

**MINUTES  
PLANNING & ZONING COMMISSION**

*City Commissioner's Room  
118 S. Cage Blvd. November 25, 2024 - 4:00 p.m.*

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Tuesday, November 25, 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:** David D. Friedlein, Assistant City Manager  
Ricardo Rodriguez, City Attorney  
Kimberly Mendoza, Director of Development Services  
Joe Garza, Asst. Director of Development Services  
Joanna Villarreal, Planner I  
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 NOVEMBER 12, 2024 - REGULAR MEETING**

Danny Wylie, Chairman, introduced the item.

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

**ITEM D. MORATORIUM:**

**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.

Joe Garza, Asst. Director of Development Services, stated the Purpose of the Temporary Moratorium further stating 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.

Joe Garza, Asst. Director of Development Services, stated 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.

Joe Garza, Asst. Director of Development Services, stated 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.

Joe Garza, Asst. Director of Development Services, stated the exceptions to the temporary Moratorium and stated it does not affect the 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. He further stated the temporary moratorium shall

neither prohibit nor delay the processing of an application filed on or before November 25, 2024.

Joe Garza, Asst. Director of Development Services, stated 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 resident and affected parties are encouraged to provide input on whether a continuing moratorium shall be imposed prior to the expiration of this temporary moratorium.

Joe Garza, Asst. Director of Development Services, further stated public hearings would be held on the following dates and times:

- **Public Hearing 1:** Planning and Zoning Commission, Monday, November 25, 2024, at 4:00 PM
- **Public Hearing 2:** City Commission, Monday, December 2, 2024, at 4:00 PM

He further stated all public hearings would be conducted in the City Commissioners' Room, located at 118 S. Cage Blvd., 2nd Floor, Pharr, Texas.

Board member Charlie Ramirez inquired about the proximity of car washes and whether their distance would have any impact on the moratorium being considered.

Joe Garza, Assistant Director of Development Services, clarified that the moratorium would apply solely within the city limits of Pharr. He emphasized that these public hearings served as the first step in determining the findings, and he stated there would be a 90-day period for further review and evaluation of the findings before any final decisions were made.

Board member Charlie Ramirez asked what the current number of car washes were within the City of Pharr.

Joe Garza, Assistant Director of Development Services, stated the exact number of car washes within the city limits was currently unknown, the findings would be determined during the moratorium period.

Board member Andy Castro inquired whether there was an existing city ordinance that limits the number of car washes within the City of Pharr.

Joe Garza, Assistant Director of Development Services, stated there was no current ordinance in place that would restrict the number of car washes in the City of Pharr.



Chairman Danny Wylie asked if there were any regulations regarding the amount of water used and recycled by car washes.

Joe Garza, Assistant Director of Development Services, stated the moratorium would provide time for research to determine whether a city ordinance should be implemented to regulate the number of car washes and the amount of water being used.

Board member Romeo Cantu Jr. inquired about the current number of car washes within the city limits.

Joe Garza, Assistant Director of Development Services, responded there were no current record of the exact number of car washes in the city, but information would be determined through the findings. He also mentioned three new car washes had been permitted within the city limits.

Board member Romeo Cantu Jr. asked about individuals conducting car wash businesses from their homes and/or as side businesses.

Joe Garza, Assistant Director of Development Services, clarified that such businesses would be permitted in accordance with city regulations.

Furthermore, the City of Pharr is the authority for instituting a moratorium and would impose this temporary moratorium and would be considering continuing moratorium under authority pursuant to Chapter 212, Subchapter E, of the Texas Local Government Code.

#### **ITEM E. PUBLIC HEARING:**

- 1) OSCAR J.E. GARZA, OWNER, 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**

Joe Garza, Asst. Director of Development Services, introduced the item and went over the property's legal description. He stated the property was located within the southeast corner of East Dreyer Avenue and South Magnolia Street and has a physical address of 207 South Magnolia Street. 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.

Joe Garza, Asst. Director of Development Services, stated staff recommended 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.

Oscar J.E. Garza, the property owner, spoke in support of the request. He stated that the quality of the proposed project would be high and emphasized that he was committed to ensuring the development would meet community standards. He stated his willingness to provide detailed plans on how he intended to construct the units, should the zoning change be approved. He assured the board that the development would be well-designed and upkeeping with the neighborhood's overall aesthetic.

Four surrounding property owners signed up to speak against the request for a Change of Zone.

