



**TAKE NOTICE THAT A REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF PHARR, TEXAS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 4:00 PM ON
MONDAY, JULY 8, 2024**

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. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

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 June 24, 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) Imperium Event Center, LLC., owner, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lot 1, of La Quinta Subdivision Re-plat of Lots 52-55, an addition to the City of Pharr, Hidalgo County, Texas. The property is physically located at 5952 South Cage Boulevard. **CUP#240611**

2) Double D's Nightlife Holdings LLC., DBA El Toxico Drive Thru, 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 General Business District (C). The property is legally described as being all of Lot 184, Valle De La Primavera Subdivision an addition to the City of Pharr, Hidalgo County, Texas. The property is physically located at 6911 South Jackson Road. **CUP#240612**

3) 7-Eleven INC. dba 7-Eleven Convenience Store's and Stripes Stores, 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 General Business District (C). The property is legally described as being all of Lot "A", Cordova Estates, an addition to the City of Pharr, Hidalgo County, Texas. The property is physically located at 1510 West Military Highway. **CUP#240613**

E. PLATS:

1) Urban Infrastructure Group, representing Danny C. Smith, owner, is requesting final plat approval of the proposed Matt's Cash and Carry Subdivision. The property is legally described as being a 7.882 acre tract of land out of Lot 163, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 400 Block of East Interstate 2 North. **SUB#210831**

2) Barrera Infrastructure Group, Inc., representing Clemente Ponce, Member of Nextgen Investments, LLC, a Texas Limited Liability Company, is requesting final plat approval of the proposed Nextgen Subdivision. The property is legally described as being 2.235 acres gross, situated in Hidalgo County and also being a part or portion of Lot 237, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 2700 Block of South Cage Boulevard. **SUB#180929**

F. ANNOUNCEMENTS:

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 (non-public) executive session to discuss the items listed on the public portion of the meeting agenda.*

Pursuant to Section 551.071, the Board 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 Board 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 Board 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 Board 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 Board 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 Board 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.

H. RECONVENE: *into Regular Session, and consider action, if necessary on any items(s) discussed in closed session.*

I. ADJOURNMENT:

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956-402-4100 Ext 1007 or FAX 956-475-3442 or Email cityclerksoffice@pharr-tx.gov for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the Planning and Zoning Commission of the City of Pharr 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 5th day of July 2024 at 9:00 a.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 5th day of July 2024




IMELDA PEREZ, TRMC
CITY CLERK

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed from the bulletin board of City Hall on the _____ day of _____, 20____ by,

Name: _____

Title: _____

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. June 24, 2024 - 4:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, June 24, 2024 and following is the record of attendance.

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

MEMBERS ABSENT: Rafael Munguia
Romeo Cantu
Javier Gutierrez

STAFF PRESENT: Ricardo Rodriguez, City Attorney
Kimberly Mendoza, Director of Development Services
Joe Garza, Asst. Director of Development Services
Eddie Martinez, Planner III
Laura Fonseca, Planner II
Nancy Hernandez, Secretary
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 Charlie Ramirez **moved** to excuse the absent members. Board Member Jonathan Larraga 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 JUNE 10, 2024 - REGULAR MEETING

Danny Wylie, Chairman, introduced the item.

Board Member Ruben Luna moved to approve. Board Member Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

ITEM D. PUBLIC HEARING:

1) HALFF ASSOCIATES, INC., REPRESENTING K.V. CHOWDARY, 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 73.839 ACRE TRACT SITUATED IN PORCION 71, NARCISO CABAZOS SURVEY, ABSTRACT NO. 30, HIDALGO COUNTY TEXAS, BEING OUT OF LOTS 47 THROUGH 55, AND A PORTION OF A 40-FOOT ROAD (NOT IN USE), AS SHOWN ON THE RE-SUBDIVISION OF LOTS 1 AND 5 TO 32 INCLUSIVE OF THE SAN JUAN PLANTATION SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 1800 BLOCK OF WEST HI-LINE ROAD. COZ#240519

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 Heavy Industrial District (H-I) to develop and construct warehouses. Ms. Fonseca went over the property's legal description and physical address and stated the property fronts West Hi-Line Road, a 50 ft.- 60 ft. local street, which runs east and west with a posted speed limit of 20-30 miles per hour as identified in the City of Pharr's Thoroughfare plan.

Laura Fonseca, Planner II, further stated the property was zoned Agricultural and/or Open Space District (A-O) upon annexation on May 20, 2024. The property to the west was rezoned from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (H-I) on June 07, 2021. The city limits lie to the north, east, and south. She stated there have been no other zoning requests within the vicinity of the subject property since that time and the property was generally designated for industrial use in the Land Use Plan.

Laura Fonseca, Planner II, explained the Heavy Industrial District (H-I) was 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. She further stated 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.

Laura Fonseca, Planner II, further reported five (5) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on June 7, 2024, and a legal notice was published in the Advance News Journal on June 5, 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 Heavy Industrial District (H-I) as the property meets area requirement, complies with the Land Use Plan, 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. Danny Wylie, Chairman, asked if the applicant had any comments. The applicant was asked if the warehouse would be used for manufacturing. The applicant Roxxie De la Cruz stated that the warehouse would be used as a distributor only.

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

2) HALFF ASSOCIATES, INC., REPRESENTING CAPOTE FARMS LTD., OWNER, 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 20.71 ACRES, MORE OR LESS OUT OF LOTS 3 & 4, Block 1, RE-SUBDIVISION OF CLOSNER SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS PHYSICALLY LOCATED WITHIN THE 1300 BLOCK OF EAST CAPOTE CENTRAL AVENUE. COZ#240518

Laura Fonseca, Planner II, introduced the item and stated the applicant was requesting a change of zone from Limited Industrial District (L-I) to Heavy Industrial District (H-I) to develop and construct warehouses. Ms. Fonseca went over the property's legal description and physical address and stated the property fronts East Capote Central Avenue, a 50 ft.- 60 ft. local street, which runs east and west with a posted speed limit of 20-30 miles per hour as identified in the City of Pharr's Thoroughfare plan. The property also fronts South Veterans Boulevard, a 100 ft. minor arterial, that 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 was zoned Limited Industrial District (L-I) on November 11, 2011. The property to the east was rezoned from Limited Industrial District (L-I) to Heavy Industrial District (H-I) on February 21, 2012. The property to the north was rezoned from Limited Industrial District (L-I) to Heavy Industrial District (H-I) on August 15, 2022. The city limits lie to the east and south. She stated there have been no other zoning requests within the vicinity of the subject property since that time and the property was generally designated for industrial use in the Land Use Plan.

Laura Fonseca, Planner II, explained the Heavy Industrial District (H-I) was 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. She further stated 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.

Laura Fonseca, Planner II, further reported four (4) letters were mailed to the surrounding property owners within a two hundred (200) foot radius on June 7, 2024, and a legal notice was published in the Advance News Journal on June 5, 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 Limited Industrial District (L-I) to Heavy Industrial District (H-I) as the property meets area requirement, complies with the Land Use Plan, 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. Danny Wylie, Chairman, asked if the applicant had any comments. Board Member Andy Castro was concerned on the streets being able to take the heavy weight of the semi- trucks. The applicant stated that the pavement is heavy asphalt not like the regular asphalt.

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

ITEM E. PLATS:

- 1) MELDEN & HUNT INC., REPRESENTING MARIO RAUL ANAYA VASQUEZ, PRESIDENT FOR ANGO HOLDINGS, INC., A TEXAS CORPORATION, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED ARIA ENCLAVE ON SUGAR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 4.738 ACRE TRACT OF LAND OUT OF ALL OF LOT 6, TRI-CITY ACRES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS THE PROPERTY IS LOCATED WITHIN THE 5400 BLOCK OF NORTH SUGAR ROAD. SUB#240517**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 5400 Block of North Sugar Road and the property was currently zoned Residential Multi-Family High Density District (R-MFHD). He stated the adjacent zones were Agricultural and/or Open Space District (A-O) to the north, Single-Family Residential District (R-1) to the east, General Business District (C) and Agricultural and/or Open Space District (A-O) to the south and Single-Family Residential District (R-1) and General Business District (C) to the west. He stated the property was designated for single family residential and commercial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Aria Enclave Sugar Subdivision subject to the conditions noted in the packet.

There being no further discussion, Board Member Jonathan Larraga **moved** to approve the request for preliminary plat approval of the proposed Aria Enclave on Sugar Subdivision. Board Member Ruben Luna seconded the motion and when put to a vote, it carried unanimously.

- 2) SALINAS ENGINEERING & ASSOCIATES, REPRESENTING JACINTO CANO AND Alice R. CANO, OWNERS, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED JACINTO CANO SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.72 ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOT 274, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 3100 BLOCK OF SOUTH GARDENIA STREET. SUB#240513**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 3100 Block of South Gardenia Street and the property was currently zoned Single Family Residential District (R-1). He stated the adjacent zones were Single Family Residential District (R-1) to the north,

Single Family Residential District (R-1) to the north, east, south and west. He stated the property was designated for single family residential and commercial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Jacinto Cano 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 Jacinto Cano Subdivision. Board Member Jonathan Larraga seconded the motion and when put to a vote, it carried unanimously.

3) M2 ENGINEERING, PLLC., REPRESENTING ABEL HERNANDEZ, MANAGER FOR ALPEG PROPERTIES, LLC., IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED OWASSA SPRINGS TOWNHOMES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 2.00 ACRE TRACT GROSS MORE OR LESS BEING PART OF LOT 80, KELLY-PHARR SUBDIVISION, WITHIN CITY OF PHARR, EXTRATERRITORIAL JURISDICTION (ETJ). THE PROPERTY IS LOCATED WITHIN THE 1100 BLOCK OF EAST OWASSA ROAD APPROXIMATELY 145 FT. INTO THE CITY OF PHARR EXTRATERRITORIAL JURISDICTION (ETJ), ALONG EAST OWASSA ROAD. SUB#240518

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the City of Pharr Extraterritorial Jurisdiction (ETJ). He stated the adjacent zones were within City of Pharr limits to the north, City of Pharr Extraterritorial Jurisdiction (ETJ) to the east and west and Residential Mobile Home District (R-MH) to the south. He stated the property was designated for single family residential use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary plat approval of the proposed Owassa Springs Townhomes 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 Owassa Springs Townhomes Subdivision. Board Member Charlie Ramirez 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 Jonathan Larraga seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:19 p.m.

PLANNING & ZONING COMMISSION

ATTEST:

Danny Wylie, Chairman

Andy Castro, Secretary

APPROVED: _____



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.1.

DATE SUBMITTED: July 3, 2024

MEETING DATE: July 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Imperium Event Center, LLC., owner, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lot 1, of La Quinta Subdivision Re-plot of Lots 52-55, an addition to the City of Pharr, Hidalgo County, Texas. The property is physically located at 5952 South Cage Boulevard.

CUP#240611

Classification: Public Hearing

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

Issue: Imperium Event Center, LLC., owner, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance 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 - 7/3/2024
Approved - 7/3/2024
Final Approval - 7/3/2024



MEMORANDUM

DATE: MONDAY, JULY 8, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC FILE NO. CUP#240611 (IMPERIUM EVENT CENTER LLC)
--

GENERAL INFORMATION:

APPLICANT: Imperium Event Center, LLC., owner, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being Lot 1, of La Quinta Subdivision Re-plat of Lots 52-55, an addition to the City of Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located at 5952 South Cage Boulevard.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, east and south and Single-Family Residential District (R-1) to the west. The area is generally designated for commercial in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit.

CODE COMPLIANCE:	Recommends approval of the Conditional Use Permit.
HEALTH:	Recommends approval of the Conditional Use Permit.
DEVELOPMENT SERVICES:	Recommends approval of the Conditional Use Permit.

