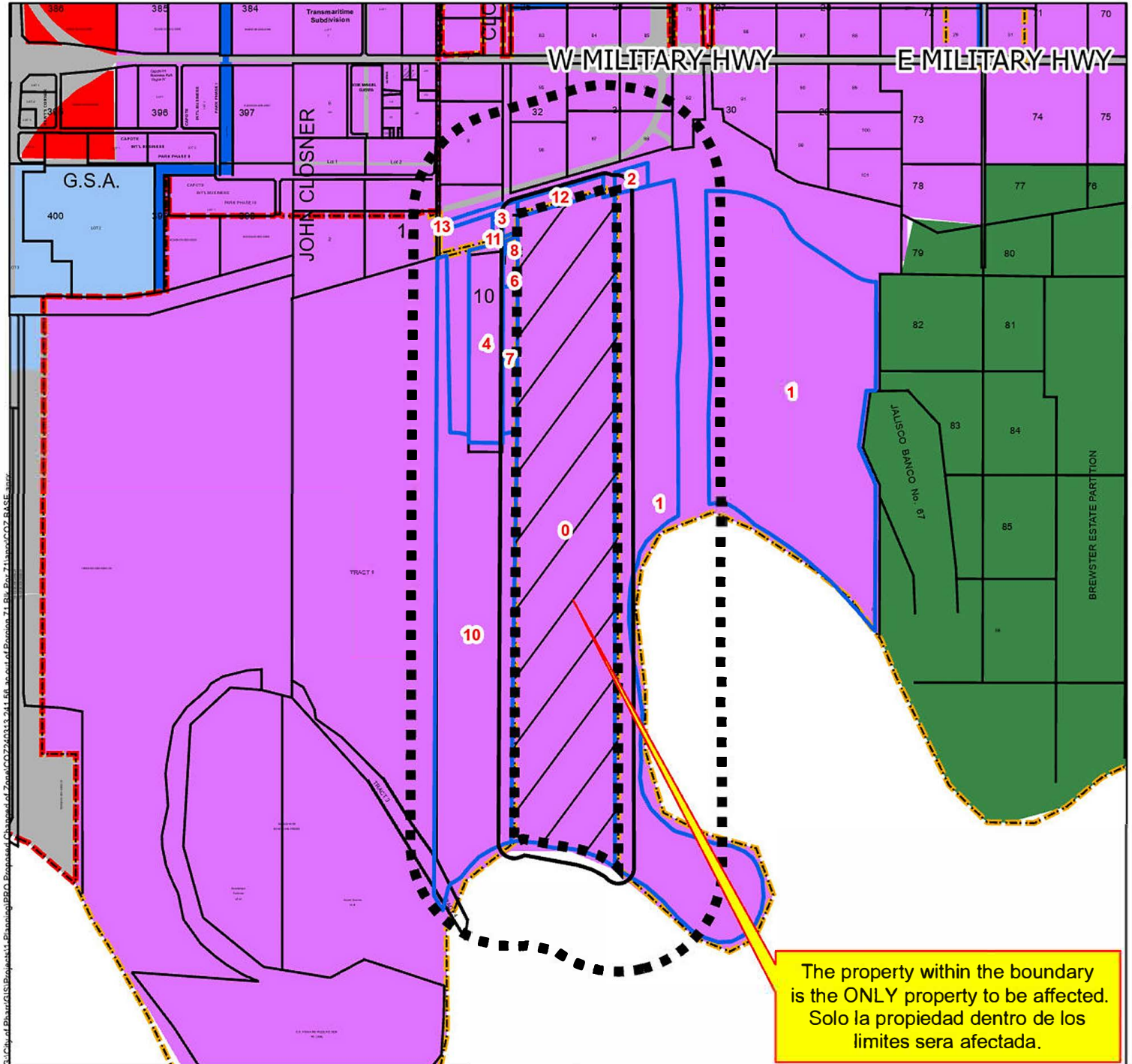
City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/12/2024

