



## PLANNING & ZONING COMMISSION

*City Commissioner's Room*

*118 S. Cage Blvd. April 13, 2015 – 6:00 p.m.*

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, April 13, 2015. The meeting was called to order by Hector Villarreal at 6:02 p.m. at the City Commissioners' Room, located at 118 S. Cage Blvd., 2nd Floor, Pharr, Texas.

### ATTENDANCE

<b>MEMBERS PRESENT:</b>	Hector Villarreal Victor Carrillo III	Guadalupe Cano Charlie Ramirez
<b>ABSENT:</b>	Romeo Robles Tom Greuner	Criselda Rincon-Flores Tuan Oliva
<b>OTHERS PRESENT:</b>	See attached list	
<b>STAFF PRESENT:</b>	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 6:02 p.m. and welcomed all to the meeting. Roll call established a quorum.

### APPROVAL OF MINUTES

There being no discussion, Victor Carrillo III **moved** the minutes of March 23, 2015, be accepted as submitted. Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved as submitted; Cano: approved as submitted; Ramirez: approved as submitted and Carrillo: approved as submitted.

The motion carried unanimously to approve the minutes of March 23, 2015 as submitted.

**PUBLIC HEARING:**

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

**JAVIER HINOJOSA**  
**Rep. MANUEL MENDEZ,**  
**M AND R COMMODITIES, INC.**

**COZ: A-O to H-C**  
**COZ#150314**

Javier Hinojosa representing Manuel Mendez, President of M and R Commodities, Inc., is requesting a change of zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C). The property is located on the South side and within the 1100 block of East Owassa Road. The property consists of two (2) Lots and is legally described as being 22.74 acres of land out of Lots 79 and 82 Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property fronts East Owassa Road, a 100 foot Minor Arterial 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 manufactured homes in the Land Use Plan. The owner of the property is requesting a change of zone to Heavy Commercial District (H-C) in order to accommodate businesses for heavy commercial use. The adjacent zonings are Limited Industrial District (L-I) to the West, Agricultural and/or Open Space District (A-O) to the South, Residential Mobile Home District (R-MH) and City Limits to the East and City Limits to the North. The Heavy Commercial District (H-C) is intended for commercial uses that involve influences that involve large volumes of truck traffic, outside operations and storage of materials and equipment either for sale or as part of the business. Areas should not be zoned to this usage unless they are located on or close to arterials capable of carrying commercial or truck traffic. They should be located close to major truck routes. Thirty-seven (37) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received two (2) telephone calls for information only. Planning staff is recommending approval of the request to re-zone to Heavy-Commercial District (H-C) as the property meets area requirements, has adequate ingress and egress and is capable with the future land use plan. If approved, applicant must subdivide and comply with all City Ordinances and City Department requirements.

Heriberto Martinez advised that this item will go before the City Commission Meeting of April 21, 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, Victor Carrillo III **moved** to approve the request for a change of zone from an Agricultural and/or Open Space District (A-O) to a Heavy Commercial District (H-C). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

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

**QUINTANILLA, HEADLEY AND ASSOCIATES, INC.,  
Rep. CRUZ CANTU III,  
PRESIDENT OF ESPONJAS DEVELOPMENT LTD.**

**COZ: A-O to C  
COZ#150315**

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

Quintanilla, Headley and Associates, Inc., representing Cruz Cantu, III, President of Esponjas Development, Ltd., 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 East side and within the 1400 and 1500 block of South Jackson Road. The property consists of one (1) Lot and is legally described as being a 3.63 acre tract of land out of Lot 8, Block 8, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property fronts South Jackson Road, a 120 foot Principal Arterial with a posted speed limit of 40 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 retail, professional or business services. The adjacent zonings are General Business District (C) to the North, General Business District (C) and City Limits to the West and Agricultural and/or Open Space District (A-O) to the South and East. 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. Three (3) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received one (1) telephone call for information only. Planning staff is recommending approval of the request to re-zone to General Business District (C) as the property meets area requirements and has adequate ingress. If approved, applicant must subdivide and comply with all City Ordinances and City Department requirements.

