

**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, NOVEMBER 25, 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 November 12, 2024 - Regular Called 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) Public hearing on the moratorium on applications or plans for development, permits, plats, verifications, rezonings, site plans or new or revised certificates of occupancy for commercial car washes within the City of Pharr.

2) Oscar J.E. Garza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Townhouse Residential District (R-TH). The property is legally described as Lot 3, Block 3, Magic Valley Investments Subdivision No. Three, Pharr, Hidalgo County, Texas. The property's physical address is 207 South Magnolia Street. **COZ#241027**

3) Oscar J.E. Garza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential-Small Lot (R1-A) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being 1.161 acres, more or less, out of Lots 2 & 3, Block D, being all that part of the right-of-way of Lateral "F" lying east of the road in the West 320 feet of Block "D" Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 910 North Flag Street. **COZ#241028**

E. ANNOUNCEMENTS:

F. CLOSED SESSION: *In accordance with Chapter 551 of the Texas Gov't. Code, the Planning and Zoning Commission hereby gives notice that it may meet in a closed (non-public) executive session to discuss the items listed on the public portion of the meeting agenda.*

Pursuant to Section 551.071, the 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.

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

H. 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 21st day of November 2024 at 4:45 p.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

WITNESS MY HAND AND SEAL, this 21st day of November 2024




ALESSANDRA GARCIA
ASSISTANT 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. November 12, 2024 - 4:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Tuesday, November 12, 2024, and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie
Charlie Ramirez
Andy Castro
Mercedes Guillen
Romeo Cantu Jr.

MEMBERS ABSENT: Javier Gutierrez
Rafael Munguia
Ruben Luna

STAFF PRESENT: Ricardo Rodriguez, City Attorney
Joe Garza, Asst. Director of Development Services
Eddie Martinez, Planner III
Nancy Hernandez, Administrative Assistant
Tania Goo, Secretary

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 Andy Castro 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 OCTOBER 28, 2024 - REGULAR MEETING

Danny Wylie, Chairman, introduced the item.

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

ITEM D. PLATS:

- 1) FORESITE GROUP, REPRESENTING ZARAGOZA HINOJOSA JR., GENERAL PARTNER FOR HEAVY INVESTMENTS, LTD A TEXAS LIMITED PARTNERSHIP, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED CROSS CC PHARR SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 2.133 ACRE TRACT OF LAND, LOCATED IN THE A. VELASCO SURVEY, PORCION 70, ABSTRACT 45 AND BEING A PORTION OF A CALLED 19.36 ACRE TRACT OF LAND ALSO BEING A PORTION OF LOTS 13 AND 14 OF HE L.R. BELL DEVELOPMENT SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1400 BLOCK OF EAST FERGUSON AVENUE. SUB#240307**

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 Ferguson Avenue. The property was currently zoned General Business District (C). The adjacent zones are General Business (C) to the north and east, Single Family Residential District (R-1) to the south and Agricultural and or Open/Space District (A-O) to the west. The property is designated for single family residential and commercial use in the Land Use Plan.

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

Board Member Romeo Cantu Jr. inquired about the requirement to paint fire hydrants silver, asking if this was now a standard for all hydrants. Eddie Martinez, Planner III, confirmed that this is indeed a new code mandated by the fire department as part of updated safety standards.

Board Member Charlie Ramirez inquired about the buffer at the rear of the property and the actions being taken. Eddie Martinez, Planner III, clarified that an opaque fence will be installed along the back of the property as part of preparations for future commercial development. Board Member Ramirez then asked whether the alley at the rear would be utilized. Eddie Martinez responded that while the alley is existing, it will not be used for access but will serve primarily as a buffer or detention area.

There being no further discussion, Board Member Charlie Ramirez moved to approve the request for final plat approval of the proposed Cross CC Pharr Subdivision. Board Member Romeo Cantu Jr. seconded the motion and when put to a vote, it carried unanimously.

- 2) **RIO DELTA ENGINEERING, REPRESENTING ALVARO GONZALEZ, MANAGER FOR LOS HOTELES, LP., REQUESTED PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED RE-PLAT OF LOT 1 OF LOS HOTELES SUBDIVISION NO. 2. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 3.66 ACRE TRACT OF LAND, SAME BEING A RESUBDIVISION OF ALL OF LOT 1 OF LOS HOTELES SUBDIVISION NO. 2, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 300 BLOCK OF WEST NOLANA LOOP. SUB#241029**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 300 Block of West Nolana Loop. The property was currently zoned Limited Industrial District (L-I). The adjacent zones are Agricultural and/or Open Space District (A-O), General Business District (C) and Limited Industrial District (L-I) to the north, Limited Industrial District (L-I) to the east and Heavy Industrial District (H-I) and Limited Industrial District (L-I) to the south and Heavy Commercial District (HC) to the west. The property is designated for industrial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary and final plat approval of the proposed Replat of Lot 1 of Los Hoteles Subdivision No. 2., subject to the conditions noted in the packet.

There being no further discussion, Board Member Andy Castro **moved** to approve the request for preliminary and final plat approval of the proposed Replat of Lot 1 of Los Hoteles Subdivision No. 2. Board Member Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 3) **MELDEN & HUNT, INC., REPRESENTING SHAVI MAHTANI, PRESIDENT OF DOMAIN DEVELOPMENT CORP., IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED VACATING OF WEST RIDGE ESTATES SUBDIVISION TO REPLAT OF WEST RIDGE ESTATES (PRIVATE) SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RESUBDIVISION OF 17.727 ACRES, BEING ALL OF WEST RIDGE ESTATES SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 5100 BLOCK OF NORTH SUGAR ROAD. SUB#241026**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 5100 Block of North Sugar Road. The property was currently zoned Single Family Residential District (R-1). The adjacent zones are Agricultural and/or Open Space District (A-O) to the north, Single Family Residential District (R-1) to the east, Single Family Residential Estate District (R1-E) to the south, Heavy Commercial District (H-C) and Residential Multifamily High-Density District (R-MFHD) to the west. The property is designated for commercial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary and final plat approval of the proposed Vacating of West Ridge Estates Subdivision to Replat of West Ridge Estates (Private) Subdivision subject to the conditions noted in the packet.

Board Member Charlie Ramirez asked if the subdivision has only one entry point. Eddie Martinez, Planner III, clarified that the subdivision has two entry points.

There being no further discussion, Board Member Charlie Ramirez **moved** to approve the request for preliminary and final plat approval of the proposed Vacating West Ridge Estates Subdivision to Replat of West Ridge Estates (Private) Subdivision. Board Member Romeo Cantu Jr. seconded the motion and when put to a vote, it carried unanimously.

- 4) MELDEN & HUNT, INC., REPRESENTING SHAVI MAHTANI, PRESIDENT OF DOMAIN DEVELOPMENT CORP., IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED VACATING OF WEST RIDGE ESTATES PHASE 2 SUBDIVISION TO REPLAT OF WEST RIDGE ESTATES PHASE 2 (PRIVATE) SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A RE-SUBDIVISION OF 17.727 ACRES, BEING ALL OF WEST RIDGE ESTATES PHASE 2 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 800 AND 900 BLOCK OF WEST MINNESOTA ROAD. SUB#241027**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 800 and 900 Block of West Minnesota Road. The property was currently zoned Single-Family Residential District (R-1). The adjacent zones are Agricultural and/or Open Space District (A-O) to the north, Residential multifamily District (R-MF) to the east, Single-Family Residential Estate District (R1-E) to the south and Single-Family Residential District (R-1) to the west. The property is designated for commercial use in the Land Use Plan.

Eddie Martinez, Planner III, stated staff recommended preliminary and final plat approval of the proposed Vacating of West Ridge Estates Phase 2 Subdivision to replat of West Ridge Estates Phase 2 (Private) Subdivision, subject to the conditions noted in the packet.