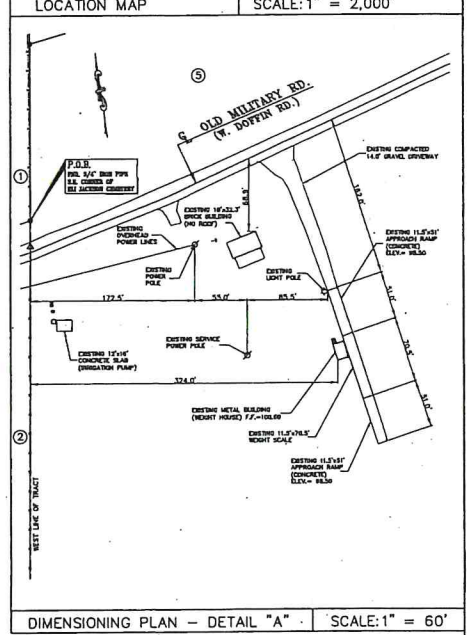
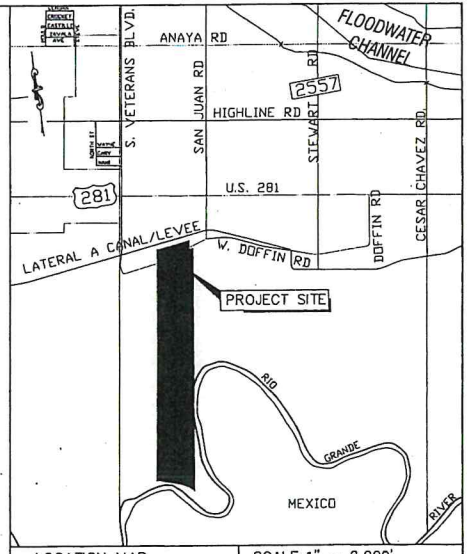
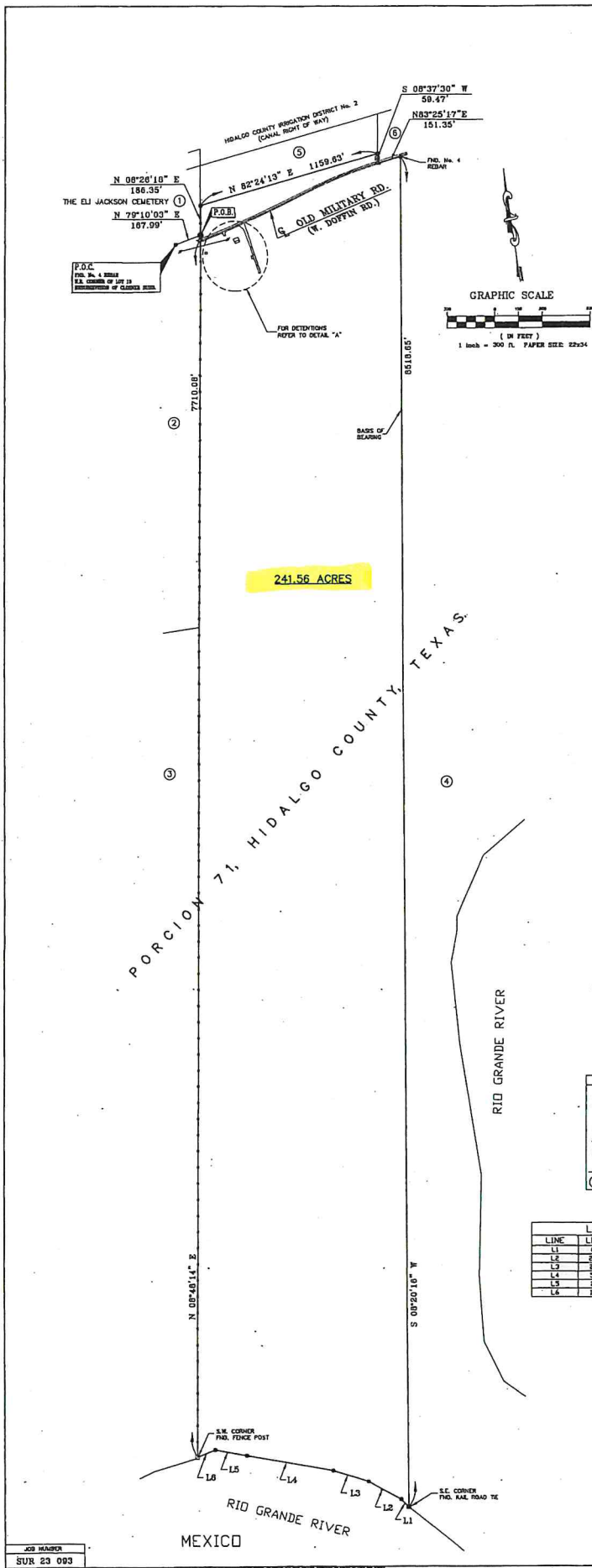
Scale: 1:22,000