Mr. Martinez advised this item will go before the City Commission Meeting of April 21, 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, Guadalupe Cano **moved** to approve the request for a change of zone from an Agricultural and/or Open Space District (A-O) to a General Business District (C). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

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

**QUINTANILLA, HEADLEY AND ASSOCIATES, INC.,  
Rep. CRUZ CANTU III,  
PRESIDENT OF ESPONJAS DEVELOPMENT LTD.**

**COZ: A-O to R-3  
COZ#150316**

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

Quintanilla, Headley and Associates, Inc., representing Cruz Cantu, III, President of Esponjas Development, Ltd., is requesting a change of zone from Agricultural and/or Open Space District (A-O) to a Medium Density Multi-Family Residential District (R-3). The property is located on the East side and within the 1400 and 1500 block of South Jackson Road. The property consists of one (1) Lot and is legally described as being a 16.92 acre tract of land out of Lot 8, Block 8, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property fronts South Jackson Road, a 120 foot Principal Arterial with a posted speed limit of 40 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 Medium Density Multi-Family Residential District (R-3) in order to develop the property for multi-family use. The adjacent zonings are Agricultural and/or Open Space District (A-O) and General Business District (C) to the North and West and Agricultural and/or Open Space District (A-O) to the South and East. The Medium Density Multi-Family Residential District is established to provide adequate space and site diversification for medium density areas that are a mixture of single-family, duplex, and multifamily dwellings of up to eight units per lot. Multi-Family developments are not a buffer between single-family and commercial uses, and should be properly buffered from nonresidential uses and traffic, or from pollution and or environment hazards. Fourteen (14) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received one (1) telephone call for information only. Planning staff is recommending approval of the request to re-zone to Medium Density Multi-Family Residential District (R-3) 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.

Mr. Martinez advised this item will go before the City Commission Meeting of April 21, 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, Victor Carrillo III **moved** to approve the request for a change of zone from an Agricultural and/or Open Space District (A-O) to a Medium Density Multi-Family Residential District (R-3). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

Motion carried unanimously to approve the request for a change of zone from an Agricultural and/or Open Space District (A-O) to a Medium Density Multi-Family Residential District (R-3).

**JOSE DE HOYOS JR.**

**COZ: R-2 to R-3  
COZ#150317**

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

Jose De Hoyos, Jr., is requesting a change of zone from Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). The property is located on the West side of South Cisne Street. The property consists of one (1) Lot and is legally described as Lot 5 of the Re-plat of Lots 9 and 10, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property fronts South Cisne Street, a 50 foot Local Street with a posted speed limit of 20 miles per hour as identified in the City of Pharr's Thoroughfare Plan. The property is currently zoned Two Family Residential District (R-2). The property is designated for residential use in the Land Use Plan. The owner of the property is requesting a change of zone to Medium Density Multi-Family Residential District (R-3) in order to build apartments on said property. The adjacent zonings are High Density Multi-Family District (R-4) to the North, Neighborhood Commercial District (N-C) to the West and East and Two Family Residential District (R-2) to the South. The Medium Density Multi-Family Residential District is established to provide adequate space and site diversification for medium density areas that are a mixture of single-family, duplex, and multifamily dwellings of up to eight units per lot. Multi-Family developments are not a buffer between single-family and commercial uses, and should be properly buffered from nonresidential uses and traffic, or from pollution and/or environment hazards. Eight (8) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice. Planning staff is recommending approval of the request to re-zone to Medium Density Multi-Family Residential District (R-3) 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.

Mr. Martinez advised this item will go before the City Commission Meeting of April 21, 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, Victor Carrillo III **moved** to approve the request for a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

Motion carried unanimously to approve the request for a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3).

**JOSE DE HOYOS JR.**

**COZ: R-2 to R-3  
COZ#150318**

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

Jose De Hoyos, Jr., is requesting a change of zone from Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). The property is located on the West side of South Cisne Street. The property consists of one (1) Lot and is legally described as Lot 6 of the Re-plat of Lots 9 and 10, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property fronts South Cisne Street, a 50 foot Local Street with a posted speed limit of 20 miles per hour as identified in the City of Pharr's Thoroughfare Plan. The property is currently zoned Two Family Residential District (R-2). The property is designated for residential use in the Land Use Plan. The owner of the property is requesting a change of zone to Medium Density Multi-Family Residential District (R-3) in order to build apartments on said property. The adjacent zonings are Two Family Residential District (R-2) to the North and South, Neighborhood Commercial District (N-C) to the West and General Business District (C) to the East. The Medium Density Multi-Family Residential District is established to provide adequate space and site diversification for medium density areas that are a mixture of single-family, duplex, and multifamily dwellings of up to eight units per lot. Multi-Family developments are not a buffer between single-family and commercial uses, and should be properly buffered from nonresidential uses and traffic, or from pollution and/or environment hazards. Fourteen (14) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice. Planning staff is recommending approval of the request to re-zone to Medium Density Multi-Family Residential District (R-3) 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.

Mr. Martinez advised this item will go before the City Commission Meeting of April 21, 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, Victor Carrillo III **moved** to approve the request for a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

Motion carried unanimously to approve the request for a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3).