There being no further discussion, Board Member Andy Castro **moved** to approve the request for preliminary and final plat approval of the proposed Vacating of West Ridge Estates Phase 2 Subdivision to replat of West Ridge Estates Phase 2 (Private) Subdivision. Board Member Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 5) **MELDEN & HUNT INC., REPRESENTING LEAH MARIE WISE, MANAGER FOR LEAH WISE ENTERPRISES, LLC, A TEXAS LIMITED LIABILITY COMPANY, IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED CRASH GIRL SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 1.441 ACRES OUT OF LOT 100, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 4500 BLOCK OF N. IH 69C. SUB#240925**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the 4500 Block of N. IH 69C. The property was currently zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the north, east, south and west. The property is designated for industrial use in the Land Use Plan

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

There being no further discussion, Board Member Charlie Ramirez moved to approve the request for preliminary plat approval of the proposed Crash Girl Subdivision. Board Member Romeo Cantu Jr. seconded the motion and when put to a vote, it carried unanimously.

- 6) **MAS ENGINEERING, LLC., REPRESENTING, ISMELDA MONTANEZ IS REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED MIRPLA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.38 GROSS ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF LOT 325, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 300 BLOCK OF WEST DICKER ROAD. SUB#240205**

Eddie Martinez, Planner III, introduced the item and went over the property's legal description. He stated the property was located within the property is located within the 300 block of West Dicker Road. The property was currently zoned General Business District (C). The adjacent zones are Agricultural and/or Open Space District (A-O) to the north, General Business District (C) to the east and Single-Family Residential District (R-1) to the south and west. The property is designated for commercial use in the Land Use Plan.

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

There being no further discussion, Board Member Andy Castro moved to approve the request for preliminary plat approval of the proposed Mirpla Subdivision. Board Member Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM H. ANNOUNCEMENTS:

None

ITEM I. ADJOURNMENT:

There being no further business, Board Member Andy Castro **moved** to adjourn. Board Member Charlie Ramirez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:16 p.m.

PLANNING & ZONING COMMISSION

Danny Wylie, Chairman

ATTEST:

Andy Castro, Secretary

APPROVED: _____



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.1.

DATE SUBMITTED: November 20, 2024

MEETING DATE: November 25, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Public hearing on the moratorium on applications or plans for development, permits, plats, verifications, rezonings, site plans or new or revised certificates of occupancy for commercial car washes within the City of Pharr.

Classification: Public Hearing

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

Issue: Public hearing on the moratorium on applications or plans for development, permits, plats, verifications, rezonings, site plans or new or revised certificates of occupancy for commercial car washes within the City of Pharr.

Fiscal Consideration:

Staff Recommendation:

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 11/20/2024
Approved - 11/22/2024
Final Approval - 11/22/2024

CITY OF PHARR NOTICE OF PUBLIC HEARING(S) MORATORIUM ON PROPERTY DEVELOPMENT

Effective Monday, November 25, 2024, a temporary moratorium is in effect on the development of commercial car washes. During the temporary moratorium, no department of the City will accept applications or plans for development for permits, plats, verifications, rezonings, site plans or new or revised certificates of occupancy for commercial car washes.

Purpose of the Temporary Moratorium

Recent applications for new commercial car washes have demonstrated that current regulations may be inadequate to control the impacts of such growth and development on the surrounding street network, water and wastewater facilities and other public facilities. The purpose of the temporary moratorium on commercial car washes in The City of Pharr is to address water scarcity concerns and regulate the proliferation of commercial car washes. The city will be implementing distance restrictions to prevent new car washes from being established too close to existing ones and residential districts. This measure aims to ensure sustainable water usage and minimize environmental impact while the city works on a more comprehensive development code. This temporary moratorium is necessary to maintain the status quo and suspend further commercial car washes during a period that the City receives public input on whether a continuing moratorium should be imposed. If the City Commission enacts a continuing moratorium, the City will have additional time to research and promulgate updates to its Comprehensive Master Plan, including its Land Use Plan, as well as plan for updated needs of the public facilities for the City of Pharr. Such actions are necessary in order to preserve the health, safety and general welfare of the community.

Exceptions to the Temporary Moratorium

This temporary moratorium does not affect rights acquired under Texas Local Government Code Chapter 245 or the common law, nor does it affect an application for a project in progress under Chapter 245. The temporary moratorium shall neither prohibit nor delay the processing of an application filed on or before November 25, 2024.

Duration of the Temporary Moratorium

This temporary moratorium shall remain in force until the date the City Commission adopts an ordinance imposing a continuing moratorium in accordance with law, or February 24, 2025, whichever occurs first.

Opportunities to provide input on a continuing Moratorium

Municipal residents and affected parties are encouraged to provide input on whether a continuing moratorium shall be imposed prior to the expiration of this temporary moratorium. Public hearings will be held on the following dates and times:

Public Hearing 1: Planning and Zoning Commission, Monday, November 25, 2024, 4:00 PM

Public Hearing 2: City Commission, Monday, December 2, 2024, 4:00 PM

All public hearings will be conducted in the City Commissioners' Room, located at 118 S. Cage Blvd., 2nd Floor, Pharr, Texas.

Authority for instituting a Moratorium

The City of Pharr will impose this temporary moratorium and is considering a continuing moratorium under authority pursuant to Chapter 212, Subchapter E, of the Texas Local Government Code.



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.2.

DATE SUBMITTED: November 21, 2024

MEETING DATE: November 25, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Oscar J.E. Garza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Townhouse Residential District (R-TH). The property is legally described as Lot 3, Block 3, Magic Valley Investments Subdivision No. Three, Pharr, Hidalgo County, Texas. The property's physical address is 207 South Magnolia Street.
COZ#241027

Classification: Public Hearing

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

Issue: Oscar J.E. Garza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Townhouse Residential District (R-TH) in order to develop and construct townhomes.

Fiscal Consideration:

Staff Recommendation: Development Services recommends disapproval of the rezoning request from Single-Family Residential District (R-1) to Townhouse Residential District (R-TH) as the property is not compatible with adjacent and nearby uses and may have detrimental impact to the neighborhood character. If approved, the owner must comply with all City Ordinances and City Department requirements.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 11/21/2024
Approved - 11/22/2024
Final Approval - 11/22/2024



MEMORANDUM

DATE: MONDAY, NOVEMBER 25, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Single-Family Residential District (R-1) to Townhouse Residential District (R-TH). The property is legally described as Lot 3, Block 3, Magic Valley Investments Subdivision No. Three, Pharr, Hidalgo County, Texas. The property's physical address is 207 South Magnolia Street. COZ#241027

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Oscar J.E. Garza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Townhouse Residential District (R-TH) in order to develop and construct townhomes.

The subject site is located at the southeast corner of East Dreyer Avenue and South Magnolia Street and has a physical address of 207 South Magnolia Street. The property is legally described as Lot 3, Block 3, Magic Valley Investments Subdivision No. Three, Pharr, Hidalgo County, Texas.

The property fronts South Magnolia Street, a 50 ft. - 60 ft. local street which runs north and south with a posted speed limit of 20 to 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property, the properties to the south, east, and north were zoned Single-Family Residential District (R-1), when the city adopted the current Zoning Ordinance in 1982. The property to the west was rezoned from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF) on December 3, 1996. There have been no other zoning requests within the vicinity of the subject property since that time. The property is generally designated for single family use in the Land Use Plan.

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

Twenty-two (22) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on November 15, 2024, and a legal notice was published in the Advance News Journal on November 13, 2024. Staff received responses in opposition of the request.

Development Services is recommending **disapproval** of the rezoning request from Single-Family Residential District (R-1) to Townhouse Residential District (R-TH) as the property is not compatible with adjacent and nearby uses and may have detrimental impact to the neighborhood character. If approved, the owner must comply with all City Ordinances and City Department requirements.

