CITY OF HARLINGEN
TEXAS

REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION

WEDNESDAY, JANUARY 26, 2022 AT 5:30 P.M.
CITY HALL TOWN HALL, 118 EAST TYLER AVENUE, HARLINGEN, TX

This is not a Meeting of the Harlingen Elective Commission; however, a quorum of the City Commission may be present. Other City Board members may also be present.

AGENDA

PLEDGE OF ALLEGIANCE / WELCOME

CITIZEN COMMUNICATION

1. Approval of Minutes: Regular Meeting on January 12, 2022

2. Consent Agenda
   All items listed below in the consent agenda considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately

   a. Consider and take action to approve the preliminary construction plans and final plat with conditions of the proposed Legends South Subdivision being a 19.96 acres of land out of Block "E", Survey 294, Stuart Place Subdivision, located on the east side of Cook lane south of November Drive. Applicant: Moore Land Surveying LLC, c/o Steven and Carly Thomas.

3. Consider and possible action to recommend to the City Commission a variance to the City of Harlingen Code of Ordinances with regards to the sidewalk escrows required for the proposed Breezeway Subdivision, located at 2727 N 21st Street. Applicant: CASA Engineering, c/o Robert Leftwich.

4. Request for a Special Use Permit to allow a Recycling Center to buy and sell recyclable items such as cardboard, paper, aluminum cans, and copper in a General Retail ("GR") District located at 720 South F Street, bearing a legal description of Lots 36-43, Block 1, Harlingen Land & Investment Company Subdivision. Applicant: Jorge Casillas.

   a. Public Hearing
   b. Consider and take action to recommend the special use permit to the City Commission

5. Planning and Development Director's report by Xavier Cervantes, AICP, CPM, Planning and Development Director.

a. Subdivision Development Guide
b. Subdivision Ordinance – street assessment requirements for subdivisions in the ETJ

The City of Harlingen Planning and Zoning Commission reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item in compliance with the Texas Open Meetings Act, Chapter 551 Government Code.

POSTED the 21th day of January 2022, at 4:00 p.m. and to remain so posted and continuously for at least 72 hours preceding the scheduled time of said meeting.

Xavier Cervantes, AICP
Planning and Development Director

PLANNING AND ZONING COMMISSION

January 12, 2022

The regular meeting of the Planning & Zoning Commission was held Wednesday, January 12, 2022, at the City of Harlingen Town Hall located at 118 East Tyler Ave., Harlingen, Texas with the following present:

BOARD MEMBERS PRESENT:

Nick Consiglio	Chairman
Wayne Lowry	Vice-Chairman
Marcus Cruz	Commissioner
Jesse Gamez	Commissioner
Anthony Maldonado	Commissioner
JV Garcia	Commissioner

BOARD MEMBERS ABSENT:

Lars Keim	Commissioner

CITY STAFF PRESENT:

Xavier Cervantes	Planning and Development Director
Joel Olivo	Assistant Planning and Development Director
Soledad Núñez	Executive Secretary
Esteefania Hernandez	City Planner
Johanna Maldonado	City Planner
Alma Guerra	Deputy City Engineer
Kimberly Salinas	Assistant City Engineer
Mark Sossi	City Attorney

PLEDGE OF ALLEGIANCE/WELCOME

Chrm. Consiglio called the meeting to order on January 12, 2022 at 5:30 p.m. led the Pledge of Allegiance, and welcomed board members and the public to the meeting.

CITIZEN COMMUNICATION

Mr. Biddle, spoke on Consent Agenda Item B. Mr. Biddle could not be heard and call was dropped. It was agreed Mr. Cervantes would try giving him another call after the second individual on citizen communication. Mr. Biddle was called and was given two minutes to speak on Consent Agenda Item B.

Building a subdivision out there would impact us negatively especially with flooding. The drainage ditches are not adequate enough to handle the water that we get now. I've had major flooding at my home residence and my neighbors. I don't agree with it the road is horrendous.

Mr. Israel Aguilar was given two minutes to speak on Consent Agenda Item B. Mr. Aguilar stated he lived on 28136 Cook Lane; and he wanted to address the P & Z committee for the third time on the same issue. I would like to reinforce my desire for you not to approve item number 2b. This is an area that is prone to flooding and I have communicated this to, particularly when it happened to various individuals i.e. Gus Ruiz, Commissioner for Precinct 4, County Engineers, and the Administrator of Drainage District #5. This is County jurisdiction our drains and our roads are not ideal for an additional subdivision. A new subdivision would further implicate us. After reading the Engineering report by Moore Land Surveying it seems that the properties are going to be raised extremely high. I don't believe raising properties higher than the streets, in a place that is already high is going to help our properties. For that reason I ask that you reject the proposal until more work is done by the County or the Developer to assist in what is already naturally happening in this area.

1. Approval of Minutes: Regular Meeting on December 8, 2021

Cmr. Lowry motioned to approve the minutes, Cmr. Garcia seconded the motion. The motion passed unanimously.

2. Consent Agenda

All items listed below in the consent agenda considered routine in ministerial in nature and will be enacted with one motion. There will be no separate discussion of

items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

a. Consider and take action to approve the preliminary construction plans and final plat with conditions of the proposed Carey Estates Subdivision, being 12.99 acres of land out of Block 92, Lon C. Hill Subdivision, located south of Lamb Avenue on Ed Carey Drive. Applicant: Jack Brown of Brown, Leal, and Associates.
b. Consider and take action to approve the preliminary construction plans and final plat with conditions of the proposed Legends South Subdivision, being a 19.96 acres of land out of Block "E", Survey 294, Stuart Place Subdivision, located on east side of Cook Lane south of November Drive. Applicant: Moore Land Surveying, c/o Steven and Carly Thomas.

Cmr. Garcia asked is there some kind of education we can get on the Consent Agenda.

Planning Director Xavier Cervantes stated it's a City policy and that there isn't anything in the ordinance about that. It's the way it has been done for years, but that could be changed, if the Commission doesn't want a Consent Agenda anymore, if I get that direction from the board, we can remove Consent Agenda and just take action on the items individually.

Cmr. Cruz stated can I ask a question. I'm going to bring this to the City Attorney. Is there any way we can go into executive session and be briefed on any additional information as per agenda item A and B that may have come up recently.

City Attorney, Mark Sossi, stated Commissioner I cannot brief you on substitute information because that's open records information; however you are allowed to go into executive session to confer with legal counsel on any questions regarding this matter you have, which would include compliance with City Code.

Cmr. Cruz stated yes that's what I would want to go into executive session for.

Cmr. Cruz motioned to take the Consent Agenda items into executive session.

Mark Sossi, City Attorney stated there's a request to remove it from Consent Agenda and under your procedures you do that. Now considering the item, there's a motion to go into executive session for attorney client consultation on legal matters pertaining to the item.

Cmr. Lowry seconded the motion to enter into executive session. Motion to enter into executive session passed unanimously.

Commissioners went into executive session at 5:44pm.

Commissioners came out of executive session at 5:56pm.

Chrm. Consiglio asked is there a request to remove items from Consent Agenda.

a. Consider and take action to approve the preliminary construction plans and final plat with conditions of the proposed Carey Estates Subdivision, being 12.99 acres of land out of Block 92, Lon C. Hill Subdivision, located south of Lamb Avenue on Ed Carey Drive. Applicant: Jack Brown of Brown, Leal, and Associates.

Planning Director, Xavier Cervantes, summarized the following:

- This is a proposed residential subdivision, for single family homes
- It is off Ed Carey, south of the Expressway
- There's an apartment complex under construction in the area and there's an existing subdivision to the south.
- Staff recommends approval of the preliminary construction plans and final plat with conditions.
- The conditions are the Mylar sheets, provide tax certificates, property taxes must be paid, street assessments, sidewalk escrows, plat submittal to appropriate entities submitted to the Subdivision committee for review.

Cmr. Cruz asked what are the greatest concerns to Engineering about developing a subdivision in a flood zone area?

Deputy City Engineer, Alma Guerra, stated the greatest concern to Engineering would be having new homes built in a flood plain. Right now, we don't have a Flood plain ordinance prohibiting new development or new subdivisions or new residential lots within a flood plain.

Cmr. Cruz asked do any of the neighboring subdivisions have issues with flooding.

Alma Guerra stated to her recollection, she believed there are some drainage concerns, in the down flow path of that drainage channel.

Cmr. Cruz asked so there is significant runoff going into that drainage ditch at this current time?

Alma Guerra stated yes, right now there is runoff going into that drainage ditch.

Cmr. Maldonado stated my concern is the drainage plan provides storage but not detention. Is that correct?

Alma Guerra stated yes in my opinion that is correct.

Cmr. Maldonado asked detention is what is required by City code?

Alma Guerra stated yes that is correct.

Cmr. Lowry stated, just so everyone knows recently the City Engineer resigned. Alma Guerra is now the highest ranking Engineer.

Alma Guerra stated I am the Deputy City Engineer that is the role that I took on and that is the role that I continue in.

Cmr. Lowry stated my point is that you are now the highest ranking professional Engineer on City staff. I see here on your staff comments, on page 8, regarding this staff recommendation regarding approval with conditions. Is that still your recommendation or have you since changed your recommendation?

Alma Guerra stated when I was attached to this project; there had been previous conversations between staff members that are no longer here at the City. There were conversations with the Engineer, the developer, the former City Engineer, and the former Assistant City Manager and those conversations led to the approval of detention provided to the subdivision via storage capacity in the ditch.

Cmr. Garcia stated by widening the ditch by widening a certain section of ditch that will account for the required detention.

Alma Guerra stated in my professional opinion no they're providing the volume required, but they are not providing detention.

Cmr. Garcia and Cmr. Maldonado stated I agree with you.

Alma Guerra, Deputy City Engineer, stated, as mentioned earlier that was the call that was made beforehand, with that call being made that is how I was reviewing the plans. Up until about a week, week and a half ago we've been without a City Engineer. That was the call that was made, that was the call that was respected when the comments were made in December.

Cmr. Lowry stated based on those changes would you have different recommendations at this time.

Alma Guerra, Deputy City Engineer, stated yes. For Carey Estates my recommendation as an Engineer would be for a detention pond to be provided on – site with the outfall then discharging into the ditch. That would be my personal Engineering recommendation.

Cmr. Lowry what would the best step to help this subdivision move forward, meeting the necessary requirements.

Alma Guerra, Deputy City Engineer, stated my call would be for a detention pond to be provided discharging into that ditch, for on – site detention to be provided. I tried to have the Engineer show that there was sufficient volume in that channel.

Cmr. Garcia stated you mentioned your recommendation would be a detention pond, but there are other forms of detaining water on – site, that's the most conventional, archaic way, but there's other innovative ways.

Alma Guerra, Deputy City Engineer, stated they can do underground detention, I've seen and designed underground detention. I've done rain gardens.

Cmr. Garcia asked do you think building this subdivision the way it's currently designed would be a good idea for the citizens living there today. Would it be a good idea or do we need to go back to the drawing board?

Alma Guerra, stated my recommendation would be no based on the AH flooding that's currently happening on the site and due to the detention requirements that we have.

