



PLANNING & ZONING COMMISSION

City Commissioner's Room

118 S. Cage Blvd. August 06, 2015 – 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Thursday, August 06, 2015. The meeting was called to order by Hector Villarreal at 6:00 p.m. at the City Commissioners' Room, located at 118 S. Cage Blvd., 2nd Floor, Pharr, Texas.

ATTENDANCE

MEMBERS PRESENT: Hector Villarreal Romeo Robles
Guadalupe Cano Victor Carrillo III
Charlie Ramirez Tuan Oliva
Criselda Rincon-Flores

ABSENT: Tom Greuner

OTHERS PRESENT: See attached list

STAFF PRESENT: Melanie Cano, Asst. Director of Development Services
Roy Torres, Building Official
Heriberto Martinez, Planner I
George Martinez, Interim Building Official
Johanna Maldonado, Subdivision Coordinator
Della Robles, Administrative Secretary

CALL TO ORDER

Hector Villarreal called the meeting to order at 6:00 p.m. and welcomed all to the meeting. Roll call established a quorum.

APPROVAL OF MINUTES

There being no discussion, Victor Carrillo moved the minutes of July 27, 2015, be accepted as submitted. Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved as submitted; Robles: approved as submitted; Cano: approved as submitted; Carrillo: approved as submitted; Ramirez: approved as submitted; Rincon-Flores: approved as submitted and Oliva: approved as submitted.

The motion carried unanimously to approve the minutes of July 27, 2015 as submitted.

PUBLIC COMMENTS:

Hector Villarreal called forth the individual who signed up to speak at the Public Comments portion of the meeting.

An individual came forth and introduced himself as Kenneth Fletcher, who resides at 504 South Diplomat in Pharr. He stated his neighbors and himself get no sleep because of inadequate screening. He stated that there was actually no screening and they still receive light, sound and wasted electricity and water from his neighbor Costco. He stated it was important to him to try to look at all new projects that are coming up and he hopes that it does not happen to any other neighborhood. Mr. Fletcher stated that at the last meeting they were proposing a neighborhood located in an industrial zone or light industry and he suggests instead of paying all that money to haul that construction dirt away from grading and everything for them to make a perimeter berm. He stated that if they had to they could put a residence next to noise makers and not have so much as a problem. Mr. Fletcher stated that he was very interested in Pharr Forward into the Future 2025 because of what has happened in the past. He stated that he was wondering if there was a way to look at the proceedings from a meeting that he tried to attend but he was not able to make it. He wanted to know if that packet could be made available so that he could examine it before the meetings that are coming up. He stated there were four meetings and that he planned to go to them all and listen to what people have to say. He stated that the Commission has to be mindful of residents when they are putting new business in. Mr. Fletcher stated he would like to speak about executive sessions and if they conduct one it is Section 13 of the City Charter that allows that. He stated he has discovered several irregularities allowing Costco in and other properties that it is best to be talked about in executive session. He stated that there is another Planning and Zoning Meeting so that he would need to take advantage of that and he wanted the Commission to check into that for him please. Mr. Fletcher thanked the Commission.

Mr. Villarreal stated they would proceed with the next item on the agenda.

PUBLIC HEARING:

Heriberto Martinez introduced himself as Planner I for the City of Pharr and stated he had three items for recommendation and proceeded to introduce the first item.

MARIO ANAYA
Rep. ANGO INVESTMENTS, LLC

COZ: A-O TO R-4
COZ#150746

Mario Anaya, representing Ango Investments, LLC, is requesting a change of zone from Agricultural and/or Open Space District (A-O) to a High Density Multi-Family Residential District (R-4). The property is located on the West side of North Sugar Road and has a physical address of 5414 North Sugar Road. The property consists of one (1) Lot and is legally described as Lot 6, Tri-City Acres, Pharr, Hidalgo County, Texas. The property fronts North Sugar Road, an 80 foot Major Collector with a posted speed limit of 45 miles per hour as identified in the City of Pharr's Thoroughfare Plan. The property is currently zoned Agricultural and/or

