



## PLANNING & ZONING COMMISSION

*City Commissioner's Room*

*118 S. Cage Blvd. March 23, 2015 – 6:00 p.m.*

A meeting of the Planning & Zoning Commission of the City of Pharr was held on Monday, March 23, 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 Tom Greuner	Guadalupe Cano Tuan Oliva
<b>ABSENT:</b>	Romeo Robles Victor Carrillo III	Charlie Ramirez Criselda Rincon-Flores
<b>OTHERS PRESENT:</b>	See attached list	
<b>STAFF PRESENT:</b>	Edward M. Wylie, Director of Development Services Melanie Cano, Asst. Director of Development Services Roy Torres, Building Official Roland Gomez, Senior Planner Johanna Maldonado, Subdivision Coordinator Della Robles, 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, Guadalupe Cano **moved** the minutes of March 9, 2015, be accepted as submitted. Tuan Oliva second the motion and when put to a vote it polled as follows: Cano: approved as submitted; Villarreal: approved as submitted; Greuner: approved as submitted and Oliva: approved as submitted.

The motion carried unanimously to approve the minutes of March 9, 2015 as submitted.

## **PUBLIC HEARING:**

Roland Gomez introduced himself as Senior Planner for the City of Pharr and stated he had two items for recommendation and proceeded to introduce the first item as follows:

**WILLIAM R. BAUMAN**  
Rep. **BRANCH TOWERS, LLC**

**LOU-CUP-TOWER**

William R. Bauman representing Branch Towers, LLC, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunication tower in a Planned Unit Development District (PUD). The property is legally described as 0.057 of an acre tract of land, more or less, out of Lot 2, Re-subdivision of Lot 1, of the Re-subdivision of Lots 43-46, Pharr/Las Milpas Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 9302 South Lamar Drive. The property is currently zoned Planned Unit Development District (PUD). The surrounding area is zoned Planned Unit Development District (PUD) to the North, South and East and Limited Industrial District (L-I) to the West. The area is generally designated for industrial use in the Land Use Plan. Four (4) 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. However, one person did sign up for the public hearing. Planning Staff is recommending approval of the Life-of-the-Use Conditional Use Permit to allow a new telecommunication tower in a Planned Unit Development District (PUD) 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.

Roland Gomez advised the Planning and Zoning Commission that the applicant was in attendance.

Hector Villarreal advised this item requires a public hearing and asked if there was anyone who had signed up for the public hearing.

Hector Villarreal welcomed Mr. Fletcher to the meeting and asked as to how he was doing. Mr. Fletcher stated he was pretty good and thanked Mr. Villarreal for asking. He stated that he did not have a cold anymore so he could hear when they would tell him to sit down and to shut up this time. Mr. Fletcher stated he was all for communication and he was for this project because it benefits the community and there is nobody around to be bothered. He stated that communication towers do not make any noise and he would like to remind the advisory to City Commissioners that they are still experiencing noise and light pollution. He stated he resided at 504 South Diplomat in Pharr right behind Costco. He thanked the Commission and stated he would like them to mention the word buffer and that there is still a coding against code so called buffer. Mr. Villarreal thanked Mr. Fletcher for stating his case under the three minutes.

Roland Gomez stated for the record that this item will go before the City Commission Meeting of April 07, 2015 at 5:00 p.m.

There being no one else who signed up, Hector Villarreal closed the public hearing and opened the item to the Planning and Zoning Commission for discussion and action.

There being no discussion, Tom Greuner **moved** to approve the request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunication tower in a Planned Unit Development District (PUD). Tuan Oliva second the motion and when put to a vote it polled as follows: Cano: approved the request; Villarreal: approved the request; Greuner: approved the request and Oliva: approved the request.

Motion carried unanimously to approve the request for a Life-of-the-Use Conditional Use Permit to allow a new telecommunication tower in a Planned Unit Development District (PUD).