Cmr. Cruz asked you're currently a Certified Floodplain Manager, so you're well aware of flood hazard zones, attaining lomars and what it requires. Has any of that been conducted or gotten approval from FEMA yet?

Alma Guerra stated no the applicant is not pursuing removing this property outside of the flood zone.

Cmr. Cruz asked is the developer going to have to add fill to that area to get it out of the flood zone.

Alma Guerra stated the applicant is not here at this time, but he has a representative.

Cmr. Cruz stated under my understanding with flood insurance, if you're selling a home that's in a flood zone you're going to have to have a significant amount of flood insurance, is that correct?

Alma Guerra stated that is correct based on the community rating standards and the FEMA flood insurance program.

Cmr. Lowry stated my number one concern is I don't want to slow down a project needlessly. If there are some issues that need to be addressed, we need to be very mindful of flood plain insurance. My concern is if the decision of this board is to disallow, what are some expedited processes we can do to help the property owners meet this criteria. As a property owner if I were going through a process and then the rules changed on me mid process that would be frustrating. How quickly can we have resources at their disposal?

Xavier Cervantes stated I don't believe the rules changed during the process. If they redesign the subdivision and provide the detention pond as required by the ordinance then the subdivision could come back before you possibly within a month or two for approval. If they redesign it the way it's supposed to be redesigned.

Chrm. Consiglio asked there's no approval of this with any conditions that would be too much for a motion at this point.

Mark Sossi, City Attorney, stated it's possible to approve a plat with conditions, however the fact that detention is completely lacking here, I think it would be better if this Commission wishes to deny it and then have them go back to the drawing board and resubmit something new. That would be a more appropriate action. The problem is if you do not deny a plat within the 30 days after the date a plat is filed, it's automatically approved. Since you have an area of detention in a flood area, the safer in this case would be, if that's the will of the commission, to deny it, but then encourage staff to streamline it, to work with the developer in the hope he could submit something that would comply with the City Codes.

Chrm. Consiglio opened Public Hearing.

Dustin Moore of Moore Land Surveying spoke on Consent Agenda Item A. He spoke on behalf of Jack Brown from Brown, Leal, and Associates. In regards to your question, the flood zone elevation is slightly above natural ground and I believe the finished floor is well above that elevation. I don't believe Jack has any plans to do a lomar to the whole site, but each individual home owner can do that to their property.

Cmr. Cruz asked what are you passing on to the homeowner, what type of conditions is he going to have to build to get out of that flood zone?

Dustin Moore stated his two feet of fill should bring him 18 inches above minimum of the base flood elevation. That's what I understand Jack's plan is, but each homeowner could do a lomar for each individual house.

Cmr. Cruz stated as a property being sold if it's in a flood zone it's up to the property owner to get themselves out of the flood zone through FEMA's eyes.

Dustin Moore stated correct. The natural ground would be below the base flood, once the house is elevated during the construction process it would be out of the base flood and it would be up to the homeowner to get their flood insurance for that tract. Again it's not my process I'm just conveying what Jack would want.

Chrm. Consiglio closed Public Hearing.

Cmr. Cruz motioned to deny Item A. Cmr. Maldonado seconded the motion. The motion passed unanimously.

b. Consider and take action to approve the preliminary construction plans and final plat with conditions of the proposed Legends South Subdivision, being a 19.96 acres of land out of Block "E", Survey 294, Stuart Place Subdivision, located on east side of Cook Lane south of November Drive. Applicant: Moore Land Surveying, c/o Steven and Carly Thomas.

Chrm. Consiglio asked Mr. Cervantes the two calls were about this particular Item.

Xavier Cervantes stated correct. He summarized the following:

- This is also a proposed subdivision for single family homes.
- It's in the ETJ along Cook Lane, 1 ½ miles outside the City Limits.
- There's no sewer in this area, so they are proposing half acre lots and septic tank systems.
- There was a Thoroughfare Plan Amendment processed a few months ago that allows this and whenever the next 20 acres that are developed to the North then this street will connect and there will be a second entrance when the 20 acres to the North develops.
- There some residential houses to the West side of Cook Lane.
- Staff recommends approval with the same conditions as listed and then you have additional conditions listed in your packets from Engineering and Water Works.

Cmr. Cruz asked what type of detention is being provided at this subdivision.

Alma Guerra, Deputy City Engineer, stated it is my understanding they are providing the detention that is required similar to the previous project. The storage ditch that is being created is provided and dedicated to the drainage district.

Cmr. Cruz asked: In your opinion does that meet the detention requirement in the Subdivision Ordinance?

Alma Guerra, Deputy City Engineer, stated no.

Cmr. Garcia stated the proposed drainage pattern and existing ditch is capable of handling the proposed flow. That tells me there are no improvements; they're going to use the existing

ditch because it's big enough. If we're going to add more homes, we're going to generate more flow and that big ditch is going to handle the flow, but we just had two people call and say that it already floods. It's a little concerning to me, for those citizens who already flood. Whoever buys that land will be susceptible to flooding.

Dustin Moore of Moore Land Surveying, the applicant for Consent Agenda Item B spoke regarding the item. Dustin Moore stated we understand the different view point on detention and on channel storage. If that's what the City wants we can make those changes. However, we do believe the existing ditch is adequate for the storm that it's designed for. We can't say the ditch that's designed for a 25 – 50 year storm is going to handle a 500 year storm, but we do believe it's adequate for what it was designed for.

Cmr. Cruz asked the ditch that you all are proposing to empty into, who owns that ditch?

Dustin Moore stated Cameron County Drainage District 5.

Cmr. Cruz asked do you do any work for that drainage district.

Dustin Moore stated we have done some work with them.

Cmr. Cruz asked how recently?

Dustin Moore stated ongoing.

Cmr. Cruz stated so you are a current client of the Cameron County Drainage District.

Dustin Moore stated yes we are and all of that is approved by them.

Cmr. Maldonado stated it looks to me that you're providing detention, but it's an extension of a channel.

Dustin Moore stated that's correct, like Alma said, it would be considered on channel storage. We're going to break that up and put a downfall.

Cmr. Maldonado asked is there some sort of agreement with the drainage district when you propose it. What is the agreement?

Dustin Moore stated their standard policy is if it serves more than 40 acres they'll take over maintenance of it. Which is why we have the south tract where we have drainage easements extending north this detention could in the future serve the whole 40 acre tract.

Chrm. Consiglio opened the Public Hearing.

Chrm. Consiglio closed the Public Hearing.

Cmr. Lowry made a motion to approve Consent Agenda Item B. The motion died. Cmr. Maldonado motioned to deny the item. Cmr. Gamez seconded the motion. The motion was denied by a vote of 4 – 1.

Cmr. Lowry asked what do they need to do to move this project along?

Alma Guerra, Deputy City Engineer, stated we've had conversations with Mr. Moore and he's happy to make those adjustments and provide that meter pond so it is actual detention and any modifications that he can make to this site to ensure it meets our definition of detention.

Mark Sossi, City Attorney, stated Chrm. Consiglio I would advise you to make comments on the record as to why the plans and plats for Items a and b were denied, for the record.

Chrm. Consiglio stated for the record the reason they are denied is based on City staff recommendations for improved drainage and retention.

Xavier Cervantes, Planning & Development Director, stated the drainage is not in compliance with the ordinance.

3. Request for a Special Use Permit (SUP) to allow a parking lot in a Residential, Multi – Family (M – 2) District located on 2026 S. 23rd Street, bearing a legal description of Lot 5, Block 21, Treasure Hills Subdivision Unit 2. Applicant: Cesar Garcia.

Planning Director Xavier Cervantes summarized the following:

- Parking lots are allowed in a residential property with a Special Use Permit (SUP)
- This on 23rd street, it's very close to Ed Carey and the medical area.
- The business needs more parking, so they purchased the property for additional parking.
- Staff recommends approval subject to conditions.
- Compliance with drainage requirements and applicable requirements from Engineering.
- Applicable requirements from Fire Prevention Bureau.
- Compliance with Building Codes.
- Each off street parking space for automobiles should have an area of not less than 9 feet by 20 feet connected to a public street or driveway no less than 22 feet wide or directly adjacent to a public alley to allow ingress and egress of an automobile at all times without moving any other automobile.
- A masonry wall or solid ornamental fence no less than 3 feet and no more than 6 feet in height shall be erected and maintained to enclose the off street parking areas.
- 15% of gross building site shall be dedicated to landscaping.
- No light from the parking lot shall affect the surrounding residential areas.
- We sent notices to property owners within 200 feet and we received no phone calls in opposition to the request.

Cmr. Garcia stated we're proposing to approve a Special Use Permit (SUP) based on conditions. Drainage is going to be one of those conditions. We're going to approve it and then they're going to supply the drainage plans.

Xavier Cervantes stated it has to be approved by Engineering Department.

Cmr. Garcia asked we are going to recommend they meet the 25 year storm design, minimum detention requirements.

Alma Guerra, Deputy City Engineer, stated I added one of the conditions on there; they still have to meet detention requirements per our ordinance. They will need to provide that with their building permit.

Chrm. Consiglio asked Mr. Cervantes this parking lot is for the clinic that's on the corner. Are people going to be able to exit out on to 23rd street from that parking lot?

Xavier Cervantes stated there's a proposal to connect. If there's no parking at the clinic then they can park there.

Cmr. Garcia asked do we have any idea what the drainage plan is going to look like. To me it looks like the entire surface will be covered with asphalt and this would be a good opportunity to show the community that underground storage is possible. I don't see where else we would have storage.

Alma Guerra stated this has only been through one round of review with the building permit and they did not provide detention. That was a comment that was already made by staff. They're going to have to get creative with their solutions to detention.

Cmr. Garcia asked we're not approving this current layout.

Xavier Cervantes stated no it's just a concept.

Cmr. Garcia stated it's a concept and if they're going to use conventional detention they're going to lose parking spaces. They could get creative and innovative and use the entire parking lot underneath it and have underground storage.

Chrm. Consiglio opened the Public Hearing.

Chrm. Consiglio closed the Public Hearing.

Chrm. Consiglio stated I don't like the idea of putting traffic onto 23rd; basically single car backing out regular neighborhood activity.

Cmr. Garcia asked is there a zoning issue here, did we already rezone it.

Xavier Cervantes stated no a parking lot is allowed in a residential zone with a Special Use Permit (SUP)

Chrm. Consiglio asked we're allowed to put extra conditions.

Xavier Cervantes stated a condition can be not to have an entrance onto 23rd street, if that's what the board wishes.

Cmr. Gamez asked how wide is that street.

Xavier Cervantes stated 37. The Subdivision Ordinance if the street is 600 feet in length it's 32 feet, if it's more than 600 feet in length then its 37 feet back to back.

Cmr. Garcia asked what are the hours of business.

Cesar Garcia, applicant for the SUP, stated 8am – 5pm.

Chrm. Consiglio stated I'd like an SUP condition, if this gets approved by you all if someone makes a motion to consider different ideas not having an entrance/exit on 23rd and maybe even consider a green space buffer as well.