Open Space District (A-O). The property is designated for single family residential and commercial use in the Land Use Plan. The owner of the property is requesting a change of zone to High Density Multi-Family Residential District (R-4) in order to develop the property for multi-family use. The adjacent zonings are Agricultural and/or Open Space District (A-O) to the North, South and East, and General Business District (C) and Agricultural and/or Open Space District (A-O) to the West. The High-Density Multi-Family Residential District (R-4) is established to provide adequate space and site diversification for higher density apartment complexes. This is a zone for areas that have large unbroken tracts of land suitable for development as large complexes. It is not intended for areas already subdivided into lots, and it is anticipated that developments in this zone will have to plat the property as a whole as part of the development process. Traditional area requirements are inappropriate for this district. More reliance is placed on square footage per dwelling unit, lot coverage, open space and parking ratios to control density, thereby allowing more flexibility in the design of such projects. Twenty (20) letters were mailed out to the surrounding property owners and a legal notice published in the Advance News Journal. Staff received four (4) citizens against the item and four (4) citizens signed up for the public hearing. Development Service staff is recommending approval of the request to re-zone to High Density Multi-Family District (R-4) as the property meets area requirements and has adequate ingress and egress. If approved, applicant must comply with all City Ordinances and City Department requirements.

Heriberto Martinez advised that this item will go before the City Commission Meeting of August 18, 2015 at 5:00 p.m. Mr. Martinez stated that the project engineer was also in attendance if there were any questions.

Ms. Rincon-Flores asked if staff could put up the definition of High-Density on the screen for viewing. An individual began asking questions Mr. Villarreal provided him with the definition describing high density.

Hector Villarreal advised this item requires a public hearing and stated that there were four individuals who signed up to speak at the public hearing and called Ignacia Muniz up to please come forth.

An individual stood stated that was her mother and she was not present. Mr. Villarreal then called up Irasema Losoya and asked her to approach the podium, identify herself and for her to state her address for the record.

An individual approached the podium and stated her name as Irasema Losoya residing at 1004 West Minnesota Road, property number 15. She stated that they understood that there was an apartment complex that wanted to be built there but as for now they have had a lot of problems. She stated they have dented their fence and that was starting. Ms. Losoya stated they cleared the land and the tractors that were pulling trees from the alley dented their entire fence so she approached them and they have not come to fix the fence at all. She stated they left it as it was and that they stated they had not done the damage. Ms. Losoya stated that she personally saw where they were trying to pull all the trees. Second, they are infested with rats ever since they cleaned out the property. She stated that they are rats that are gnawing into the wood like at her mother's house. She stated

that they got into the car and gnawed on the carpet and a lot of the areas of the car and her house. She stated that you can hear all the rats when before she had never experienced any rats. Third, she stated that they have apartments to the South side of their property and you can hear all the noise. Ms. Losoya stated that there was a lot of traffic coming and going. Having apartments in the back, she was not sure what type of apartments they would build, but her concern was that they need to build a 12' fence. She stated that there area is very quiet and peaceful now knowing that they are going to be building in the back she is concerned about the safety. She wanted to know if they were going to be having people crossing the fence and trying to get into the properties or whatever the case may be in that area. Ms. Losoya stated that as far as she was concerned she would not like any apartments there but maybe a five acre tract for a single home like the other properties that have one home. She stated that would bring the value in their homes down because they were going to be surrounded by apartments in back of them and in front of their property is commercial. She stated at this point she was totally against it.

Mr. Hector Villarreal called Idalia Frias to the podium and asked her to state her name and address for the record.

An individual came forward and stated her name as Idalia Frias and she lived on 1006. She stated she was the one with the pool #6. She stated that ever since they started cleaning they have had to clean their pool even more when they take down all the trees they had a lot of dust going into the pool. She stated that every four days they have pay the pool guy to come and clean their pool. She stated that was an infestation of rats and they have started making holes in the soffit of the roof to come out. She stated they are big rats and that the other day they found one inside of their home. She stated they were freaking out that there were these monsters out there. She stated that they have found them inside of their pool and it is putting their health at risk not knowing if they went into there at night. The stress and their privacy will be taken away from them. She stated that they were not 20 year olds living out there. She stated that both her husband and her are veterans and that they moved there because there was privacy and it was peaceful and they know all of their neighbors. She stated that all know each other and they know what goes on in their lives. She stated that she thinks that their privacy will be taken away completely and she was not in agreement with such a big monster being built right behind their back yards because she doesn't know what kind of people they will have back there. Ms. Frias stated that they were going to be caught in the middle because they have business in the front and now they were going to have this thing in the back. She stated they were going to have one hundred or four hundred feet away from them they are building a big nursing home. She stated that as it is they work 24-7. She stated that she has not complained but her husband has and she was sure that there were a lot of men out there that have very heavy schedules. Ms. Frias stated that when her husband goes to sleep he needs to sleep and he has a hard time right now because the cement trucks going in and out at 2 o'clock or 3 o'clock in the morning. She stated that she would wake up and think already, can't it wait until 6 o'clock in the morning. She stated that they run all night long and it has been happening already for a couple of months and it is already stressful as it is. Ms. Frias stated that the condos that are on Sugar Road they are maybe like 700-800 feet away from their

