

**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
THURSDAY, SEPTEMBER 18, 2025**

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 August 25, 2025 - 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) Shoukatali Dhanani, DBA Pizza Hut, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. The property is legally described as being the East 125 feet of Block 1, Palm Heights Subdivision, an addition to the City of Pharr, Hidalgo County, Texas. The property is physically located at 1001 West Business Highway 83. **CUP#250810**

2) Raul Garcia, representing Rich Heritage Construction, Inc. owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Residential Multi-Family High Density District (R-MFHD) to General Business District (C). The property is legally described as being 1.11 acres, more or less, out of Lot 120, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 3801 North Sugar Road. **COZ#250816**

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:

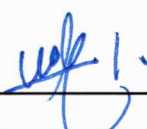
NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

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 956-402-4200 Ext 1201 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 9th day of September 2025 at 4:00 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 9th day of September 2025



ALESSANDRA GARCIA, CPM
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
REGULAR CALLED MEETING
MONDAY, AUGUST 25, 2025
118 SOUTH CAGE 2nd FLOOR**

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, August 25, 2025, and following is the record of attendance.

MEMBERS PRESENT: Danny Wylie
Rafael Munguia
Andy Castro
Romeo Cantu
Mercedes Guillen
Charlie Ramirez
Ruben Luna
Roberto Carrillo Jr.

MEMBERS ABSENT: Javier Gutierrez

STAFF PRESENT: Ricardo Rodriguez, City Attorney
Kimberly Mendoza, Director of Development Services
Joe Garza, Assistant Director of Development Services
Eddie Martinez, Planner III
Laura Fonseca, Planner II
Joanna Villarreal, Planner I

ITEM A. CALL ORDER

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

Board Member Ruben Luna **moved** to excuse the absent members.
Board Member Rafael Munguia 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 August 11, 2025 - Regular Called Meeting

Danny Wylie, Chairman, introduced the item. Board Member Rafael Munguia **moved** to approve. Board Member Charlie Ramírez second the motion and when put to a vote, it carried unanimously

ITEM D. PUBLIC HEARING

- 1) Octavio Cantu, representing Mickey Elizondo, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Office and Professional District (O-P) to General Business District (C) The properties are legally described as Lots 9 & 10, Block 1, Orange Grove Subdivision, and Addition to the City of Pharr, Pharr, Hidalgo County, Texas. The properties are physically located at 817 and 821 South Cage Boulevard. COZ#250714**

Laura Fonseca, Planner II, introduced the item and stated the applicant had requested a Change of Zone from Office and Professional District (O-P) to General Business District (C) to construct an auto diagnostic center, that was currently operating just north to this address. She reviewed the property's legal description as Lots 9 and 10, Block 1, Orange Grove Subdivision, an addition to the City of Pharr, Hidalgo County, Texas.

Laura Fonseca stated the properties fronted South Cage Boulevard, a 120 ft-150 ft principal arterial, which ran north and south with a posted speed limit of 40-50 miles per hours as identified in the City of Pharr's Thoroughfare Plan minor collector street that ran north and south with a posted speed limit of 30 miles per hour or less, as identified in the City of Pharr's Thoroughfare Plan. Mrs. Fonseca stated it also fronted East McDonald Avenue, a 50 ft – 60 ft local street which ran east and west with a posted speed limit of 20–30 miles per hour, as identified in the City of Pharr Thoroughfare Plan.

Laura Fonseca, Planner II, stated the properties to the south were zoned Office and Professional District (O-P) upon comprehensive zoning in 1982. The property to the north was rezoned from Office and Professional District (O-P) to General Business District (C) on May 1, 1984. The property to the west was zoned General Business District (C) upon comprehensive zoning in 1982. The property to the east was zoned Single-Family Residential District (R-1) upon comprehensive zoning in 1982. There have been no other Zoning requests within the general vicinity of the subject property since that time. The property was generally designed for commercial use In the Land Use Plan.

Laura Fonseca, Planner II, explained the General Business District (C) had been established to provide adequate space and site diversification for most types of commercial development in the City of Pharr. Larger shopping centers and most existing commercial strips along major arterials would be included in this district. The noise, traffic, litter, late-night hours, and the possible blighting influence require adequate buffering from residential areas, and traffic from such uses should not pass-through residential areas, except on arterial or major collectors.

Laura Fonseca, Planner II, stated fourteen (14) letters had been mailed to surrounding property owners within a two hundred (200) foot radius on August 8, 2025, and a legal notice had been published in the Advance News Journal on August 6, 2025. Staff received one (1) response in opposition to the rezoning request.

Laura Fonseca, Planner II, stated Development Services recommended approval of the rezoning request from Office and Professional District (O-P) to General Business District (C) as the property was in conformance with the Land Use Plan, met area requirements and had adequate ingress and egress. The proposed rezoning aligned well with the existing development trends in the general area. Mrs. Fonseca stated if approved, the owner would need to comply with all City Ordinances and City Department requirements. She further stated that the item would be presented before the City Commission Meeting on Monday, September 2, 2025, at 4:00 p.m.

Danny Wylie, Chairman asked about the hours of operations. Owner replied that the hours of operation were from 8:00 am to 5:00 pm Monday – Friday and on Saturday from 8:00 am – 2:00 pm.

There being no further discussion, Board Member Charlie Ramirez moved to approve. Board Member Ruben Luna seconded the motion, and when put to a vote, it carried unanimously.