HOURS OF OPERATION: Office hours will be from 1:00 p.m. to 6:00 p.m. Monday through Friday and by appointment on weekends. Event Center will be by appointment scheduled in advance from 6:00 p.m. – 12:00 p.m. or 2:00 a.m.

NOTIFICATION OF PUBLIC: Thirty-five (35) surrounding property owners were notified of the request by letter on June 28, 2024, and a legal notice was published in The Advance News Journal on June 26, 2024. Staff received no response to the letters or the legal notice.

DEVELOPMENT SERVICES RECOMMENDATIONS: Development Services is recommending approval of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

NOTE: This item is scheduled to go before the City Commission Meeting of **Monday, July 15, 2024, at 4:00 p.m.**

Conditions of Conditional Uses Sec. 1.48(F) of the Zoning Ordinance: Establishments selling or distributing alcoholic beverages for consumption on premises:

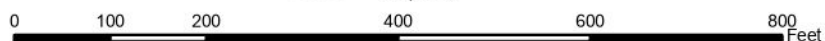
1. An establishment that sells or allows the on-premises consumption of alcoholic beverages in the City of Pharr shall operate in a "C" zone, general business district; "C-2" zone, business district; "HC" zone, heavy commercial; "LI" zone, limited industrial; "HI" zone, heavy industrial; or in recreational facilities located within a private development.
2. In addition to the restricted locations as stated above, the above-mentioned establishments may be allowed to sell or allow the on-premises consumption of alcoholic beverages within 300 feet of a church, public or private school, or public hospital.
3. The establishment shall notify the church, public or private school, or public hospital, and the City of Pharr's Planning and Zoning department in written form

of their interest in selling or consuming alcoholic beverages within 300 feet of such locations. If the church or school objects to the request, the City of Pharr's authorized designee may deny the request.

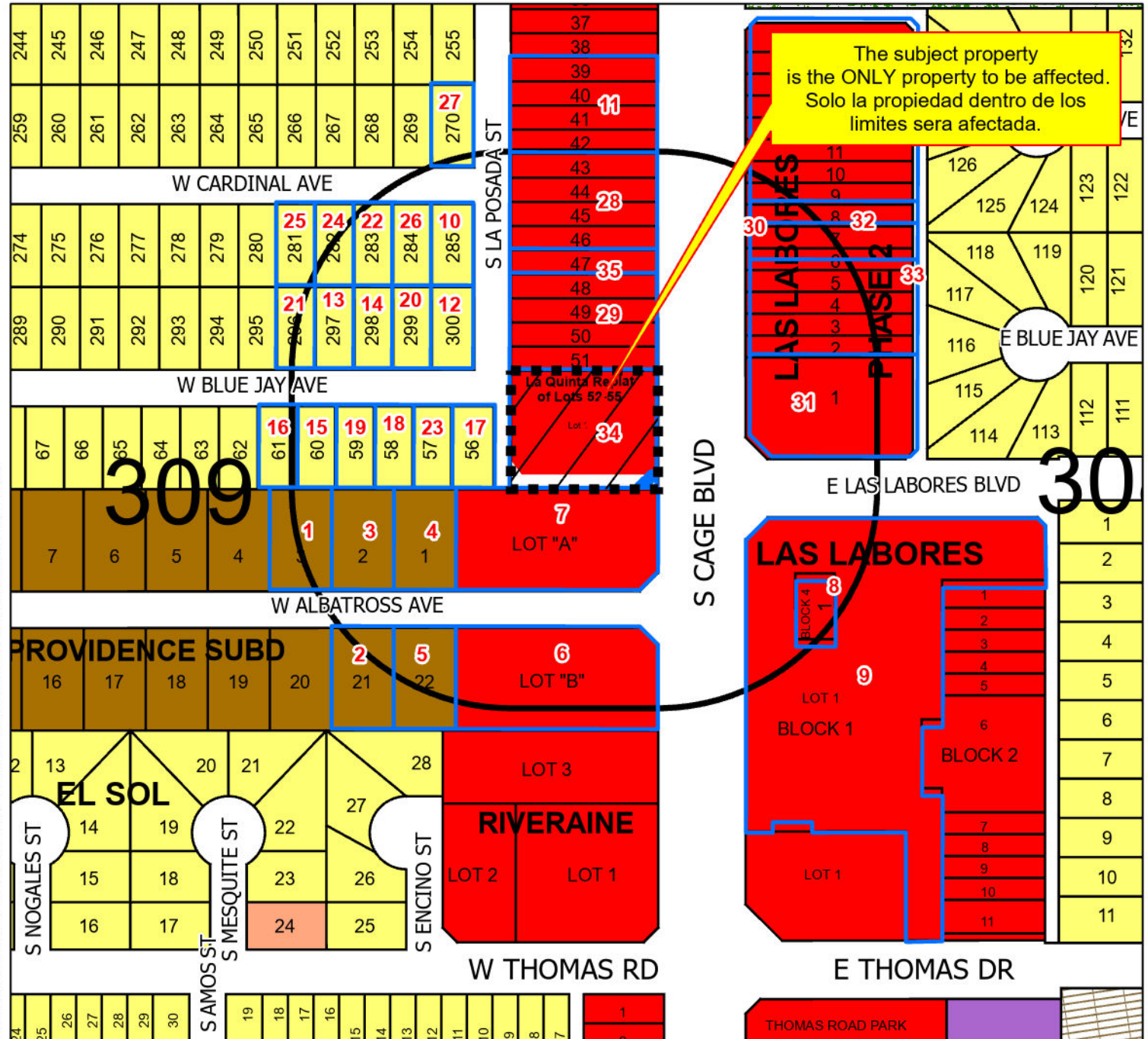
4. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:
 - A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
5. For premises where minors are prohibited from entering the premises under V.T.C.A., Alcoholic Beverage Code § 109.53, the measurement of the distance between the premises and a public school shall be:
 - A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
6. In accordance with V.T.C.A., Alcoholic Beverage Code § 109.32, the above mentioned establishment businesses shall be not less than 300 feet from the nearest residential zone, unless located within a private development, or publicly owned building shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections, measured in a straight line or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from such residential zone or publicly owned building and must be designed to prevent disruption of the character of adjacent residential areas. As applies to this provision, a street or alley does not constitute buffering and sound insulation. The above-mentioned businesses, unless located within a private development,

must be adjacent to or abutting a minor arterial street or a street of larger classification.

7. The above-mentioned establishment must meet lot size requirements in the zoning ordinance for all uses within this zone.
8. The above-mentioned establishment must provide parking sufficient to comply with all ordinance requirements.
9. The above-mentioned establishment shall restrict the number of persons within the building to those allowed by the city commission with the recommendation of the planning and zoning commission at the time of permit issuance, which number shall be determined by the commission after having taken into account the recommendations of the fire marshal, code enforcement officer [head building inspector], and director of planning. This number cannot exceed the number provided for in existing city ordinances.
10. The above-mentioned establishment shall take action to prevent and be designed to discourage criminal activities and vandalism both on site and on adjacent property by means of sufficient lighting, elimination of dark areas, and the orientation of the building such that it provides maximum visibility from a public street, unless located within a private development.
11. The above-mentioned businesses must make provisions to keep litter from being spread to adjacent streets and property.
12. Alcoholic beverage establishments shall fall into two categories: (A) Alcohol as a principle use where 51 percent or more of sales come from alcohol; or (B) Food as a principle use where 51 percent or more of sales are food related (a copy of the establishment's full menu must be provided for documentation).
13. The city reserves the right to approve, amend or deny any city regulation that may be allowed by the Texas Alcoholic and Beverage Code as may be amended from time to time. The City of Pharr shall also be authorized to carry out any and all duties and responsibilities as directed by the City of Pharr and as may be allowed by law. Should any person or establishment be found to have committed acts or allowed the commission of any act or condition found by the City of Pharr to be detrimental to the public health, safety, and welfare of the residents of the City of Pharr or persons located within corporate boundaries, the City of Pharr shall be authorized to take any action allowed by ordinance, state or federal law, or other regulation. These actions may include but not limited to quarantine, abatement of premises, closure, condemning, removal of dangerous substances and persons, and other preventive measures and actions.



ZONING



Blue Jay Ave

Gate Alley Gate

Dumpster

Storage

DJ Ramp

Parking

Grass

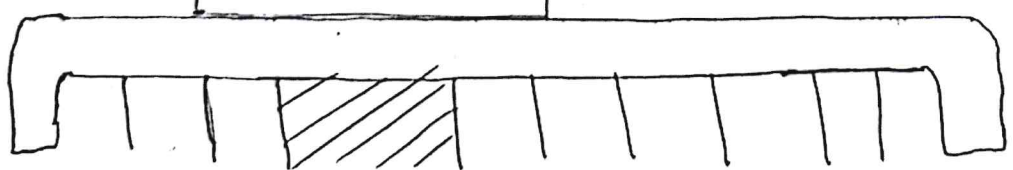
Sidewalk



Car Port



Bushes



Gate Retention Pond Gate

Cape River



Pharr
Development Services



Boulevard

Site Photo
5952 South Cage





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.

DATE SUBMITTED: July 2, 2024

MEETING DATE: July 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Double D's Nightlife Holdings LLC., DBA El Toxico Drive Thru, 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 General Business District (C). The property is legally described as being all of Lot 184, Valle De La Primavera Subdivision an addition to the City of Pharr, Hidalgo County, Texas. The property is physically located at 6911 South Jackson Road.
CUP#240612

Classification: Public Hearing

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

Issue: Double D's Nightlife Holdings LLC., DBA El Toxico Drive Thru, 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 General Business District (C).

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in General Business District (C) subject to the applicant and site being in compliance 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 - 7/2/2024
Approved - 7/2/2024
Final Approval - 7/3/2024



MEMORANDUM

DATE: MONDAY, JULY 8, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC FILE NO. CUP#240612 (EL TOXICO DRIVE THRU)

GENERAL INFORMATION:

APPLICANT: Double D's Nightlife Holdings LLC., DBA El Toxico Drive Thru, 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 General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being All of Lot 184, Valle De La Primavera Subdivision an Addition to the City of Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located at 6911 South Jackson Road.

ZONING: The property and properties to the north and south are currently zoned General Business District (C). The adjacent zoning is Single-Family Residential District (R-1) to the east. The city limits lie to the west. The area is generally designated for commercial in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit.

CODE COMPLIANCE:

Pending inspection of the Conditional Use Permit.

HEALTH:

Pending inspection of the Conditional Use Permit.

DEVELOPMENT SERVICES:

Recommends approval of the Conditional Use Permit.

**NOTIFICATION
OF PUBLIC:**

Thirty-four (34) surrounding property owners were notified of the request by letter on June 28, 2024, and a legal notice was published in The Advance News Journal on June 26, 2024. Staff received no response to the letters or the legal notice.

**DEVELOPMENT
SERVICES
RECOMMENDATIONS:**

Development Services is recommending approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

NOTE: This item is scheduled to go before the City Commission Meeting of **Monday, July 15, 2024, at 4:00 p.m.**

Conditions of Conditional Uses Sec. 1.48(F) of the Zoning Ordinance: Establishments selling or distributing alcoholic beverages for consumption on premises:

1. An establishment that sells or allows the on-premises consumption of alcoholic beverages in the City of Pharr shall operate in a "C" zone, general business district; "C-2" zone, business district; "HC" zone, heavy commercial; "LI" zone, limited industrial; "HI" zone, heavy industrial; or in recreational facilities located within a private development.
2. In addition to the restricted locations as stated above, the above-mentioned establishments may be allowed to sell or allow the on-premises consumption of alcoholic beverages within 300 feet of a church, public or private school, or public hospital.
3. The establishment shall notify the church, public or private school, or public hospital, and the City of Pharr's Planning and Zoning department in written form of their interest in selling or consuming alcoholic beverages within 300 feet of such locations. If the church or school objects to the request, the City of Pharr's authorized designee may deny the request.
4. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property

lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:

- A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
5. For premises where minors are prohibited from entering the premises under V.T.C.A., Alcoholic Beverage Code § 109.53, the measurement of the distance between the premises and a public school shall be:
- A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
6. In accordance with V.T.C.A., Alcoholic Beverage Code § 109.32, the above mentioned establishment businesses shall be not less than 300 feet from the nearest residential zone, unless located within a private development, or publicly owned building shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections, measured in a straight line or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from such residential zone or publicly owned building and must be designed to prevent disruption of the character of adjacent residential areas. As applies to this provision, a street or alley does not constitute buffering and sound insulation. The above-mentioned businesses, unless located within a private development, must be adjacent to or abutting a minor arterial street or a street of larger classification.
7. The above-mentioned establishment must meet lot size requirements in the zoning ordinance for all uses within this zone.