PLANNING COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Oscar J.E. Garza, owner

APPLICANT

Single-Family Residential District (R-1)

CURRENT ZONE

207 South Magnolia Street

ADDRESS

Townhouse Residential District (R-TH)

PROPOSED ZONE

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?		X
2 Does the property have adequate ingress and egress?	X	
3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)		X
4 Is the property located along a major thoroughfare?		X
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?		X
8 Will a buffer be required?		X
9 Is the proposed change in line with the Future Land Use Plan?		X

STAFF RECOMMENDATIONS:

Denial

Development Services is recommending disapproval of the rezoning request from Single-Family Residential District (R-1) to Townhouse Residential District (R-TH) as the property is not compatible with adjacent and nearby uses and may have detrimental impact to the neighborhood character. If approved, the owner must comply with all City Ordinances and City Department requirements.

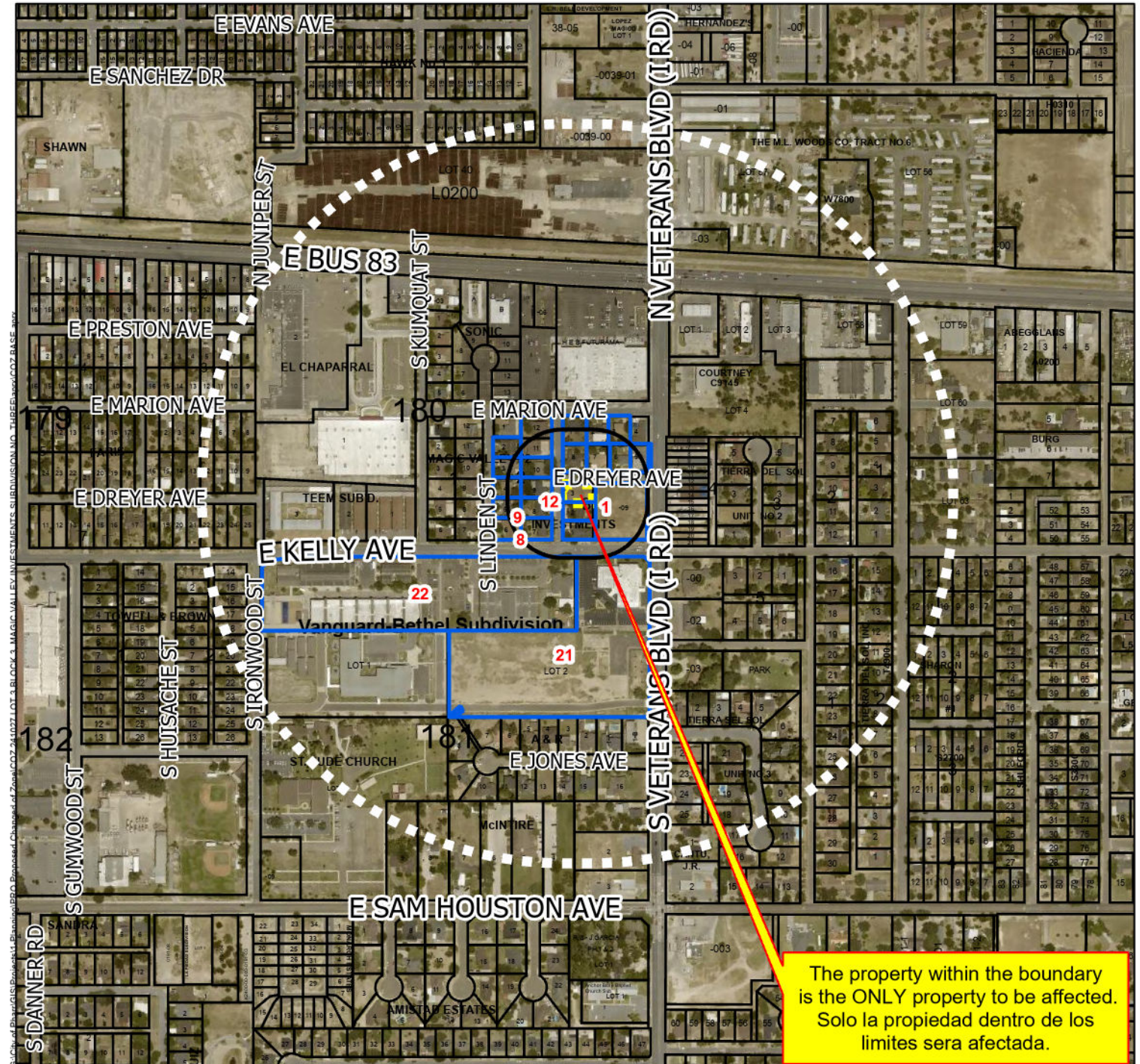
Laura Fonseca, Planner II

PREPARED BY

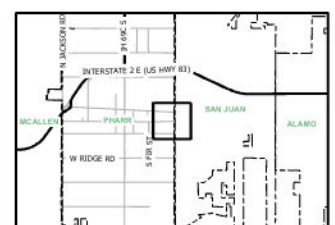
11.21.2024

DATE

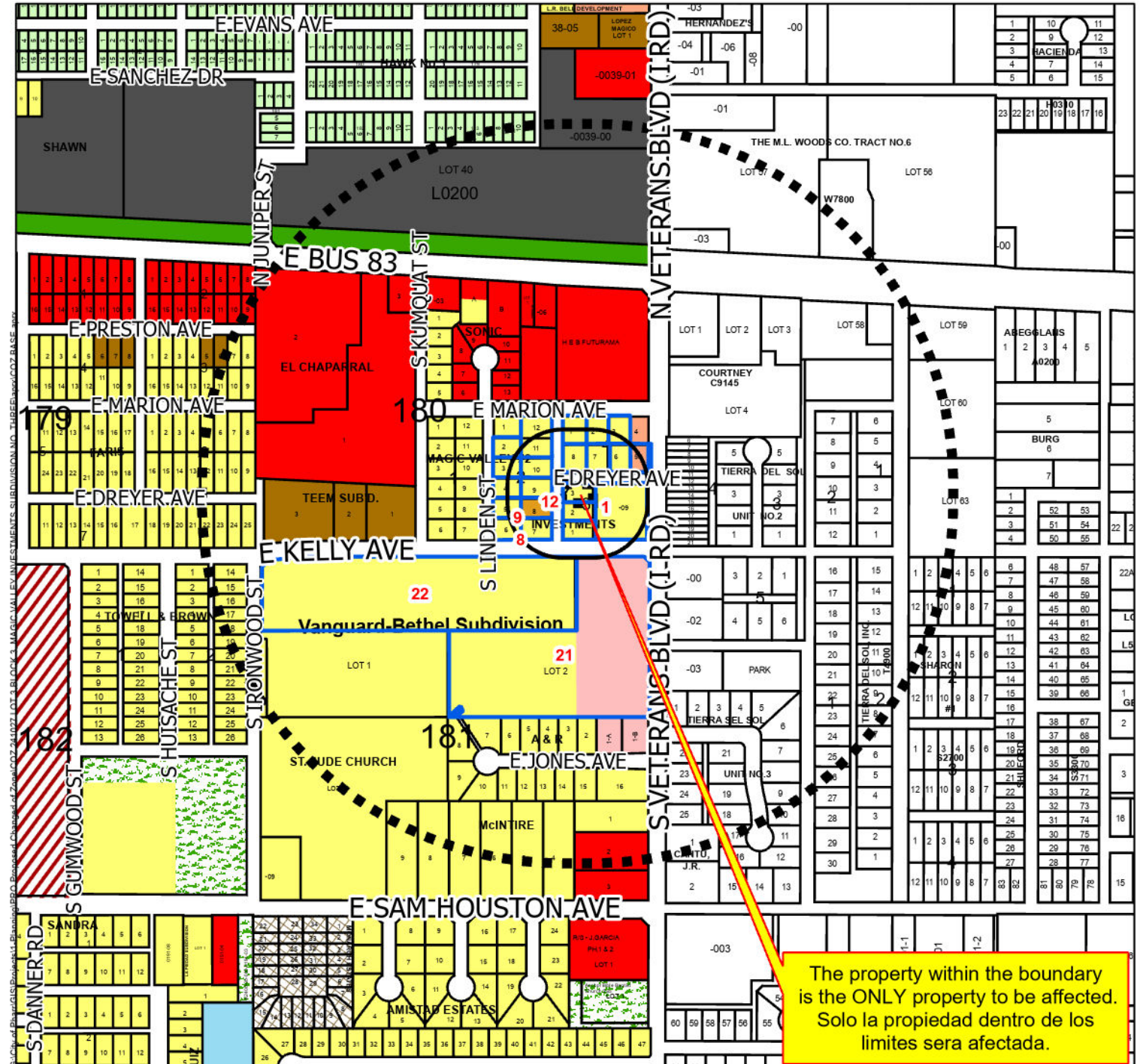
AERIAL



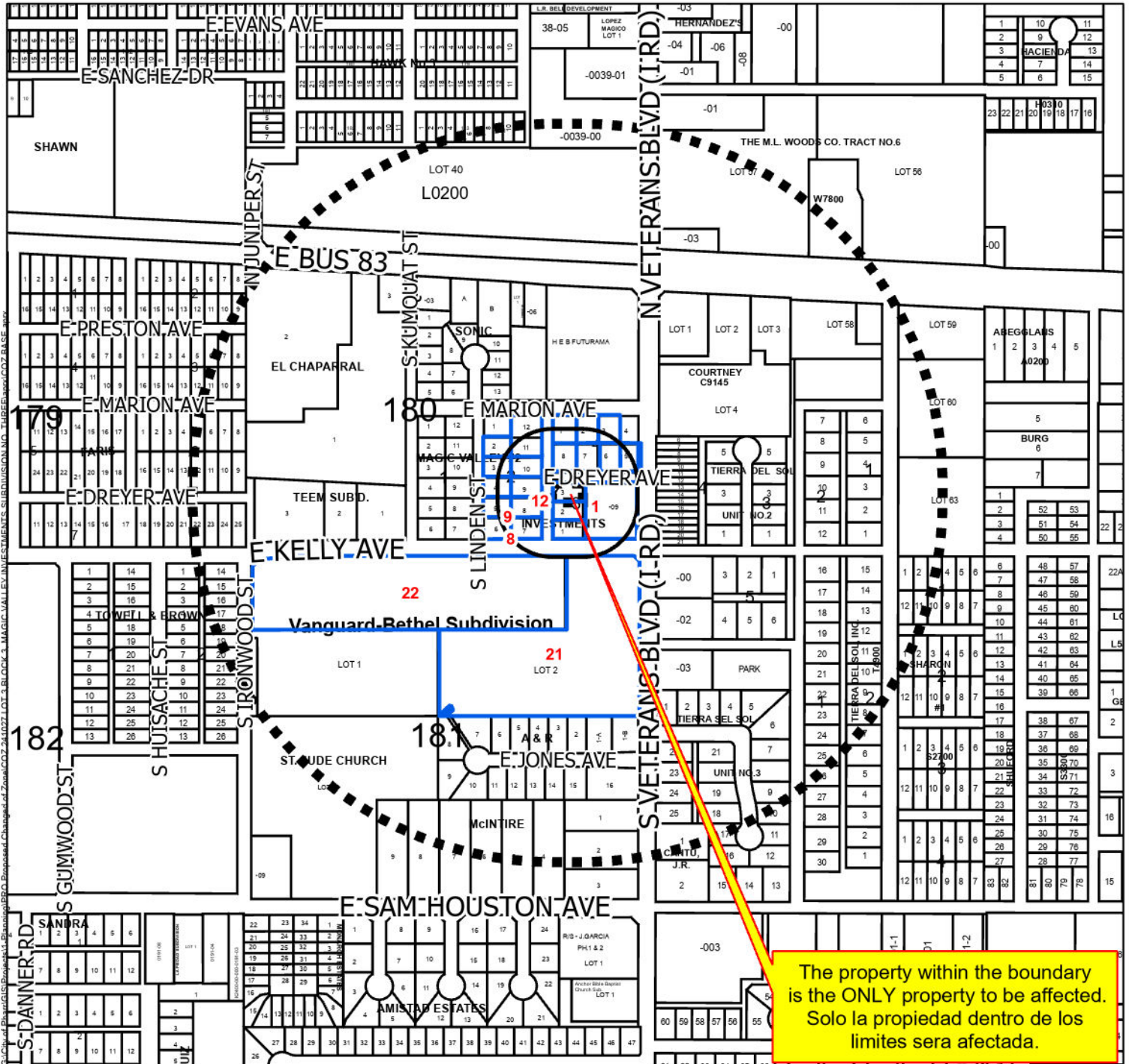
- SUBJECT PROPERTY
- 200ft_RADIUS
- NOTIFIED PROPERTIES
- QUARTER MILE RADIUS



ZONING



Proposed Change of Zone
 Lot 3, Block 3, Magic Valley Investments
 Subdivision No. Three (3)
 Oscar Garza