Cmr. Garcia stated I appreciate that comment Chairman. The other thing we can improve on as a City when we're reaching out is doing the minimum legal requirement outreach in the Valley Morning Star two times and sending a letter out within a 200 foot radius for properties. Those property owners are getting and Chairman Consiglio just stated this is a high rental area. These might be rental properties where people who have families, young children, have no say in it, but they're renting here. This really needs to be considered and rethought.

Cmr. Cruz asked will this parking lot be available to people outside of the business hours. If you have a high - tenant area, are people renting there going to use that?

Xavier Cervantes stated I don't believe so; it is a private parking lot.

Cmr. Maldonado asked what's to be in compliance with one ingress/egress, instead of two.

Xavier Cervantes stated the parking lot would have to be redesigned.

Cesar Garcia, applicant for the Special Use Permit, stated they'll wind up staying there until about 7 or 8, because not all the patients will be leaving at 5 o'clock. They'll gradually be leaving there. There's not any more traffic than what is already there right now as far as the employees and the patients going out. Our biggest concern is safety; we have doubled in size in the last two years, patients and employees. We need to increase our parking. What's happening right now is we'll have patients and staff parking on Haine Dr. and they park and cross over towards the clinic. That's a safety hazard, there are people walking on crutches, walkers, we need the parking lot. Closing the entrance/exit on 23rd Street it's possible, but we're going to lose parking spaces and that's what we need parking spaces.

Cmr. Gamez stated you already have residents parking on the side of the street on 23rd.

Cesar Garcia stated we have doubled in size patient and employee wise. Most of the first floor is administrative. According to the plans, we need to maintain the width of that area and it should be asphalt.

Cmr. Garcia asked you also need to have a certain amount of handicap parking. Are you going to redo the handicap spots?

Cesar Garcia stated we're thinking we can keep the handicap at our original parking and use the other one for regular patients and staff. We want to keep handicap patients closer to the building.

Chrm. Consiglio asked where the staff currently parks.

Cesar Garcia stated wherever they can, right now we are leasing from the church. They are crossing the street. In the plans I submitted this called for two detention ponds, one on each corner to be able to handle the water flow from that parking lot.

Cmr. Garcia asked there is a covered parking on the south end is that for duplexes?

Cesar Garcia, the applicant, stated the covered parking is for the doctors.

Cmr. Garcia asked are we confident if we approve this, the handicap and all of the safety with pedestrian traffic is going to be addressed.

Xavier Cervantes stated we will be very careful on this before issuing any permits.

Chrm. Consiglio stated with the SUP we can add conditions and stipulations on it to make sure we protect our citizens.

Cmr. Garcia asked Mr. Sossi if I were to make a motion to table this and have it for another day to be able to study it and talk to staff, can we do that.

Mark Sossi, City Attorney, stated yes you can do table it and then move to take it from the table to discuss at a different time. You have the discretion to do that.

Cmr. Garcia made a motion to table the item. Cmr. Gamez seconded the motion. The motion passed unanimously to table the item.

4. Assistant Planning and Development Director's report by Joel Olivo, Assistant Planning and Development Director.

Joel Olivo, Assistant Planning and Development Director summarized the following:

- The variance request to the required street escrows for the proposed one lot subdivision on FM 507 got approved by City Commission.
- The rezoning request for the proposed planned development on Haine and FM 509 got approved by City Commission.

5. Planning and Development Director's report by Xavier Cervantes, AICP, CPM, Planning and Development Director.

Xavier Cervantes, Planning and Development Director summarized the following:

- We have the workshop regarding the new Subdivision Development Guide scheduled for Thursday, January 20th at 5:30pm.
- The existing Subdivision Development Guide is on the website.

Cmr. Garcia made a motion to adjourn the meeting. Cmr. Lowry seconded the motion. The motion passed unanimously.

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Nick Consiglio, Chairman
Planning and Zoning Commission

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 26, 2022**

Agenda Item:

Consider and take action to approve the preliminary construction plans and final plat with conditions of the proposed Legends South Subdivision being a 19.96 acres of land out of Block "E", Survey 294, Stuart Place Subdivision, located on the east side of Cook lane south of November Drive. Applicant: Moore Land Surveying LLC, c/o Steven and Carly Thomas.

Prepared By: Johanna Maldonado, CPM
Title: City Planner
Signature: *Johanna Maldonado*

Brief Summary:

Project Timeline

- April 16, 2021 – Original preliminary and final plat application submitted to the City. **(ATTACHMENT I)**
- April 16, 2021 – Variance Application submitted to the City. **(ATTACHMENT I)**
- April 27, 2021 - Subdivision reviewed by the Subdivision Review Committee
- April 29, 2021 – Letter sent to applicant outlining conditions; preliminary construction plans and final plat checklist deemed incomplete.
- May 12, 2021 – Consideration of variance request by the Planning and Zoning Commission.
- May 19, 2021 – Consideration of variance request by the City Commission.
- May 27, 2021 Application for Comprehensive Plan Amendment Request submitted to the City.
- June 23, 2021 – Public Hearing and consideration of requested Comprehensive Plan Amendment via 1st Ordinance reading scheduled before the City Commission.
- July 7, 2021 – Public Hearing and consideration of requested Comprehensive Plan Amendment via 1st Ordinance reading scheduled before the City Commission.
- July 21, 2021 – Pending approval of 1st Ordinance reading, consideration of approval of 2nd Ordinance reading scheduled before the City Commission.
- July 22, 2021 –Letter of Authorization submitted and new site plan submitted.
- August 11, 2021 - Public hearing and consideration of requested comprehensive plan amendment by the Planning and Zoning Commission (P&Z).
- August 28, 2021 – Public hearing was conducted. The Planning and Zoning Commission (P&Z) recommended approval of the Thoroughfare Amendment request by a 4 to 0 vote.
- October 6, 2021 – Consideration of requested Thoroughfare amendment via 1st Ordinance reading approved by City Commission.
- October 01, 2021 – Subdivision reviewed by Subdivision Committee.
- October 11, 2021 – Email sent to applicant outlining conditions; preliminary construction plans and final plat checklist deemed incomplete.
- October 20, 2021 – Consideration of requested Thoroughfare amendment approval of 2nd Ordinance reading approved by the City Commission.
- December 17, 2021 – Subdivision reviewed by the Subdivision Review Committee.
- January 4, 2022 – Preliminary and final plat application deemed complete.

- January 12, 2022 –Consideration of the preliminary and final plat by the Planning and Zoning Commission was denied.
- January 14, 2021 - New Subdivision submitted and reviewed by the Subdivision Review Committee.
- January 20, 2022 – Preliminary and final plat application deemed complete
- January 26, 2022 –Consideration of the preliminary and final plat by the Planning and Zoning Commission.

Summary

- The proposed subdivision consists of 26 single family residential lots. It is located outside of the City limits and within the 3.5 mile ETJ on the east side of Cook Lane south of November Drive.
- All lots will be fronting an interior street.
- Water services will be provided by HWWS and wastewater will be by septic system.
- All items on the preliminary and final plat checklist will be addressed prior to the recording of the plat.

Staff recommends approval of the preliminary construction plans and final plat with the following conditions.

Conditions

1. Requirements from the Engineering, HWWS, Fire Department, and Planning Department please see attached comments (ATTACHMENT III-VIII **).**

Funding (if applicable):						
Are funds specifically designated in the current budget for the full amount for this purpose? *If no, specify source of funding and amount requested:			Yes		No*	
Finance Director's approval:		Yes		No		N/A
City Manager's approval:		Yes		No		N/A
Comments:						
City Attorney's approval:		Yes		No		N/A

Attachment I—Application

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT
MASTER APPLICATION

PROPERTY INFORMATON: (*Please* **PRINT** *or* **TYPE**)

Project Address COOK LANE Nearest Intersection COOK LANE & NOVEMBER DR

(Proposed) Subdivision Name LEGENDS SOUTH Lot 1-26 Block 1

Existing Zoning Designation N/A Future Land Use Plan Designation SINGLE FAMILY

OWNER/APPLICANT INFORMATION: (*Please* **PRINT** or **TYPE**)

Applicant/Authorized Agent MOORE LAND SURVEYING Phone 956-245-4651 FAX

Email Address (for project correspondence only): D.MOORELANDSURVEYING@GMAIL.COM

Mailing Address 14216 PALIS DRIVE City LA FERIA State TX Zip 78559

Property Owner STEVEN AND CARLY THOMAS Phone 956-873-3133 FAX

Email Address (for project correspondence only):

Mailing Address 429 E. WOODLAND DR City HARLINGEN State TX Zip 78550

Select appropriate process for which approval is sought. Attach completed checklists with this application.

☐ Annexation Request……No Fee	■ Preliminary Construction Plans and Final Plat……$150.00
☐ Administrative Appeal (ZBA)……$125.00	☐ Minor Plat……$100.00
☐ Comp. Plan Amendment Request…$250.00	☐ Re-Plat……$250.00
☐ Re-zoning Request……$250.00	☐ Vacating Plat……$250.00
☐ SUP Request/Renewal……$250.00	☐ Development Plat……$50.00
☐ Zoning Variance Request (ZBA)……$250.00	■ Subdivision Variance Request……$25.00 (each)
☐ PDD Request……$250.00	☐ Right-of-Way / Utility Easement Abandonment……No Fee
☐ License to Encroach……$250.00	

Please provide a basic description of the proposed project:

26 LOT SINGLE FAMILY SUBDIVSION IN 3.5 MILE ETJ W/ VARIANCE TO CUL-DE-SAC LENGTH RQMT.

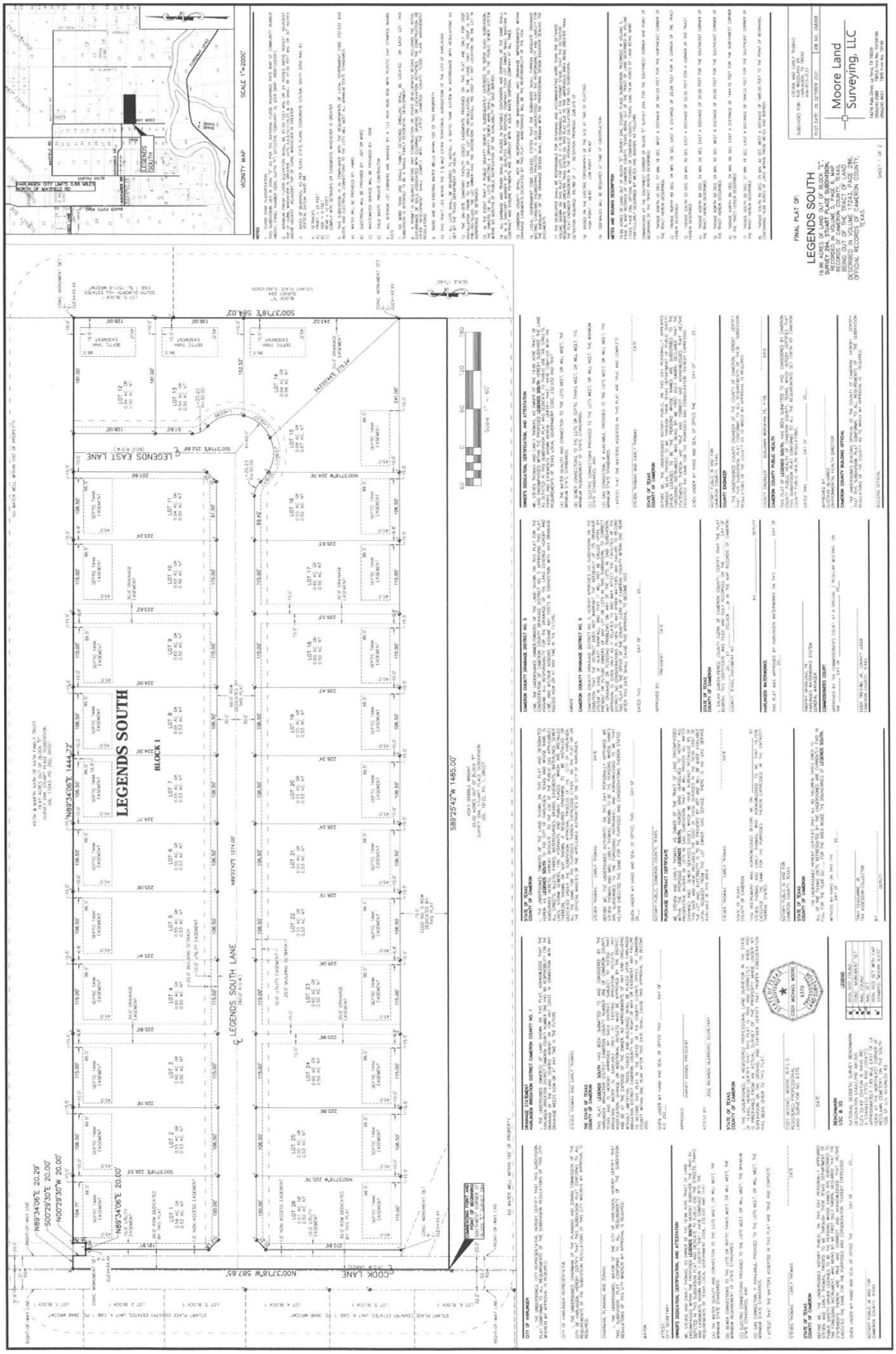
I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: DUSTIN MOORE Digitally signed by DUSTIN MOORE Date: 2021.04.16 08:17:04 -05'00' Date: 4/16/21

Property Owner(s) Signature: Date:

Accepted by: Date:

Attachment II—Final Plat



Attachment III – Fire Prevention Bureau

CITY OF HARLINGEN TEXAS

Subdivision Review

Subdivision Name:	**Legends South**
Proposed Use:	**26 Lot Single Family Residential Use in the 3.5 Mile ETJ**
Location:	**East side of Cook Lane, south of November Drive**
Developer:	**Steven and Carly Thomas**
Engineer:	**Dustin Moore of Moore Land Surveying, LLC / (956) 245-4651**

Approval: **__X__ Yes** **____ Yes with Comments** **____ No**

Comments: **1. No Comments**

Juan Sauceda Jr. Fire Marshal Departmental Official Signature	**Fire Prevention** Department	**December 6, 2021** Date
(956) 216-5790 Contact Number	jsauceda@myharlingen.us Contact e-mail	_____ Signature

1 of 1

Attachment IV – Engineering Approval Letter

CITY OF HARLINGEN TEXAS

Engineering Department | 502 E. Tyler Ave. 78550 | (956) 216-5223

January 4, 2022

Alma Carolina Guerra, PE, CFM
Deputy City Engineer
502 E. Tyler Ave.
Harlingen, Texas 78550

Mr. Joel Olivo
Assistant Director for Planning and Development
502 E. Tyler Ave.
Harlingen, Texas 78550

RE: REVIEW OF LEGENDS SOUTH SUBDIVISION PRELIMINARY CONSTRUCTION DOCUMENTS.

Dear Mr. Olivo,

On December 03, 2021 our department received the following documents regarding the above-mentioned subdivision:

- Final Plat
  - Preliminary Drainage Plan
  - Preliminary Utility Plan

Per section 109-87.(a)(6), review of the subdivision construction plans cannot begin until the plat is approved by the planning and zoning commission with conditions therefore, the final construction plans submitted are disapproved.

Please find comments below regarding the preliminary construction documents for the above-mentioned subdivision per Section 109-128.(a) of the City of Harlingen City Ordinances.

Plat

☐ Approved

☒ Approved with Conditions

☐ Disapproved

1. Repeat comments: 109-91.(b)(1) - One digital submission of both PDF and AutoCAD files. Files shall be submitted via compact disc, portable USB drive, or email as specified by the City Engineer. AutoCAD files shall be submitted in the coordinate system as specified in Section 109-91.(c)(3)e. or as otherwise directed by the City Engineer.
    a. Please provide an AutoCAD file for the plat prior to final recordation.

    Response:

2. Repeat Comment: 109-91.(c)(3)e – The primary subdivision corners with descriptions of coordinates where northing and easting shall be provided to four decimal places in the NAD 83 State Plane Coordinate System Texas South Zone (4205), or as directed by the City Engineer with ties to the original block corners. Elevations of these points shall be provided to two decimal places in NAVD 88 datum, or as directed by the City Engineer. All new monuments set at subdivision corners shall be set to a sufficient depth to retain a stable and distinctive location, encased in concrete where location permits, shall be marked in a way that is traceable to the responsible surveyor, and shall conform to the appropriate state statutes.
    a. Please complete the N, E, & Elev. fields prior to final recordation.

    Response:

3. FYI: 109-91.(d)(10) – Any drainage, street sign deposits, street light deposits, or other fees due must be submitted prior to recording of the plat.

    Response:

4. FYI: Additional comments to be provided with final construction documents.

Developer's Report

1. Repeat Comment: Developer's Report dated 9/20/2021 approved. Please provide assessment fee of $31,761.00 prior to plat recordation.
    a. This is currently being reviewed by the City's attorney per previous discussions.

    Response:

Please note that this review shall be for conformance to subdivision regulations and the responsibility and liability for the adequacy of the design shall remain with the engineer sealing the documents.

If you have any questions, please feel free to contact me at (956) 216-5284 or via email at aguerra@myharlingen.us.

Sincerely,

Alma Guerra, PE, CFM

HARLINGEN WATERWORKS SYSTEM

MEMORANDUM

December 16, 2021

To: Johanna Maldonado, Planning & Zoning Department

From: Emiliano Rosel, E.I.T., Assistant Utility Engineer

Subject: **Legends South Subdivision Plat Submittal #3**
APPROVED AS NOTED

Document(s) Reviewed:

Preliminary Utility Plan and Final Plat

Background:

- Site is located **outside** the City limits.
- Site is located **inside** the HWWS Water Certificate of Convenience and Necessity
- Site is located **inside** the Water Mandatory Connection Area
- Site is located **inside** the HWWS Sewer Certificate of Convenience and Necessity
- Site is located **outside** the Sewer Mandatory Connection Area

Existing Water & Sewer Facilities

- Water
  - There is an existing 8" PVC water line that runs along the west side of Cook Ln, in front of the property.
  - The closest fire hydrant north of the subdivision property is approximately 75 feet away on the north side of Hick Hill Rd. The closest fire hydrant east of the subdivision property is approximately 180 feet away on the northwest corner of the November Dr. and Cook Ln. intersection.
- Sewer
  - There are no sewer facilities within a 1-mile radius of the subdivision property.

Preliminary Utility Plan Review

- No comment.

Final Plat Review

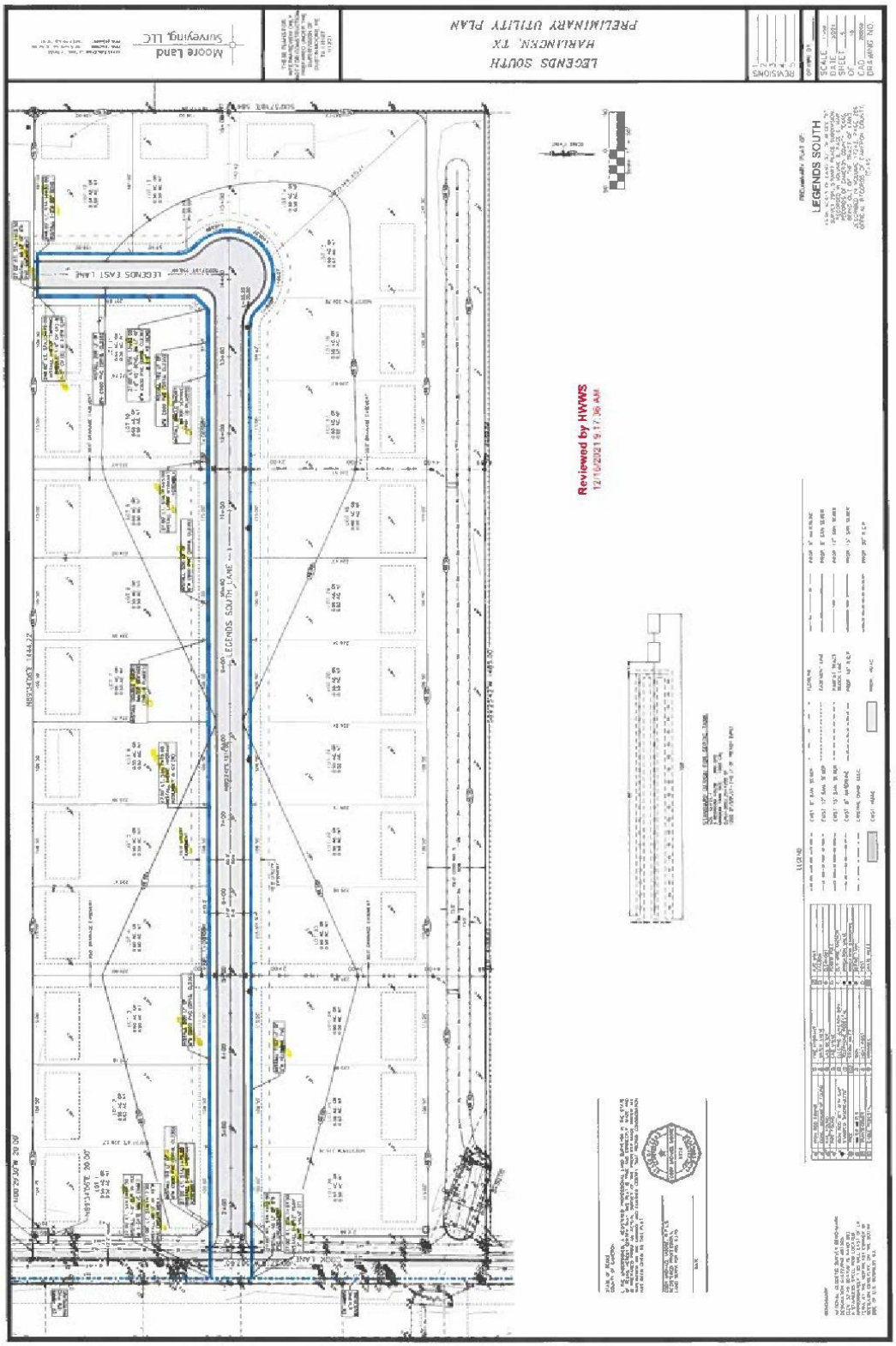
- No comment.