home and as it is they hear a lot of their noise. She stated they hear a lot of their music in the middle of the night. She stated that she feels that if they have this monster in the back of their property it would affect them. Ms. Frias stated it would bring their moral down. She stated she was also a medical assistant and the people in this area die because they have a sickness but they have not heard anyone who has died in their community because of stress or a heart attack because it is a peaceful environment. Ms. Frias stated that if this project goes through because they have no control of it and they are just here to voice their opinion but if it was to go through she would like to have a big wall that would give them privacy. She asked that there be no windows facing their homes so that it would give them a little bit....Della Robles called the time limit of 3 minutes.

Mr. Hector Villarreal called Jorge Frias to the podium and asked her to state her name and address for the record.

An individual came forward and stated his name as Jorge Frias. He stated that ever since they bought this property on West Minnesota Road in 2006 they had been dealing with everything. He stated that they have been dealing with big rats and they built a pool and a lot of times the pool gets flooded with rats. So they have to clean the pool and get all the water out and disinfect everything which costs lots of money. He stated they deal with bats, mosquitos, snakes and all kinds of bugs. The land next to them on the West has been vacant since before they moved in and they have to deal with it all the time with the City of Pharr. He stated that he has to call them and come to the offices to make them come and clean and it takes them along time to come clean the lot. He stated he was not sure who the lot belongs to but when they had two lots in Las Milpas he was stationed in Germany. He stated that he would receive a bill because the city had cleaned his lot. Mr. Frias stated he could not come from Germany to Pharr to come clean his lot but the city knew where he was so he received the bill. He asked what happened to the people next door and where are they at. He wants to know why the City of Pharr will not do anything about it. He stated that someone needed to get a hold of the people, someone in the city. He stated he has been putting up with it for close to 18 years and he is tired of coming to the city, of calling them and calling them. He stated he has lost control and he does not know how much money he has bought on poison to kill rats and bats. It costs a lot of money and the city is not paying him back. He stated he is not getting reimbursed but yet the lot next door has been dirty all the time. He stated that the Johnson grass gets tangled into the chain link fence and he has to go and clean it up. He stated he cleans up to 10 feet from his fence so he does not have to put up with all that while the city takes their time to go and clean it up. Mr. Frias stated that when they send someone to go clean the lot they only clean it halfway. Mr. Frias stated he was going to buy that lot and at one time he cleaned it all the way from the front to the rear but they ... Della Robles called the time limit of 3 minutes.

Ms. Rincon-Flores stated she had a question for Mr. Frias. She stated that the three individuals that have come up to the podium had brought up a concern that there were rats but she believes he said the this has been happening since 2006 and asked if that was correct and it was not just because of what they were doing recently with the apartments. Mr. Fraias stated it has been all the time and when they started cleaning over there it has become worse because they just moved

everything all the bugs and animals everywhere and moved into his property. She stated then she was correct in saying this has been happening prior and from his testimony the biggest concern are from two actual lot neighbors. She stated one from not cutting his yard. Mr. Frias confirmed and stated that when they started to clean in the back it became a lot worse. Ms. Rincon-Flores stated that she heard but did not get to ask Ms. Losoya but there were already apartments built there and from what she sees they are zoned heavy commercial to the South. She asked where the apartments she was referring to located.

There were a lot of individuals speaking at once. (Inaudible)

An individual in the audience stood and begin to address the Commission. Della Robles advised Mr. Losoya that his wife had signed up them up under one household and she had already addressed the Commission.

Melanie Cano advised the Commission if they wanted to they could choose to hear Mr. Losoya.

Ms. Rincon-Flores stated she was okay to let him address them. Mr. Villarreal stated that they needed to come up to a consensus as to how they are going to address more than one member from the same household wishing to address the Commission. Mr. Villarreal stated he wanted to be consistent for the future.

Mr. Robles stated he was in favor, Mr. Cano confirmed and Mr. Ramirez stated to let's roll.