0 500 1,000 2,000 3,000 4,000 Feet

FUTURE LAND USE



Zoning	Rail Road R.O.W	Hidalgo ISD	Manufactured Homes
ZONE	Government Owned	Valley View ISD	Industrial
Agricultural Open Space	General Business	Planned Unit Development	Commercial
Single Family	Business District	Future Land Use	Public/Semi Public
Single Family Small Lot	Drainage Easement	FUTURELAND	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.	Quarter Mile Radius
Townhouse	Neighborhood Commercial	Multi-Family Res.	200 ft Radius
HUD Code	Office Professional		Notified Properties
	PSJA ISD		



- SURVEY NOTES**
1. BASIS OF BEARING: ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, HAD 83, TEXAS SOUTH ZONE (PPS 4200) US FEET.
 2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- ADJACENTS**
1. OWNER: EL JACKSON CEMETERY
DECLARATION DEED DOCUMENT NO. 1442912
DEED RECORDS, HIDALGO COUNTY, TEXAS.
 2. OWNER: EDUARDO TREVIÑO, ET AL.
WARRANTY DEED VOLUME 1234, PAGE 778.
DEED RECORDS, HIDALGO COUNTY, TEXAS.
 3. OWNER: UNITED STATES OF AMERICA FISH AND WILDLIFE DEPARTMENT
GENERAL WARRANTY DEED VOLUME 2321238.
OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.
 4. OWNER: RIO FRESH INC.
WARRANTY DEED WITH MORTGAGE LEXI
DOCUMENT NO. 337708, OFFICIAL RECORDS,
HIDALGO COUNTY, TEXAS.
 5. UNITED STATES OF AMERICA AND ASSIGNS
DEPARTMENT OF HOMELAND SECURITY
WARRANTY DEED DOCUMENT NO. 317968.
OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.
 6. UNITED STATES OF AMERICA AND ASSIGNS
DEPARTMENT OF HOMELAND SECURITY
WARRANTY DEED DOCUMENT NO. 338865.
OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.
- PLAT SHOWING**
- A 241.56 ACRE TRACT OF LAND OUT OF
PORTION 71, HIDALGO COUNTY TEXAS
- PROPERTY ADDRESS: 2104 W. DOFFIN RD.
PHARM, TEXAS 78577
- SURVEYED: NOVEMBER 08, 2013
REQUESTED BY: JUAN RENE GONZALEZ
- FLOOD ZONE REGULATION ZONE "A" SHOWS
COMMUNITY-PANEL NUMBER: 1001-200-1
MAP REVISED: JANUARY 2, 1981

I, PABLO SOTO, JR., STATE THAT
THE ABOVE PLAT IS AN ACTUAL
SURVEY MADE ON THE GROUND UNDER
MY SUPERVISION AND THAT THERE ARE NO
UNLAWFUL ENCUMBRANCES OR EMBARRASMENTS
EXCEPT AS SHOWN AND THAT ALL CORNERS
HAVE BEEN LOCATED AS INDICATED.

Pablo Soto, Jr. 12/10/2013

PABLO SOTO, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4541

PABLO SOTO, JR. P.E.
CIVIL ENGINEER & LAND SURVEYOR
1208 S. BROADWAY, FLORES, TEXAS 78777
(710) 554-1010 (710) 554-1011



Pharr
Development Services



Site Photo

2101 West Doffin Road





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.7.

DATE SUBMITTED: April 4, 2024

MEETING DATE: April 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Salinas Engineering & Associates, representing Maria Del Carmen Pacheco and Ruben Pacheco, owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Townhouse Residential District (R-TH). The property is legally described as being 0.27 acres, more or less, out of Lot 8, Block 9, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2506 and 2508 South Salamanca Street. **COZ#240314**

Classification: Public Hearing

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

Issue: Salinas Engineering & Associates, representing Maria Del Carmen Pacheco and Ruben Pacheco, owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Townhouse Residential District (R-TH) in order to develop and construct townhomes on each of the lots.

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the rezoning request from General Business District (C) to Townhouse Residential District (R-TH) as the property meets area requirements and has adequate ingress and egress. The request is compatible with the development trends in the area. 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 - 4/4/2024
Approved - 4/5/2024
Final Approval - 4/5/2024

MEMORANDUM

DATE: MONDAY, APRIL 8, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: **Re-zoning Request: From General Business District (C) to Townhouse Residential District (R-TH). The property is legally described as being 0.27 acres, more or less, out of Lot 8, Block 9, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2506 and 2508 South Salamanca Street. COZ#240314**

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:

Salinas Engineering & Associates, representing Maria Del Carmen Pacheco and Ruben Pacheco, owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Townhouse Residential District (R-TH) in order to develop and construct townhomes on each of the lots.