General:

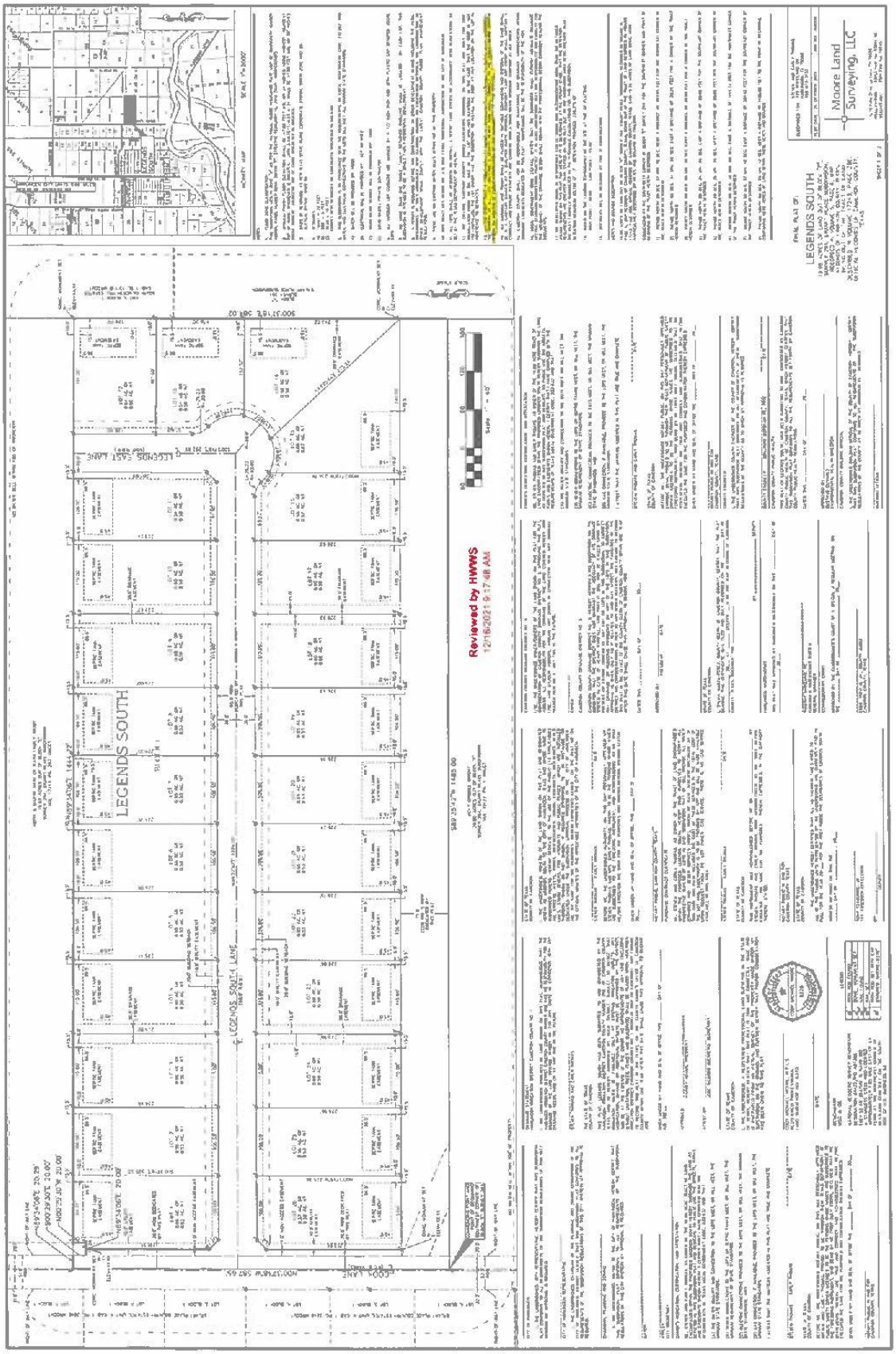
- Upon final approval of the construction plans by HWWS and the City of Harlingen, the engineer may submit the final plans for stamping in PDF format.
- A mandatory pre-construction meeting must be held with HWWS and the City of Harlingen prior to commencement of construction.
- The developer is responsible for all surveying and engineering associated with the designed and construction of the water and sewer improvements as required.
- All water and sewer improvements must comply with applicable TCEQ requirements.
- All improvements must comply with the HWWS Approved Materials List and Standard Details.
- All septic tanks must comply with TCEQ standards.
- All existing water and sewer facilities must be maintained operational at all times.
- If the developer requests HWWS to execute the plat prior to completion of the modifications to the existing water & sewer facilities, a Letter of Credit (LOC) or a Check in an amount equal to the developer's estimated costs of construction must be submitted to HWWS. The developer's engineer is to submit a cost estimate for this work for review and approval by HWWS prior to submission of the LOC or check.
- Developer will be required to pay any applicable impact fees, connections fees, and inspection fees prior to HWWS final stamping of the plans for construction and prior to the scheduling of the pre-construction meeting.
- Upon approval of the plans and payment of all applicable fees, please contact Mr. Rudy Gonzalez, Water Operations Manager, at rgonzalez@hwws.com or 956-440-6580 to schedule the pre-construction meeting.
- HWWS will require three full size sets of the stamped plans at the time of the pre-construction meeting. The City of Harlingen may require additional hard copies of the plans, contact the City Engineering department to confirm.
- HWWS comments subject to modification based on additional information of future comments issued by the City of Harlingen, changes made to the plans after approval has been given, or if new information is uncovered through field discovery.

Cc: COH Development Review Committee

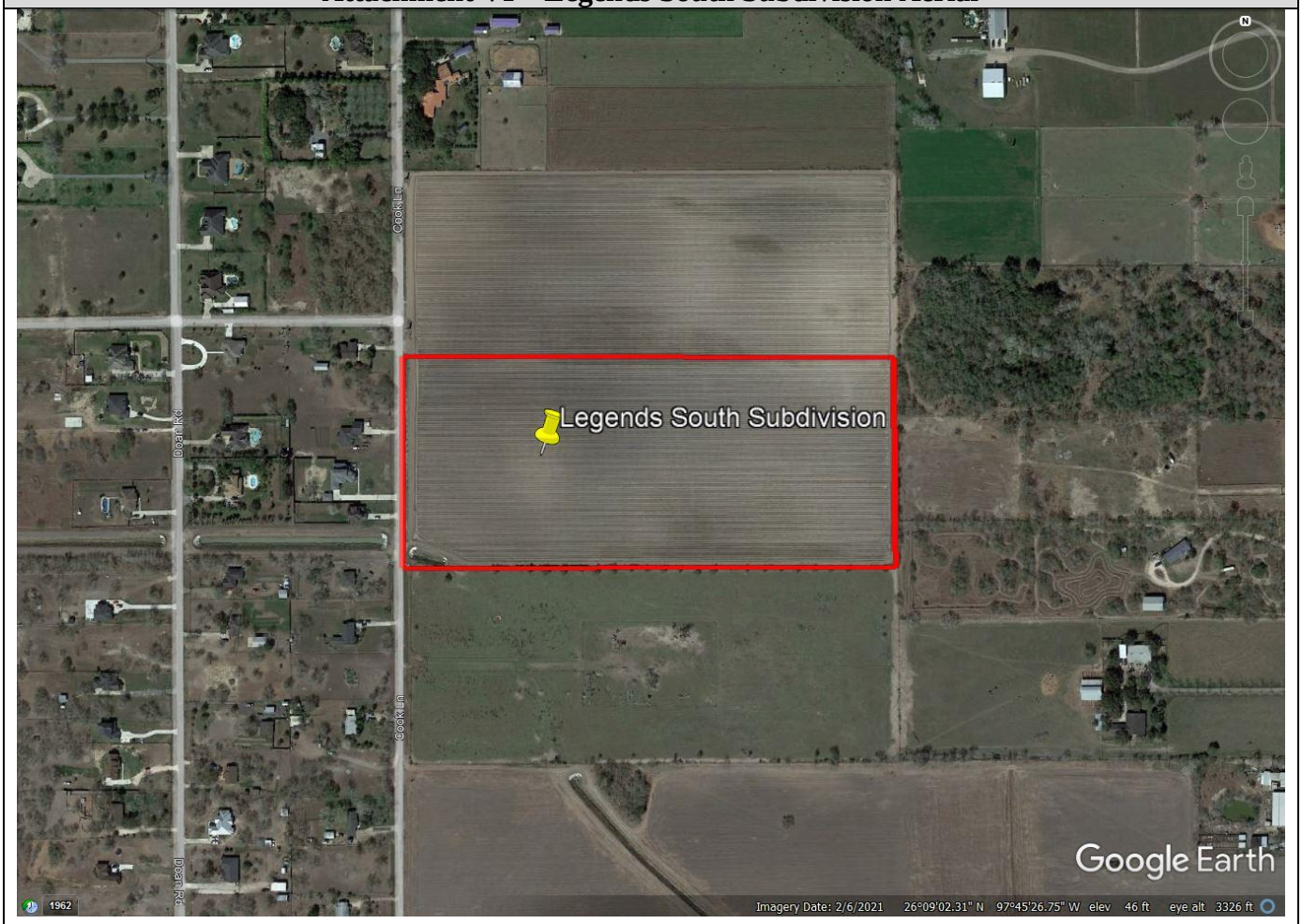
Attachment V—Harlingen Water Works



Attachment V—Harlingen Water Works



Attachment VI – Legends South Subdivision Aerial



DRAINAGE STATEMENT

FOR

LEGENDS SOUTH

STEVEN & CARLY THOMAS
429 WOODLAND DR.
HARLINGEN, TX 78550
956-873-3133

CCAD GEO ID: 98-4250-0110-0201-00
CCAD PARCEL ID: 374572

SEPTEMBER 2021
**REV 13JAN22*

Prepared by: 13JAN22

Moore Land Surveying, LLC

14216 Palis Drive,
La Feria, TX 78552

(956)245-9163

TBPLS Firm No. 10194186
TBPE Firm No. 19190

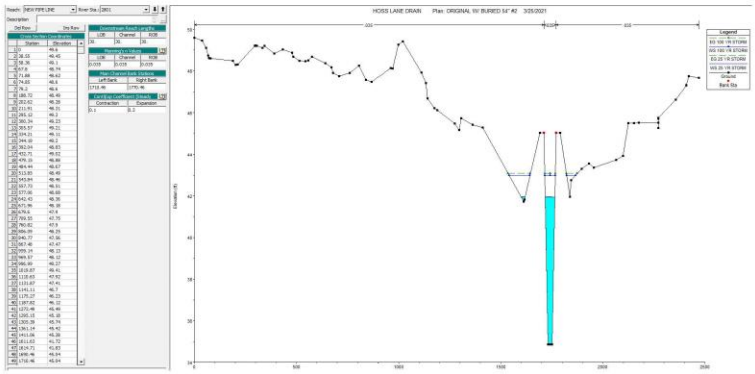
DRAINAGE STATEMENT
LEGENDS SOUTH

20 SEPTEMBER2021

Legends South is a 19.96 ac. tract of land. The property is located on the southeast corner of November Drive and Cook Lane. The property is being developed into 26 single family residential lots. The property currently is undeveloped and is in row crop production. The subdivision lies in Zone "X" according to FEMA's Flood Insurance Rate Map, Community Panel No. 480101 0250 F, Revised February 16, 2018. Zone "X" is an "area outside the 0.2% Annual Chance Floodplain". The subdivision plat will call for the building's finished floor to be at elevation 47.00 MSL or 24" above the highest adjacent back of curb whichever is higher in order to ensure the finished floor elevation is above the 100-year flood plain in order to mitigate flood damage. The water surface elevation recorded in this area based on CCDD 5 modeling is 43.00 for the 100-yr storm.