ITEM E. PLATS

M2 Engineering, PLLC., representing Abel Hernandez, Managing Member for HDZ Holdings LLC., is requesting final approval of the proposed Veterans Oaks Apartments Subdivision. The property is legally described as being a 5.576-acre tract of land, out of Lot 129, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 3100 Block of North Veterans Boulevard. SUB#240101

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 North Veterans Boulevard. He stated the property was zoned Residential Multi-Family District (R-MF). He stated the adjacent zones were Single Family Residential District (R-1) and General Business District (C) to the north, City Limits to the east, Single-Family Residential District (R-1) to the south and Agricultural Open Space District (A-O) to the west. Mr. Martinez stated the property was designated for manufactured homes in the Land Use Plan.

Eddie Martinez, Planner III, recommended final Plat approval of the proposed Veterans Oaks Apartments Subdivision subject to the conditions as noted.

There being no further discussion, Board Member Rafael Munguia **moved** to approve the request for final plat approval of the proposed Veterans Oaks Apartments 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. ADJOURNMENT

There being no further business, Board Member Andy Castro moved to adjourn. Board Member Ruben Luna seconded the motion and when put to vote, the motion carried unanimously. Meeting adjourned at 4:09 p.m.

PLANNING & ZONING COMMISSION

Danny Wylie, Chairman

ATTEST:

Andy Castro, Secretary

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF PHARR**

ON THIS 25th DAY OF AUGUST 2025, the Planning and Zoning Commission of the City of Pharr, Texas convened in a **REGULAR CALLED MEETING** at the Commissioner's Room located at 118 S. Cage, 2nd Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **KARINA GONZALEZ, SECRETARY**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:

KARINA GONZALEZ, SECRETARY

APPROVED:



AGENDA MEMORANDUM



BOARD: PLANNING & ZONING
COMMISSION

AGENDA ITEM #: D.1.

DATE SUBMITTED: September 3, 2025

MEETING DATE: September 18, 2025

FROM: Kimberly Mendoza, Development
Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Shoukatali Dhanani, DBA Pizza Hut, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. The property is legally described as being the East 125 feet of Block 1, Palm Heights Subdivision, an addition to the City of Pharr, Hidalgo County, Texas. The property is physically located at 1001 West Business Highway 83. **CUP#250810**

Classification: Public Hearing

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

Issue: Shoukatali Dhanani, DBA Pizza Hut, 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
David Friedlein
Kimberly Mendoza

Created/Initiated - 09/03/2025
Approved - 09/03/2025
Approved - 09/03/2025
Final Approval - 09/11/2025



Pharr

Development Services



MEMORANDUM

DATE: THURSDAY, SEPTEMBER 18, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: CONDITIONAL USE PERMIT FOR ABC
FILE NO. **CUP#250810** (Pizza Hut)

GENERAL INFORMATION:

APPLICANT: Shoukatali Dhanani, DBA Pizza Hut, 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 the East 125 feet of Block 1, Palm Heights Subdivision, an addition to the City of Pharr, Hidalgo County, Texas.

LOCATION: The property is physically located at 1001 West Business Highway 83.

ZONING: The property and properties to the north, south, east and west are currently zoned General Business District (C). The area is generally designated for commercial in the Land Use Plan.

COMMENTS:

POLICE CHIEF:	Pending inspection of the Conditional Use Permit.
FIRE DEPARTMENT:	Pending inspection 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: Sixteen (16) surrounding property owners were notified of the request by letter on September 5, 2025, and a legal notice was published in the Advance News Journal on September 3, 2025. Staff received no response to the letters of 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, October 6, 2025, 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.