Charlie Ramirez asked staff if they could approved all of the items because they were all the same and discussion commenced among the Planning and Zoning Commission (inaudible). Melanie Cano, Assistant Director of Development Services, stated that since there were individual parcels Planning Staff needed to read each description.

Mr. Martinez asked if the Planning and Zoning Commission had placed their vote for the last item. Della Robles, Administrative Secretary, stated that they had made a motion and it had carried unanimously to approve the request.

**JOSE DE HOYOS JR.**

**COZ: R-2 to R-3  
COZ#150319**

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

Jose De Hoyos, Jr., is requesting a change of zone from Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). The property is located on the West side of South Cisne Street. The property consists of one (1) Lot and is legally described as Lot 7 of the Re-plat of Lots 9 and 10, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property fronts South Cisne Street, a 50 foot Local Street with a posted speed limit of 20 miles per hour as identified in the City of Pharr's Thoroughfare Plan. The property is currently zoned Two Family Residential District (R-2). The property is designated for residential use in the Land Use Plan. The owner of the property is requesting a change of zone to Medium Density Multi-Family Residential District (R-3) in order to build apartments on said property. The adjacent zonings are Two Family Residential District (R-2) to the North and South, Neighborhood Commercial District (N-C) to the West and General Business District (C) to the East. The Medium Density Multi-Family Residential District is established to provide adequate space and site diversification for medium density areas that are a mixture of single-family, duplex, and multifamily dwellings of up to eight units per lot. Multi-Family developments are

not a buffer between single-family and commercial uses, and should be properly buffered from nonresidential uses and traffic, or from pollution and/or environment hazards. Fourteen (14) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice. Planning staff is recommending approval of the request to re-zone to Medium Density Multi-Family Residential District (R-3) 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.

Mr. Martinez advised this item will go before the City Commission Meeting of April 21, 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, Victor Carrillo III **moved** to approve the request for a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

Motion carried unanimously to approve the request for a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3).

**JOSE DE HOYOS JR.**

**COZ: R-2 to R-3  
COZ#150320**

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

Jose De Hoyos, Jr., is requesting a change of zone from Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). The property is located on the West side of South Cisne Street. The property consists of one (1) Lot and is legally described as Lot 8 of the Re-plat of Lots 9 and 10, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property fronts South Cisne Street, a 50 foot Local Street with a posted speed limit of 20 miles per hour as identified in the City of Pharr's Thoroughfare Plan. The property is currently zoned Two Family Residential District (R-2). The property is designated for residential use in the Land Use Plan. The owner of the property is requesting a change of zone to Medium Density Multi-Family Residential District (R-3) in order to build apartments on said property. The adjacent zonings are Two Family Residential District (R-2) to the North, Single Family Residential District (R-1) to the South, Neighborhood Commercial District (N-C) to the West and General Business District (C) to the East. The Medium Density Multi-Family Residential District is established to provide adequate space and site diversification for medium density areas that

are a mixture of single-family, duplex, and multifamily dwellings of up to eight units per lot. Multi-Family developments are not a buffer between single-family and commercial uses, and should be properly buffered from nonresidential uses and traffic, or from pollution and or environment hazards. Thirteen (13) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice. Planning staff is recommending approval of the request to re-zone to Medium Density Multi-Family Residential District (R-3) 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.

Mr. Martinez advised this item will go before the City Commission Meeting of April 21, 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 change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3). Victor Carrillo III second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

Motion carried unanimously to approve the request for a change of zone from a Two Family Residential District (R-2) to a Medium Density Multi-Family Residential District (R-3).

**DIANE E. BORCHARDT**  
**Rep. SBA 2012 TC ASSETS, LLC**

**LOU-CUP: EXISTING**  
**TELECOMMUNICATION TOWER**  
**CUP#150321**

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

Diane E. Borchardt, representing SBA 2012 TC Assets, LLC, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an existing telecommunication tower in General Business District (C). The property is legally described as John Maken's Subdivision Block 6, Lot 6, Pharr, Hidalgo County, Texas. The property's physical address is 500 North Jackson Road. The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the North, South, West and East. The area is generally designated for commercial use in the Land Use Plan. Two (2) surrounding property owners were notified by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice. Planning Staff is recommending approval of the Life-of-the-Use Conditional Use Permit to allow an existing telecommunication tower in General Business District (C) subject to the following conditions:

1. The applicant shall comply with all City of Pharr Ordinance requirements. Any violation of City Ordinance will terminate this Conditional Use Permit;
2. Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Conditional Use Permit;
3. 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;
4. This Conditional Use Permit shall be issued for the Life-of-the-Use; and
5. The telecommunications tower must comply with all setback and height requirements.
6. 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 being used.
  - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
  - 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.

