

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. June 10, 2024 - 4:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, June 10, 2024 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie
Romeo Cantu Jr.
Charlie Ramirez
Jonathan Larraga
Andy Castro
Ruben Luna

MEMBERS ABSENT: Rafael Munguia
Mercedes Guillen
Javier Gutierrez

STAFF PRESENT: Ricardo Rodriguez Jr., City Attorney
Kimberly Mendoza, Director of Development Services
Joe Garza, Asst. Director of Development Services
Julia Rios, Administrative Assistant
Eddie Martinez, Planner III
Laura Fonseca, Planner II
Joanna Villarreal, Planner I
Juan Vasquez, Development Assistance Specialist

ITEM A. CALL TO ORDER

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

Danny Wylie, Chairman, called the meeting to order at 4:00 p.m. Roll call established a quorum.

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

ITEM B. PUBLIC TESTIMONY

There were no comments from the public.

ITEM C. APPROVAL OF MINUTES

1) MINUTES FOR MAY 28, 2024 - REGULAR MEETING

Danny Wylie, Chairman, introduced the item.

Board Member Romeo Cantu Jr. **moved** to approve. Board Member Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING:

1) WINNERS WINGS, LLC., REPRESENTING I WINGS, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.022 ACRES, MORE OR LESS, OUT OF LOTS C1 & C2, ALIANZA PARK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 100 EAST DELTA STREET, SUITE 1. CUP#240510

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 General Business District (C). She went over the property's legal description and physical address and stated the current zoning being General Business District (C) with properties to the north and west being Limited Industrial District (L-I) and General Business District (C) to the east. 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 three (3) surrounding property owners within a three hundred (300) foot radius were notified of the request by letter on May 24, 2024, and a legal notice was published in the Advance News Journal on May 22, 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 General Business District (C) and applicant shall comply with all City Ordinances and City Department requirements.

Joanna Villarreal, Planner I, reported there was representation present in the audience. Chairman, Danny Wylie, asked if the applicant had any comments. Joanna Villarreal, Planner I, reported the applicant did not have any comments at the time.

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

- 2) RUBEN LERMA, REPRESENTING CENTRO FAMILIAR CRISTIANO IGLESIA DEL PUEBLO, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A CHURCH IN A HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOT 1, CLOW SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED AT 101 NORTH PALM DRIVE. CUP#240520

Joanna Villarreal, Planner I, introduced the item and stated applicant was requesting a Life-of-the-Use Conditional Use Permit to allow a church in a Heavy Commercial District (H-C). She went over the property's legal description and physical address and stated the current zoning was Heavy Commercial District (H-C) with properties to the north and west being Heavy Commercial District (H-C). Ms. Villarreal stated the property to the east was zoned General Business District (C) and properties to the south were General Business District (C) and Limited Industrial District (L-I). She further stated the area was generally designated for commercial use in the Land Use Plan.

Joanna Villarreal, Planner I, briefly stated all inspections had been conducted from all respective departments for the recommendation of approval of the Conditional Use Permit and reported thirteen (13) surrounding property owners within a three hundred (300) foot radius were notified of the request by letter on May 30, 2024, and a legal notice was published in The Monitor on May 31, 2024. She stated staff received one call for information only.

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

Joanna Villarreal, Planner I, reported there was representation present in the audience. Chairman, Danny Wylie, asked if the applicant had any comments. Joanna Villarreal, Planner I, reported the applicant did not have any comments at the time.

Board Member Romeo Cantu Jr. spoke to request clarification on the property's location.

There being no further discussion, Board Member Jonathan Larraga moved to approve. Board Member Romeo Cantu Jr. seconded the motion and when put to vote, it carried unanimously.

- 3) LOVE'S TRAVEL STOPS & COUNTRY STORES, REPRESENTING PHARR BRIDGE INVESTMENT COMPANY, L.P., 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 LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 20.371 ACRES, MORE OR LESS, OUT OF LOTS 5 AND 6, BLOCK 13, A.J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1700 WEST MILITARY HIGHWAY. COZ#240517**

Laura Fonseca, Planner II, introduced the item and stated the applicant was requesting a change of zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) to develop and construct a convenience store. Ms. Fonseca went over the property's legal description and physical address and stated the property fronts West Military Highway, a 120 ft.- 150 ft. principal arterial street which runs east and west with a posted speed limit of 40-55 miles per hour as identified in the City of Pharr's Thoroughfare plan.

Laura Fonseca, Planner II, further stated the property and the property to the north was zoned Agricultural and/or Open Space District (A-O) upon annexation on May 15, 1980 and the property to the north was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on February 21, 2006. She further reported the property to the east was zoned Agricultural and/or Open Space District (A-O) upon annexation on March 20, 1979. She continued to state a portion of the property to the south was rezoned from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) on April 20, 1993. Ms. Fonseca continued to state the southwest portion of the south was rezoned from General Business District (C) to Limited Industrial District (L-I) on July 15, 2008. She continued with the property to the south was zoned General Business District (C) upon annexation on May 20, 1980 and the property to the west was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on April 18, 1995. She stated there have been no other zoning requests within the vicinity of the subject property since that time and the property was generally designated for heavy commercial use in the Land Use Plan.