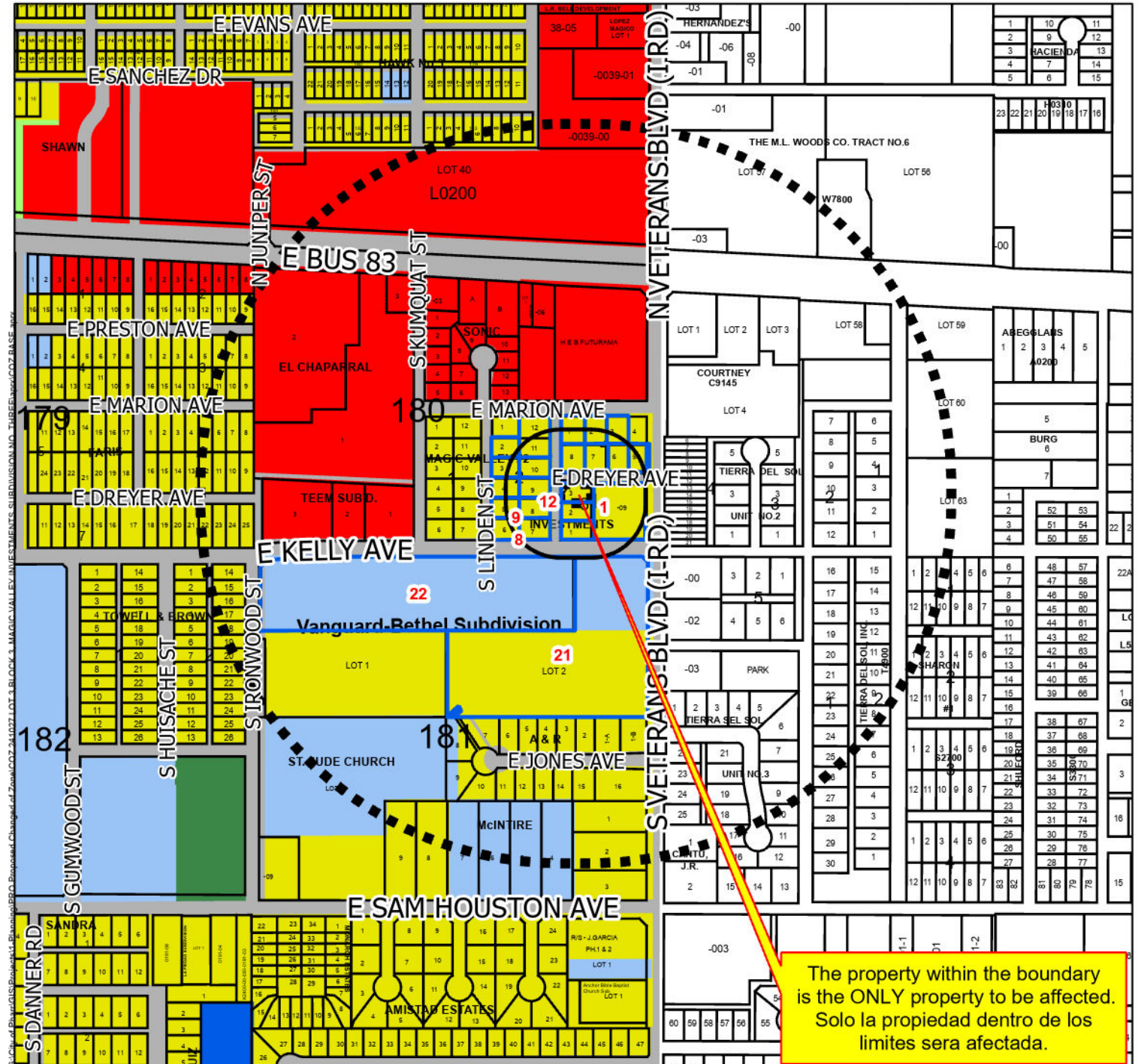


- SUBJECT PROPERTY
- 200ft_RADIUS
- NOTIFIED PROPERTIES
- QUARTER MILE RADIUS

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FUTURE LAND USE



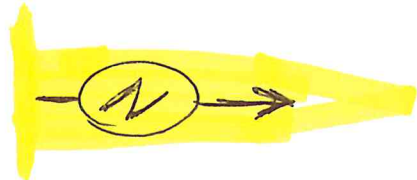
- SUBJECT PROPERTY
- 200ft_RADIUS
- NOTIFIED PROPERTIES
- QUARTER MILE RADIUS

Future Land Use

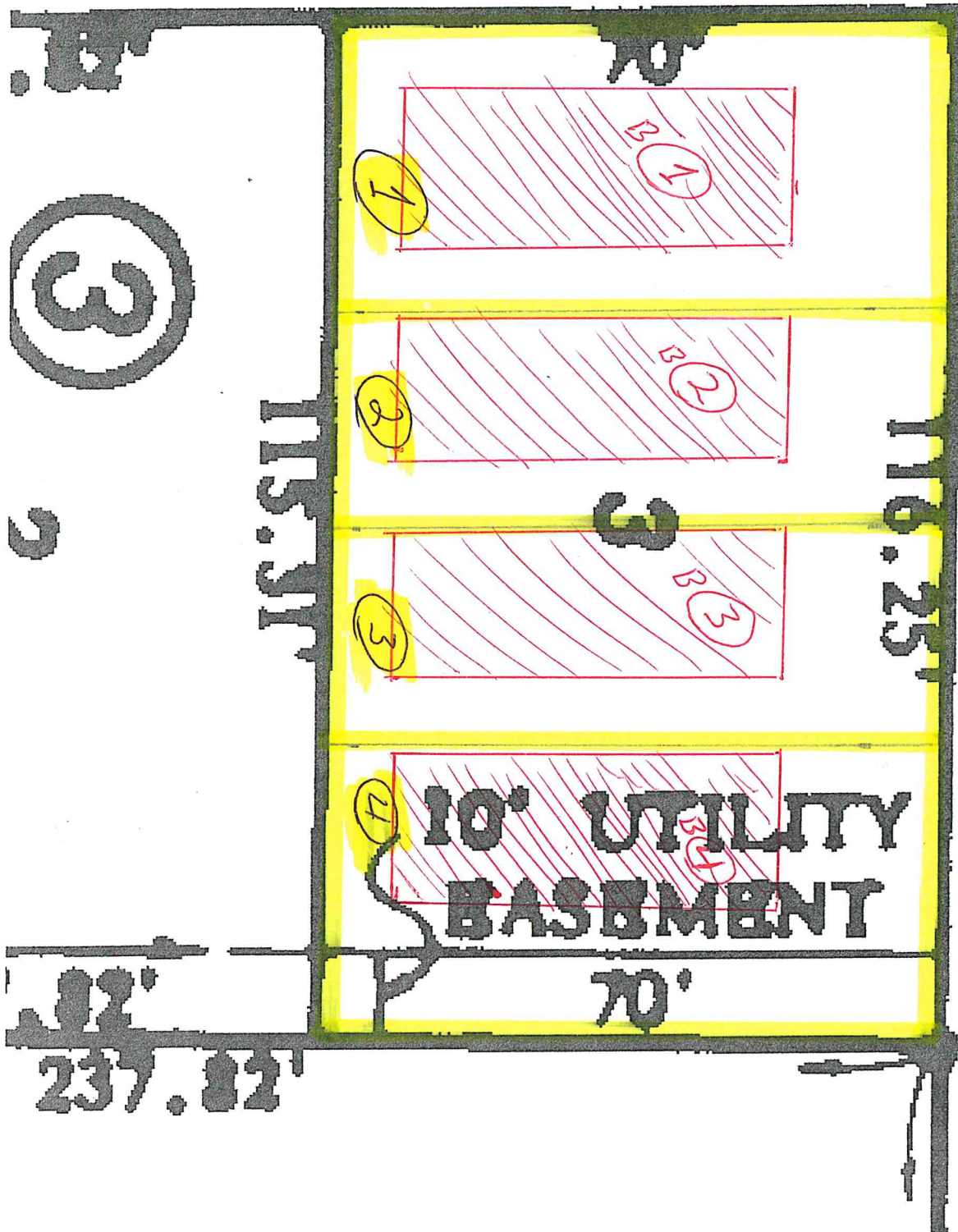
FUTURELAND

- Irrigation
- Agriculture
- Single Family Res.
- Multi-Family Res.
- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks





Magnolia
70'



34'
24'
24'
34'