The soils are 23% sandy clay loam which is in hydrologic soil group "B" with moderate infiltration, and 73% clay loam in hydrologic soil group "C" with slow infiltration and 4% clay which is in hydrologic soil group "D" with very slow infiltration. (See excerpts from "Soil Survey of Cameron County, Texas").

Existing runoff of Legends South is by surface flow to the southwest where it flows into the CCDD No. 5 ditch via an 18" down-drain, to the Arroyo Colorado, thence to the Laguna Madre. The project is in the City of Harlingen's ETJ which requires the detention volume to the difference of the 10-year pre-developed flow and the 25-year post-developed flow, which creates a greater detention volume so this method was used for this subdivision. The subdivision has an existing runoff of 10.22 CFS during the 10-year storm frequency and 20.47 CFS during the 25-yr storm frequency as per the attached calculations. The TXDOT Hydraulic Manual gave a less conservative pre-developed "C" value so previously used 0.16/0.27 was used in order to be more conservative and produce a larger Detention volume. The existing CCDD No. 5 ditch has a capacity of 314 CFS during the 25-yr storm with the watershed at full build out conditions per the attached table and cross section from their model.



River Sta	Profile	Q Total	Min Ch El	W.S. Elev	Vel Chnl	Flow Area	Top Width
		(cfs)	(ft)	(ft)	(ft/s)	(sq ft)	(ft)
2801	25 YR STORM	314.09	34.86	41.93	1.33	238.41	65.21
2801	100 YR STORM	766.78	34.86	43.00	2.49	369.65	198.61

The proposed drainage for Legends South shall consist of routing run-off from each of four Drainage Area to two sets of Type A inlets along the proposed road. These will then drain via RCP culverts ranging in size from a 18"-24" into a proposed detention pond to be dedicated to CCDD No. 5 since it is contiguous with their existing facilities and has the potential to serve 40 Ac. The detention pond will then be released via an 18" RCP control structure with an overflow at elevation 44.00. It will then enter into the CCDD 5 ditch, thence to Arroyo Colorado, thence to the Laguna Madre. The minimum required detention volume was sized based on a 25-year post development event and releasing no more than the pre-developed 10-year event. The proposed outfall will release the detention pond at a rate of 9.47 CFS, less than the predeveloped 10-yr rate of 10.22 CFS. The proposed detention mitigation will account for 132,124 CF more than the 65,789 CF of detention required for the 25-YR storm and more than the 100-YR storm detention of 100,857 CF. The proposed drainage pattern and existing ditch is capable of handling the proposed flow.

The proposed entrance culvert was sized for a 10-year storm as well per Cameron County requirements. The only properties that drain south to this culvert are the 40 Ac. parent tract. The TC for the 40 Ac. is approximately 108 Min which results in a flow rate of 12 CFS. Attached is the printout showing the 18" RCP is capable of handling this flow rate.

Attached are the storm sewer calculations. The detention pond was sized for a 25-year event released at a 10-year rate, but is larger than the 100-year volume and the storm sewers were sized for a 10-year event.

By: _____ 03/17/22
Dustin Moore, PE Date

LEGENDS SOUTH **19.96 AC**
Drainage Calculations
3/24/2021

Pre-developed Conditions

Area =	19.96	AC
"C" =	0.16	(10) YR
Tc = 54 min	3.20	(I10)=IN/HR
Q10pre =	10.22	CFS

Developed Conditions

Detention…25 year storm

C FACTOR	STORM DURATION T (HR)	I (IN/HR)	DRAINAGE AREA A (AC)	INFLOW RATE Q1=CIA (CFS)	RELEASE RATE Qo (CFS)	STORAGE RATE Q1-Qo (CFS)	STORAGE REQ'D 1/12(Q1-Qo)xT (AC-FT)
0.4	0.08	8.63	19.96	68.90	10.22	58.68	0.39
0.4	0.17	8.63	19.96	68.90	10.22	58.68	0.83
0.4	0.25	7.47	19.96	59.64	10.22	49.42	1.03
0.4	0.33	6.60	19.96	52.69	10.22	42.47	1.17
0.4	0.50	5.39	19.96	43.03	10.22	32.81	1.37
0.4	0.67	4.58	19.96	36.57	10.22	26.35	1.47
0.4	0.83	3.99	19.96	31.86	10.22	21.64	1.50
0.4	1.00	3.55	19.96	28.34	10.22	18.12	1.51
0.4	1.50	2.69	19.96	21.48	10.22	11.26	1.41
0.4	2.00	2.19	19.96	17.48	10.22	7.27	1.21
0.4	3.00	1.61	19.96	12.85	10.22	2.63	0.66
0.4	4.00	1.29	19.96	10.30	10.22	0.08	0.03
0.4	5.00	1.08	19.96	8.62	10.22	-1.60	-0.67
0.4	6.00	0.93	19.96	7.43	10.22	-2.79	-1.40
0.4	12.00	0.53	19.96	4.23	10.22	-5.99	-5.99
0.4	24.00	0.30	19.96	2.40	10.22	-7.82	-15.65

Detention required = 1.51 Ac.-Ft. 65,788.96 CF

LEGENDS SOUTH **19.96 AC**
Drainage Calculations
3/24/2021

Pre-developed Conditions

Area =	19.96	AC
"C" =	0.16	(10) YR
Tc = 54 min	3.20	(I10)=IN/HR
Q10pre =	10.22	CFS

Developed Conditions

Detention...100 year storm

C FACTOR	STORM DURATION T (HR)	I (IN/HR)	DRAINAGE AREA A (AC)	INFLOW RATE Q1=CIA (CFS)	RELEASE RATE Qo (CFS)	STORAGE RATE Q1-Qo (CFS)	STORAGE REQ'D 1/12(Q1-Qo)xT (AC-FT)
0.4	0.08	10.96	19.96	87.50	10.22	77.29	0.52
0.4	0.17	10.96	19.96	87.50	10.22	77.29	1.09
0.4	0.25	9.58	19.96	76.49	10.22	66.27	1.38
0.4	0.33	8.53	19.96	68.10	10.22	57.88	1.59
0.4	0.50	7.04	19.96	56.21	10.22	45.99	1.92
0.4	0.67	6.02	19.96	48.06	10.22	37.84	2.11
0.4	0.83	5.28	19.96	42.16	10.22	31.94	2.21
0.4	1.00	4.71	19.96	37.60	10.22	27.39	2.28
0.4	1.50	3.60	19.96	28.74	10.22	18.52	2.32
0.4	2.00	2.93	19.96	23.39	10.22	13.17	2.20
0.4	3.00	2.17	19.96	17.33	10.22	7.11	1.78
0.4	4.00	1.74	19.96	13.89	10.22	3.67	1.22
0.4	5.00	1.46	19.96	11.66	10.22	1.44	0.60
0.4	6.00	1.27	19.96	10.14	10.22	-0.08	-0.04
0.4	12.00	0.73	19.96	5.83	10.22	-4.39	-4.39
0.4	24.00	0.41	19.96	3.27	10.22	-6.95	-13.89

Detention required = 2.32 Ac.-Ft. 100,857.08 CF

Table 4-10: Runoff Coefficients for Urban Watersheds

Type of drainage area	Runoff coefficient
Business:	
Downtown areas	0.70-0.95
Neighborhood areas	0.30-0.70
Residential:	
Single-family areas	0.30-0.50
Multi-units, detached	0.40-0.60
Multi-units, attached	0.60-0.75
Suburban	0.35-0.40
Apartment dwelling areas	0.30-0.70
Industrial:	
Light areas	0.30-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.30-0.40
Railroad yards	0.30-0.40
Unimproved areas:	
Sand or sandy loam soil, 0-3%	0.15-0.20
Sand or sandy loam soil, 3-5%	0.20-0.25
Black or loessial soil, 0-3%	0.18-0.25
Black or loessial soil, 3-5%	0.25-0.30
Black or loessial soil, > 5%	0.70-0.80
Deep sand area	0.05-0.15
Steep grassed slopes	0.70
Lawns:	
Sandy soil, flat 2%	0.05-0.10
Sandy soil, average 2-7%	0.10-0.15
Sandy soil, steep 7%	0.15-0.20
Heavy soil, flat 2%	0.13-0.17
Heavy soil, average 2-7%	0.18-0.22

Table 4-10: Runoff Coefficients for Urban Watersheds

Type of drainage area	Runoff coefficient
Heavy soil, steep 7%	0.25-0.35
Streets:	
Asphaltic	0.85-0.95
Concrete	0.90-0.95
Brick	0.70-0.85
Drives and walks	0.75-0.95
Roofs	0.75-0.95

Rural and Mixed-Use Watershed

Table 4-11 shows an alternate, systematic approach for developing the runoff coefficient. This table applies to rural watersheds only, addressing the watershed as a series of aspects. For each of four aspects, the designer makes a systematic assignment of a runoff coefficient "component." Using Equation 4-22, the four assigned components are added to form an overall runoff coefficient for the specific watershed segment.

The runoff coefficient for rural watersheds is given by:

$$C = C_r + C_i + C_v + C_s$$

Equation 4-22.

Where:

C = runoff coefficient for rural watershed

C_r = component of coefficient accounting for watershed relief

C_i = component of coefficient accounting for soil infiltration

C_v = component of coefficient accounting for vegetal cover

C_s = component of coefficient accounting for surface type

The designer selects the most appropriate values for C_r, C_i, C_v, and C_s from Table 4-11.