Laura Fonseca, Planner II, explained the Limited Industrial District (L-I) was intended for industrial parks and larger, cleaner types of industries and included the manufacturing uses should be conducted within a totally enclosed building. She further stated any activities conducted outside should be screened and buffered, and no external effects such as excessive noise or odor should extend beyond the property lines. She stated the sites for such uses were typically a minimum of two acres and average five to ten acres, with a significant amount of land dedicated to landscaping.

Laura Fonseca, Planner II, further reported fourteen (14) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on May 24, 2024, and a legal notice was published in the Advance News Journal May 22, 2024. She stated staff received no response to the letters or the legal notice.

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

Laura Fonseca, Planner II, stated representation was in the audience. Chairman, Danny Wylie, asked if the applicant had any comments. Laura Fonseca, Planner II, reported the applicant did not have any comments at the time.

There being no discussion, Board Member Jonathan Larraga **moved** to approve the request for the change of zone. Board Member Ruben Luna seconded the motion and when put to a vote, it carried unanimously.

- 4) RICH HERITAGE CONSTRUCTION LLC., REPRESENTING MARIA C. RIVAS, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM AGRICULTURAL AND/OR OPEN SPACE DISTRICT (A-O) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 13.53 ACRES, MORE OR LESS, OF LAND BEING A PORTION OF LOT 120, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1400 BLOCK OF WEST ELDORA ROAD. COZ#240516**

Laura Fonseca, Planner II, introduced the item and stated the applicant was requesting a change of zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High Density District (R-MFHD) to develop and construct apartments. Ms. Fonseca went over the property's legal description and physical address and stated the property fronts North Sugar Road, a 70 ft. minor collector street which runs north and south 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 fronts West Eldora Road, an 80 ft. major collector 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.

Laura Fonseca, Planner II, further stated the property and the property to the north, and a portion of the property to the east was zoned Agricultural and/or Open Space District (A-O) on October 3, 1989 and the remaining property to the east was rezoned from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF) on April 5, 2021. She further reported the property to the south was rezoned from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1) on October 5, 1993. She continued to state the property to the west was rezoned from Agricultural and/or Open Space District (A-O) to General Business District (C) on March 15, 2005. She stated there have been no other zoning requests within the vicinity of the subject property since that time and the property was generally designated for single family use in the Land Use Plan. She stated, however, the request is compatible with the land use patterns in that area.

Laura Fonseca, Planner II, explained the Residential Multi-Family High Density District (R-MFHD) was established to provide adequate space and site diversification for medium to high density areas. She stated this area would be a zone for transitional areas developed for single-family usage, but because of the need for rehabilitation, or changes in the character of the neighborhood, are now deemed suitable for some multi-family development. She continued to state that the zone allowed medium to high density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met. She stated R-MFHD use should not run traffic over long distances of single-family residential-sized streets or neighborhoods and should be located close to arterials or collectors capable of carrying the additional traffic. She further stated multi-family developments were not a buffer between single-family and commercial uses and should be properly buffered from nonresidential land uses and traffic, or from pollution and environmental hazards.

Laura Fonseca, Planner II, further reported thirty-six (36) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on May 24, 2024, and a legal notice was published in the Advance News Journal May 22, 2024. She stated staff received two calls for information only.

Lastly, Laura Fonseca, Planner II, stated staff recommended approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High Density District (R-MFHD) as the property meets area requirements and has adequate ingress and egress. She stated the request is compatible with the residential trends and land use patterns in the area. She further stated if approved, the owner must comply with all City Ordinances and City Department requirements.

Laura Fonseca, Planner II, stated representation was in the audience. Danny Wylie, Chairman, asked if the applicant had any comments. Laura Fonseca, Planner II, reported the applicant did not have any comments at the time.

Romeo Cantu Jr., Board Member, requested to receive specifications on the number of units in the proposed buildings and location for waste management. Board Member Jonathan Larraga, then discussed if there would be a center lane proposed to reduce any impeding traffic.

There being no further discussion, Board Member Jonathan Larraga moved to approve the request for the change of zone. Board Member Romeo Cantu Jr. seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLATS:

- 1) BOWMAN, REPRESENTING SHARON A. HAYDON, CAGED RETAIL PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED STRIPES PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 6.137 ACRES OUT OF LOT 253, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS THE PROPERTY IS LOCATED WITHIN THE 3300 BLOCK OF SOUTH CAGE BOULEVARD. SUB#231132**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 3300 Block of South Cage Boulevard and the property was currently zoned Heavy Commercial District (H-C). He stated the adjacent zones were Residential Multi-Family District (R-MF) and Agricultural and/or Open Space District (A-O) to the east, Agricultural and/or Open Space District (A-O) to the north and south and General Business District (C) and Agricultural and/or Open Space District (A-O) to the west. He stated the property was designated for Commercial and Public/Semi Public use in the Land Use Plan.