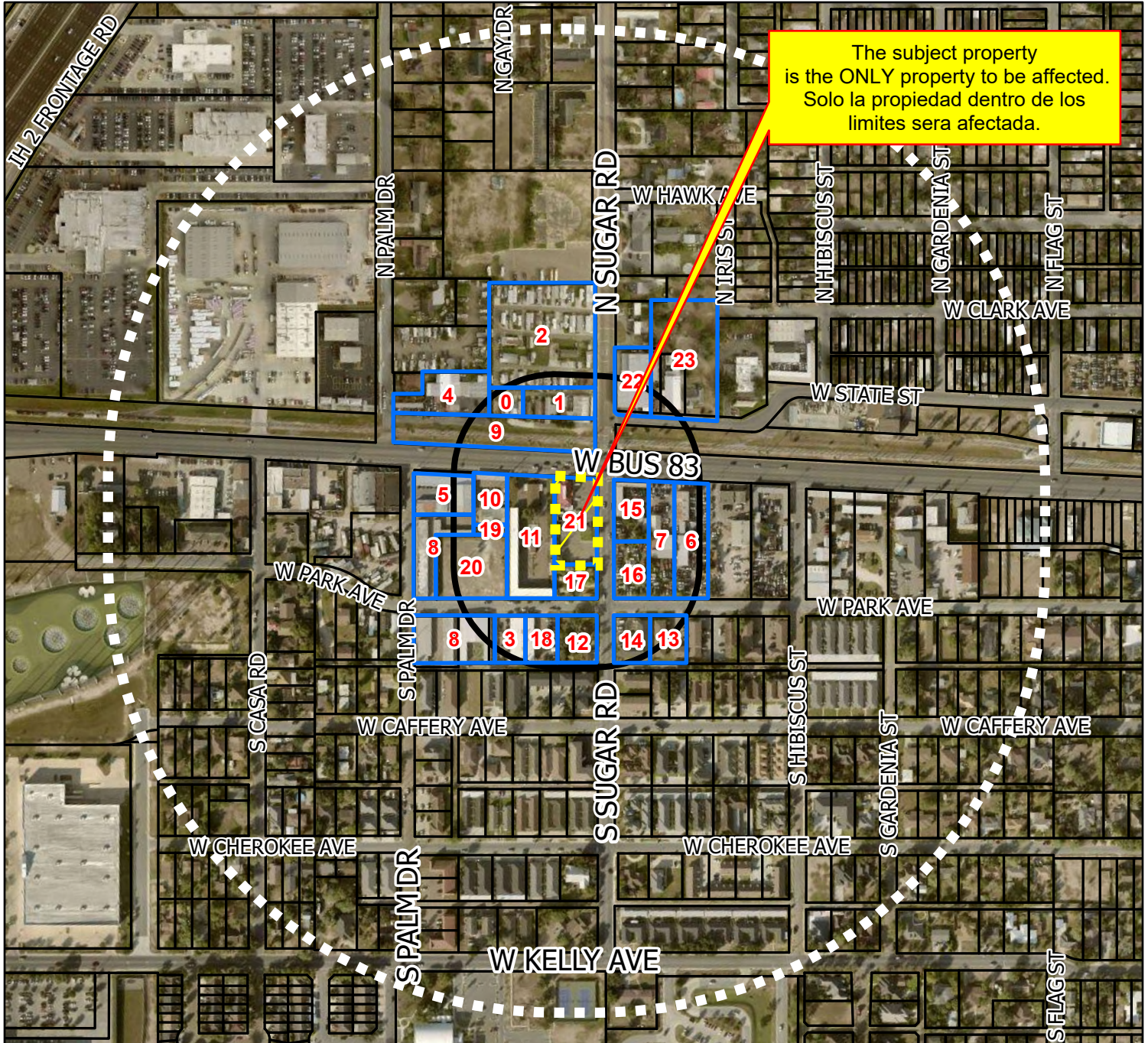
11. The above-mentioned businesses must make provisions to keep litter from being spread to adjacent streets and property.

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.

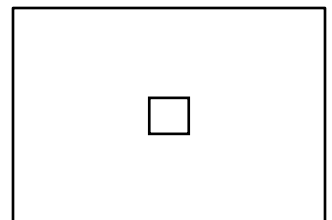
AERIAL

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- Pharr City Limit
- 300 ft. Notification Buffer
- Notified Properties
- Location

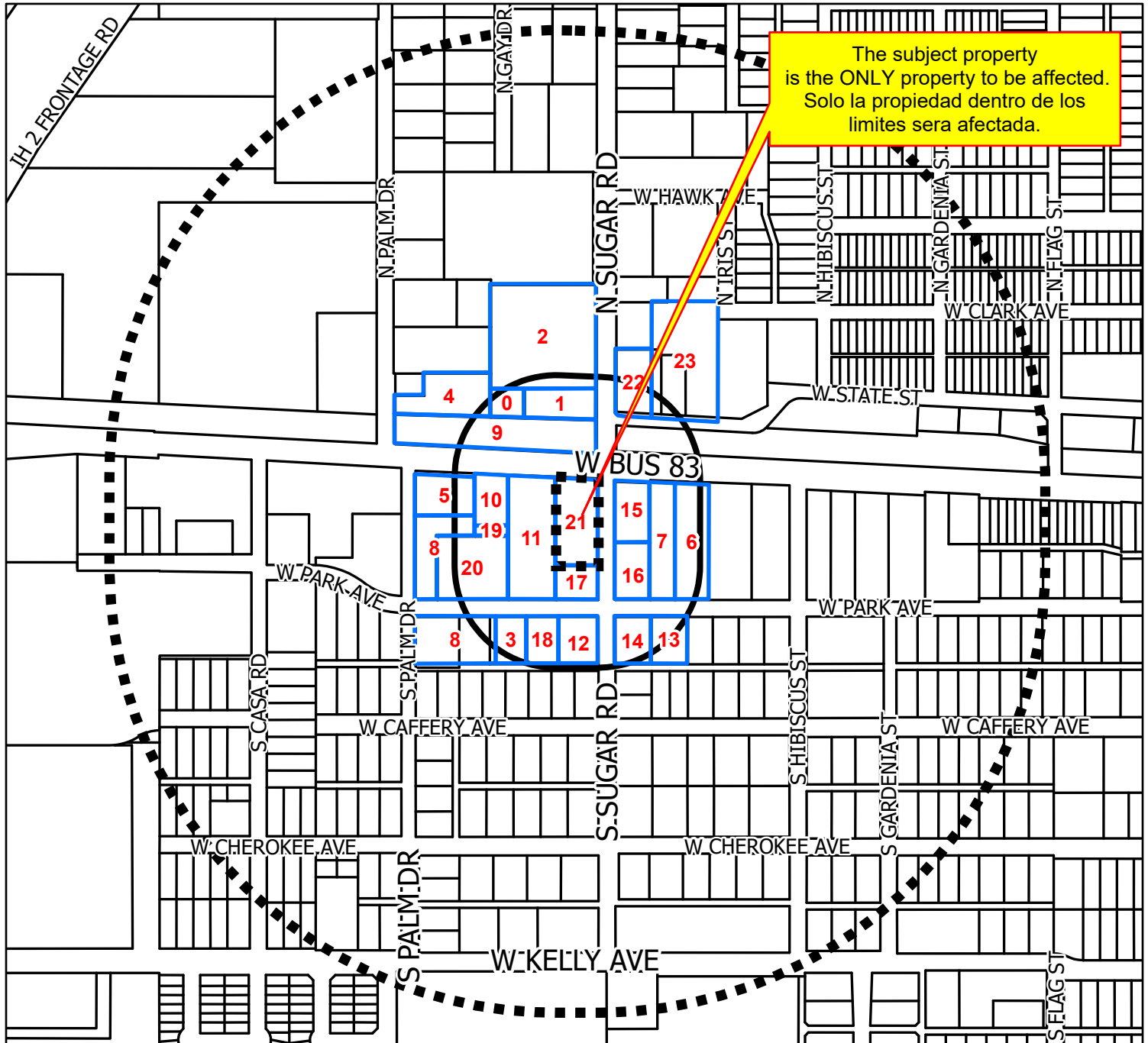
All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Proposed Conditional Use Permit
1001 W Highway 83/
Shoukatali Dhanani
RADIUS



