



PLANNING & ZONING COMMISSION

City Commissioner's Room

118 S. Cage Blvd. April 27, 2015 – 6:00 p.m.

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, April 27, 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 Charlie Ramirez
Tom Greuner Criselda Rincon-Flores

ABSENT: Victor Carrillo III Tuan Oliva

OTHERS PRESENT: See attached list

STAFF PRESENT: Melanie Cano, Asst. Director of Development Services
Roy Torres, Building Official
Roland Gomez, Senior Planner
Heriberto Martinez, Planner I
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, Charlie Ramirez **moved** the minutes of April 13, 2015, be accepted as submitted. Romeo Robles 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; Ramirez: approved as submitted; Greuner: approved as submitted and Rincon-Flores: approved as submitted.

The motion carried unanimously to approve the minutes of April 13, 2015 as submitted.

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 as follows:

JUAN F. GARZA
d/b/a MUELLE 37

CUP: ABC
CUP#150325

Juan F. Garza, d/b/a Muelle 37, 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). The property is legally described as being a 0.073 acre tract of land, more or less, out of Lot 2, Browning Commercial Area Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 North Cage Boulevard, Suite A. The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the North, South, East and West. The area is generally designated for commercial use in the Land Use Plan. Code Compliance and Fire Department are pending final inspection of the building finish out. The Police Chief and the Planning Department recommend approval of the Conditional Use Permit. Eighteen (18) 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 Services Staff recommend approval of the request for a Conditional Use 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.

Mr. Martinez stated that there was a correction, there was an individual who signed up to speak at the public hearing.

Heriberto Martinez advised that this item will go before the City Commission Meeting of May 12, 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 one person who signed up but not in the audience, Hector Villarreal waived the public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

Guadalupe Cano asked if the inspections failed only because the business was still under construction. Mr. Martinez affirmed and stated that it was pending the final finish outs. Mr. Cano asked if they would obtain another inspection after completion of the building. Mr. Martinez stated they would. Criselda Rincon-Florès asked how long the building was going to be under construction. Mr. Roland Gomez, Senior Planner, stated the applicant advised him it was going to be another 2 weeks. Mr. Villarreal asked if the activity was taking place in suite A of how many suites. Mr. Gomez advised the Planning and Zoning Commission that it was a 4 suite complex and the restaurant would be taking up two suites. He stated

it was a brand new building and all they were pending was the finish out inside the building. Hector Villarreal asked if it was a restaurant selling alcoholic beverages after hours and presuming that it located in the corner of the complex and if there was a gulley or some kind of ditch besides the adjacent property that is a medical clinic. Mr. Gomez stated that he does not believe there was anything in the rear of the building but their detention area was in front facing Cage Boulevard. Hector Villarreal stated that the person who had registered to speak at the public hearing was concerned since there was some kind of ditch and their concern was being that after hours someone would not be able to navigate the exit and they might go into the ditch. He stated that was the reason he wanted to know if there was going to be some kind of boundary and he did not want any vehicles flying over the ditch. Mr. Gomez stated the "ditch" was a detention area that was built before the parking lot in the front and the applicant is not requesting a late hours permit. Mr. Gomez advised the Planning and Zoning Commission the applicant was in attendance if they had any questions. Mr. Villarreal stated that it the main concern of the individual that had registered and he wanted to make sure that it would include the terrain itself and there would not be any obstacles where anyone might be prone to have some kind of accident after having any kind of beer shake.

There being no further discussion, Guadalupe Cano **moved** to approve the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: approved the request; Cano: approved the request; Ramirez: approved the request; Greuner: approved the request and Rincon-Flores: approved the request.