An individual approached the podium and stated he had all the same concerns as everyone else. Ms. Rincon-Flores advised him that he only had three (3) minutes to be fair and to be precise and to the point. Della Robles asked for the individual to state his name.

He stated his name as Mr. Losoya and family his father and grandfather all have lived here in Pharr. Mr. Losoya stated he lived in North Pharr. He stated he had all the same concerns of other neighbors that did not show up. He stated he has lived there since 1983, there is solitude, it is great and there is all kind of wildlife back there. Coytes, owls which are being displaced which is fine but this one...(inaudible) Thank you.

Mr. Villarreal called up Mr. Sam Saenz to the podium.

An individual approached the podium and stated his name as Sam Saenz and he resided at 916 West Minnesota Road. He stated his wife, himself and his family had moved there a couple of years ago because they liked the area, they liked the location, they liked that there is a large piece of land, peaceful and quiet. In reference to the apartments on the South side of them, yes, they are rather a good distance away in front of an empty lot and they do hear occasionally through there and a bit disrupting at night. His concern is with the new apartment their privacy, safety for their children and constant traffic. He stated that on weekend nights as of now on their street they have people coming out of Dallas Saloon or whatever it is speeding with their tires, doing donuts and doing holes on the corner of Sugar and

Minnesota and you can see if you drive through there. He stated there are tire marks and such like that. Mr. Saenz stated that their concerns mostly are for the safety of the children, their privacy. He stated he has come from McAllen and lived there for 38 years and the residence they were at last they left because of exactly the same thing that is happening now, building apartment. He stated they went ahead and built them next to his home and that was a safety issue with him and a huge concern. Mr. Saenz stated that as a family, a unit, his wife and himself included at this time oppose the building of the apartments for those concerns.

Mr. Villarreal stated that the public hearing was closed and would now proceed with discussion and action.

Mr. Martinez advised the Commission that the project engineer was in the audience to answer any questions and to discuss the proposed project.

An individual approached the podium and stated his name Rene Barrera, P.E., representing Mr. Anaya the developer. He stated that Mr. Anaya intends to develop a high-end multi-family development. He stated he was the lone builder on this project and there was going to be uniformity and continuity in the design. Mr. Barrera stated he brought over some photos of a similar project that is currently under construction in the City of Mission. He stated Mr. Anaya wished to utilize the same type of façade and designs and concepts on this project. Mr. Anaya tends for this development to be for the higher end renters and trying to target nurses, doctors and small families or singles. He stated that the rent would be upwards of \$1,200 a month for the development. Mr. Barrera stated he proposes it to be a gated closed community with an eight (8) foot buffer fence. For the residents on the South, in the site plan the way they are developing it he is proposing an alley on the South side which is a 20' distance. He stated that there was going to be 18' of covered parking plus an additional 15' of green area before anyone even gets to the building. He stated from the building back to the South property line there was going to be 50' or so of distance and in addition to that there is a 20' alley that is registered on the plat within the resident's area. So in total from their property line to the building that is being proposed is 70' or so. Mr. Robles asked what the buffer wall would be made out of. Mr. Barrera stated masonry block. In addition to that the complex will be facing north not south and the only projected window that the developer is intending to use is a small window in the bathroom to get some natural sunlight in the bathroom area. All the bathrooms will be on the South side of the buildings and front facing with the main windows up front. Ms. Rincon-Flores asked how many units they were looking at. Mr. Barrera stated he did not recall but they were going to be two-story and would be in compliance with the density requirements and they would not exceed those. Mr. Barrera stated he believes perhaps 60 in that acreage. Mr. Barrera advised the audience that it would be a modern design, the same type of design stucco, and all the windows will be front facing towards the North there will be no balconies or patios.

Melanie Cano reminded the Planning and Zoning Commission that the public hearing was closed.

Mr. Villarreal advised the audience that the public hearing was closed and the information that was being provided was merely for the benefit of the Commission.

Mr. Barrera stated that they would have covered carports. Ms. Rincon-Flores asked if the apartments that were around the area were gated. Mr. Barrera stated that he believed they were gated. Mr. Barrera stated that Mr. Anaya wanted to build for the higher end client and intended to do a community area and pool. He stated that they intended to comply with the City of Pharr site plan requirements for buffering and so forth.

Ms. Rincon –Flores asked that the wall would be placed and that they would do everything to make it look nice on the outside. Mr. Barrera affirmed.