The subject site is located on the west side of South Salamanca Street and south of West Hall Acres Road, and has a physical address of 2506 and 2508 South Salamanca Street. The property is legally described as being 0.27 acres, more or less, out of Lot 8, Block 9, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas.

The property fronts South Salamanca Street, a 50 ft. local street, that runs north and south with a posted speed limit of 20 to 30 miles per hour as identified in the City of Pharr's Thoroughfare Plan. The property also fronts West Hall Acres Road, an 80 ft. collector street that runs east and west with a posted speed limit of 30 to 40 miles per hour.

The property is currently zoned General Business District (C). The property to the south was rezoned from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) on July 2, 2002. The property to the north was rezoned from Agricultural and/or Open Space District (A-O) to Townhouse Residential District (R-TH) on January 8, 1985. The property to the east was rezoned from General Business District (C) to Townhouse Residential District (R-TH) on October 17, 2022, and the property to the west was zoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on February 21, 1995. The property is generally designated for commercial use in the Land Use Plan.

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

Twenty-nine (29) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on March 22, 2024, and a legal notice was published in the Advance News Journal on March 20, 2024. Staff received no response to the letters or the legal notice.

Development Services is recommending **approval** of the request to re-zone from General Business District (C) to Townhouse Residential District (R-TH) as the property meets area requirements and has adequate ingress and egress. The request is compatible with the residential trends in the area. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **April 15, 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

Salinas Engineering & Associates, representing Maria Del Carmen
Pacheco and Ruben Pacheco, owners

APPLICANT

General Business District (C)

CURRENT ZONE

2506 and 2508 South Salamanca Street

ADDRESS

Townhouse Residential District (R-TH)

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 General Business District (C)

to Townhouse Residential District (R-TH) as the property meets area requirements and has adequate

adequate ingress and egress. The request is compatible with the residential trends in the area. If approved,

the owner must comply with all City Ordinances and City Department requirements.