G:\City of Pharr\GIS\Projects\1-Planning\PRO Conditional Use Permits\CUP 250810 A tract of land out of a 4.68 acre tract out of Lot 10, Section 273, Texas-Mexican Railway Company Survey 1001 W Highway 83\aprx\00_BASE Project File.aprx



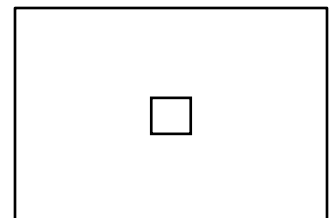
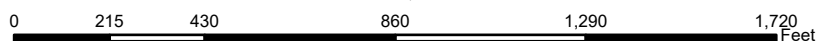
- Pharr City Limit
- 300 ft. Notification Buffer
- Notified Properties
- Location

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City of Pharr, Texas
Engineering Department
956.402.4221

Date: 8/28/2025

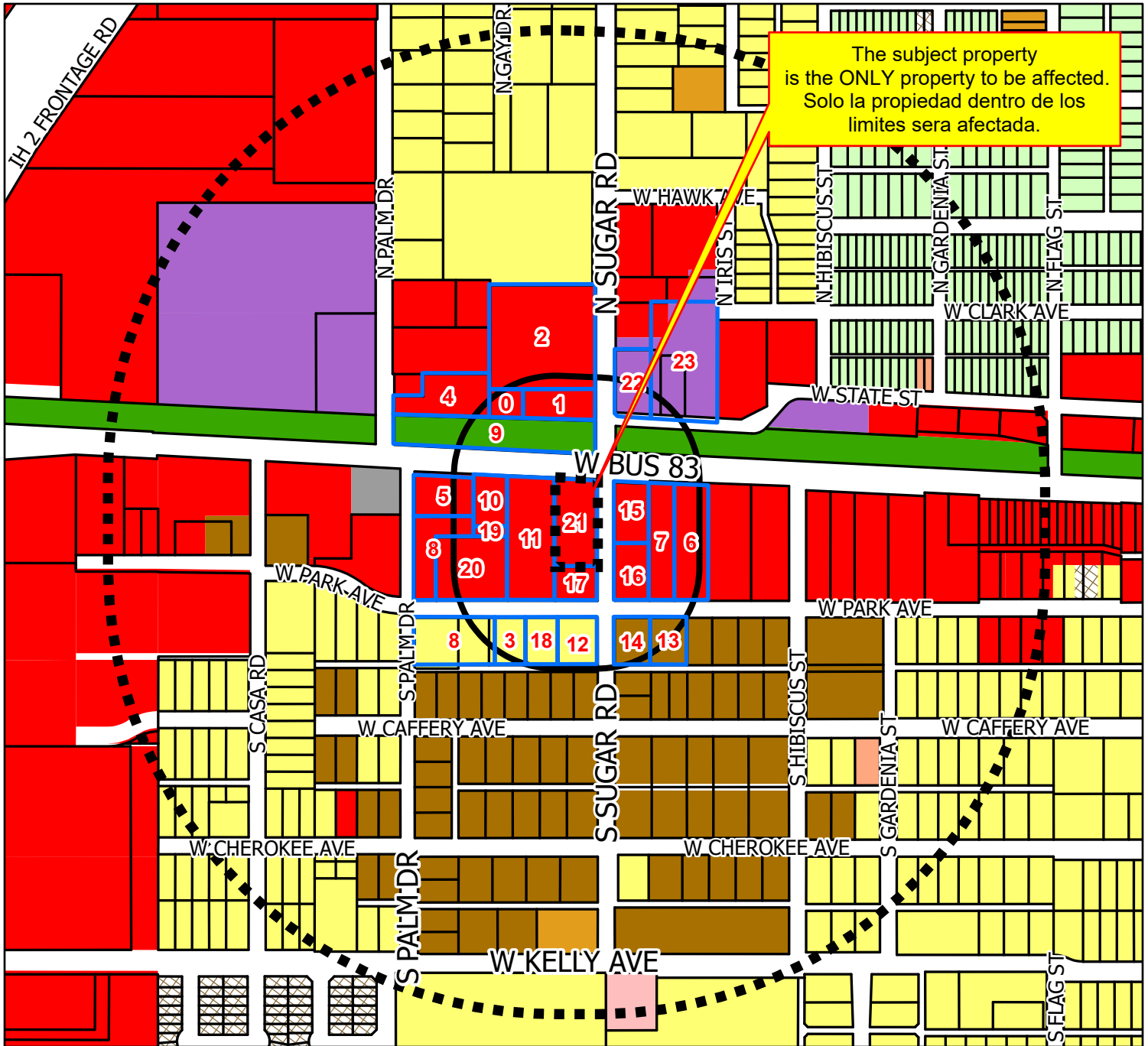
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Proposed Conditional Use Permit
1001 W Highway 83/
Shoukatali Dhanani
ZONING