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

Board Member Romeo Cantu Jr. asked Mr. Martinez about surrounding competitor developments in the area.

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

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

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 200 Block of West Sam Houston Avenue and the property was currently zoned Residential Multi-Family District (R-MF). He stated the adjacent zones were Single Family Residential District (R-1) to the north, Single Family Residential District (R-1) to the east, south and west. He 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 Angel S.C. 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 Angel S.C. Subdivision. Board Member Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 3) **RUDS ENGINEERING & CONSTRUCTION SERVICES, LLC., REPRESENTING MARTIN GABRIEL GAMBOA AND GLORIA GAMBOA SANTOS, OWNERS, IS REQUESTING FINAL PLAT APPROVAL OF THE PROPOSED SANTOS BUSINESS CENTER SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.136 ACRE GROSS TRACT OF LAND OUT OF LOT 168, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1400 BLOCK OF NORTH SUGAR ROAD. SUB#220829**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 1400 Block of North Sugar Road and the property was currently zoned General Business District (C). He stated the adjacent zones were General Business District (C) to the north, south, east and west. He 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 Santos Business Center Subdivision, subject to the conditions noted in the packet.

There being no discussion, Board Member Jonathan Larraga **moved** to approve the request for final plat approval of the proposed Santos Business Center Subdivision. Board Member Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

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

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property's physical location is 1506 West Heritage Dr. He stated the property was currently zoned Residential Multifamily High Density District R-MFHD). He also stated the adjacent zones being Single Family Residential District (R-1) to the north and west, Residential Multifamily High Density District R-MFHD) to the east and Agricultural and or Open/Space District (A-O) and Residential Multifamily High

Density District R-MFHD) to the 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 Heritage Manor No. 4 Subdivision, subject to the conditions noted in the packet.

There being no further discussion, Board Member Charlie Ramirez moved to approve the request for final plat approval of the proposed Heritage Manor No. 4 Subdivision. Board Member Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

5) M2 ENGINEERING, PLLC., REPRESENTING LUIS ANTONIO GARCIA GARZA, MANAGER FOR SNAP GYM SPORT CENTER, LLC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED SNAP GYM SPORT CENTER SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.198 ACRE TRACT OF LAND OUT OF LOT 111, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1000 BLOCK OF EAST NOLANA LOOP. SUB#240514

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 1000 Block of East Nolana Loop and the property was currently zoned General Business District (C). He also stated the adjacent zones were General Business District (C) to the north, east and west and Single - Family Residential District (R-1) to the south. Mr. Martinez further stated the property was designated for commercial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Snap Gym Sport Center Subdivision, subject to the conditions noted in the packet.

There being no discussion, Board Member Jonathan Larraga moved to approve the request for preliminary plat approval of the proposed Snap Gym Sport Center Subdivision. Board Member Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

6) K LOVE ENGINEERING, REPRESENTING AHMED H. JAFFERALLY, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED REPLAT AND SUBDIVISION PLAT ESTABLISHING VETERANS CARWASH SERVICES, LLC. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A TOTAL OF 2.09 ACRES, BEING LOT 1 OF EAST PARK SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1700 BLOCK OF NORTH VETERANS BOULEVARD. SUB#240203

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 1700 Block of North Veterans Blvd. He stated the property was currently zoned General Business District (C). He also

stated the adjacent zones were General Business District (C) to the north and west, city limits to the east and General Business District (C) and Single -Family Residential District (R-1) to the south. Mr. Martinez further stated the property was designated for commercial and single - family residential use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Replat and Subdivision plat establishing Veterans Carwash Services, LLC subject to the conditions noted in the packet.

There being no discussion, Board Member Jonathan Larraga moved to approve the request for preliminary plat approval of the proposed Replat and Subdivision plat establishing Veterans Carwash Services, LLC. Board Member Andy Castro seconded the motion and when put to a vote, it carried unanimously.

ITEM F. ANNOUNCEMENTS:

None

ITEM G. CLOSED SESSION

None

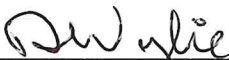
ITEM H. RECONVENE

None

ITEM I. ADJOURMENT:

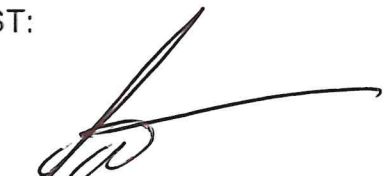
There being no further business, Board Member Andy Castro moved to adjourn. Board Member Ruben Luna seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:31 p.m.

PLANNING & ZONING COMMISSION



Danny Wylie, Chairman

ATTEST:



Andy Castro, Secretary

APPROVED: June 24, 2024