Laura Fonseca, Planner II

PREPARED BY

04.01.2024

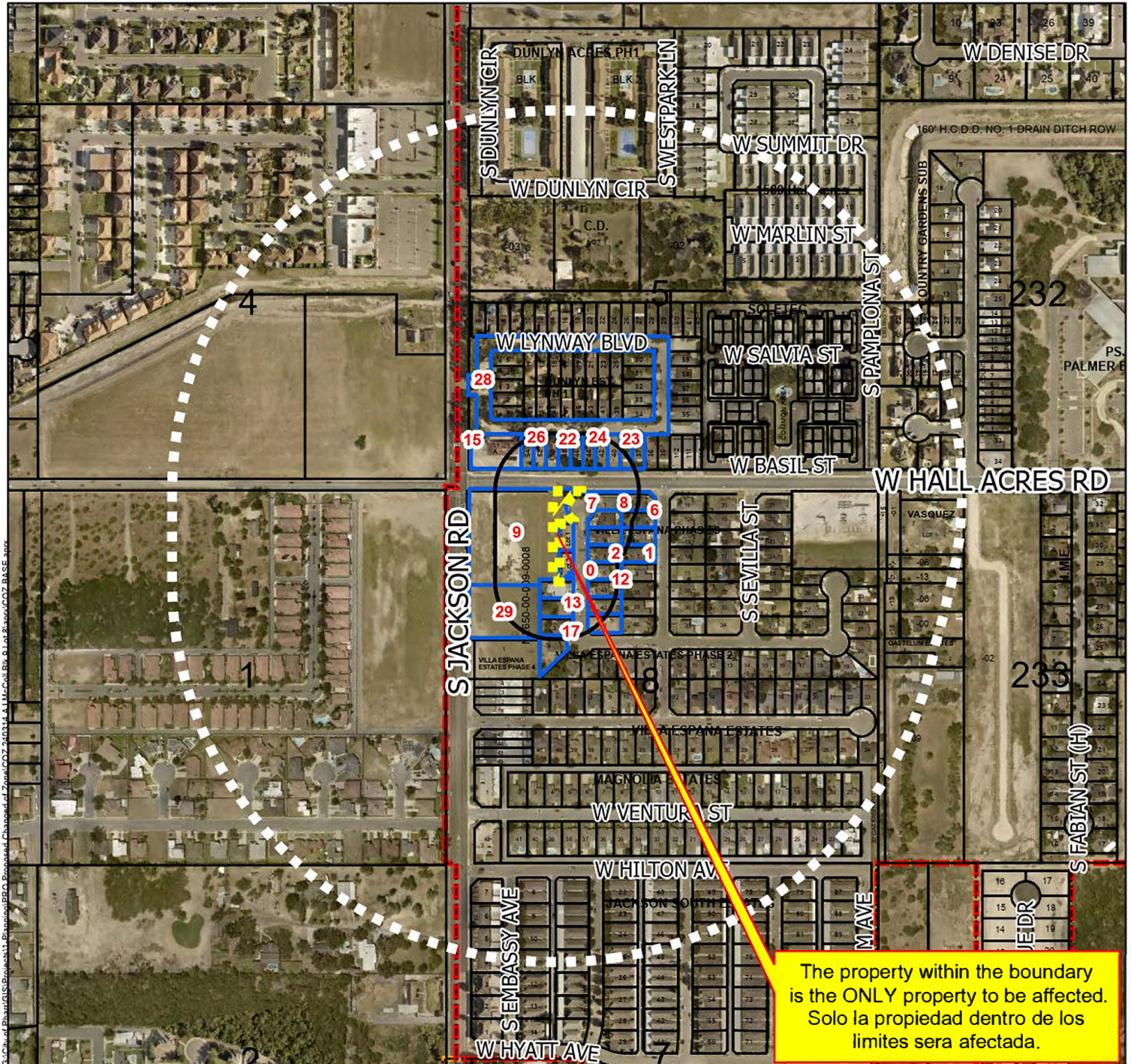
DATE

Proposed Change of Zone

0.27 acres, more or less, out of Lot 8,
Block 9, A.J. McColl Subdivision,
Pharr, Hidalgo County, Texas
Ruben Pacheco



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
- Subject Property
- Quarter Mile Radius
- 200 ft Radius
- Notified Properties