**WILLIAM R. BAUMAN**  
**Rep. T-MOBILE WEST, LLC**

**LOU-CUP**  
**CO-LOCATION**

Roland Gomez, Senior Planner, introduced the second item as follows:

William R. Bauman representing T-Mobile West, LLC, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on a new tower in a Planned Unit Development District (PUD). The property is legally described as 0.057 of an acre tract of land more or less, out of Lot 2, Re-subdivision of Lot 1, of the Re-subdivision of Lots 43-46, Pharr/Las Milpas Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 9302 South Lamar Drive. The property is currently zoned Planned Unit Development District (PUD). The surrounding area is zoned Planned Unit Development District (PUD) to the North, South and East and Limited Industrial District (L-I) to the West. The area is generally designated for industrial use in the Land Use Plan. Four (4) 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. However, one person did sign up for the public hearing. Planning Staff is recommending approval of the Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on a new tower in a Planned Unit Development District (PUD) 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. Gomez stated this item will go before the City Commission Meeting of April 07, 2015 at 5:00 p.m.

Mr. Gomez advised the Planning and Zoning Commission that the applicant was in attendance.

Hector Villarreal advised this item requires a public hearing and asked if the person who signed up could approach the podium. Della Robles, Secretary, stated that the applicant left. Mr. Villarreal asked if it was Mr. Fletcher and staff affirmed. There being no one else 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 Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on a new tower in a Planned Unit Development District (PUD). Tuan Oliva second the motion and when put to a vote it polled as follows: Cano: approved the request; Villarreal: approved the request; Greuner: approved the request and Oliva: approved the request.

Motion carried unanimously to approve the request for a Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on a new tower in a Planned Unit Development District (PUD).

**PLAT APPROVAL:**

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

**JAVIER HINOJOSA ENGINEERING  
Rep. M AND R COMMODITIES, INC**

**M AND R COMMODITIES  
SUBDIVISION**

Javier Hinojosa Engineering, representing M and R Commodities, Inc., is requesting preliminary plat approval of the proposed M and R Commodities Subdivision. The property is legally described as being a tract of land containing 22.74 acres of land situated in Hidalgo County and also being a part or portion of Lot 79 and 80, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located between the 1100 and 1200 Block of East Owassa Road. The property is zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the North, South and West and General Business District (C) to the East. The property is designated for industrial and commercial use in the Land Use Plan. Property proposed use: Possible Cold Storage. Variances: None requested. Planning staff recommends preliminary plat approval of the proposed M and R Commodities Subdivision subject to the following conditions:

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

- 1) Need HCID #2 permit to build or cross over the 30' R.O.W.
- 2) Provide street stripping details.
- 3) Pave 1/3 ROW (encourage deceleration lane).
- 4) Industrial lots must meet industrial street standards (12-12-4).
- 5) Thoroughfare plan shows future road through site. Consider proposed road to punch out from north to south (70' ROW) 44 B-B.

**EASEMENTS:**

- 1) The 15' utility easement between lots 9 and 10 needs to be exclusive to City of Pharr.
- 2) The 5' utility easement needs to be a 10' easement.

**SIDEWALK:  
ADA:**

- 1) No Comments.

**FIRE PROTECTION:**

- 1) See attach comments.

**WATER:**

- 1) North Alamo Water.

**SEWER:**

- 1) Provide detailed sheet for sewer.
- 2) All sewer service lines need to be 6" lines.
- 3) Where the water lines and sewer lines cross will need pvc casings 20' from the center 10' to each side.

**DRAINAGE:**

- 1) Detention on a as per lot basis.
- 2) Plat notes # 4 complete the drainage directive.
- 3) Provide 2 copies of SWPPP and certificate of CNOI.
- 4) Provide discharge permit to HCID #2 for ultimate outfall.
- 5) Verify the distance between storm line and sewer service.
- 6) Plat Note #4 needs to be replaced with the City's detention directive. Detention volume for each lot must be provided and must reflect the correct volume based on the lot acreage (lots 1, 9 & 13 are not the same size).
- 7) Drainage system to be designed as per city of Pharr Standards. Hydraulic calculations will be required with construction plans.