DREYER

4 Lots for TOWNHOUSES

207 S Magnolia St
Pharr TX 78577



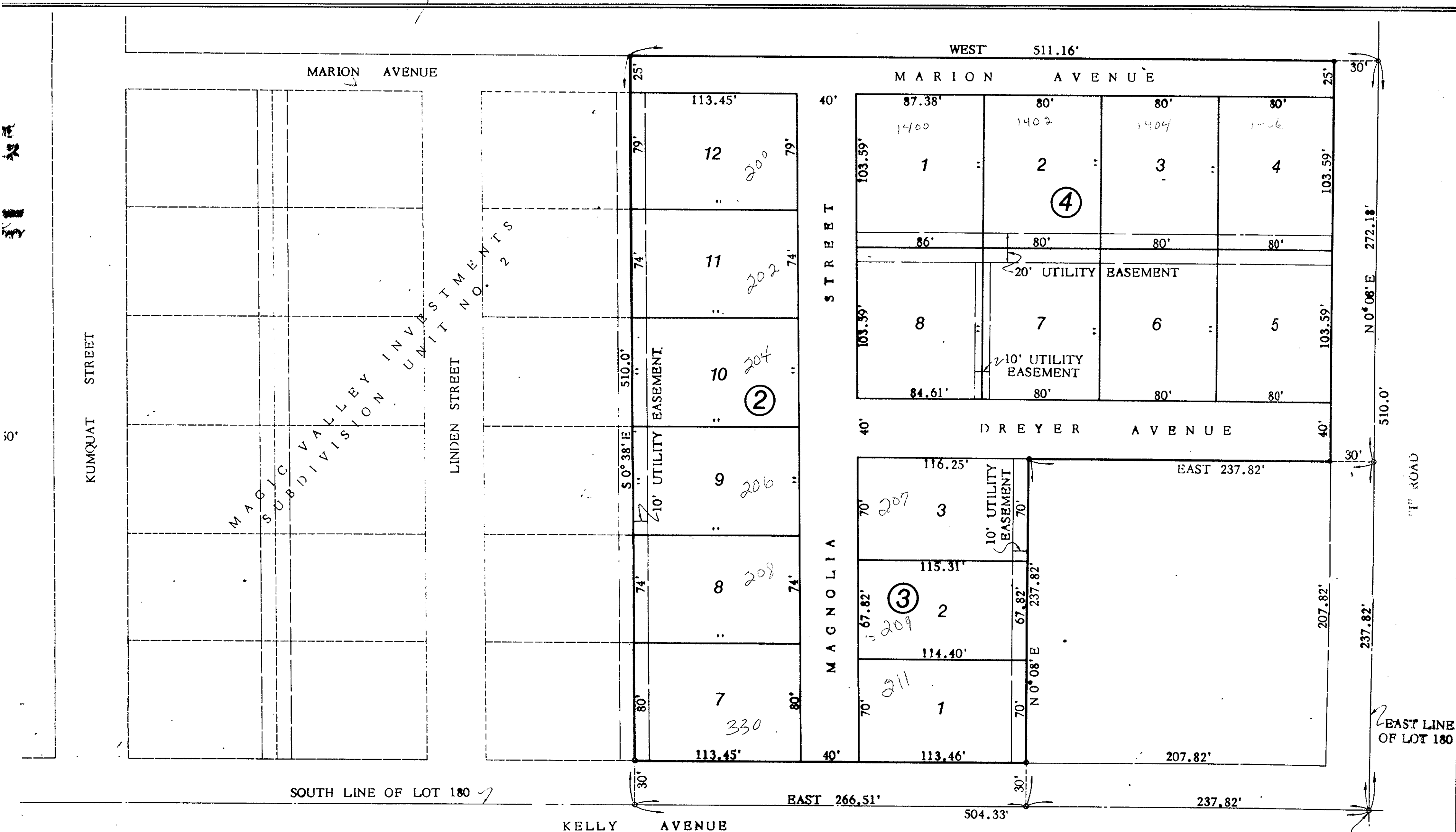
Pharr
Development Services



Site Photo

207 South Magnolia Street





undersigned authority on this date personally appeared, Frank T. Brautig known to person whose name is subscribed to the foregoing instrument and acknowledged executed the same for the purpose and consideration therein expressed. my hand and seal of office, this 22nd day of MARCH, A.D., 1974.

**MAGIC VALLEY INVESTMENTS
SUBDIVISION UNIT NO. 3
PHARR, TEXAS**

BEING A SUBDIVISION OF 4.64 ACRES OUT OF LOT 180,
KELLY- PHARR SUBDIVISION, HIDALGO COUNTY, TEXAS.

Frank T. Brautig
Notary Public in and for
Hidalgo County, Texas

APPROVED FOR RECORDING
BY
COMMISSIONERS' COURT
This the 22nd day of April, 1974
SANTOS SALDANA, County Clerk
Hidalgo County, Texas

By: Ramiro De la Cruz Deputy

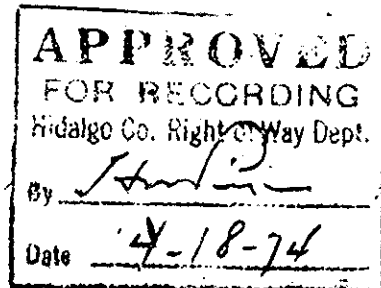
I, Gavino Castillo, Registered Professional Engineer, do hereby certify that the above plat is a true and correct representation of the subdivision of the lands herein described as surveyed and subdivided under my direction.

3-20-74 Date Gavino Castillo Reg. Professional Engineer #2623

State of Texas:
County of Hidalgo:
Know All Men By These Presents:

George & Brautig, Inc. owner of the above described property, do hereby adopt, dedicate, and confirm the foregoing map or plat and do dedicate to the public the streets and all alleys designated thereon.

3-22-74 Date George & Brautig, Inc.



ved by the Pharr Planning and Zoning Board
of APRIL, A.D., 1974

Ramiro De la Cruz
Chairman

ved by the City Commission of Pharr, Texas,
of APRIL, A.D., 1974

George & Brautig, Inc.
Mayor, City of Pharr



AGENDA MEMORANDUM



BOARD: Planning & Zoning Commission

AGENDA ITEM #: D.3.

DATE SUBMITTED: November 21, 2024

MEETING DATE: November 25, 2024

FROM: Kimberly Mendoza, Development Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Oscar J.E. Garza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential-Small Lot (R1-A) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being 1.161 acres, more or less, out of Lots 2 & 3, Block D, being all that part of the right-of-way of Lateral "F" lying east of the road in the West 320 feet of Block "D" Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 910 North Flag Street. **COZ#241028**

Classification: Public Hearing

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

Issue: Oscar J.E. Garza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential-Small Lot (R1-A) to Residential Multi-Family High Density District (R-MFHD) in order to develop and construct sixteen duplexes.

Fiscal Consideration:

Staff Recommendation: Development Services recommends approval of the rezoning request from Single Family Residential-Small Lot (R-1A) to Residential Multi-Family High Density District (R-MFHD) as the property meets area requirements and has adequate ingress and egress. The request is compatible with the residential trends and land use patterns in the area. If approved, the owner must comply with all City Ordinances and City Department requirements.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Kimberly Mendoza
Ricardo Rodriguez
Kimberly Mendoza

Created/Initiated - 11/21/2024
Approved - 11/22/2024
Final Approval - 11/22/2024



MEMORANDUM

DATE: MONDAY, NOVEMBER 25, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Single Family Residential-Small Lot (R1-A) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being 1.161 acres, more or less, out of Lots 2 & 3, Block D, being all that part of the right-of-way of Lateral "F" lying east of the road in the West 320 feet of Block "D" Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 910 North Flag Street. COZ#241028

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

Oscar J.E. Garza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential-Small Lot (R1-A) to Residential Multi-Family High Density District (R-MFHD) in order to develop and construct sixteen duplexes.

The subject site is located on the east side of North Flag Street, approximately 300 ft. south of West Polk Avenue and has a physical address of 910 North Flag Street. The property is legally described as being 1.161 acres, more or less, out of Lots 2 & 3, Block D, being all that part of the right-of-way of Lateral "F" lying east of the road in the West 320 feet of Block "D" Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts North Flag Street, a 50 ft. - 60 ft. local street which runs north and south with a posted speed limit of 20 to 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property, the property to the south, and a portion of the property to the east were zoned Single Family Residential-Small Lot (R-1A), when the city adopted the current Zoning Ordinance in 1982. The remaining property to the east and north were rezoned from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High Density District (R-MFHD) on July 2, 2018. The property to the west is zoned Single-Family Residential District (R-1) when the city adopted the current Zoning Ordinance from 1982. There have been no other zoning requests within the vicinity of the subject property since that time. The property is generally designated for Right-of-Way use in the Land Use Plan. However, the Hidalgo County Irrigation District has released the Right-of Way to the property owner and the request is compatible with the land use patterns in the area.

The Residential Multi-Family High Density District (R-MFHD) is established to provide adequate space and site diversification for medium to high density areas. This may 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 multifamily development. This zone allows 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. R-MFHD uses 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. Multi-family developments are 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.

Twenty (20) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on November 15, 2024, and a legal notice was published in the Advance News Journal on November 13, 2024. Staff received no response to the letters or the legal notice.

Development Services recommends **approval** of the rezoning request from Single Family Residential-Small Lot (R-1A) to Residential Multi-Family High Density District (R-MFHD) as the property meets area requirements and has adequate ingress and egress. The request is compatible with the residential trends and land use patterns in the area. If approved, the owner must comply with all City Ordinances and City Department requirements.

PLANNING COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Oscar J.E. Garza, owner

APPLICANT

910 North Flag Street

ADDRESS

Single Family Residential-Small Lot (R1-A)

CURRENT ZONE

**Residential Multi-Family High Density
District (R-MFHD)**

PROPOSED ZONE

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?		X
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?	X	
8 Will a buffer be required?	X	
9 Is the proposed change in line with the Future Land Use Plan?		X

STAFF RECOMMENDATIONS:

Approval

Development Services recommends approval of the rezoning request from Single Family Residential-Small

Lot (R-1A) to Residential Multi-Family High Density District (R-MFHD) as the property meets

area requirements and has adequate ingress and egress. The request is compatible with the residential trends

and land use patterns in the area. If approved, the owner must comply with all City Ordinances and

City Department requirements.