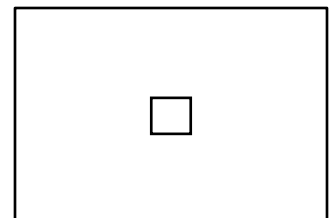


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- | | | |
|---------------------------------------|-------------------|--------------------------|
| Pharr City Limit | Mobile Home | Heavy Industrial |
| 300 ft. Notification Buffer | Townhouse | Limited Industrial |
| Notified Properties | HUD Code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

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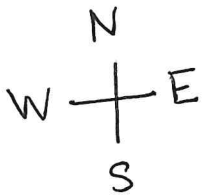


City of Pharr, Texas
Engineering Department
956.402.4221

Date: 8/28/2025

Scale: 1:5,200



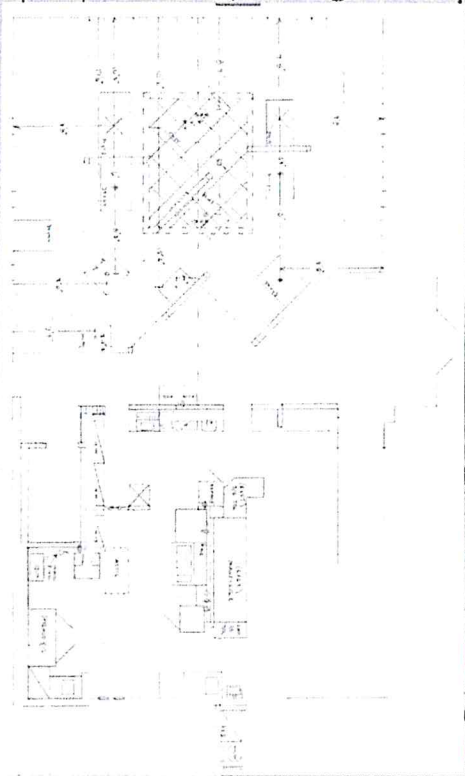


Highway 83

Entrance



BUSH'S



Storage Room

Angels

Fence

Sugar Rd.

Entrance

Entrance

TREE

LAWN

TREE

FENCE



Pharr
Development Services



Site Photo

1001 W Business Highway 83





AGENDA MEMORANDUM



BOARD: PLANNING & ZONING
COMMISSION

AGENDA ITEM #: D.2.

DATE SUBMITTED: September 9, 2025

MEETING DATE: September 18, 2025

FROM: Kimberly Mendoza, Development
Services Director

DEPARTMENT: Development Services

DIRECTOR: Kimberly Mendoza

Agenda Item: Raul Garcia, representing Rich Heritage Construction, Inc. owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Residential Multi-Family High Density District (R-MFHD) to General Business District (C). The property is legally described as being 1.11 acres, more or less, out of Lot 120, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 3801 North Sugar Road. **COZ#250816**

Classification: Public Hearing

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

Issue: Raul Garcia, representing Rich Heritage Construction, Inc. owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Residential Multi-Family High Density District (R-MFHD) to General Business District (C) in order to construct a retail plaza.

Fiscal Consideration:

Staff Recommendation: Development Services recommends disapproval of the rezoning request from Residential Multi-Family High Density District (R-MFHD) to General Business District (C) as it may have detrimental impact to the neighborhood character and is not in line with the future land use. The proposed rezoning does not reflect the current planning objectives or commercial development trends within 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
David Friedlein
Kimberly Mendoza

Created/Initiated - 09/09/2025
Approved - 09/11/2025
Approved - 09/11/2025
Final Approval - 09/11/2025



MEMORANDUM

DATE: THURSDAY, SEPTEMBER 18, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: DEVELOPMENT SERVICES

SUBJECT: Re-zoning Request: From Residential Multi-Family High Density District (R-MFHD) to General Business District (C). The property is legally described as being 1.11 acres, more or less, out of Lot 120, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 3801 North Sugar Road. COZ#250816

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:

Raul Garcia, representing Rich Heritage Construction, Inc. owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Residential Multi-Family High Density District (R-MFHD) to General Business District (C) in order to construct a retail plaza.