**OTHER:**

- 1) Plat needs to be signed and sealed.
- 2) Needs to apply for a change of zone if the zone is changed to limited industrial lot sizes need to meet city standard.
- 3) Verify the three lots along the south property line.(verify Metes and Bounds)
- 4) Plat note # 2 add "or as required by basic flood elevation".
- 5) At the P.O.B. it should be lot 79 not 49.
- 6) Plat Note #2 needs to be reworded to include the BFE; the elevation that is greater will govern for lots within zone "AH."
- 7) Remove plat note # 3
- 8) What will the street name be?
- 9) Label corner clips along E. Owassa Road.
- 10) Plat note # 9 Owassa is misspelled.
- 11) Add East to Owassa.
- 12) Add owner's name to the owner's acknowledgment statement.
- 13) Metes & bounds paragraph 4 has the wrong document No. for tract of land owned by Maria Elena Lopez; it's missing a number "6."
- 14) On the plat call out for SET ½" Iron rods at new ROW line along E. Owassa Road.

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, Tom Greuner moved to approve the request for preliminary plat approval of the proposed M and R Commodities Subdivision. Guadalupe Cano second the motion and when put to a vote it polled as follows: Cano: approved the request; Villarreal: approved the request; Greuner: approved the request and Oliva: approved the request.

Motion carried by unanimous vote to approve the request for preliminary plat approval of the proposed M and R Commodities Subdivision.

**SPOOR ENGINEERING CONSULTANTS, INC.  
Rep. PHARR ECONOMIC DEVELOPMENT  
CORPORATION II**

**AMENDED PLAT OF  
PHARR COMMERCIAL  
PARK SUBDIVISION PHASE II**

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

Spoor Engineering Consultants, Inc., representing Pharr Economic Development Corporation II, is requesting preliminary and final plat approval of the proposed Amended Plat of Pharr Commercial Park Subdivision No. 2, Re-Plat of Lot 6A, 7A, 9A and 10A. The property is legally described as being a 6.02 acre tract of land out of Lots 6, 7, 8, 9 and 10 Pharr Commercial Park Subdivision Phase II, Pharr, Hidalgo County, Texas. The property is located between the 100 and 400 Block of South Jackson Road. The property is currently zoned General Business District (C). The adjacent zones are General Business District (C) to the North, East and South and city limits lies to the West. The property is designated for public and commercial use in the Land Use Plan. Property proposed use: Commercial Development. Variances: None requested. Planning staff is recommending preliminary and final plat approval of the proposed Amended Plat of Pharr Commercial Park Subdivision Phase II, Re-Plat of Lots 6A, 7A, 9A and 10A 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) This is a minor plat amendment under the authority of the Director of Planning under Local Government Code 212.0065 and City of Pharr Subdivision Ordinance 118-154 platting/replatting; short form procedure.  
2) Identify old lot lines on the plat.  
3) Label Iron Rods on the plat.

Edward Wylie advised the Commission that there was one correction Spoor Engineering representing P.E.D.C II and Sabine 2014-2 LLC.

Johanna Maldonado stated that this item will go before the City Commission Meeting on April 07, 2015, at 5:00 p.m.

There being no discussion, Tom Greuner **moved** to approve the request for preliminary and final plat approval of the proposed Amended Plat of Pharr Commercial Park Subdivision No. 2, Re-Plat of Lot 6A, 7A, 9A and 10A. Tuan Oliva second the motion and when put to a vote it polled as follows: Cano: approved the request; Villarreal: approved the request; Greuner: approved the request and Oliva: approved the request.

Motion carried by unanimous vote to approve the request for preliminary and final plat approval of the proposed Amended Plat of Pharr Commercial Park Subdivision No. 2, Re-Plat of Lot 6A, 7A, 9A and 10A.