Jose F. Lopez (residing at 206 South Magnolia) voiced significant concerns about the potential impact of increased traffic resulting from the proposed zoning change. Mr. Lopez explained that he had lived in the area for many years and expressed that many long-time residents, some of whom had lived in the neighborhood for 20 to 40 years, shared his viewpoint. He stated that the increase in traffic would not only make it more difficult for current residents to navigate the area, but it could also endanger pedestrian safety, particularly children and elderly residents. He noted that the street was not designed to handle a substantial increase in vehicles, and additional congestion would negatively affect the quality of life for those who already reside there. Furthermore, Mr. Lopez emphasized that many neighbors were concerned that the character of the street, which they had enjoyed for decades, would be altered irreparably if the proposed changes were implemented. He requested that the zoning change be reconsidered due to the potential harms to the community's well-being.

Roel Benavidez (residing at 204 South Magnolia) also expressed strong opposition to the proposal, citing concerns over the possible negative effects of the development on the neighborhood. Mr. Benavidez highlighted the specific worry that the introduction of additional public housing in the area could disrupt the current dynamic of the neighborhood.

Laura Sanderson (residing at 1301 East Kelly Ave) also voiced her opposition, focusing particularly on the existing traffic congestion in the area. Ms. Sanderson explained that the area was already experiencing significant traffic challenges due to the proximity of nearby schools and a popular drive-thru business. She noted during certain hours of the day, traffic flow was already slow and often backed up, causing delays for residents trying to enter or exit the neighborhood. Ms. Sanderson stated that adding more traffic through additional development would exacerbate these existing issues, creating even more congestion, and making it more difficult for residents to go about their daily activities. She stressed that the additional burden on the local infrastructure could make the situation much more problematic for everyone in the area, particularly for families with



children and elderly individuals who were already facing difficulty navigating the street safely.

Hilda L. Villarreal (residing at 1301 East Dryer) shared her concerns about the zoning change, specifically mentioning the potential for increased traffic and parking problems. She worried that the proposed zoning change would worsen this issue, as additional development could bring more people into the area, leading to even more competition for already scarce parking spaces. These property owners are united in their opposition to the proposed change of zone.

At this time, Board member Andy Castro requested the item to be discussed in closed session. There was no objection.

**ITEM G. CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE PLANNING AND ZONING COMMISSION HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED SESSION (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW**

The time being 4:18 p.m., Chairman Wylie stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

**ITEMS I. RECONVENE:**

The time being 4:26 p.m. Chairman, Danny Wylie stated the commission would be resuming the open meeting.

There being no further discussion, Andy Castro **motioned** to deny the change of zone from Single-Family Residential District (R-1) to Townhouse Residential District (R-TH) to develop and construct townhouses at 207 South Magnolia Street. Charlie Ramirez seconded the motion and when put to vote, it carried unanimously.

**ITEM J. PUBLIC HEARING:**

- 2) **OSCAR J.E. GARZA, OWNER, 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 CONSTRUCT 16 UNITS FOR A TOTAL OF 32 UNITS. 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**

Joe Garza, Assistant Director of Development Services, introduced the item and went over the property's legal description. He stated the property was located on the east side of North Flag Street, approximately 300 ft. he stated the property, to the south, and a portion of the property to the east was 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 was 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 was 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.

Joe Garza, Assistant Director of Development Services, stated staff recommended 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. He stated the request is compatible with the residential trends and land use patterns in the area. He further stated if approved, the owner must comply with all City Ordinances and City Department requirements.

There being no further discussion, Board Member Charlie Ramirez **moved** to approve the request for a change of zone of the proposed 910 North Flag Street. Board Member Romeo Cantu Jr. seconded the motion and when put to a vote, it carried unanimously.

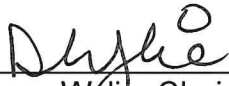
**ITEM K. ANNOUNCEMENTS:**

None

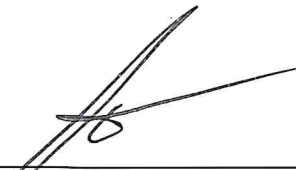
**ITEM L. ADJOURMENT:**

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 4:32 p.m.

**PLANNING & ZONING COMMISSION**

  
\_\_\_\_\_  
Danny Wylie, Chairman

ATTEST:

  
\_\_\_\_\_  
Andy Castro, Secretary

APPROVED: 12/09/24