The subject site is located on the west side of North Sugar Road, approximately 345 ft. north of West Eldora Road, and has a physical address of 3801 N Sugar Road. The property is legally described as being 1.11 acres, more or less, out of Lot 120, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts North Sugar Road, a 70-ft minor collector, which runs north and south with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property, the properties to the north and west were rezoned from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High Density District (R-MFHD) on June 17, 2024. The property to the south was zoned Agricultural and/or Open Space District (A-O) upon annexation on October 3, 1989. The property to the east was rezoned from Agricultural and/or Open Space District (A-O) to Residential Multi-Family District (R-MF) on April 5, 2021. There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for residential use in the Land Use Plan.

The General Business District (C) is established to provide adequate space and site diversification for most types of commercial development in the City of Pharr. Larger shopping centers and most existing commercial strips along major arterials would be included in this district. The noise, traffic, litter, late-night hours, and possible blighting influences require adequate buffering from residential areas, and the traffic from such uses should not pass through residential areas, except on arterials or major collectors.

Nine (9) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on September 5, 2025, and a legal notice was published in the Advance News Journal on September 3, 2025. Staff received no response to the letters or the legal notice.

Development Services is recommending **disapproval** of the request to rezone from Residential Multi-Family High Density District (R-MFHD) to General Business District (C) as it may have detrimental impact to the neighborhood character and is not in line with the future land use. The proposed rezoning does not reflect the current planning objectives or commercial development trends within the area. If approved, the owner must comply with all City Ordinances and City Department requirements.

NOTE: This item will go before the City Commission Meeting of **October 6, 2025**, at **4:00 p.m.**

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

Raul Garcia, representing Rich Heritage Construction, Inc. owner	Residential Multi-Family High Density (R-MFHD)	District
APPLICANT	CURRENT ZONE	

3801 N Sugar Road	General Business District (C)
ADDRESS	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

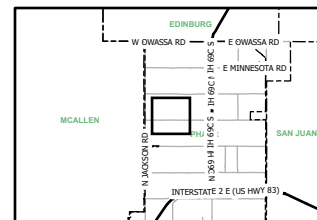
STAFF RECOMMENDATIONS:

Denial

Development Services is recommending disapproval of the request to rezone from Residential Multi-Family High Density District (R-MFHD) to General Business District (C) as it may have detrimental impact to the neighborhood character and is not in line with the future land use. The proposed rezoning does not reflect the current planning objectives or commercial development trends within the area. If approved, the owner must comply with all City Ordinances and City Department requirements.