**MELDEN & HUNT INC.  
REP. JAN R. KOEPKE**

**JANCO  
SUBDIVISION**

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

Melden & Hunt Inc., representing Jan R. Koepke, is requesting final plat approval of the proposed Janco Subdivision. The property is legally described as 1.76 acres out of Lot 85, Kelly-Pharr Subdivision, Pharr Hidalgo County, Texas. The property is located within the 5300 Block of US Hwy 281 South. The property is zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the North, South and West and General Business District (C) to the East. The property is designated for industrial and commercial use in the Land Use Plan. Property proposed use: Warehouse: Variances: None requested. Planning staff recommends final plat approval of the proposed Janco 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.

Johanna Maldonado stated that this item will go before the City Commission Meeting on April 07, 2015, at 5:00 p.m.

There being no discussion, Guadalupe Cano **moved** to approve the request for final plat approval of the proposed Janco Subdivision. Tom Greuner second the motion and when put to a vote it polled as follows: Cano: approved the request; Villarreal: approved the request; Greuner: approved the request and Oliva: approved the request.

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

**QUINTANILLA, HEADLEY & ASSOCIATES, INC.,  
Rep.: JOSE F. DE HOYOS, EVA DE HOYOS  
ROLANDO AGUIRRE AND JANET AGUIRRE**

**RE-PLAT OF THE  
WEST HALF OF LOT 59,  
ADDITION TO LAS MILPAS  
SUBDIVISION**

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

Quintanilla, Headley & Associates, Inc., representing Jose F. De Hoyos, Eva De Hoyos, Rolando Aguirre and Janet Aguirre, are requesting final plat approval of the proposed Re-plat of the West half of Lot 59, Addition to Las Milpas Subdivision. The property is legally described as being a 0.50 acre tract of land out of the West half of Lot 59, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 400 Block of West Ruisenor Avenue. The property is zoned Two-Family Residential District (R-2). The adjacent zones are Two-Family Residential District (R-2) to the North, South, and East, and Single-Family Residential District (R-1) to the West. The property is designated for residential use in the Land Use Plan. Property proposed use: apartments. Variances: None requested. Planning staff is recommending final plat approval of the proposed Re-plat of the West half of Lot 59, Addition to Las Milpas 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.

Johanna Maldonado stated that this item will go before the City Commission Meeting on April 07, 2015, at 5:00 p.m.

There being no discussion, Guadalupe Cano **moved** to approve the request for final plat approval of the proposed Re-plat of the West half of Lot 59, Addition to Las Milpas Subdivision. Tuan Oliva second the motion and when put to a vote it polled as follows: Cano: approved the request; Villarreal: approved the request; Greuner: approved the request and Oliva: approved the request.

Motion carried by unanimous vote to approve the request for final plat approval of the proposed Re-plat of the West half of Lot 59, Addition to Las Milpas Subdivision.

**ANNOUNCEMENTS/OTHER BUSINESS:**

Hector Villarreal stated that he understands staff has a recommendation to table.

There being no discussion, Guadalupe Cano **moved** to table 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). Tom Greuner second the motion and when put to a vote it polled as follows: Cano: approved the request to table; Villarreal: approved the request to table; Greuner: approved the request to table and Oliva: approved the request to table.

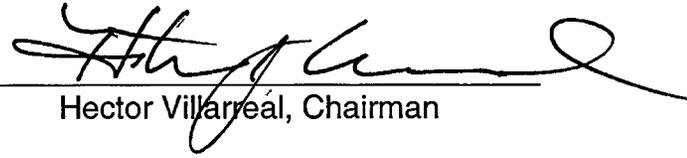
Motion carried by unanimous vote to table the request for consideration and action, if any, on the revocation of Conditional Use Permit and Late Hours Permit for the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

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

The motion carried unanimously to excuse the absent members.

**ADJOURNMENT:** There being no further business, Guadalupe Cano moved that the meeting be adjourned. Tuan Oliva second the motion and when put to a vote it polled as follows: Cano: approve to adjourn; Villarreal: approve to adjourn; Greuner: approve to adjourn and Oliva: approve to adjourn.

Motion carried unanimously and the Planning and Zoning Meeting adjourned at 6:21 p.m.



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Hector Villarreal, Chairman

ATTEST:



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Guadalupe Cano, Secretary