8. The above-mentioned establishment must provide parking sufficient to comply with all ordinance requirements.
9. The above-mentioned establishment shall restrict the number of persons within the building to those allowed by the city commission with the recommendation of the planning and zoning commission at the time of permit issuance, which number shall be determined by the commission after having taken into account the recommendations of the fire marshal, code enforcement officer [head building inspector], and director of planning. This number cannot exceed the number provided for in existing city ordinances.

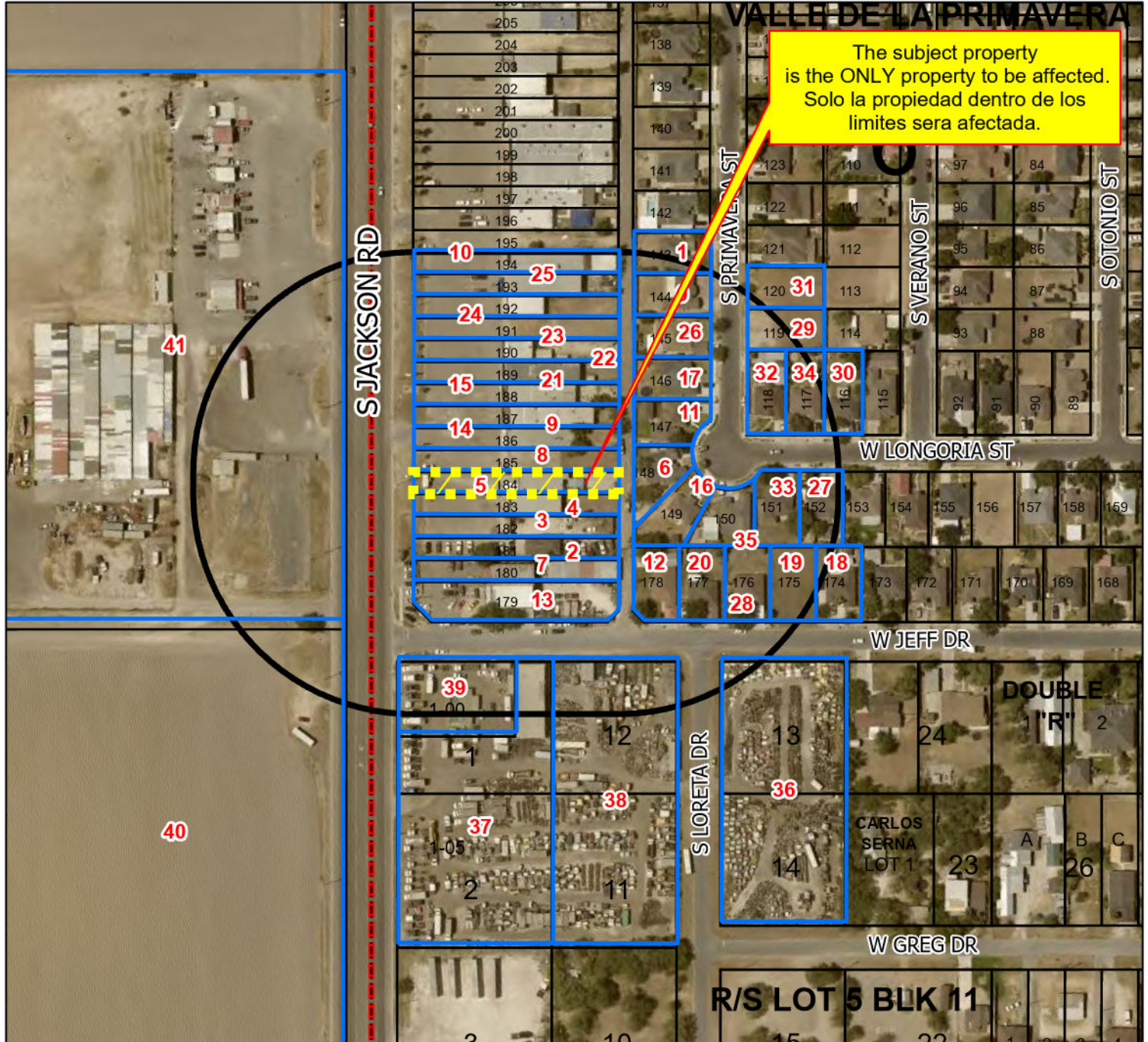
10. The above-mentioned establishment shall take action to prevent and be designed to discourage criminal activities and vandalism both on site and on adjacent property by means of sufficient lighting, elimination of dark areas, and the orientation of the building such that it provides maximum visibility from a public street, unless located within a private development.

11. The above-mentioned businesses must make provisions to keep litter from being spread to adjacent streets and property.

12. Alcoholic beverage establishments shall fall into two categories: (A) Alcohol as a principle use where 51 percent or more of sales come from alcohol; or (B) Food as a principle use where 51 percent or more of sales are food related (a copy of the establishment's full menu must be provided for documentation).

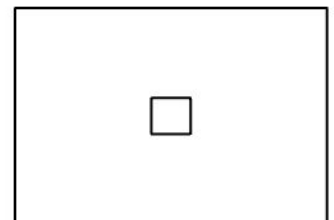
13. The city reserves the right to approve, amend or deny any city regulation that may be allowed by the Texas Alcoholic and Beverage Code as may be amended from time to time. The City of Pharr shall also be authorized to carry out any and all duties and responsibilities as directed by the City of Pharr and as may be allowed by law. Should any person or establishment be found to have committed acts or allowed the commission of any act or condition found by the City of Pharr to be detrimental to the public health, safety, and welfare of the residents of the City of Pharr or persons located within corporate boundaries, the City of Pharr shall be authorized to take any action allowed by ordinance, state or federal law, or other regulation. These actions may include but not limited to quarantine, abatement of premises, closure, condemning, removal of dangerous substances and persons, and other preventive measures and actions.