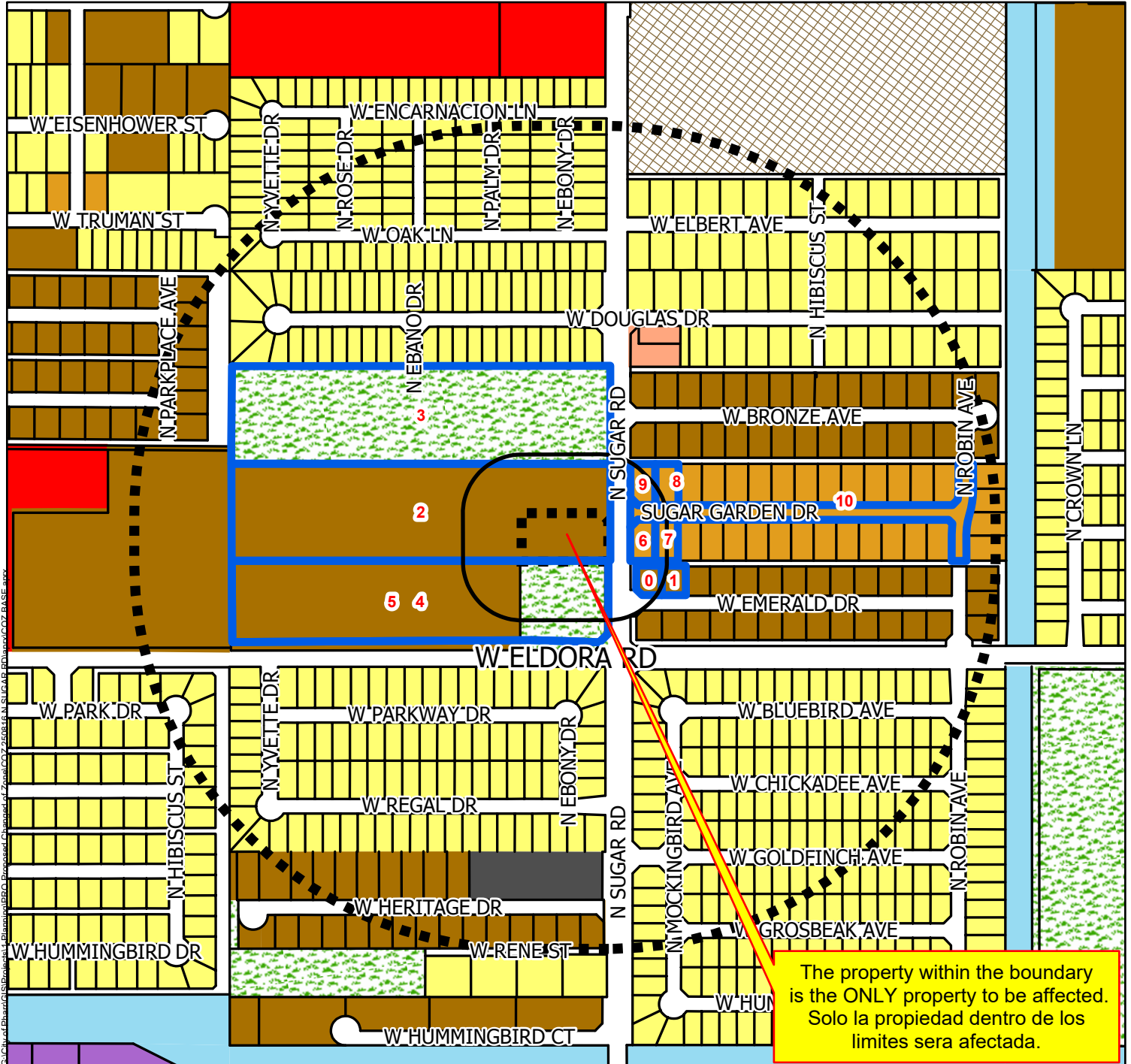
Laura Fonseca, Planner II
PREPARED BY

August 27, 2025
DATE





ZONING



- Quarter Mile Radius
- 200ft Buffer
- Notify

Zoning

ZONE

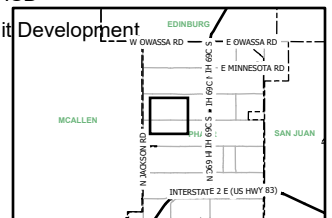
- Agricultural Open Space
- Single Family

- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home
- Townhouse
- HUD Code
- Rail Road R.O.W

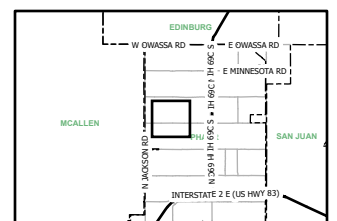
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial

- Neighborhood Commercial
- Office Professional
- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development
- 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.