Audience member stood and started waving documents. Mr. Villarreal reminded him that the public hearing portion was closed and Ms. Cano asked him to take a seat.

Ms. Rincon-Flores asked if Mr. Barrera or the developer was aware of fences being damaged and will it be taken care of. Mr. Barrera stated he was not aware but he would look into it to see if they were clearing the land if they damaged the fence. He asked on what side of the property the damage had occurred. Ms. Rincon-Flores asked that it would be taken care of. Mr. Barrera stated he would speak to the owner. Ms. Rincon-Flores asked if he would be available after the meeting to meet with the neighbors that might have concerns and address their questions.

Ms. Rincon-Flores stated she would like to have Mr. Fletcher come up and speak for the public hearing. He stated he wanted to admire a beautiful tree that was out there and he was experienced with nuking of the oak trees over at Costco and he hopes that they could work around and save all the trees. He stated he would hope one day that Pharr would have a tree preservation policy and somehow he was able to get on the Board of South Texas Tree Council that is pronounced Sticks. He stated that wherever anyone goes they should get on a stick and everyone could join. Mr. Fletcher stated that for the specific problem they needed to save the soil and make a berm. They could make a perfect berm for this situation for a two-story and if they could see it, you are going to hear it. He stated that for one story apartments with a 12' solid 100% opaque wall would probably work. In the parking on the side next to the houses it would be a mistake because of the modern car alarms go off every time you get out and that would drive you nuts. He stated he was awakened partly because 4 a.m. Costco employees do the very same thing. Hallelujah, Amen and he was preaching to the choir. He stated he was for progress and more houses and more tax to keep property taxes low but plan. He stated this was Planning and Zoning and no more being zoned out.

Ms. Rincon-Flores stated she had a question in regarding the height of the fence is there a limit either 8 or 12. Mr. Torres stated it would be 8' high. Melanie Cano stated that as per city standards it would be 8'.

Discussion ensued between the members. Charlie Ramirez stated that there was an alley on the Minnesota resident's side. Mr. Martinez affirmed. Mr. Ramirez stated they would have the eight (8) foot wall and they would have the alley for the proposed and then the carport.

There being no further discussion, Charlie Ramirez **moved** to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to a High-Density Multi-Family Residential District (R-4). Victor Carrillo second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: opposed the request; Ramirez: approved the request; Carrillo III: approved the request; Cano: approved the request; Rincon-Flores: approved the request; and Oliva: approved the request.

Motion carried by majority to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to a High-Density Multi-Family Residential District (R-4).

**LEM GROUP, LLC.,
Rep. THE BRIDGE BAR & GRILL**

**CUP-ABC
CUP#150747**

Heriberto Martinez, Planner I, introduced the second item as follows:

LEM Group, LLC., d/b/a The Bridge Bar & 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 0.06 acre tract of land, more or less, out of Lot 2, Luvil, L.L.C Estates Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 508 West IH-2, Suite 13. The property is currently zoned General Business District (C). The surrounding area is zoned Agricultural and/or Open Space District (A-O) to the North and General Business District (C) to the East, South and West. The area is generally designated for commercial use in the Land Use Plan. Code Enforcement, Fire Marshal and Planning Department are pending inspection. The Police Chief recommends approval. Six (6) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice. Development Service Staff is recommending approval of the 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) subject to site being in compliance with all City Ordinances and City Department requirements.

Heriberto Martinez advised that this item will go before the City Commission Meeting of August 18, 2015 at 5:00 p.m.

Hector Villarreal advised this item requires a public hearing and asked if there was anyone in the audience wishing to address this item, either for or against, to please come forth. There being no one who signed up Hector Villarreal waived the public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion, Charlie Ramirez **moved** to approve the 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). Criselda

Rincon-Flores second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: opposed the request; Ramirez: approved the request; Carrillo: approved the request; Cano: approved the request; Rincon-Flores: approved the request; and Oliva: approved the request.

Motion carried unanimously to approve the 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).