AERIAL

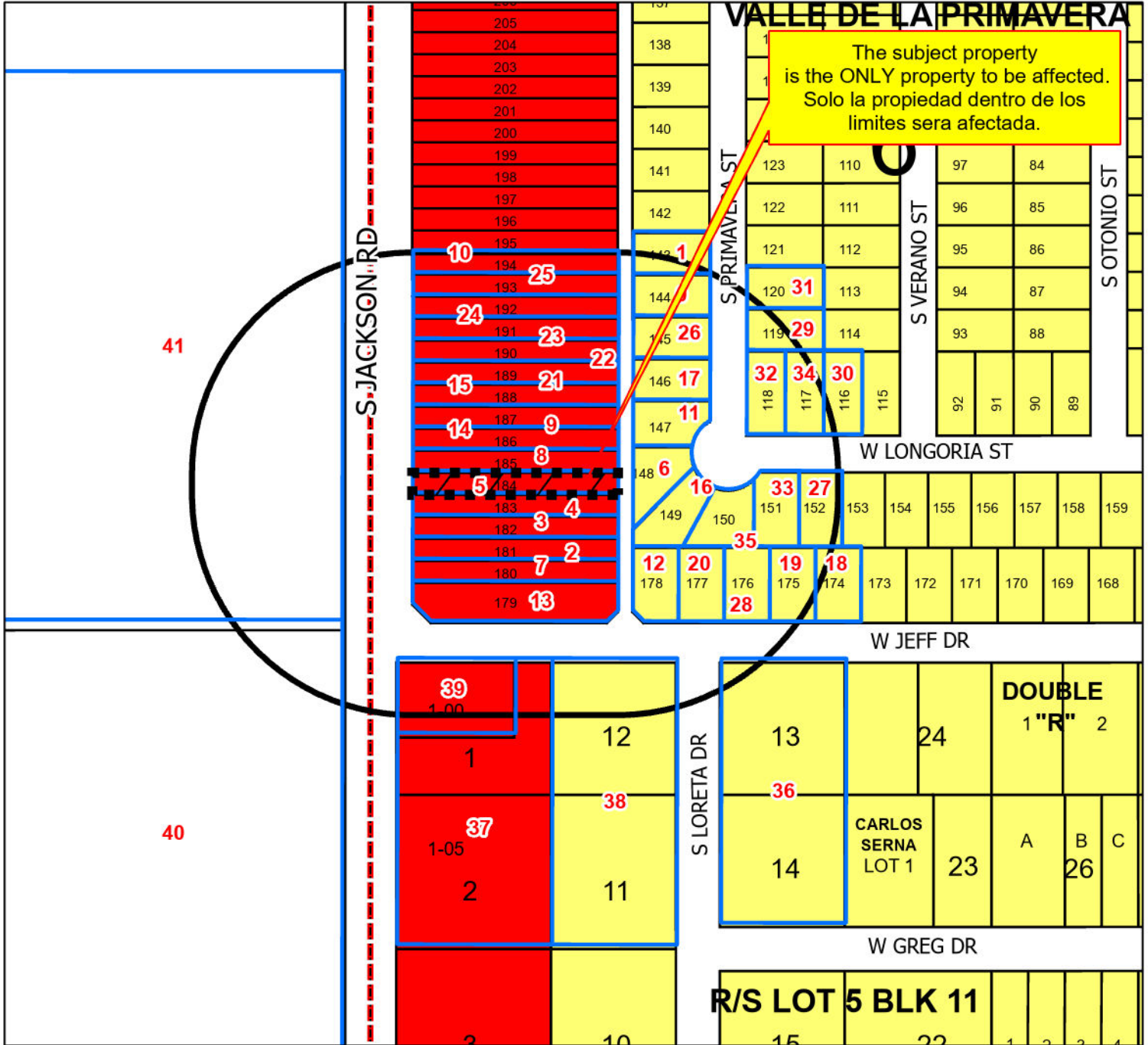


-  Notified Properties
-  300 ft. Notification Buffer
-  Location

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

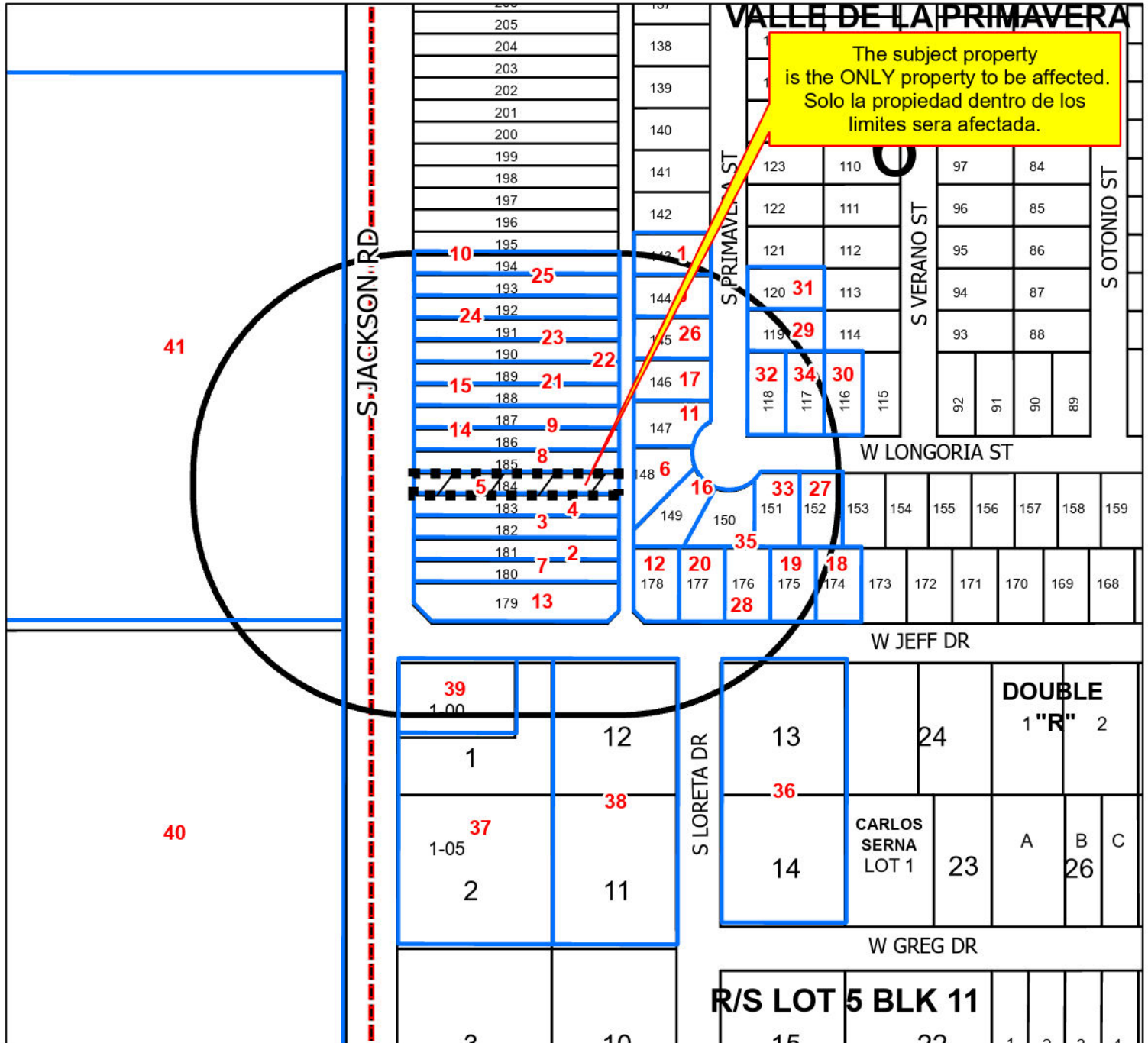


G:\City of Pharr\GIS\Projects\1-Planning\PRO Conditional Use Permits\CUP 240812 Double D's Nightlife Holdings LLC\aprx00_BASE Project File.aprx

- | | | | |
|--|--|--|---|
|  Agricultural Open Space |  Rail Road R.O.W |  Neighborhood Commercial |  Notified Properties |
|  Single Family |  Government Owned |  Office Professional |  300 ft. Notification Buffer |
|  Single Family Small Lot |  General Business |  PSJA ISD |  Location |
|  Residential Multi-Family |  Business District |  Hidalgo ISD | |
|  Residential Multi-Family High Density |  Drainage Easement |  Valley View ISD | |
|  Mobile Home |  Heavy Commercial |  Planned Unit Development | |
|  Townhouse |  Heavy Industrial | | |
|  HUD Code |  Limited Industrial | | |

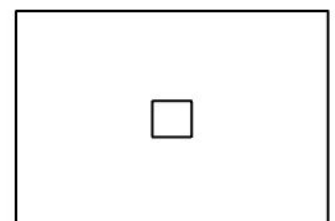
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

RADIUS

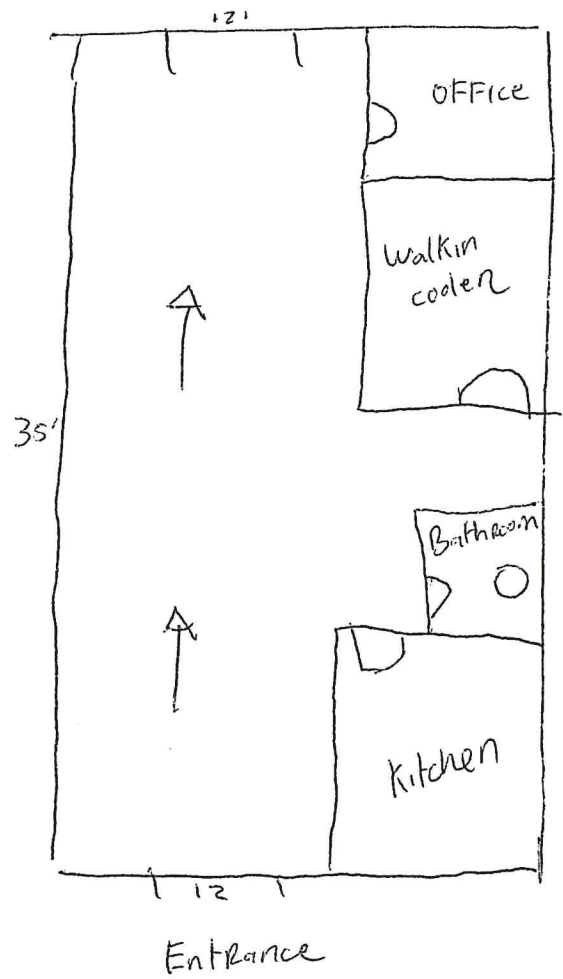


- Notified Properties
- 300 ft. Notification Buffer
- Location

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.



Alley



Jackson Rd



Pharr
Development Services



Site Photo

6911 South Jackson Road





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.3.

DATE SUBMITTED: July 3, 2024

MEETING DATE: July 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: 7-Eleven INC. dba 7-Eleven Convenience Store's and Stripes Stores, 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 General Business District (C). The property is legally described as being all of Lot "A", Cordova Estates, an addition to the City of Pharr, Hidalgo County, Texas. The property is physically located at 1510 West Military Highway. **CUP#240613**

Classification: Public Hearing

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

Issue: 7-Eleven INC. dba 7-Eleven Convenience Store's and Stripes Stores, 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 General Business District (C).

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance 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 - 7/3/2024
Approved - 7/3/2024
Final Approval - 7/3/2024



MEMORANDUM

DATE: MONDAY, JULY 8, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC - FILE NO. CUP#240613 (7-ELEVEN CONVENIENCE STORES AND STRIPES STORES)

GENERAL INFORMATION:

APPLICANT: 7-Eleven INC. dba 7-Eleven Convenience Store's and Stripes Stores, 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 General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being All of Lot "A", Cordova Estates, an addition to the City of Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located at 1510 West Military Highway.

ZONING: The property is currently zoned General Business District (C). The property to the north is zoned Limited Industrial District (L-I) Heavy Commercial District (H-C) to the south and Agricultural and/or Open Space District (A-O) to the east. The city limits lie to the west. The area is generally designated for commercial in the Land Use Plan.

COMMENTS:	POLICE CHIEF:	Recommends approval of the Conditional Use Permit.
	FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit.

CODE COMPLIANCE:	Recommends approval of the Conditional Use Permit.
HEALTH:	Recommends approval of the Conditional Use Permit.
DEVELOPMENT SERVICES:	Recommends approval of the Conditional Use Permit.

NOTIFICATION OF PUBLIC: Five (5) surrounding property owners were notified of the request by letter on June 28, 2024, and a legal notice was published in The Advance News Journal on June 26, 2024. Staff received no response to the letters or the legal notice.

DEVELOPMENT SERVICES RECOMMENDATIONS: Development Services is recommending approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the applicant and site being in compliance with all City Ordinances and City Department requirements.

NOTE: This item is scheduled to go before the City Commission Meeting of **Monday, July 15, 2024, at 4:00 p.m.**

Conditions of Conditional Uses Sec. 1.48(F) of the Zoning Ordinance: Establishments selling or distributing alcoholic beverages for consumption on premises:

1. An establishment that sells or allows the on-premises consumption of alcoholic beverages in the City of Pharr shall operate in a "C" zone, general business district; "C-2" zone, business district; "HC" zone, heavy commercial; "LI" zone, limited industrial; "HI" zone, heavy industrial; or in recreational facilities located within a private development.
2. In addition to the restricted locations as stated above, the above-mentioned establishments may be allowed to sell or allow the on-premises consumption of alcoholic beverages within 300 feet of a church, public or private school, or public hospital.
3. The establishment shall notify the church, public or private school, or public hospital, and the City of Pharr's Planning and Zoning department in written form of their interest in selling or consuming alcoholic beverages within 300 feet of such locations. If the church or school objects to the request, the City of Pharr's authorized designee may deny the request.
4. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property

lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:

- A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
- 5. For premises where minors are prohibited from entering the premises under V.T.C.A., Alcoholic Beverage Code § 109.53, the measurement of the distance between the premises and a public school shall be:
 - A. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - B. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
- 6. In accordance with V.T.C.A., Alcoholic Beverage Code § 109.32, the above mentioned establishment businesses shall be not less than 300 feet from the nearest residential zone, unless located within a private development, or publicly owned building shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections, measured in a straight line or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from such residential zone or publicly owned building and must be designed to prevent disruption of the character of adjacent residential areas. As applies to this provision, a street or alley does not constitute buffering and sound insulation. The above-mentioned businesses, unless located within a private development, must be adjacent to or abutting a minor arterial street or a street of larger classification.
- 7. The above-mentioned establishment must meet lot size requirements in the zoning ordinance for all uses within this zone.

8. The above-mentioned establishment must provide parking sufficient to comply with all ordinance requirements.
9. The above-mentioned establishment shall restrict the number of persons within the building to those allowed by the city commission with the recommendation of the planning and zoning commission at the time of permit issuance, which number shall be determined by the commission after having taken into account the recommendations of the fire marshal, code enforcement officer [head building inspector], and director of planning. This number cannot exceed the number provided for in existing city ordinances.