City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/14/2024

Scale: 1:6,000

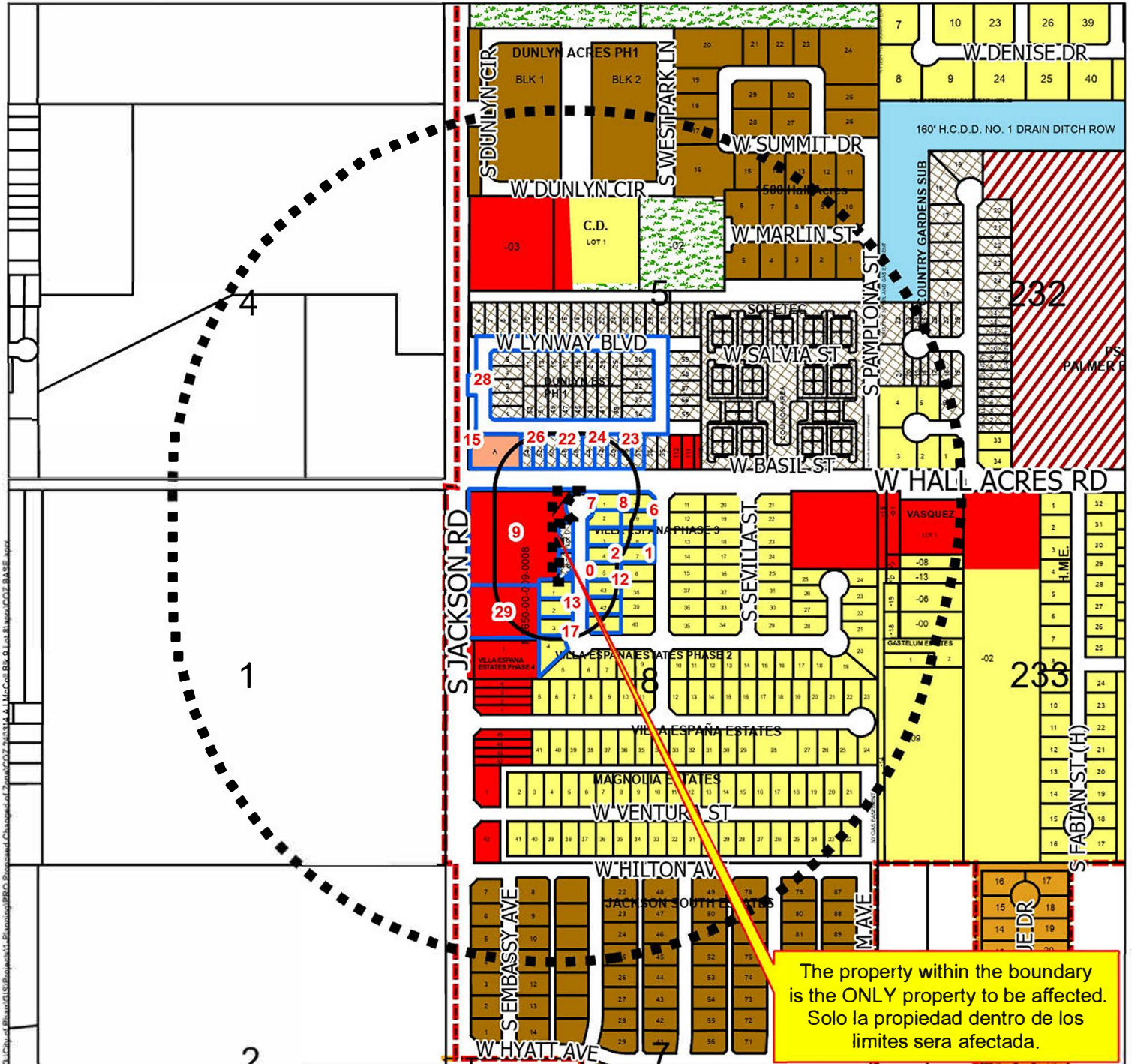


All Information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Proposed Change of Zone
0.27 acres, more or less, out of Lot 8,
Block 9, A.J. McColl Subdivision,
Pharr, Hidalgo County, Texas
Ruben Pacheco

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
- Rail Road R.O.W.
- Government Owned
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- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

Future Land Use

FUTURELAND

- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.
- Manufactured Homes
- Industrial
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City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/14/2024

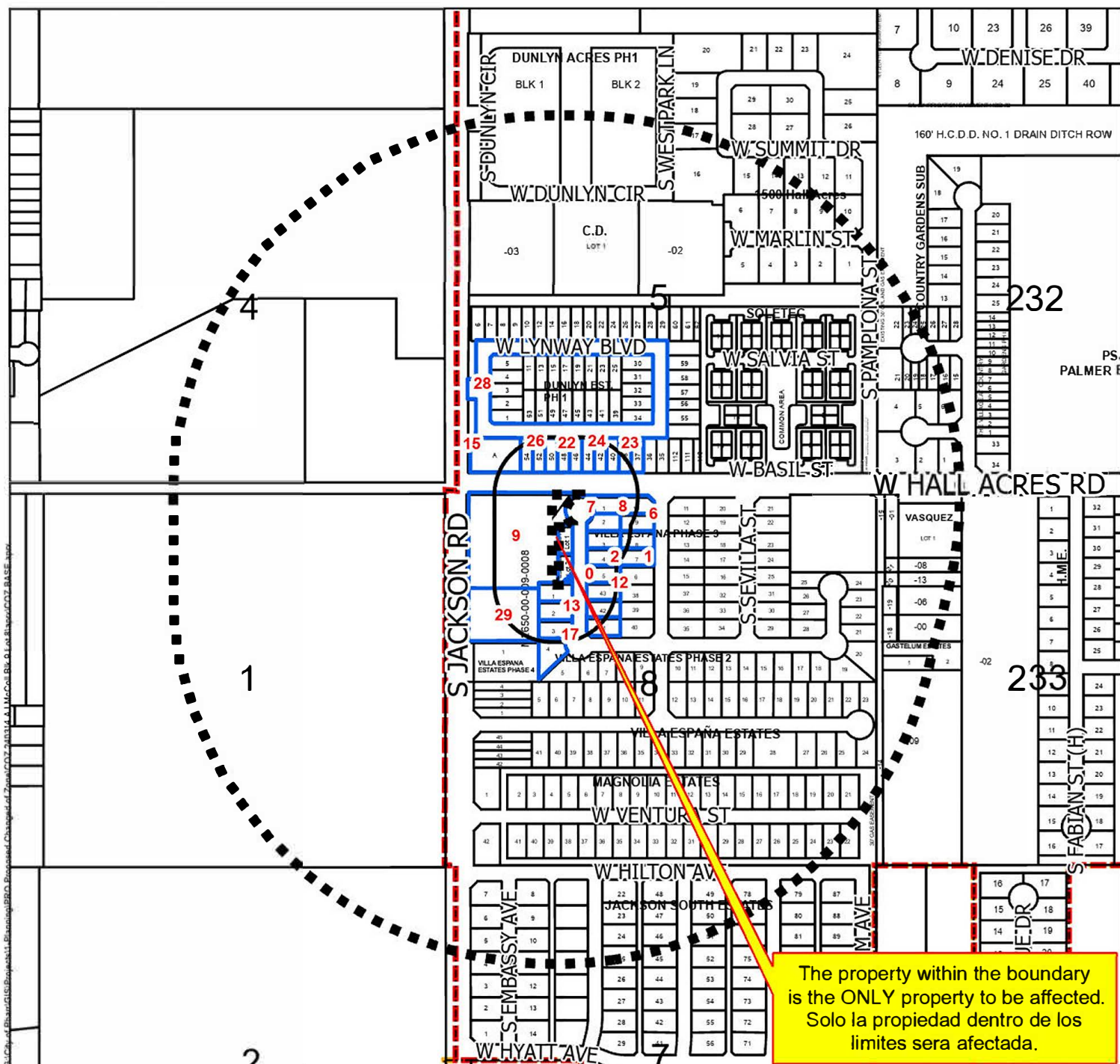
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0.27 acres, more or less, out of Lot
8, Block 9, A.J. McColl Subdivision,
Pharr, Hidalgo County, Texas
Ruben Pacheco