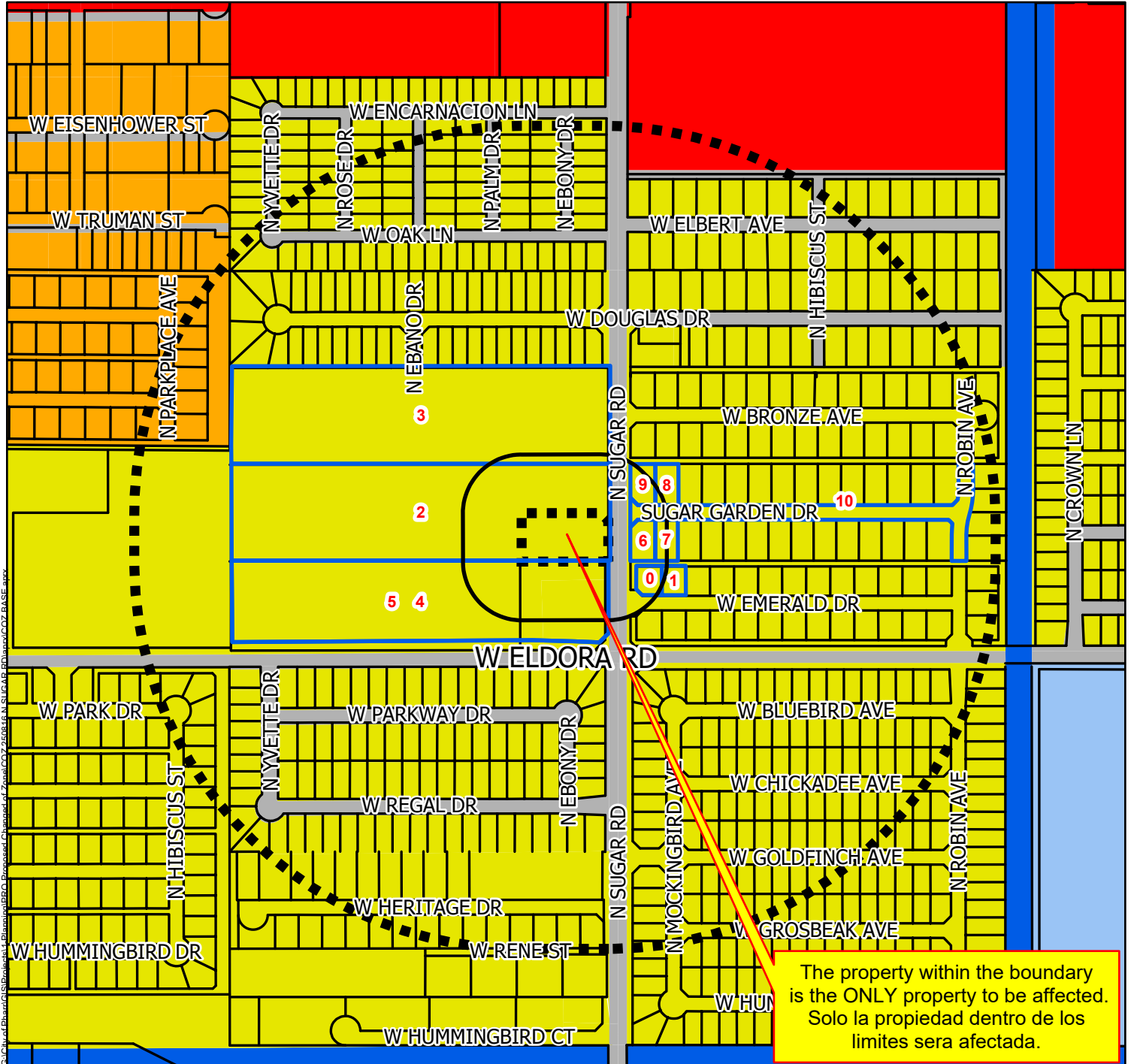


0 245 490 980 1,470 1,960 Feet





FUTURE LAND USE



- Quarter Mile Radius
- 200ft Buffer
- Notify

Future Land Use

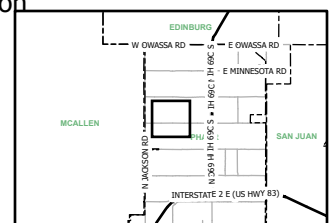
FUTURELAND

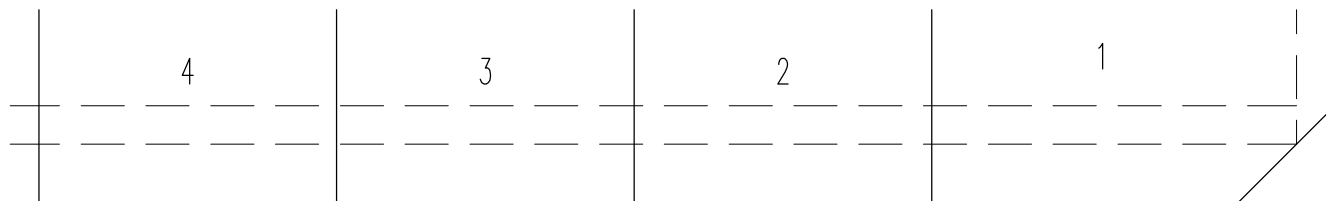
- Irrigation
- Agriculture

- Single Family Res.
- Multi-Family Res.
- Manufactured Homes
- Industrial
- Commercial

- Public/Semi Public
- ROW
- Parks
- 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.

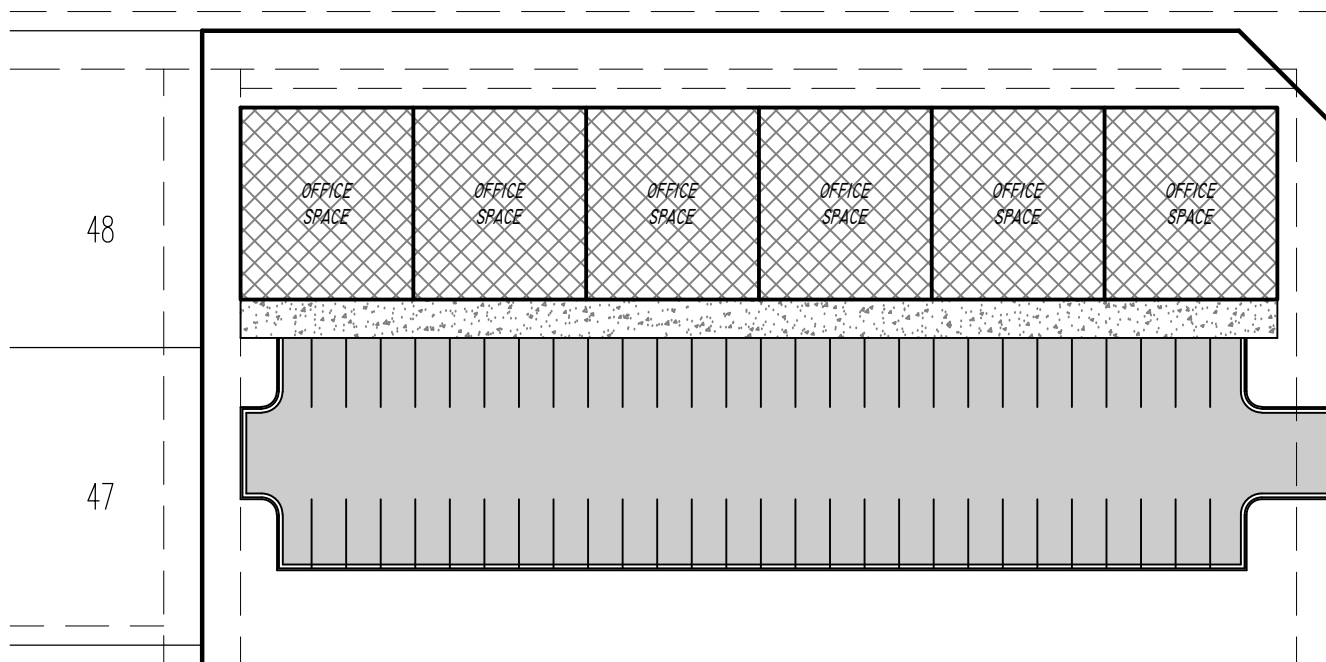




330.00'



SCALE: 1" = 50'



508'25'00" W

☐ N. SUGAR ROAD
(R.O.W. - VARIES)

32

R.E. Garcia



Associates

R. E. GARCIA & ASSOCIATES

ENGINEERS, SURVEYORS, PLANNERS
ENGINEER (F-5001) & SURVEYOR (10015300)

116 NORTH 12th AVE.
EDINBURG, TEXAS 78541 (956) 381-1061
EMAIL: REGAASSOC@AOL.COM



Pharr
Development Services



Site Photo
3801 North Sugar Road