RAUL AND BELINDA CANTU
Rep. KALEIDOSCOPE EARLY CHILDHOOD
LEARNING KNOWLEDGE CENTER, LLC

CUP: DAYCARE CENTER
CUP#150748

Heriberto Martinez, Planner I, introduced the third item as follows:

Raul and Belinda Cantu, representing Kaleidoscope Early Childhood Learning Knowledge Center, LLC, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow a Daycare Center in a High Density Multi-Family District (R-4). The property is legally described as .08 acres, more or less, out of Lot 1, El Pueblo Dorado Subdivision, Pharr, Hidalgo County, Texas. The properties physical address is 901 East Thomas Drive. The property is currently zoned High Density Multi-Family District (R-4). The adjacent properties are zoned Agricultural and/or Open Space District (A-O) to the North, South, East and West. The area is generally designated for single family residential use in the Land Use Plan. Six (6) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance Newspaper. Staff received no response to the letters or the legal notice. Planning Staff is recommending approval of the request for a Conditional Use Permit to allow a Daycare Center in a High Density Multi-Family District (R-4) subject to applicant/site being in compliance with all City Ordinances and City Department requirements.

1. The applicant shall comply with all City of Pharr Ordinance requirements; any violation of City Ordinance will terminate this Conditional Use Permit;
2. Applicant shall conform to all Texas Department of Protective and Regulatory Service requirements;
3. A non-illuminated sign of not more than eighteen (18) inches by twenty-four (24) inches identifying the name of the owner and his/her title or occupation may be permitted when attached flush to the main building;
4. Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate this Conditional Use Permit;
5. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
6. This Conditional Use Permit shall be issued for a period of one (1) year. It shall be the owner's responsibility to apply for renewal thirty (30) days before its expiration date;
7. Applicant shall be in full compliance with all conditions as set forth by all City Departments; and
8. The following shall be considered as grounds for the revocation of a Conditional Use Permit:

- Any change in use or change in extent of use, area or location of the dwelling being used.
- Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
- Failure to pay the annual renewal fee shall result in the assessment of an additional five dollars (\$5.00) per business day late fee up to thirty (30) days after the date of expiration of the Conditional Use Permit; or revocation of the permit if not paid by the 31st day.
- Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.

Hector Villarreal advised this item requires a public hearing and asked if there was anyone in the audience wishing to address this item, either for or against, to please come forth. There being no one who signed up Hector Villarreal waived the public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion, Victor Carrillo **moved** to approve the request for a Conditional Use Permit to allow a Daycare Center in a High Density Multi-Family District (R-4). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: opposed the request; Ramirez: approved the request; Carrillo: approved the request; Cano: approved the request; Rincon-Flores: approved the request; and Oliva: approved the request.

Motion carried unanimously to approve the request for a Conditional Use Permit to allow a Daycare Center in a High Density Multi-Family District (R-4).

PLAT APPROVAL:

Johanna Maldonado introduced herself as Subdivision Coordinator for the City of Pharr and stated that she had three items for recommendation and proceeded to introduce the item as follows:

**RIO DELTA ENGINEERING
REP. SANTIAGO ALANIS AND
AZENETH ALANIS**

**A 2 Z
SUBDIVISION
SUB#150307**

Rio Delta Engineering, representing Santiago Alanis and Azeneth Alanis, are requesting preliminary plat approval of the proposed A 2 Z Subdivision. The property is legally described as being a 1.00 acre tract of land, more or less, out of Lot 4, Block 145, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1400 and 1600 Block of East Ferguson Avenue. The property is currently zoned General Business District (C) and Medium-Density Multi-Family Residential District (R-3). The adjacent zones are Agricultural and/or Open-Space District (A-O) to the South, General Business District (C) to the East and West, and Two-Family Residential District (R-2) to the North. The property is designated for commercial/residential use in the Land Use Plan. Property proposed use: Liquor store/apartments. Variances: None requested.

Planning staff recommends preliminary plat approval of the proposed A 2 Z Subdivision subject to the following conditions:

**STREETS, PAVING
AND R.O.W.:**

- 1) Needs 30' corner clip.
- 2) Street name should read N. Veterans Boulevard (N. I Road).
- 3) Will require TX Dot permits.

EASEMENTS:

- 1) Need to label the access easement private.
- 2) 10' exclusive utility easement to City of Pharr.

**SIDEWALK:
ADA:**

- 1) Add plat note: A 5' sidewalk with ADA compliant ramps and landings will be required along F.M. 495 at building permit.

FIRE PROTECTION:

- 1) See attach comments.

WATER:

- 1) Individual meters for each unit.
- 2) No master meters allowed.
- 3) Water services should be in the islands.
- 4) Waterline needs to be a true loop.

SEWER:

- 1) 6'inch service for each lot.