Mr. Martinez advised this item will go before the City Commission Meeting of April 21, 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, Victor Carrillo III **moved** to approve the request for a Life-of-the-Use Conditional Use Permit to allow an existing telecommunication tower in General Business District (C). Guadalupe Cano second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

Motion carried unanimously to approve the request for a Life-of-the-Use Conditional Use Permit to allow an existing telecommunication tower in General Business District (C).

**NORMA RODRIGUEZ**

**HO: DAYCARE CENTER  
CUP#150322**

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

Norma Rodriguez has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow a home occupation (Daycare Center) in a Residential Townhouse District (R-TH). The property is legally described as Lot 59, Villa Del Rey Amended Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1407 West Sevilla Street.

Planning staff advised the Planning and Zoning Commission that the applicant had withdrawn her application.

**ADORALIA REVELES  
d/b/a EL RINCON DEL TACO**

**CUP: ABC  
CUP#150323**

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

Adoralia Reveles, d/b/a El Rincon Del Taco, 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 Lot 2, Cantu-Guerra No. 2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 405 North Veterans Boulevard. The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the North and West, Single-Family Residential District for lots less than 50 feet in width (R-1A) and Single Family Residential District (R-1) to the South and City limits to the East. The area is generally designated for commercial use in the Land Use Plan. Code Compliance, Fire Department, Police Chief and Planning Department all recommend approval. Thirty-three (33) 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 a General Business District (C) subject to site being in compliance with all City Ordinances and City Department requirements.

Mr. Martinez advised this item will go before the City Commission Meeting of April 21, 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, Victor Carrillo III **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). Guadalupe Cano second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: 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).

**PLAT APPROVAL:**

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

**R. GUTIERREZ ENGINEERING CORP.**  
**Rep. ILIANA VILLAFRANCO**

**VILLAFRANCO**  
**SUBDIVISION**  
**SUB#140613**

R. Gutierrez Engineering Corp., representing Iliana Villafranco, is requesting final plat approval of the proposed Villafranco Subdivision. The property is legally described as being a 0.613 acre tract of land out of Lot 4, Block 145, L.R. Bell Development "E", Pharr, Hidalgo County, Texas. The property is located within the 1900 Block of North Veterans Boulevard. (I RD.) The property is zoned General Business District (C). The adjacent zones are General Business District (C) to the North, South, West and city limits to the East. The property is designated for commercial use in the Land Use Plan. Property proposed use: Undecided. Variances: None requested. Planning staff recommends final plat approval of the proposed Villafranco Subdivision subject to the following conditions:

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

**EASEMENTS:** 1) No Comments.

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

**FIRE PROTECTION:** 1) No Comments.

**WATER:** 1) No Comments.

**SEWER:** 1) No Comments.

**DRAINAGE:** 1) No Comments.

**OTHER:** 1) No Comments.

Ms. Maldonado stated this item will go before the City Commission Meeting of April 21, 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 request for final plat approval of the proposed Villafranco Subdivision. Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approved the request; Cano: approved the request; Ramirez: approved the request and Carrillo: approved the request.

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

#### **ANNOUNCEMENTS/OTHER BUSINESS:**

Mr. Villarreal asked staff if there was any other business and Ms. Melanie Cano, Assistant Director of Development Services, advised that there was one item and it was tabled that needed to be untabled.

There being no discussion, Victor Carrillo III **moved** to untable the request for consideration and action, if any, on the revocation of Conditional Use Permit and Late Hours Permit for 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 to untable; Cano: approved the request to untable; Ramirez: approved the request to untable and Carrillo: approved the request to untable.

Motion carried by unanimous vote to untable the request for consideration and action, if any, on the revocation of Conditional Use Permit and Late Hours Permit for the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

#### **ARNOLDO GARZA JR. d/b/a EL RODEO BAR & GRILL**

**CUP: ABC**

Arnoldo Garza Jr., d/b/a El Rodeo 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 Lots 14 and 15, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5826 South Cage Boulevard.

Melanie Cano stated that Planning Staff was planning on taking no action on the item. The Planning and Zoning Commissioners discussed amongst themselves (inaudible). Mr. Villarreal stated that no motion was needed and proceeded to ask if there was any other business. Melanie Cano stated there was no other business.

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

The motion carried unanimously to excuse the absent members.

**ADJOURNMENT:** There being no further business, Victor Carrillo III moved that the meeting be adjourned. Charlie Ramirez second the motion and when put to a vote it polled as follows: Villarreal: approve to adjourn; Cano: approve to adjourn; Ramirez: approve to adjourn and Carrillo: approve to adjourn.

Motion carried unanimously and the Planning and Zoning Meeting adjourned at 6:39 p.m.



Hector Villarreal, Chairman

ATTEST:



Guadalupe Cano, Secretary