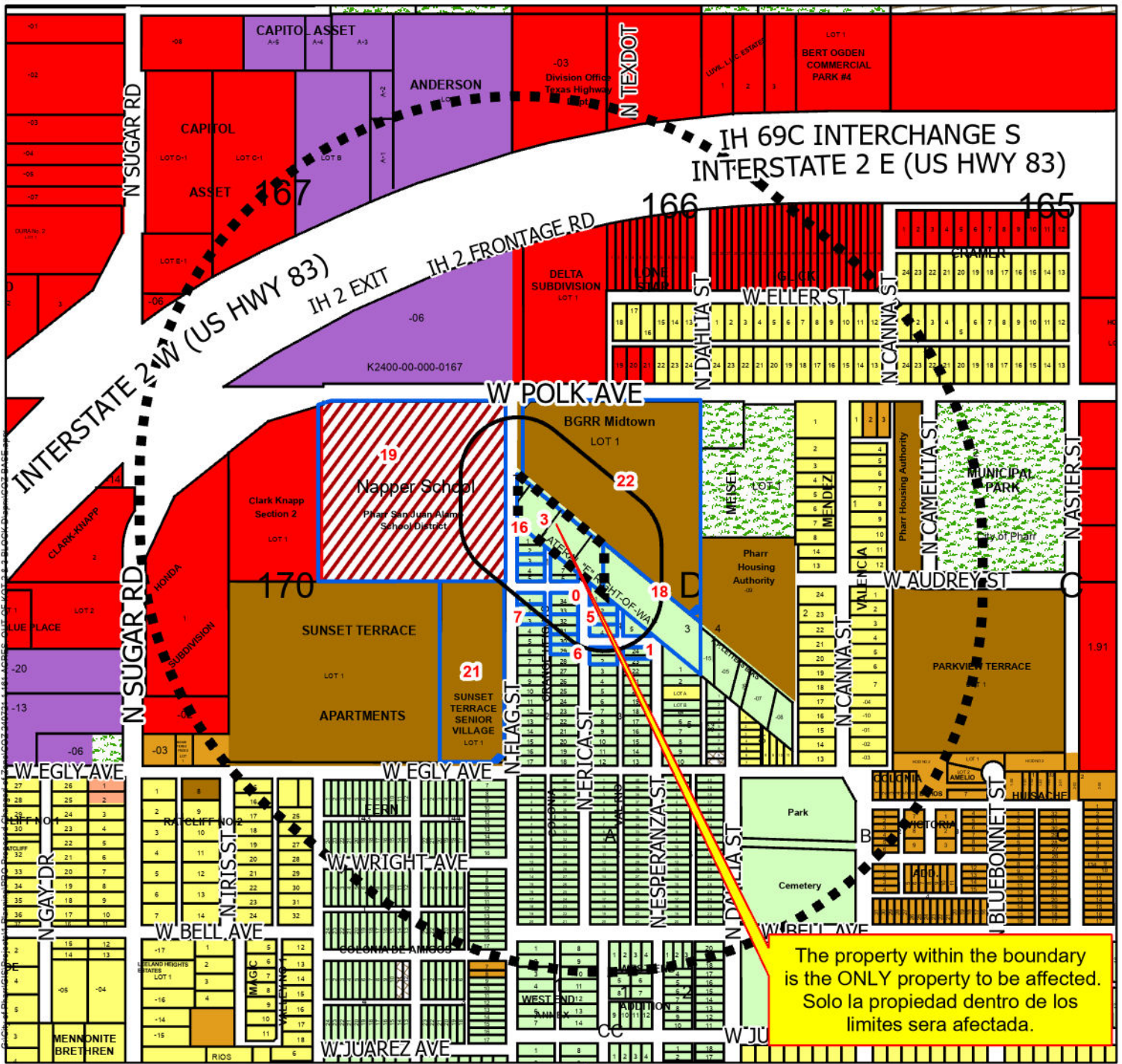
Laura Fonseca, Planner II

PREPARED BY

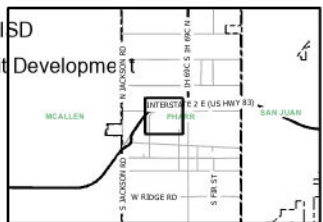
11.8.2024

DATE

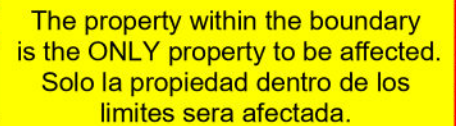
PROPOSED CHANGE OF ZONE
 1.161 AC OUT OF LOTS 2 & 3 BLOCK D BEING ALL THAT PART OF
 THE RIGHT OF WAY OF LATERAL F LYING E OF THE RD IN THE W
 320 FT OF BLOCK D
 OSCAR J.E GARZA M.
 ZONING



- | | | | |
|-------------------------|---------------------------------------|-------------------|--------------------------|
| NOTIFIED PROPERTIES | Single Family | Rail Road R.O.W | Limited Industrial |
| QUARTER MILE RADIUS | Single Family Small Lot | Government Owned | Neighborhood Commercial |
| SUBJECT PROPERTY | Residential Multi-Family | General Business | Office Professional |
| 200 FT RADIUS | Residential Multi-Family High Density | Business District | PSJA ISD |
| Zoning | Mobile Home | Drainage Easement | Hidalgo ISD |
| ZONE | Townhouse | Heavy Commercial | Valley View ISD |
| Agricultural Open Space | HUD Code | Heavy Industrial | Planned Unit Development |



1.161 AC OUT OF LOTS 2 & 3 BLOCK D BEING ALL THAT PART OF
THE RIGHT OF WAY OF LATERAL F LYING E OF THE RD IN THE W
320 FT OF BLOCK D
OSCAR J.E GARZA M.
RADIUS



-  NOTIFIED PROPERTIES
 QUARTER MILE RADIUS
 SUBJECT PROPERTY
 200 FT RADIUS

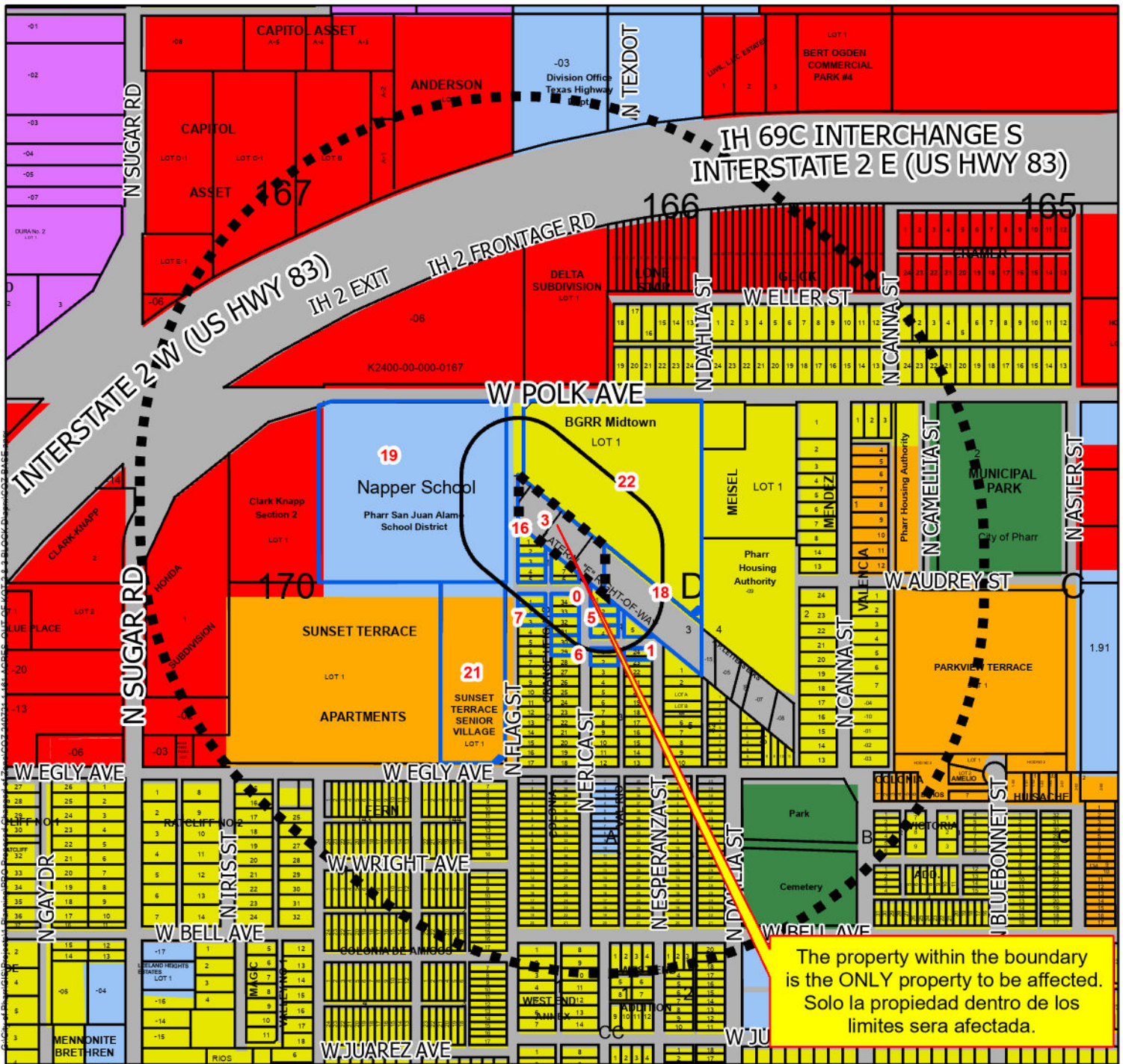
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Date: 7/11/2024