DRAINAGE:

- 1) Plat note # 5 should read Lot owner to maintain detention areas.
- 2) Revise drainage report.

OTHER:

- 1) Remove plat notes # 3, and # 8,
- 2) Reference City of Pharr Benchmark.
- 3) Need to show surrounding subdivisions on the location map.
- 4) Plat needs to be signed.
- 5) Remove "Amos" from Mayors name.
- 6) Only show what exists on the utility lay out, do not show proposed buildings.

Hector Villarreal advised this item does not require a public hearing and opened it up to the Planning and Zoning Commission for discussion and action.

There being no discussion, Guadalupe Cano moved to approve the preliminary plat approval of the proposed A 2 Z Subdivision. Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: opposed the request; Ramirez: approved the request; Carrillo: approved the request; Cano: approved the request; Rincon-Flores: approved the request; and Oliva: approved the request.

Motion carried by unanimous vote to approve the request preliminary plat approval of the proposed A 2 Z Subdivision.

**QUINTANILLA HEADLEY & ASSOCIATES INC.
REPRESENTING SCI MANAGEMENT
DANN NARVESON, DIRECTOR OF REAL ESTATE**

**PALM VALLEY
SECTION TWO SUBDIVISION
SUB#150714**

Johanna Maldonado, Subdivision Coordinator, introduced the second item as follows:

Quintanilla Headley & Associates Inc., representing SCI Management, Dann Narveson, Director of Real Estate, is requesting preliminary plat approval of the proposed Palm Valley Section Two Subdivision. The property is legally described as being a 13.20 acre tract of land, being all of the 50.00 foot street right of way, all of Lots 1 through 15, the South 15.00 feet of Lot 17 and all of Lots 18 through 22, Amended Valley Cathedral Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 4600 and 4800 Block of North Sugar Road. The property is currently zoned Agricultural and/or Open-Space District (A-O). The adjacent zones are Agricultural and/or Open-Space District (A-O) to the North and East, General Business District (C) to the South and Agricultural and/or Open-Space District (A-O) and General Business District (C) to the West. The property is designated for public/semi public use in the Land Use Plan. Property Proposed Use: Funeral Home. Variances: None requested. Planning staff recommends preliminary plat approval of the proposed Palm Valley Section Two Subdivision subject to the following conditions:

**STREETS, PAVING
AND R.O.W.:**

- 1) Add plat note: Owner to maintain R.O.W.

EASEMENTS:

- 1) A 30' access easement from Sugar Road to Lot 2 is required.

**SIDEWALK:
ADA:**

- 1) Plat note # 7 should read: A 5' sidewalk with ADA compliant ramps and landings will be required along the North Sugar Road at building permit.

FIRE PROTECTION:

- 1) See attach comments.

WATER:

- 1) No Comment.

SEWER:

- 1) No Comment.

DRAINAGE:

- 1) Drainage report needs to be more detailed.

OTHER:

- 1) Plat note # 4 remove proposed.
- 2) Cannot land lock Lot 2.
- 3) Remove plat note # 14, street lights are done during subdivision phase.

- 4) Update the location map.
- 5) Remove Lot 2 from the legal description.
- 6) Verify the metes and bounds.

Hector Villarreal advised this item does not require a public hearing and opened it up to the Planning and Zoning Commission for discussion and action.

There being no discussion, Victor Carrillo III **moved** to approve the preliminary plat approval of the proposed Palm Valley Section Two Subdivision. Guadalupe Cano second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: opposed the request; Ramirez: approved the request; Carrillo: approved the request; Cano: approved the request; Rincon-Flores: approved the request; and Oliva: approved the request.

Motion carried by unanimous vote to approve the request preliminary plat approval of the proposed Palm Valley Section Two Subdivision.

**SALINAS ENGINEERING & ASSOCIATES
REPRESENTING URIEL DE ALBA AND
DORA G. DE ALBA**

**DE ALBA
SUBDIVISION
SUB#150204**

Johanna Maldonado, Subdivision Coordinator, introduced the third item as follows:

Salinas Engineering & Associates, representing Uriel De Alba and Dora G. De Alba, are requesting final plat approval of the proposed De Alba Subdivision. The property is legally described as being a 2.76 acre tract of land, more or less, out of and forming a part of Lot 188, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 900 Block of South Cage Boulevard. The property is currently zoned General Business District (C). The adjacent zones are General Business District (C) to the North, Office Professional District (O-P) and General Business District (C) to the East, General Business District (C), Single-Family Residential District (R-1), Medium-Density Multi-Family Residential District (R-3) and High-Density Multi-Family Residential District (R-4) to the South, and Medium-Density Multi-Family Residential District (R-3) to the West. The property is designated for residential use in the Land Use Plan. Property proposed use: Bakery/undecided. Variances: None requested. Planning staff recommends final plat approval of the proposed De Alba Subdivision subject to the following conditions:

STREETS, PAVING AND R.O.W.: 1) No Comment.