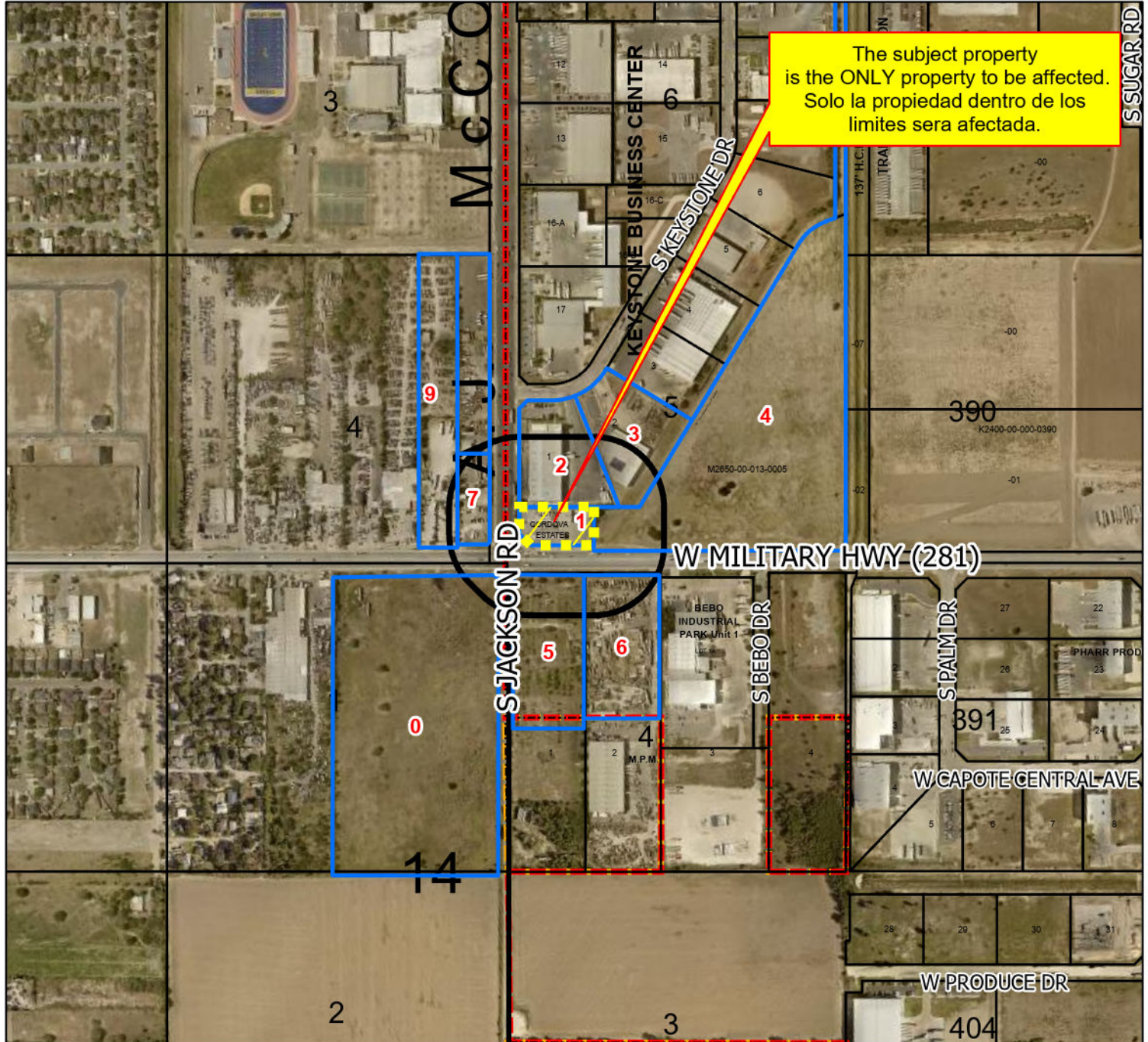
10. The above-mentioned establishment shall take action to prevent and be designed to discourage criminal activities and vandalism both on site and on adjacent property by means of sufficient lighting, elimination of dark areas, and the orientation of the building such that it provides maximum visibility from a public street, unless located within a private development.

11. The above-mentioned businesses must make provisions to keep litter from being spread to adjacent streets and property.

12. Alcoholic beverage establishments shall fall into two categories: (A) Alcohol as a principle use where 51 percent or more of sales come from alcohol; or (B) Food as a principle use where 51 percent or more of sales are food related (a copy of the establishment's full menu must be provided for documentation).

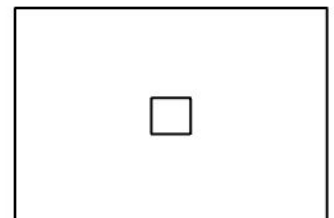
13. The city reserves the right to approve, amend or deny any city regulation that may be allowed by the Texas Alcoholic and Beverage Code as may be amended from time to time. The City of Pharr shall also be authorized to carry out any and all duties and responsibilities as directed by the City of Pharr and as may be allowed by law. Should any person or establishment be found to have committed acts or allowed the commission of any act or condition found by the City of Pharr to be detrimental to the public health, safety, and welfare of the residents of the City of Pharr or persons located within corporate boundaries, the City of Pharr shall be authorized to take any action allowed by ordinance, state or federal law, or other regulation. These actions may include but not limited to quarantine, abatement of premises, closure, condemning, removal of dangerous substances and persons, and other preventive measures and actions.

AERIAL

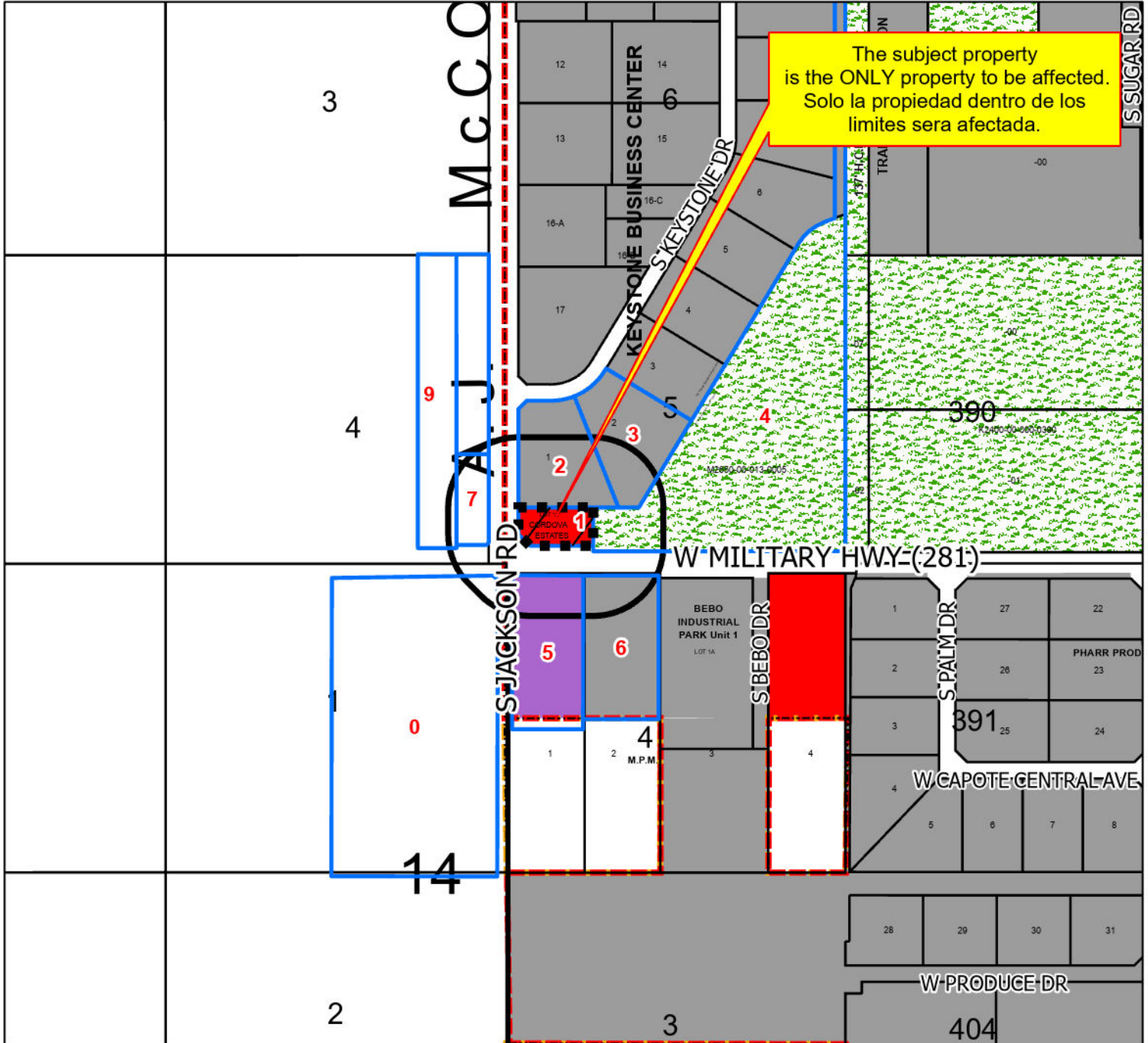


- Notified Properties
- 300 ft. Notification Buffer
- Location

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.



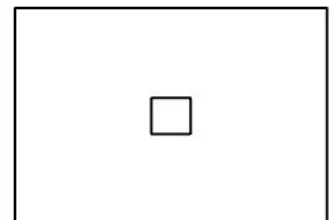
ZONING



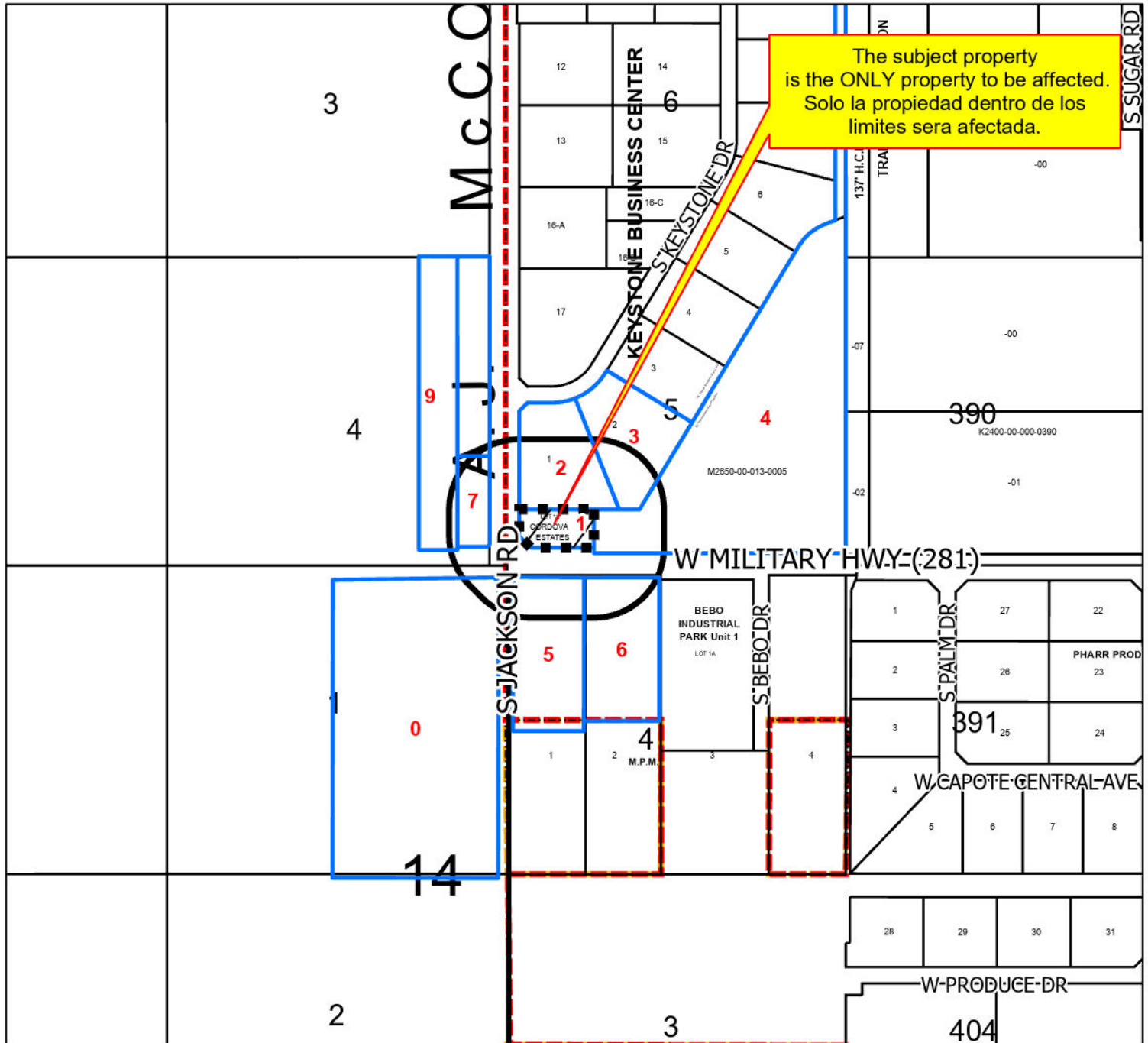
G:\City of Pharr\GIS\Projects\1-Planning\PRO Conditional Use Permits\CUP 240813 7-ELEVEN INC\aprx\00_BASE Project File.aprx



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.



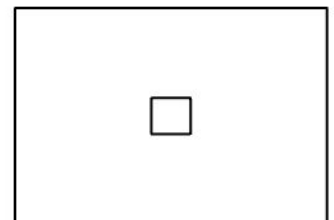
RADIUS



G:\City of Pharr\GIS\Projects\1-Planning\PRO Conditional Use Permits\CUP 240813 7-ELEVEN INC\aprx\00_BASE Project File.aprx



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.