Table 4-11: Runoff Coefficients for Rural Watersheds

Watershed characteristic	Extreme	High	Normal	Low
Relief - C_r	0.28-0.35 Steep, rugged terrain with average slopes above 30%	0.20-0.28 Hilly, with average slopes of 10-30%	0.14-0.20 Rolling, with average slopes of 5-10%	0.08-0.14 Relatively flat land, with average slopes of 0-5%
Soil infiltration - C_i	0.12-0.16 No effective soil cover; either rock or thin soil mantle of negligible infiltration capacity	0.08-0.12 Slow to take up water, clay or shallow loam soils of low infiltration capacity or poorly drained	0.06-0.08 Normal; well drained light or medium textured soils, sandy loams	0.04-0.06 Deep sand or other soil that takes up water readily; very light, well-drained soils
Vegetal cover - C_v	0.12-0.16 No effective plant cover, bare or very sparse cover	0.08-0.12 Poor to fair; clean cultivation, crops or poor natural cover, less than 20% of drainage area has good cover	0.06-0.08 Fair to good; about 50% of area in good grassland or woodland, not more than 50% of area in cultivated crops	0.04-0.06 Good to excellent; about 90% of drainage area in good grassland, woodland, or equivalent cover
Surface Storage - C_s	0.10-0.12 Negligible; surface depressions few and shallow, drainageways steep and small, no marshes	0.08-0.10 Well-defined system of small drainageways, no ponds or marshes	0.06-0.08 Normal; considerable surface depression, e.g., storage lakes and ponds and marshes	0.04-0.06 Much surface storage, drainage system not sharply defined; large floodplain storage, large number of ponds or marshes
Table 4-11 note: The total runoff coefficient based on the 4 runoff components is $C = C_r + C_i + C_v + C_s$				

While this approach was developed for application to rural watersheds, it can be used as a check against mixed-use runoff coefficients computed using other methods. In so doing, the designer would use judgment, primarily in specifying C_s, to account for partially developed conditions within the watershed.

Mixed Land Use

For areas with a mixture of land uses, a composite runoff coefficient should be used. The composite runoff coefficient is weighted based on the area of each respective land use and can be calculated as:

TIME OF CONCENTRATION DETERMINATION
HARLINGEN, TX

			OVERLAND FLOW			CHANNEL, PIPE, STREET, ETC. FLOW					
COMPUTATION POINT	DESCRIPTION OF RUN-OFF MEDIUM	C	LENGTH (FT)	GRADE (%)	TIME (MIN)	WIDTH/DIA (FT)	GRADE (%)	LENGTH (FT)	VELOCITY (FPS)	TIME (MIN)	TOTAL TIME (MIN)
AREA 1&2											
WEST INLETS	SINGLE FAMILY RESIDENTIAL	0.40	225	0.22	31						*31*
	GUTTER	0.90					0.30	336	1	6	*6*
	STORM DRAIN	0.90					0.21	276	3	2	*2*
											39
AREA 3											
NORTHEAST INLET	SINGLE FAMILY RESIDENTIAL	0.40	225	0.22	31						*31*
	GUTTER	0.90					0.30	350	1	6	*6*
	STORM DRAIN	0.90					0.21	276	3	2	*2*
											39
AREA 4											
SOUTHEAST INLET	SINGLE FAMILY RESIDENTIAL	0.40	225	0.22	31						*31*
	GUTTER	0.90					0.30	350	1	6	*6*
	STORM DRAIN	0.90					0.21	276	3	2	*2*
											39

TIME OF CONCENTRATION

A) FOR OVERLAND FLOW: TIME= $\frac{1.8*(1.1 - C)*SQRT(L)}{CUBEROOT(S)}$

B) $Tc = \frac{L}{V \times 60} = MIN$ L=LENGTH V=VELOCITY

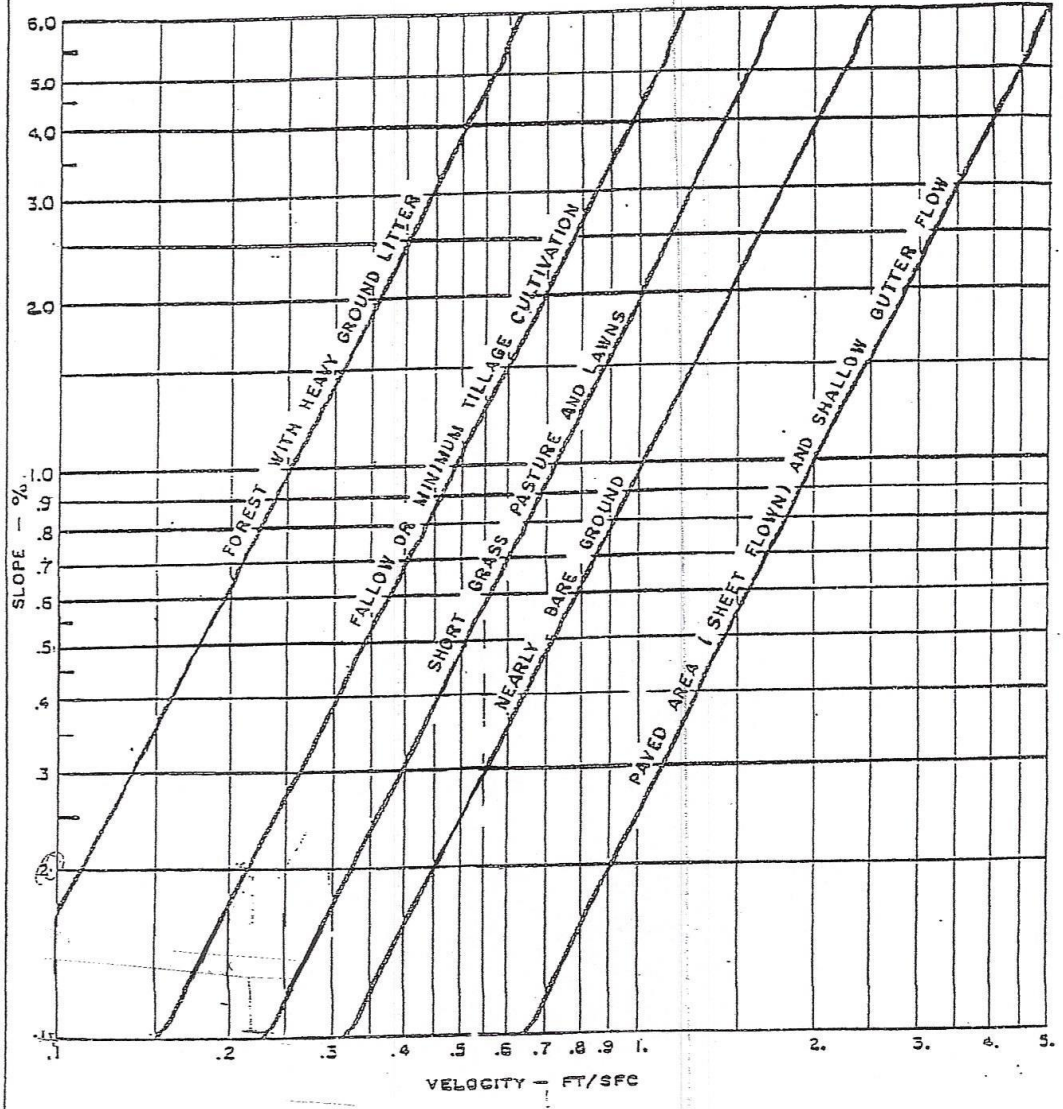
LEGENDS SOUTH
Drainage Calculations
9/20/2021

Post-Developed Conditions

DRAINAGE AREA 1		DRAINAGE AREA 2		DRAINAGE AREA 3	
AREA (Ac.)	4.30	AREA (Ac.)	4.30	AREA (Ac.)	2.98
I (IN/HR)	3.92	I (IN/HR)	3.92	I (IN/HR)	3.92
C (10-YR)	0.40	C (10-YR)	0.40	C (10-YR)	0.40
Q (CFS)	7	Q (CFS)	7	Q (CFS)	5

DRAINAGE AREA 4	
AREA (Ac.)	5.47
I (IN/HR)	3.92
C (10-YR)	0.40
Q (CFS)	9

FIGURE 11



AVERAGE VELOCITIES FOR ESTIMATING TRAVEL TIME FOR OVER LAND FLOW

Rainfall Intensity-Duration-Frequency Coefficients for Texas

Based on United States Geological Survey (USGS) Scientific Investigations Report 2004–5041
"Atlas of Depth-Duration Frequency of Precipitation Annual Maxima for Texas"

1. Select English or SI Units

English

2. Select or Enter a County

Cameron

3. Enter a Time of Conc. Select Units

39 min

Coefficient	50% (2-year)	20% (5-year)	10% (10-year)	4% (25-year)	2% (50-year)	1% (100-year)
e	0.8589	0.8502	0.8436	0.8401	0.8368	0.8352
b (in.)	78.96	99.98	114.90	136.01	155.32	180.34
d (min)	14.80	14.84	15.78	16.64	17.19	18.60
Intensity (in./hr)	2.58	3.37	3.92	4.65	5.33	6.11

(Spreadsheet Release Date: August 31, 2015; data table reshuffle by Asquith July 14, 2016)

Rainfall Intensity-Duration-Frequency Coefficients for Texas

Based on United States Geological Survey (USGS) Scientific Investigations Report 2004–5041
"Atlas of Depth-Duration Frequency of Precipitation Annual Maxima for Texas"

1. Select English or SI Units

English

2. Select or Enter a County

Cameron

3. Enter a Time of Conc. Select Units

54 min

Coefficient	50% (2-year)	20% (5-year)	10% (10-year)	4% (25-year)	2% (50-year)	1% (100-year)
e	0.8589	0.8502	0.8436	0.8401	0.8368	0.8352
b (in.)	78.96	99.98	114.90	136.01	155.32	180.34
d (min)	14.80	14.84	15.78	16.64	17.19	18.60
Intensity (in./hr)	2.08	2.74	3.20	3.80	4.38	5.03

(Spreadsheet Release Date: August 31, 2015; data table reshuffle by Asquith July 14, 2016)

DA2/4-OUTFALL

Project Description	
Friction Method	Manning Formula
Solve For	Pressure at 1

Input Data	
Pressure 2	2.60 feet H2O
Elevation 1	40.95 ft
Elevation 2	40.40 ft
Length	280.0 ft
Roughness Coefficient	0.011
Diameter	24.0 in
Discharge	14.00 cfs

Results	
Pressure 1	2.82 feet H2O
Headloss	0.77 ft
Energy Grade 1	44.08 ft
Energy Grade 2	43.31 ft
Hydraulic Grade 1	43.77 ft
Hydraulic Grade 2	43.00 ft
Flow Area	3.1 ft^2
Wetted Perimeter	6.3 ft
Velocity	4.46 ft/s
Velocity Head	0.31 ft
Friction Slope	0.003 ft/ft

DA1-DA2

Project Description	
Friction Method	Manning Formula
Solve For	Pressure at 1

Input Data	
Pressure 2	2.82 feet H2O
Elevation 1	41.00 ft
Elevation 2	40.95 ft
Length	37.0 ft
Roughness Coefficient	0.011
Diameter	18.0 in
Discharge	7.00 cfs

Results	
Pressure 1	2.89 feet H2O
Headloss	0.12 ft
Energy Grade 1	44.13 ft
Energy Grade 2	44.01 ft
Hydraulic Grade 1	43.89 ft
Hydraulic Grade 2	43.77 ft
Flow Area	1.8 ft²
Wetted Perimeter	4.7 ft
Velocity	3.96 ft/s
Velocity Head	0.24 ft
Friction Slope	0.003 ft/ft