Motion carried unanimously to approve the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

ISRAEL VELASQUEZ
d/b/a THE PRACTICE TEE
DRIVING RANGE OF SOUTH TEXAS

CUP: ABC
CUP#150426

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

Israel Velasquez, d/b/a The Practice Tee Driving Range of South Texas, 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 an Agricultural and/or Open Space District (A-O). The property is legally described as being a 0.060 acre tract of land, more or less, to include building and premise, out of Lot 7 and 8, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1100 West Nolana. The property is currently zoned Agricultural and/or Open Space District (A-O). The surrounding area is zoned Agricultural and/or Open Space District (A-O) to the North, South, East and West. The area is generally designated for multi-family residential use in the Land Use Plan. Code Compliance, Fire Department, the Police Chief, and the Planning Department recommend approval of the Conditional Use Permit.

Four (4) 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 Services Staff recommends approval of the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in an Agricultural and/or Open Space District (A-O), for a duration of 6 months, subject to site being in compliance with all City Ordinances and City Department requirements.

Heriberto Martinez advised this item will go before the City Commission Meeting of May 12, 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 to allow the sale of alcoholic beverages for on-premise consumption in an Agricultural and/or Open Space District (A-O) for a duration of 6 months. Tom Greuner second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: approved the request; Cano: approved the request; Ramirez: approved the request; Greuner: approved the request and Rincon-Flores: approved the request.

Motion carried unanimously to approve the request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in an Agricultural and/or Open Space District (A-O) for a duration of 6 months.

ROSA DINA
Rep. LARKI, LLC

COZ: A-O to C
COZ#150427

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

Rosa Dina, representing Larki, LLC, is requesting a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C). The property is located on the South side and within the 1200 and 1300 Block of West Minnesota Road. The property consists of one (1) lot and is legally described as being a 3.42 acre tract of land out of Lot 8, Block 4 A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property fronts West Minnesota Road, an 80 foot Major Collector with a posted speed limit of 30 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 multi-family use in the Land Use Plan. The owner of the property is requesting a change of zone to General Business District (C) in order to develop the property for tennis and sports facility. The adjacent zonings are General Business District (C) to the North and South and Agricultural and/or Open Space District (A-O) to the East and West. 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. This district will be major retail district, with intensive commercial uses and large amounts of retail traffic. 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. Seven (7) letters were mailed out to the surrounding property owners and a legal notice published in the Advance News Journal. One individual signed up to speak at the public hearing. Planning staff is recommending approval of the request to re-zone to General Business District (C) as the property meets area requirements, has adequate ingress and egress and is compatible with the future Land Use Plan. If approved, applicant must subdivide and comply with all City Ordinances and City Department requirements.

Heriberto Martinez advised this item will go before the City Commission Meeting of May 12, 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 one who signed up but not in the audience, Hector Villarreal waived the public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

Ms. Rincon-Flores stated the person who signed up to speak was in favor of the item.

There being no discussion, Criselda Rincon-Flores **moved** to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Robles: approved the request; Cano: approved the request; Ramirez: approved the request; Greuner: approved the request and Rincon-Flores: approved the request.

Motion carried unanimously to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C).

PLAT APPROVAL:

Heriberto Martinez stated that the engineer submitted a letter to Planning Staff asking that the subdivision be withdrawn. Mr. Martinez stated no action was needed.

SALINAS ENGINEERING & ASSOCIATES
Rep. URIEL DE ALBA AND DORA G. DE ALBA

DE ALBA
SUBDIVISION
SUB#150204

Salinas Engineering & Associates, representing Uriel De Alba and Dora G. De Alba, is requesting preliminary 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 between the 900 and 1000 Block of South Cage Boulevard.

ANNOUNCEMENTS/OTHER BUSINESS: NONE

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

The motion carried unanimously to excuse the absent members.

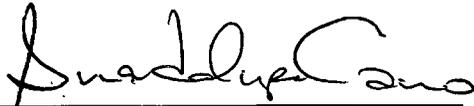
ADJOURNMENT: There being no further business, Romeo Robles moved that the meeting be adjourned. Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved to adjourn; Robles: approved to adjourn; Cano: approved to adjourn; Ramirez: approved to adjourn; Greuner: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

Motion carried unanimously and the Planning and Zoning Meeting adjourned at 6:19 p.m.



Hector Villarreal, Chairman

ATTEST:



Guadalupe Cano, Secretary