Pharr
Development Services



Site Photo

1510 West Military Highway





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: E.1.

DATE SUBMITTED: July 2, 2024

MEETING DATE: July 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Urban Infrastructure Group, representing Danny C. Smith, owner, is requesting final plat approval of the proposed Matt's Cash and Carry Subdivision. The property is legally described as being a 7.882 acre tract of land out of Lot 163, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 400 Block of East Interstate 2 North. **SUB#210831**

Classification: Regular

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

Issue:

Urban Infrastructure Group, representing Danny C. Smith, owner, is requesting final plat approval of the proposed Matt's Cash and Carry Subdivision.

Fiscal Consideration:

Staff Recommendation:

Development Services recommends final plat approval of the proposed Matt's Cash and Carry Subdivision subject to the listed conditions.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 7/2/2024
Approved - 7/2/2024
Final Approval - 7/3/2024



MEMORANDUM

DATE: MONDAY, JULY 08, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: MATT'S CASH AND CARRY SUBDIVISION
FILE NO. **SUB#210831**

GENERAL INFORMATION:

APPLICANT: Urban Infrastructure Group, representing Danny C. Smith, Owner, is requesting final plat approval of the proposed Matt's Cash and Carry Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a 7.882 acre tract of land out of Lot 163, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 400 Block of East Interstate 2 North.

ZONING: The property is currently zoned General Business District (C), Heavy Commercial District (H-C) and Residential Multi-family High Density District (R-MFHD). The adjacent zones are General Business District (C) to the north and east, Single Family Residential District (R-1), Agricultural and/or Open Space District (A-O) and General Business District (C) to the south and Heavy Commercial District (H-C) and Single Family Residential District (R-1) to the west. The property is designated for commercial use in the Land Use Plan.

PROPERTY PROPOSED USE: Wholesale/retail.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed Matt's Cash and Carry Subdivision subject to the following conditions set before you.

**STREETS, PAVING
AND R.O.W.:** 1. In compliance.

EASEMENTS: 1. In compliance.

**SIDEWALK:
ADA:** 1. In compliance.

FIRE PROTECTION: 1. In compliance.

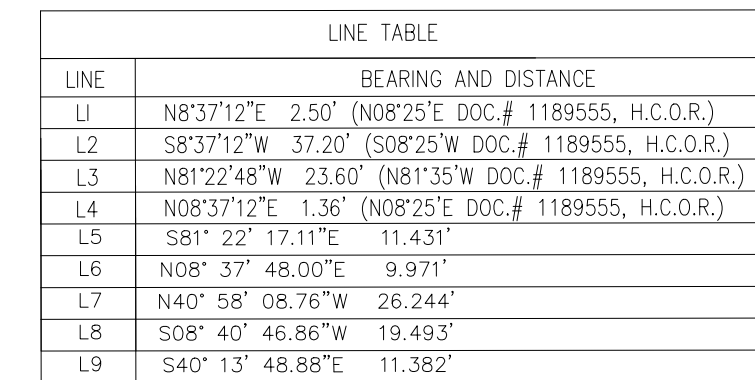
WATER: 1. In compliance.

SEWER: 1. In compliance.

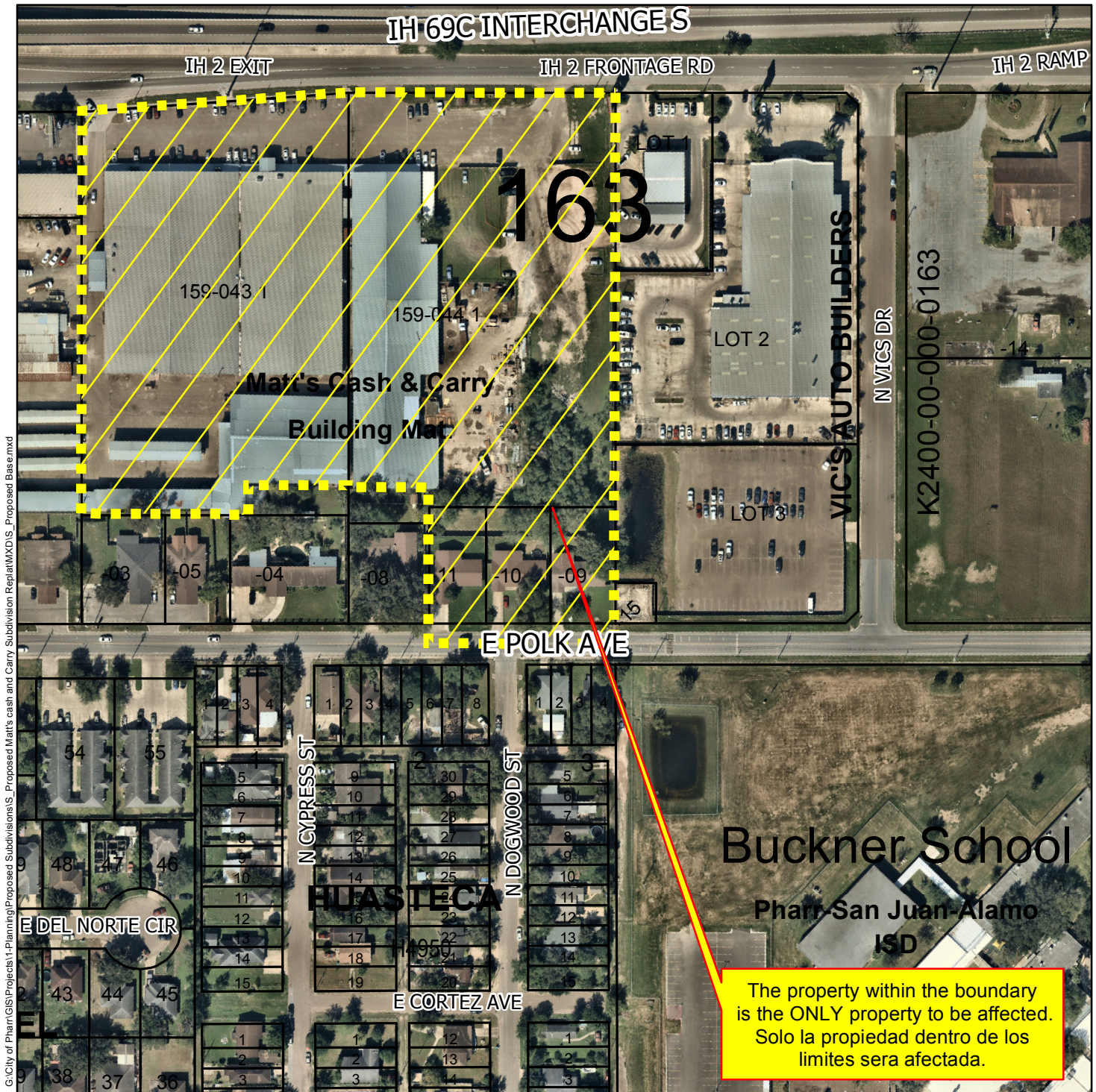
DRAINAGE: 1. In compliance.

OTHER: 1. In compliance.

This item will go before the City Commission meeting of July 15, 2024 at 4:00 p.m.

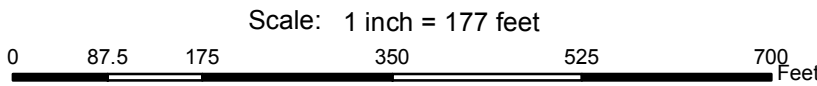


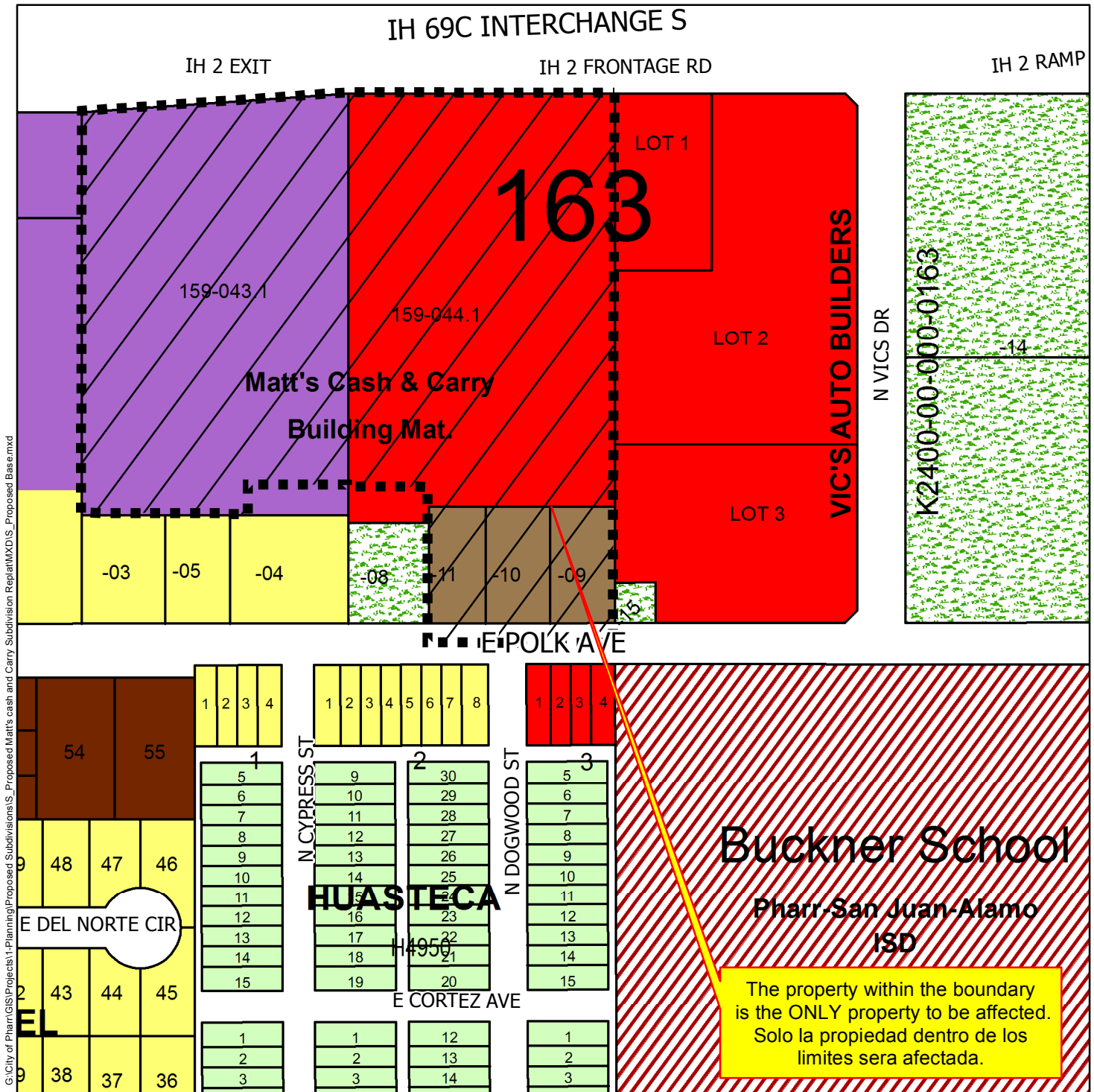
igarcia - Apr 01, 2024 - 3:20pm - File: V:\121000 Matts Pharr Subdivision\CAD 2021\drawings CAD 2021\Plots\01 Plot Sheet 2022 03-22-24.dwg



The property within the boundary
 is the ONLY property to be affected.
 Solo la propiedad dentro de los
 limites sera afectada.

