

MINUTES
PLANNING & ZONING COMMISSION
City Commissioner's Room
118 S. Cage Blvd. July 9, 2018 - 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, July 9, 2018 and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie
Charlie Ramirez
Luis Madrigal
Andy Castro
Jonathan Larraga
Rafael Munguia
Romeo Robles

ABSENT: None

OTHERS PRESENT: See attached list

STAFF PRESENT: Roland Gomez, Assistant Director
Patricia Rigney, City Attorney
Cristina Garcia, Senior Planner
Eddie Martinez, Planner II
Della Robles, Planner I
George Martinez, Building Official
Rita Galvan, Administrative Assistant
Angie Resio, Secretary

ITEM A. CALL TO ORDER

Chairman, Danny Wylie, called the meeting to order at 6:00 p.m. Roll call established a quorum.

ITEM B. APPROVAL OF MINUTES

1) MINUTES OF JUNE 25, 2018

Chairman, Danny Wylie, introduced the item.

Romeo Robles **moved** to approve the minutes as submitted. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

ITEM C. PUBLIC COMMENTS

Kenneth C. Fletcher, residing at 504 South Diplomat, stated his neighborhood was subject to flooding due to the tsunami of soundwaves coming from Costco at all hours of the day and night. Dr. Fletcher stated he would like to correct the minutes from the previous meeting stating that the drainage ditch shown in the picture does have an outlet

because he stated it does not have an outlet at the end of the ditch and that it still has a couple of feet of water from the recent flooding which is filled by Idea Owassa School and in his opinion this problem is a product of poor planning like Costco. He further stated he was happy the Permit Division was helping the citizens with flood damage by waiving permit fees. Dr. Fletcher continued stating that the pictured drainage ditch is a deep dry detention that has been neglected for over ten (10) years but is now being looked at because of the corporate interest and prior to this Code Compliance told citizens it was private property, so they could not do anything about the drainage issues. Dr. Fletcher stated a preliminary report is done when citizens come to apply for permits and it is then made into a final report that is called a Standard Recommendation Form that is presented to City Commission under Consent Agenda, which should only be for items that are considered noncontroversial. Dr. Fletcher stated Change of Zone #180534, which refers to 601 West Polk had various citizens express their concerns during the Public Hearing at the Planning and Zoning meeting and on the Standardized Recommendation Form the Director of Development Services recommended denial. Dr. Fletcher closed by stating he also signed up to speak during the Public Hearing Portion of the meeting.

ITEM D. PUBLIC HEARING

- 1) GEORGE RODRIGUEZ, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW AN OVERSIZED STORAGE UNIT (LARGER THAN 120 SQUARE FEET) IN A LIMITED INDUSTRIAL DISTRICT (L-I). THE PROPERTY IS LEGALLY DESCRIBED AS BEING THE W40'- E113'- S145' OUT OF LOT 116, KELLY PHARR TRACT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 317 EAST ELDORA ROAD. CUP#180641**

Della Robles, Planner I, introduced the item and stated the property is currently zoned Limited Industrial District (L-I). The surrounding area is zoned Limited Industrial District (L-I) to the north and west, Single Family Residential District (R-1) to the east and Agricultural and/or Open Space District (A-O) to the south. This area is generally designated for industrial use in the Land Use Plan. She further reported thirteen (13) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She stated one (1) person called in opposition of the item.

Della Robles, Planner I, further stated staff recommended approval of the request for Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (larger than 120 square feet) in a Limited Industrial District (L-I) subject to the conditions and advised the item will be presented to the City Commission meeting of July 16, 2018 for final approval.

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the item for discussion and action.

George Rodriguez, residing at 317 East Eldora, approached the podium and stated he understood the allowed size of storage units is 10'x12' and is asking for approval to

have one that is 2 feet larger because he has four (4) children and a large amount of things to store.

There being no further discussion Luis Madrigal moved to approve the request for Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (larger than 120 square feet) in a Limited Industrial District (L-I). Andy Castro seconded the motion and when put to a vote, it carried unanimously.