RADIUS



-  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
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 Hidalgo ISD
 Valley View ISD
 Planned Unit Development

Future Land Use

FUTURELAND

 Irrigation
 Agriculture
 Single Family Res.
 Multi-Family Res.

-  Manufactured Homes
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-  ROW
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-  Quarter Mile Radius
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City of Pharr, Texas
Engineering Department
956.402.4242

Date: 3/14/2024

Scale: 1:6.000





SALINAS ENGINEERING & ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL AVE. - MCALLEN, TEXAS 78501
(956) 682-9081 (956) 686-1489 (FAX)
dsalinas@salinasengineering.com
TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78573 (512) 239-5263

METES AND BOUNDS DESCRIPTION

BEING A 0.27 ACRE TRACT OF LAND, MORE OR LESS, OUT AND FORMING A PART OF LOT 8, BLOCK 9, A.J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 0.27 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8 LOCATED AT THE INTERSECTION OF S. JACKSON ROAD (AKA F.M. 2061) AND W. HALL ACRES ROAD; THENCE, AS FOLLOWS:

SOUTH 81 DEGREES 28 MINUTES 16 SECONDS EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 327.50 FEET, AND, THENCE, SOUTH 08 DEGREES 31 MINUTES 44 SECONDS WEST, ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 8, A DISTANCE OF 30.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID W. HALL ACRES ROAD FOR THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, SOUTH 81 DEGREES 28 MINUTES 16 SECONDS EAST, COINCIDENT WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID W. HALL ACRES ROAD, A DISTANCE OF 98.70 FEET TO A ½ INCH DIAMETER IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, SOUTH 08 DEGREES 31 MINUTES 44 SECONDS WEST, ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 8, A DISTANCE OF 10.0 FEET TO A ½ INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON INTERSECTION WITH THE PROPOSED NORTH RIGHT-OF-WAY LINE OF W. HALL ACRES ROAD, AND, ALSO BEING THE NORTH RIGHT-OF-WAY OF S. SALAMANCA STREET, AND, BEING LOCATED ON THE BEGINNING OF A CURVE TO THE LEFT (C1) WHOSE RADIUS IS 50.0 FEET FOR AN OUTSIDE EASTERN CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, TO THE LEFT COINCIDENT WITH THE RIGHT-OF-WAY OF SAID S. SALAMANCA STREET, AN ARC LENGTH DISTANCE OF 130.90 FEET (DELTA ANGLE: 150 DEGREES 00 MINUTES 00 SECONDS; CHORD BEARING: SOUTH 23 DEGREES 31 MINUTES 44 SECONDS WEST, A CHORD LENGTH OF 96.60 FEET) TO A ½ INCH DIAMETER IRON ROD FOUND AT THE END OF SAID CURVE (C1) FOR AN OUTSIDE EASTERN CORNER OF THIS HEREIN DESCRIBED TRACT;

(4) THENCE, SOUTH 08 DEGREES 31 MINUTES 44 SECONDS WEST, CONTINUING COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF SAID S. SALAMANCA STREET, A DISTANCE OF 10.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE NORTHEAST CORNER OF LOT 1, VILLA ESPANA, PHASE V, AN ADDITION TO THE CITY OF PHARR, HIDALGO COUNTY, TEXAS (VOL. 42, PAGE 03, H.C.M.R.) FOR AN OUTSIDE CORNER OF THIS HEREIN DESCRIBED TRACT;