Agricultural Open Space	High Density Multi-Family	Government Owned	Heavy Industrial	Hidalgo ISD
Single Family	Mobile Home	General Business	Limited Industrial	Valley View ISD
Single Family Small Lot	Townhouse	Business District	Neighborhood Commercial	Planned Unit Development
Two Family	HUD Code	Drainage Easement	Office Professional	
Medium Density Multi-Family	Rail Road R.O.W.	Heavy Commercial	PSJA ISD	





- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |



Pharr
Development Services



Site Photo

400 Blk. of East Interstate 2





AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: E.2.

DATE SUBMITTED: July 2, 2024

MEETING DATE: July 8, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Barrera Infrastructure Group, Inc., representing Clemente Ponce, Member of Nextgen Investments, LLC, a Texas Limited Liability Company, is requesting final plat approval of the proposed Nextgen Subdivision. The property is legally described as being 2.235 acres gross, situated in Hidalgo County and also being a part or portion of Lot 237, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 2700 Block of South Cage Boulevard. **SUB#180929**

Classification: Regular

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

Issue:

Barrera Infrastructure Group, Inc., representing Clemente Ponce, Member of Nextgen Investments, LLC, a Texas Limited Liability Company, is requesting final plat approval of the proposed Nextgen Subdivision.

Fiscal Consideration:

Staff Recommendation:

Development Services recommends final plat approval of the proposed Nextgen Subdivision subject to the listed conditions.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 7/2/2024
Approved - 7/2/2024
Final Approval - 7/3/2024



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JULY 08, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: NEXTGEN SUBDIVISION
FILE NO. **SUB#180929**

GENERAL INFORMATION:

APPLICANT: Barrera Infrastructure Group, Inc., representing Clemente Ponce, Member of Nextgen Investments, LLC, a Texas Limited Liability Company, is requesting final plat approval of the proposed Nextgen Subdivision.

LEGAL DESCRIPTION: The property is legally described as being a 2.235 acres gross, situated in Hidalgo County and also being a part or portion of Lot 237, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property is located within the 2700 Block of South Cage Boulevard.

ZONING: The property is currently zoned Planned Unit Development District (PUD). The adjacent zones are Planned Unit Development District (PUD) to the north, south and east, General Business District (C), Residential Multi-Family High Density District (R-MFHD) and Agricultural and/or Open Space District (A-O) to the west. The property is designated for commercial use in the Land Use Plan.

PROPERTY PROPOSED USE: Retail/wholesale.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends final plat approval of the proposed Nextgen Subdivision subject to the following conditions:

**STREETS, PAVING
AND R.O.W.:** 1. In compliance.

EASEMENTS: 1. In compliance.

**SIDEWALK:
ADA:** 1. In compliance.

FIRE PROTECTION: 1. In compliance.

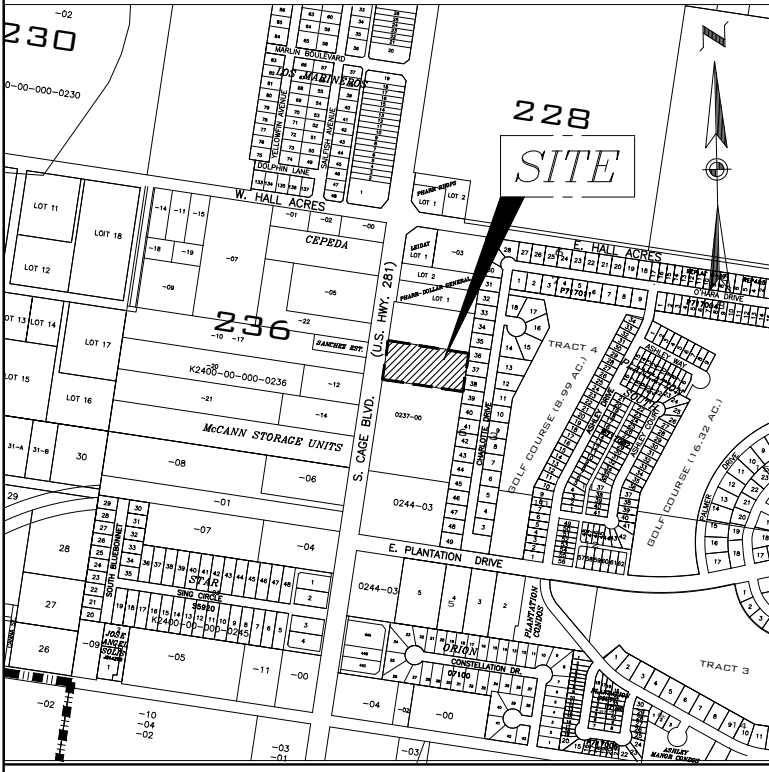
WATER: 1. In compliance.

SEWER: 1. In compliance.

DRAINAGE: 1. In compliance.

OTHER: 1. In compliance.

This item will go before the City Commission meeting of July 15, 2024 at 4:00 p.m.



LOCATION MAP
SCALE : 1"=1000'

PREPARED BY:
BARRERA INFRASTRUCTURE GROUP, INC.
6521 N. 10TH ST., SUITE "C"
McALLEN, TEXAS 78504
DATE PREPARED: 7/31/18

PROPOSED PLAT OF
NEXTGEN SUBDIVISION

A TRACT OF LAND CONTAINING 2.235 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOT 237, KELLY-PHARR SUBDIVISION, MAP REFERENCE: VOLUME 3, PAGES 133-134, H.C.D.R., AND SAID 2.235 ACRES OF LAND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NEXTGEN SUBDIVISION IS LOCATED IN THE CITY OF PHARR, HIDALGO COUNTY, IT IS APPROX. 1/8 MILE SOUTH OF HALL ACRES ROAD ON THE EAST SIDE OF U.S. HIGHWAY 281 (CAGE BLVD.)

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 2.235 ACRES GROSS, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOT 237, KELLY-PHARR SUBDIVISION, MAP REFERENCE: VOLUME 3, PAGES 133-134, H.C.D.R., AND SAID 2.235 ACRES OF LAND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

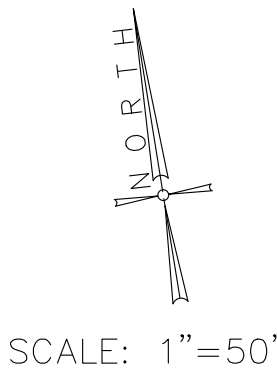
COMMENCING ON THE NORTHWEST CORNER OF SAID LOT 237 THE RIGHT-OF-WAY OF U.S. HIGHWAY 281 (S. CAGE BLVD.) AND THE RIGHT-OF-WAY OF HALL ACRES ROAD, THENCE, S 08° 29' 38" W, ALONG THE WEST LINE OF SAID LOT 237, A DISTANCE OF 634.99 FEET FOR THE NORTHWEST CORNER OF THIS TRACT AND THE POINT OF BEGINNING;

THENCE, S 81° 30' 22" E, AT A DISTANCE OF 50.00 FEET PASS A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVO LS" SET, ON THE EAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 281 (S. CAGE BLVD.) AS RECORDED IN VOLUME 383, PAGE 118, H.C.D.R., AND CONTINUING A TOTAL DISTANCE OF 475.00 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVO LS" SET ON THE WEST LINE OF PLANTATION SOUTH UNIT NO. 11, RECORDED IN VOLUME 27, PAGE 192A, H.C.M.R., FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, S 08° 29' 38" W, ALONG THE WEST LINE OF SAID PLANTATION SOUTH UNIT NO. 11, A DISTANCE OF 205.00 FEET A 1/2" IRON ROD FOUND ON THE NORTHEAST CORNER OF A TRACT OF LAND DEEDED TO FIRST NATIONAL BANK, RECORDED IN DOCUMENT NO. 2221052, H.C.D.R., FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, N 81° 30' 22" W, AT A DISTANCE OF 425.00 FEET PASS A 1/2" IRON ROD FOUND ON THE EAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 281 (S. CAGE BLVD.), AND CONTINUING A DISTANCE OF 475.00 FEET TO THE WEST LINE OF SAID LOT 237, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, N 08° 29' 38" E, ALONG THE WEST LINE OF SAID LOT 237, A DISTANCE OF 205.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.235 GROSS ACRES OF LAND, MORE OR LESS.



SCALE: 1"=50'

LEGEND

- - DENOTES FOUND 1/2" ROD
- ⊗ - DENOTES FOUND "X" MARK
- - DENOTES NO MONUMENT
- - DENOTES SET 1/2" ROD
- U.E. - UTILITY EASEMENT
- ESMT. - EASEMENT
- A.U.E.- ACCESS & UTILITY EASEMENT
- R.O.W. - RIGHT OF WAY
- C.C.E. - CORNER CLIP EASEMENT

STATE OF TEXAS
COUNTY OF HIDALGO

I (WE) THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE NEXTGEN SUBDIVISION SUBDIVISION TO THE CITY OF PHARR, COUNTY OF HIDALGO, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DOES (DO) HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OF CONSIDERATION THEREIN EXPRESSED.

OWNER: NEXTGEN INVESTMENTS, LLC.
BY: CLEMENTE PONCE, MEMBER
1536 S. CAGE BLVD., SUITE 7
PHARR, TX 78577

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED CLEMENTE PONCE, KNOWN TO ME TO BE THE PERSON WHOSE NAMES SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE,

THIS THE ____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES:

HIDALGO COUNTY IRRIGATION DISTRICT #2

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT #2 ON THIS, THE ____ DAY OF _____, 20____.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT #2 RIGHTS OF WAYS OR EASEMENTS.

PRESIDENT _____ ATTEST: SECRETARY _____

HIDALGO COUNTY DRAINAGE DISTRICT No. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE § 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF DEVELOPER AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT. NO. 1

RAUL E. SESIN, P.E., C.F.M.
GENERAL MANAGER

DATE _____

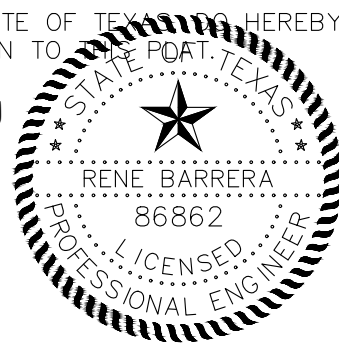
STATE OF TEXAS
COUNTY OF HIDALGO

I, RENE BARRERA, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO



RENE BARRERA
LICENSED PROFESSIONAL ENGINEER No. 86862
6521 N. 10TH STREET
SUITE C
McALLEN, TEXAS 78504

For Record Drawing
6-18-24
DATE



STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

OSCAR HERNANDEZ, R.P.L.S.
REG. PROFESSIONAL LAND SURVEYOR #5005
3007 TUCKER ROAD
HARLINGEN, TX 78552

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, MAYOR OF THE CITY OF PHARR, TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEREIN MY APPROVAL IS REQUIRED.

AMBROSIO HERNANDEZ
MAYOR, CITY OF PHARR, TEXAS.