- 2) **BRENDA SELENE PEREZ, DBA J'ADORE MEDI STUDIO, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A HOME OCCUPATION (COSMETIC STUDIO) IN A SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 18 & 19, SOUTH CREEK SUBDIVISION PHASE 2, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 306 EAST SABATINA AVENUE. CUP#180642**

Della Robles, Planner I, advised the applicant withdrew their request and no action was required.

- 3) **EDINBURG RAM, LLC, DBA KHAN'S GRILL, 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 6A, JACKSON RIDGE COURT SUBDIVISION PHASE III – AMENDED PLAT, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1005 SOUTH JACKSON ROAD. CUP#180644**

Della Robles, Planner I, introduced the item and stated the property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, south and east, and City of Pharr limits lie to the west. The area is generally designated for commercial use in the Land Use Plan. She further reported ten (10) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. She stated staff received no response to the letters or the legal notice.

Della Robles, Planner I, further stated staff recommended approval 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 and advised the item will be presented to the City Commission meeting of July 16, 2018 for final approval.

Chairman, Danny Wylie, opened the public hearing and asked if anyone signed up to speak. There being no one in the affected area who signed up, the public hearing was closed. Mr. Wylie opened the item for discussion and action.

Jonathan Larraga asked staff if with the Late Hours permit the restaurant would be open until 12:00 a.m. or 2:00 a.m.

Della Robles, Planner I, stated the restaurant would be open until 12:00 a.m. but all ABC permits with Development Services will be considered late hours and be regulated by TABC.

There being no further discussion Andy Castro moved to approve the request for 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). Rafael Munguia seconded the motion and when put to a vote, it carried unanimously.

ITEM E. PLAT APPROVAL

- 1) **SAM ENGINEERING & SURVEY, REPRESENTING JOB AVALOS AND DELIA AVALOS, OWNERS, ARE REQUESTING PRELIMINARY PLAT APPROVAL OF THE PROPOSED JOB AVALOS SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS A 1 LOT SUBDIVISION CONTAINING 0.81 ACRES MORE OR LESS OUT OF LOT 5, BLOCK 11, A.J. MCCOLL SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1200 BLOCK OF WEST DENNY DRIVE. SUB# 180409**

Eddie Martinez, Planner II, introduced the item. He stated the property is currently zoned Single-Family Residential District (R-1). The adjacent zones are Single-Family Residential District (R-1) to the north, east and west and General Business District (C) to the South. The property is designated for single family residential and commercial use in the Land Use Plan. He added no variances were being requested and staff recommended preliminary plat approval of the proposed Job Avalos Subdivision subject to the conditions.

At this time Chairman, Danny Wylie, advised a public hearing was not required and opened the item for discussion and action.

There being no discussion Luis Madrigal moved to approve the request for preliminary plat approval of the proposed Job Avalos Subdivision. Charlie Ramirez seconded the motion and when put to a vote, it carried unanimously.

- 2) **R. GUTIERREZ ENGINEERING CORPORATION, REPRESENTING CANO ENTERPRISES, IS REQUESTING PRELIMINARY AND FINAL PLAT APPROVAL OF THE PROPOSED GRANDE PRODUCE WAREHOUSE NO. 2 SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING 5.10 ACRES OF LAND OUT OF THE WEST 200.00 FEET OF LOT 9, BLOCK 16, JOHN CLOSNER ET. AL SUBDIVISION, SAN JUAN, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 2900 BLOCK OF WEST DICKER ROAD.**

Eddie Martinez, Planner II, advised the applicant withdrew their request and no action was required.

ITEM F. ANNOUNCEMENTS/OTHER BUSINESS

None.

ITEM G. CLOSED SESSION

None.

ITEM H. RECONVENE

None.

ITEM I. ADJOURNMENT

Meeting adjourned at 6:15 p.m.



Chairman, Danny Wylie

ATTEST:


Secretary

APPROVED: 23 Jul 2018