(5) THENCE, NORTH 81 DEGREES 28 MINUTES 16 SECONDS WEST, COINCIDENT WITH THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 50.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE NORTHWEST CORNER OF SAID LOT 1 FOR AN INSIDE CORNER OF THIS HEREIN DESCRIBED TRACT;

(6) THENCE, SOUTH 08 DEGREES 31 MINUTES 44 SECONDS WEST, COINCIDENT WITH THE WEST LINE OF SAID LOT 1 AND LOT 2 OF SAID VILLA ESPANA, PHASE V, A DISTANCE OF 200.0 FEET TO A ½ INCH DIAMETER IRON ROD FOUND ON THE SOUTHWEST CORNER OF SAID LOT 2 FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(7) THENCE, NORTH 81 DEGREES 28 MINUTES 16 SECONDS WEST, A DISTANCE OF 23.70 FEET TO A ½ INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(8) THENCE, NORTH 08 DEGREES 31 MINUTES 44 SECONDS EAST, ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 8, A DISTANCE OF 313.30 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.27 ACRES OF LAND, MORE OR LESS.

BAISIS OF BEARING; RECORDED PLAT OF SAID VILLA ESPANA, PHASE V, PHARR, H.C.T.
N:\SUBDIVISION\PLATS\VILLAESPANA.PHASEV\0.27.030524

GENERAL PLAT NOTES:

- Bearing Basis: RECORDED PLAT OF SAID VILLA ESPANA, PHASE V, PHARR, H.C.T.
- This survey was prepared without the benefit of a title policy. The research of any easements is not within the scope of this boundary/improvement survey. Any easement shown herein were taken directly from the plat of record. This survey is for the exclusive use of the client named hereon and may not be copied or transferred to another party without the express written consent of the surveyor.
- There are no discrepancies, conflicts, excesses or shortages in area, encroachments or any overlapping improvements, visible or apparent easements except as shown or noted hereon.
- The surveyor has made no attempt to locate or define wetlands, hazardous waste areas, habitats, endangered species or any other environmentally sensitive areas on the tract of land shown hereon; Nor does this survey make any representations of being an environmental assessment of the tract of land shown hereon.
- The surveyor has made no attempt to locate or define archeological sites, historical sites or undocumented cemeteries on the tract of land shown hereon; Nor does this survey make any representations of being an archeological or historical survey of the tract of land shown hereon.
- The surveyor has made no attempt to locate abandoned, or plugged oil and gas wells, or any other wells on the tract of land shown hereon; Nor has the surveyor made any attempt to research same with the Railroad Commission of Texas or any other State agency; Nor has the surveyor investigated any mineral or royalty interests in the tract of land shown hereon.
- This is a standard survey and does not include a subsurface utility or topographic investigation.
- If this survey does not bear an original seal and signature it is INVALID as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act" enacted under Article 5282c, Vernon's Texas Civil Statutes.

SCALE: 1" = 50'

LEGEND

- FOUND 1/2" IRON ROD
- R.O.W. RIGHT OF WAY
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- H.C.D.R. HIDALGO COUNTY DEED RECORDS
- H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS
- H.C.M.R. HIDALGO COUNTY MAP RECORDS

This is to certify that I have, this date, made a careful and accurate standard land survey on the ground of property which is located at _____ PHYSICAL ADDRESS _____ in _____ CITY OR HIDALGO COUNTY, _____ Texas, described as follows: A 0.27 AC, TRACT OR LAND, MORE OR LESS, OUT OF _____

(SEE METES AND BOUNDS DESCRIPTION)

Lot _____ 8 _____, Block _____ 9 _____, of _____ A.J. MCCOLL SUBDIVISION _____

HIDALGO CO.

Texas, according to the plat recorded in Volume _____ 21 _____, Page _____ 598 _____, of the _____ DEED _____ Records of Hidalgo County, Texas. I further certify that this property lies in Zone " _____ B _____ " as per FIRM (Flood Insurance Rate Map) dated _____ NOV. 16, 1982 _____ Community Panel No. _____ 48033 _____

H.C.
DRN. BY
3/08/24
DATE

SP-24-26123
JOB NO.



REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5782



Pharr
Development Services



Site Photo

2506 and 2508 South Salamanca Street