DATE _____

ATTEST: CITY CLERK

DATE _____

STATE OF TEXAS
COUNTY OF HIDALGO

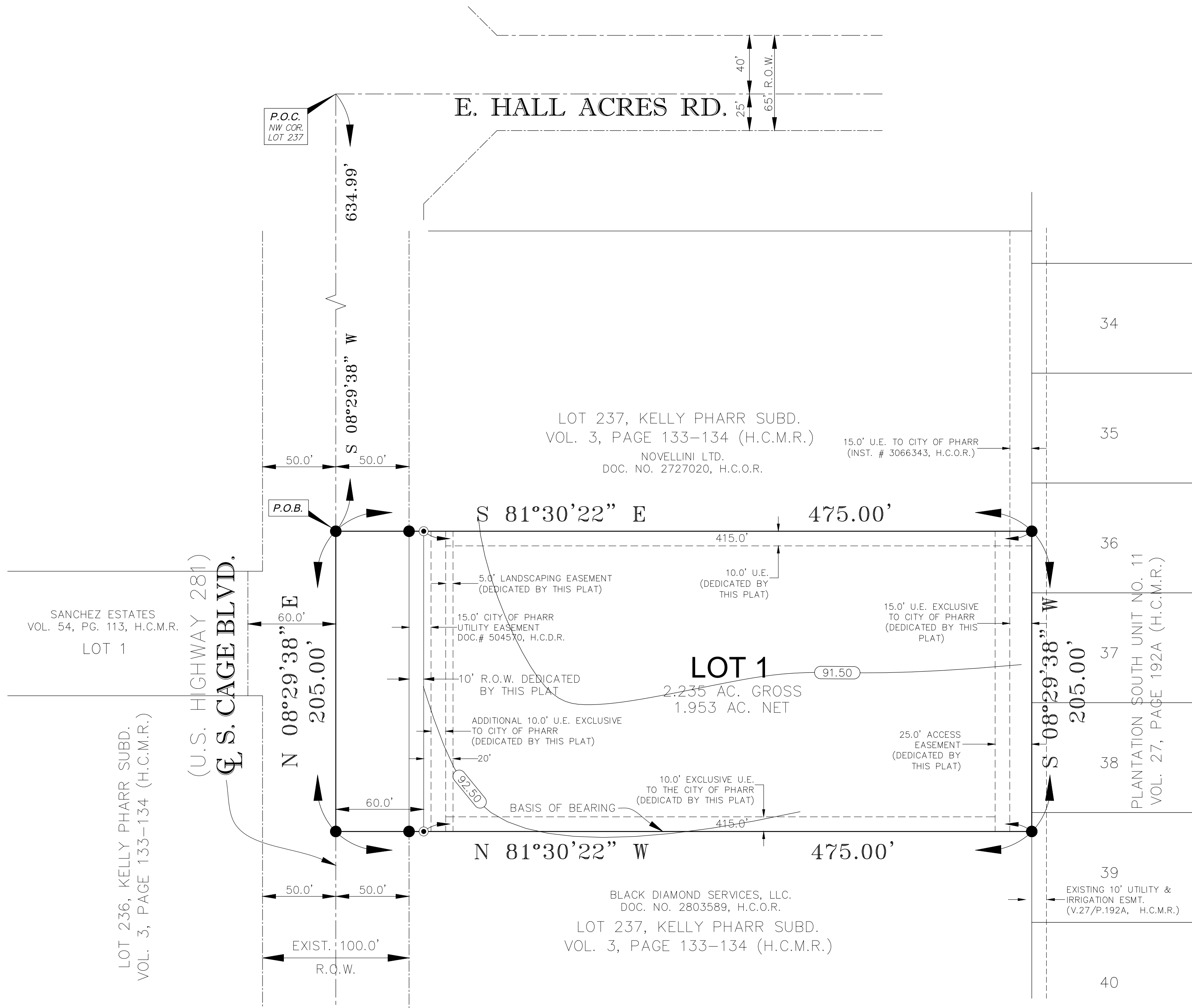
I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PHARR, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

APPROVED THIS THE ____ DAY OF _____, 20____.

DANNY WYLIE, CHAIRMAN, PLANNING AND ZONING COMMISSION

PRINCIPAL CONTACTS:

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: CLEMENTE PONCE	116 CYNTHIA CIR.	McALLEN, TX 78501		
ENGINEER: RENE BARRERA	3525 W. FREDDY GONZ.	EDINBURG, TX. 78539	956-687-3355	956-992-8801
SURVEYOR: OSCAR HERNANDEZ, RPLS	3007 TUCKER ROAD	HARLINGEN, TX 78552	956-357-2185	956-428-2805



GENERAL NOTES :

- THIS SUBDIVISION IS IN ZONE "B", DEFINED AS AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. F.I.R.M. COMMUNITY PANEL NO.: 480347 0005 C EFFECTIVE DATE: OCTOBER 19, 1982
- MINIMUM FINISHED FLOOR ELEVATION IS 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF EACH LOT.
- BUILDING SETBACKS AS PER CITY OF PHARR ORDINANCE.
- STORM WATER DETENTION IS REQUIRED FOR THIS PROPERTY. THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 0.15 ACRES AND A VOLUME OF APPROXIMATELY 0.575 ACRE FEET (25,062 C.F.) WILL BE REQUIRED FOR THIS USE. THIS IS AN ESTIMATE ONLY AND DETAILED ANALYSIS MAY REVEAL DIFFERENT REQUIREMENTS. NO BUILDING PERMIT SHALL BE ISSUED FOR THIS PLATTED PROPERTY UNTIL A STORM WATER DETENTION SYSTEM DESIGN HAS BEEN APPROVED BY THE CITY OF PHARR FOR THIS COMMERCIAL DEVELOPMENT.
- CITY OF PHARR BENCHMARK #28, SET BY J.E. SAENZ & ASSOCIATES, (N 16585897.783, E 1086616.596) LOCATED EAST OF S. CAGE BLVD., ON THE SOUTH SIDE OF HALL ACRES ROAD., ELEVATION=89.80 (DATUM NGVD 1988)
- A 5 FT. SIDEWALK WITH A.D.A. RAMPS AND LANDINGS WILL BE REQUIRED TO BE CONSTRUCTED DURING BUILDING PERMIT PHASE ALONG ANY STREET, UNLESS OTHERWISE STATED.
- WHEELCHAIR RAMPS AND LANDINGS AS PER ADA REQUIREMENTS ARE TO BE CONSTRUCTED AT THE SUBDIVISION CONSTRUCTION STAGE.
- NO BUILDING OR STRUCTURES SHALL BE CONSTRUCTED OVER ANY EASEMENT.
- LANDSCAPING AS PER CITY OF PHARR ORDINANCE.
- EROSION AND SEDIMENT CONTROL DURING CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES).
- ADDITIONAL FIRE HYDRANTS MAY BE REQUIRED AT BUILDING PERMIT STAGE.
- OWNERS ARE TO MAINTAIN DETENTION/RETENTION AREAS.
- ENFORCEMENT OF ALL PLAT NOTES AND DEDICATIONS SHALL BE THE RESPONSIBILITY OF THE AGENCY OR ENTITY WHO THE DEDICATION IS GRANTED.
- OWNERS TO MAINTAIN R.O.W. AND PERIMETER OF SUBDIVISION.

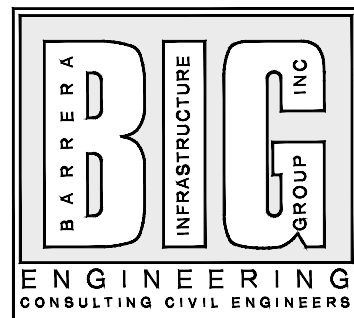


FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUAIARDO, JR.
HIDALGO COUNTY CLERK

ON: _____ AT _____ AM/PM

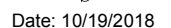
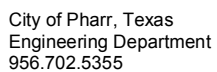
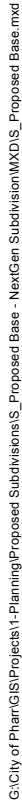
INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

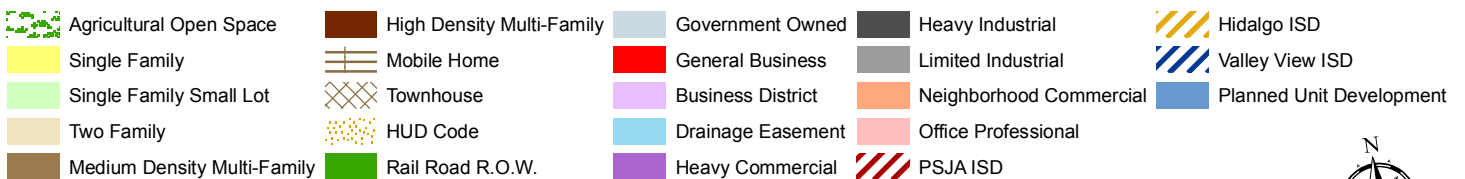
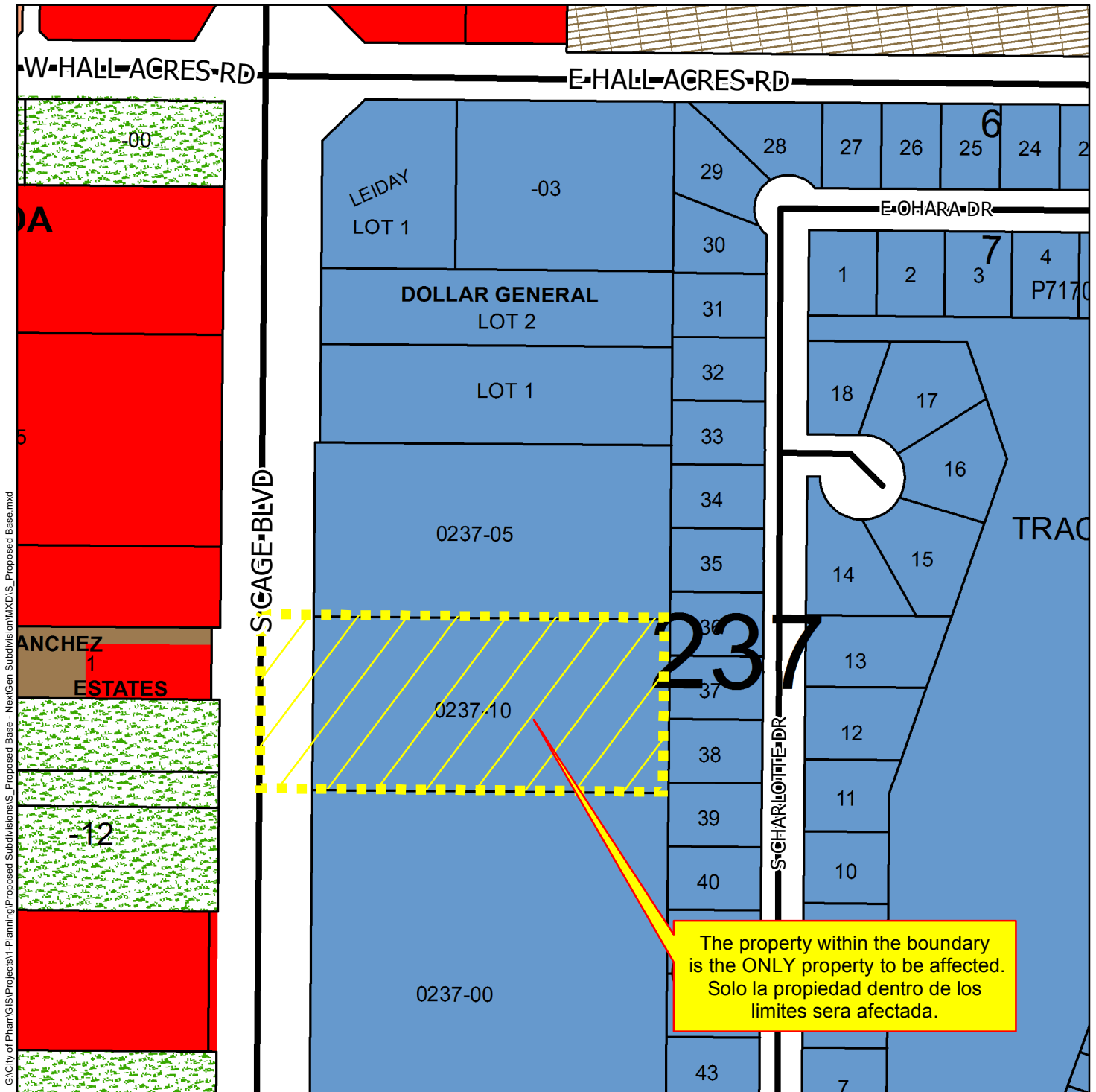
BY: _____ DEPUTY



3525 W. FREDDY GONZALEZ
SUITE "B2"
EDINBURG, TX 78539
956-687-3355
956-992-8801 (FAX)
FIRM NO. 6435

AS-BUILT
DATE: REV. 6-18-24







Pharr
Development Services



Site Photo

2700 Blk. of South Cage Boulevard