A horizontal scale bar with markings at 0, 250, 500, 1,000, 1,500, and 2,000 feet.



PROPOSED CHANGE OF ZONE
 1.161 AC OUT OF LOTS 2 & 3 BLOCK D BEING ALL THAT PART OF
 THE RIGHT OF WAY OF LATERAL F LYING E OF THE RD IN THE W
 320 FT OF BLOCK D
 OSCAR J.E GARZA M.
 FUTURE LAND USE



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

Future Land Use

FUTURELAND

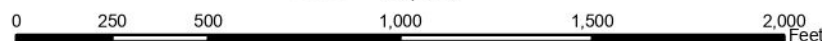
- Irrigation
- Agriculture
- Single Family Res.

- Multi-Family Res.
- Manufactured Homes
- Industrial
- Commercial
- Public/Semi Public
- ROW
- Parks
- NOTIFIED PROPERTIES
- QUARTER MILE RADIUS
- SUBJECT PROPERTY
- 200 FT RADIUS

City of Pharr, Texas
 Engineering Department
 956.402.4242

Date: 7/11/2024

Scale: 1:6,000



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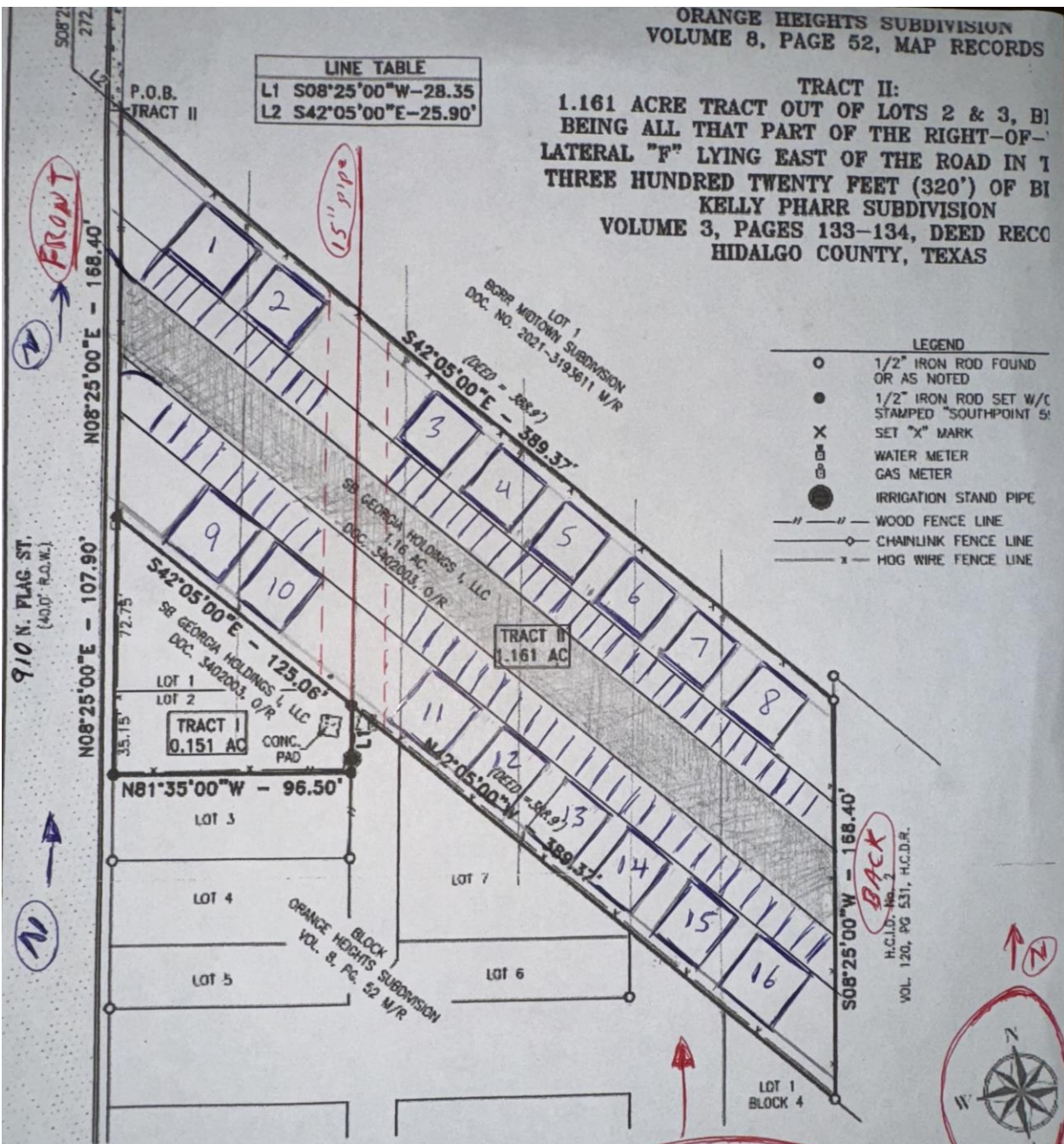


ORANGE HEIGHTS SUBDIVISION
VOLUME 8, PAGE 52, MAP RECORDS

TRACT II:
1.161 ACRE TRACT OUT OF LOTS 2 & 3, B1
BEING ALL THAT PART OF THE RIGHT-OF-
LATERAL "F" LYING EAST OF THE ROAD IN 1
THREE HUNDRED TWENTY FEET (320') OF B1
KELLY PHARR SUBDIVISION
VOLUME 3, PAGES 133-134, DEED RECO
HIDALGO COUNTY, TEXAS

LINE TABLE	
L1	S08°25'00"W-28.35'
L2	S42°05'00"E-25.90'

LEGEND	
○	1/2" IRON ROD FOUND OR AS NOTED
●	1/2" IRON ROD SET W/C STAMPED "SOUTHPOINT 5"
X	SET "X" MARK
⊗	WATER METER
⊙	GAS METER
⊕	IRRIGATION STAND PIPE
—	WOOD FENCE LINE
—◇—	CHAINLINK FENCE LINE
—x—	HOG WIRE FENCE LINE



NOTES:
1. BEARINGS ARE BASE ON RECORD CALLS AS DESCRIBED IN
DOCUMENT NO. 3402003, OFFICIAL RECORDS, HIDALGO COUNTY,
TEXAS.

2. THIS PROPERTY APPEARS TO LIE WITHIN ZONE "R" (ARFAS)

16-DUPLEX
High Density Multi
Family Residential

50 25 0
1"=50'



Pharr
Development Services



Site Photo
910 North Flag Street