EASEMENTS: 1) No Comment.

**SIDEWALK:
ADA:** 1) No Comment.

FIRE PROTECTION: 1) See attach comments.

- WATER:** 1) No Comment.
- SEWER:** 1) No Comment.
- DRAINAGE:** 1) No Comment.
- OTHER:** 1) No Comment.

Johanna Maldonado advised that this item will go before the City Commission Meeting of August 18, 2015 at 5:00 p.m.

Hector Villarreal advised this item does not require a public hearing and opened it up to the Planning and Zoning Commission for discussion and action.

There being no discussion, Victor Carrillo III **moved** to approve the final plat approval of the proposed De Alba Subdivision. Criselda Rincon-Flores second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: opposed the request; Ramirez: approved the request; Carrillo III: approved the request; Cano: approved the request; Rincon-Flores: approved the request; and Oliva: approved the request.

Motion carried by unanimous vote to approve the request final plat approval of the proposed De Alba Subdivision.

ANNOUNCEMENTS/OTHER BUSINESS:

Melanie Cano advised the Commission that the City would be holding their public outreach program for the update of the Comprehensive Plan and she would like for them to be part of it to represent the City of Pharr. She stated they would take place August 10th and 12th at the Boggus Event Center and on August 11th and 13th at the South Pharr Community Center from 6-8 p.m. Ms. Rincon-Flores asked what was being done to promote the event for the citizens. Ms. Cano stated it was being advertised on all the social media outlets, on Pharr Now TV, the Advance News Journal and flyers were being sent out.

Another thing is and we are very sad to announce this but Mr. Roy Torres is retiring and this will be his last meeting. She introduce Mr. George Martinez as the City of Pharr new Interim Building Official. All welcomed Mr. Martinez. The Commission thanked Mr. Torres for his service.

ABSENTEE REPORT: Tom Greuner was the absent member. Guadalupe Cano moved to excuse the absent member. Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved to excuse; Robles: approved to excuse; Ramirez: approved to excuse; Carrillo: approved to excuse; Rincon-Flores: approved to excuse; and Oliva: approved to excuse.

The motion carried unanimously to excuse the absent member.

ADJOURNMENT:

There being no further business, Romeo Robles moved that the meeting be adjourned. Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved to adjourn; Robles: approved to adjourn; Ramirez: approved to adjourn; Carrillo: approved to adjourn; Rincon-Flores: approved to adjourn and Oliva: approved to adjourn.

Motion carried unanimously and the Planning and Zoning Meeting adjourned at 7:03 p.m.



Hector Villarreal, Chairman

ATTEST:


Guadalupe Caño, Secretary

Audience Attendance Sheet



DATE: AUGUST 06, 2015

MEETING: P&Z MEETING

NAME: PRINT	ADDRESS:	PHONE NO.	-AGENDA- ITEM NUMBER
Carlos Losoya	1004 W. Minnesota	638-7928	
Key Fekken	544 E. Pyland	1-609-438-9400	Pub, Com 12/12/14 1/15/15
Mrs Lopez	1004 W. Minnesota		
Belinda Cantú	1907 Esperanza	467-3984	
Mauricio Durán	508 West Expr	607-8028	
Ben Guerra	1409 Stuart Place Rd.	428-0300	CO2 #150748
Raúl Cantú	901 E. Thomas	467-3584	CO2 #150748
IVAN GARCIA	921 S. 10th Ave Edinburg	380-5152	E 1
Carlos Ollerendes	←	←	←
Rene Barron	6316 N. 10th Main	687-3355	E-2
Sam Saenz	916 W. Minnesota Rd	345-8386	
Henry MALDONADO	4308 N. Mc Call McAllen	682-7115	E-3
Jorge R. Frias	1006 W. Minnesota Rd	929-2630	E-2
Idalia I Frias	1006 W. Minnesota Rd	929-2630	E-2
Abraham James	Rio		