DA3-DA4

Project Description	
Friction Method	Manning Formula
Solve For	Pressure at 1

Input Data	
Pressure 2	2.82 feet H2O
Elevation 1	41.00 ft
Elevation 2	40.95 ft
Length	37.0 ft
Roughness Coefficient	0.011
Diameter	18.0 in
Discharge	5.00 cfs

Results	
Pressure 1	2.83 feet H2O
Headloss	0.06 ft
Energy Grade 1	43.95 ft
Energy Grade 2	43.89 ft
Hydraulic Grade 1	43.83 ft
Hydraulic Grade 2	43.77 ft
Flow Area	1.8 ft²
Wetted Perimeter	4.7 ft
Velocity	2.83 ft/s
Velocity Head	0.12 ft
Friction Slope	0.002 ft/ft

DA1-DA2

Project Description	
Friction Method	Manning Formula
Solve For	Pressure at 1

Input Data	
Pressure 2	2.82 feet H2O
Elevation 1	41.00 ft
Elevation 2	40.95 ft
Length	37.0 ft
Roughness Coefficient	0.011
Diameter	18.0 in
Discharge	7.00 cfs

Results	
Pressure 1	2.89 feet H2O
Headloss	0.12 ft
Energy Grade 1	44.13 ft
Energy Grade 2	44.01 ft
Hydraulic Grade 1	43.89 ft
Hydraulic Grade 2	43.77 ft
Flow Area	1.8 ft²
Wetted Perimeter	4.7 ft
Velocity	3.96 ft/s
Velocity Head	0.24 ft
Friction Slope	0.003 ft/ft

DA3-DA4

Project Description	
Friction Method	Manning Formula
Solve For	Pressure at 1

Input Data	
Pressure 2	2.82 feet H2O
Elevation 1	41.00 ft
Elevation 2	40.95 ft
Length	37.0 ft
Roughness Coefficient	0.011
Diameter	18.0 in
Discharge	5.00 cfs

Results	
Pressure 1	2.83 feet H2O
Headloss	0.06 ft
Energy Grade 1	43.95 ft
Energy Grade 2	43.89 ft
Hydraulic Grade 1	43.83 ft
Hydraulic Grade 2	43.77 ft
Flow Area	1.8 ft^2
Wetted Perimeter	4.7 ft
Velocity	2.83 ft/s
Velocity Head	0.12 ft
Friction Slope	0.002 ft/ft

Worksheet for DETENTION OUTFALL

Project Description	
Friction Method	Manning Formula
Solve For	Discharge

Input Data	
Pressure 1	6.50 feet H2O
Pressure 2	6.43 feet H2O
Elevation 1	35.75 ft
Elevation 2	35.50 ft
Length	55.0 ft
Roughness Coefficient	0.011
Diameter	18.0 in

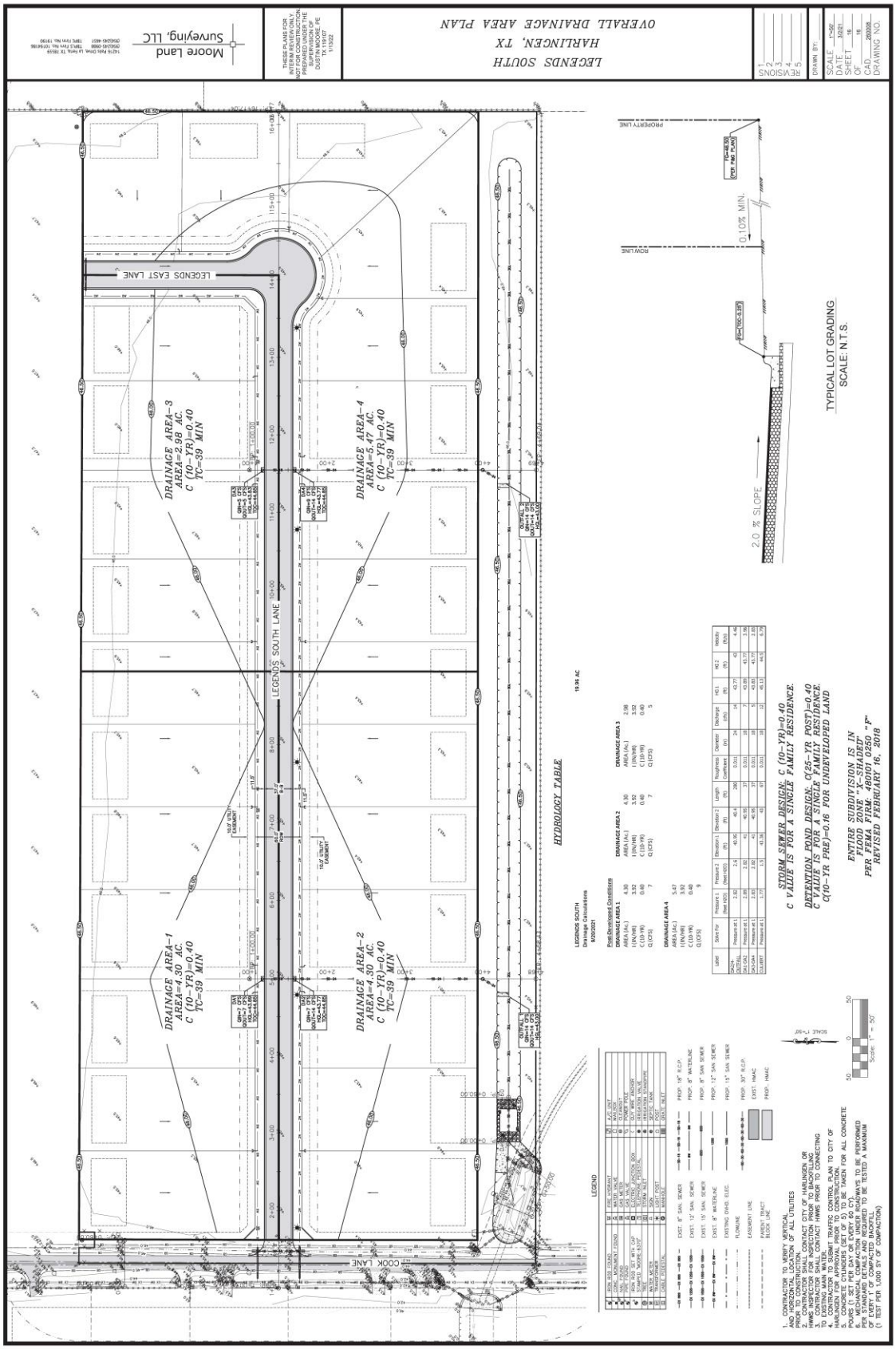
Results	
Discharge	9.47 cfs
Headloss	0.32 ft
Energy Grade 1	42.70 ft
Energy Grade 2	42.38 ft
Hydraulic Grade 1	42.25 ft
Hydraulic Grade 2	41.93 ft
Flow Area	1.8 ft²
Wetted Perimeter	4.7 ft
Velocity	5.36 ft/s
Velocity Head	0.45 ft
Friction Slope	0.006 ft/ft

CULVERT

Project Description	
Friction Method	Manning Formula
Solve For	Pressure at 1

Input Data	
Pressure 2	1.50 feet H2O
Elevation 1	43.36 ft
Elevation 2	43.00 ft
Length	67.0 ft
Roughness Coefficient	0.011
Diameter	18.0 in
Discharge	12.00 cfs

Results	
Pressure 1	1.77 feet H2O
Headloss	0.63 ft
Energy Grade 1	45.84 ft
Energy Grade 2	45.22 ft
Hydraulic Grade 1	45.13 ft
Hydraulic Grade 2	44.50 ft
Flow Area	1.8 ft^2
Wetted Perimeter	4.7 ft
Velocity	6.79 ft/s
Velocity Head	0.72 ft
Friction Slope	0.009 ft/ft


LEGENDS SOUTH
HARLINGEN, TX
OVERALL DRAINAGE AREA PLAN
Moore Land Surveying, LLC
THESE PLANS FOR INTERIM REVIEW ONLY NOT FOR CONSTRUCTION PURPOSES PREPARED UNDER THE SUPERVISION OF DUSTIN MOORE, PE 1/13/22
LEGENDS EAST LANE
LEGENDS SOUTH LANE
COOK LANE
DRAINAGE AREA-1
AREA=4.30 AC.
C (10-YR)=0.40
TC=39 MIN
DRAINAGE AREA-2
AREA=4.30 AC.
C (10-YR)=0.40
TC=39 MIN
DRAINAGE AREA-3
AREA=2.98 AC.
C (10-YR)=0.40
TC=39 MIN
DRAINAGE AREA-4
AREA=5.47 AC.
C (10-YR)=0.40
TC=39 MIN
HYDROLOGY TABLE
LEGENDS SOUTH
Drainage Calculations
4/6/2021
19.95 AC
Post-Developed Conditions
DRAINAGE AREA 1
AREA (AC) 4.30
I (IN/HR) 3.92
C (10-YR) 0.40
Q (CFS) 7
DRAINAGE AREA 2
AREA (AC) 4.30
I (IN/HR) 3.92
C (10-YR) 0.40
Q (CFS) 7
DRAINAGE AREA 3
AREA (AC) 2.98
I (IN/HR) 3.92
C (10-YR) 0.40
Q (CFS) 5
DRAINAGE AREA 4
AREA (AC) 5.47
I (IN/HR) 3.92
C (10-YR) 0.40
Q (CFS) 9
STORM SEWER DESIGN: C (10-YR)=0.40
C VALUE IS FOR A SINGLE FAMILY RESIDENCE.
DETENTION POND DESIGN: QC25-YR POST)=0.40
C VALUE IS FOR A SINGLE FAMILY RESIDENCE.
C(10-YR PRE)=0.16 FOR UNDEVELOPED LAND
ENTIRE SUBDIVISION IS IN
FLOOD ZONE "X-SHADED"
PER FEMA FIRM: 480101 0250 "F"
REVISED FEBRUARY 16, 2018
TYPICAL LOT GRADING
SCALE: N.T.S.
2.0 % SLOPE
0.10% MIN.
PROPERTY LINE
ROW LINE
LEGEND
1. CONTRACTOR TO VERIFY VERTICAL AND HORIZONTAL LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL CONTACT CITY OF HARLINGEN OR HWS INSPECTOR FOR INSPECTION PRIOR TO BACKFILLING OF ANY UTILITIES INSTALLED PRIOR TO CONNECTING TO EXISTING MAIN WATER.
3. CONTRACTOR SHALL SUBMIT TRAFFIC CONTROL PLAN TO CITY OF HARLINGEN FOR APPROVAL PRIOR TO CONSTRUCTION.
5. CONCRETE CYLINDERS (SET OF 5) TO BE TAKEN FOR ALL CONCRETE PAVING AT A RATE OF 1 SET PER 100 CY.
6. MECHANICAL COMPACTION UNDER ROADWAYS TO BE PERFORMED BY USE OF A VIBRATORY ROLLER COMPACTOR.
7. DENSITY TEST TO BE TAKEN AT A RATE OF 1 TEST PER EVERY 1' OF COMPACTED BACKFILL
(1 TEST PER 1,000 SY OF COMPACTION)

National Flood Hazard Layer FIRMette

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

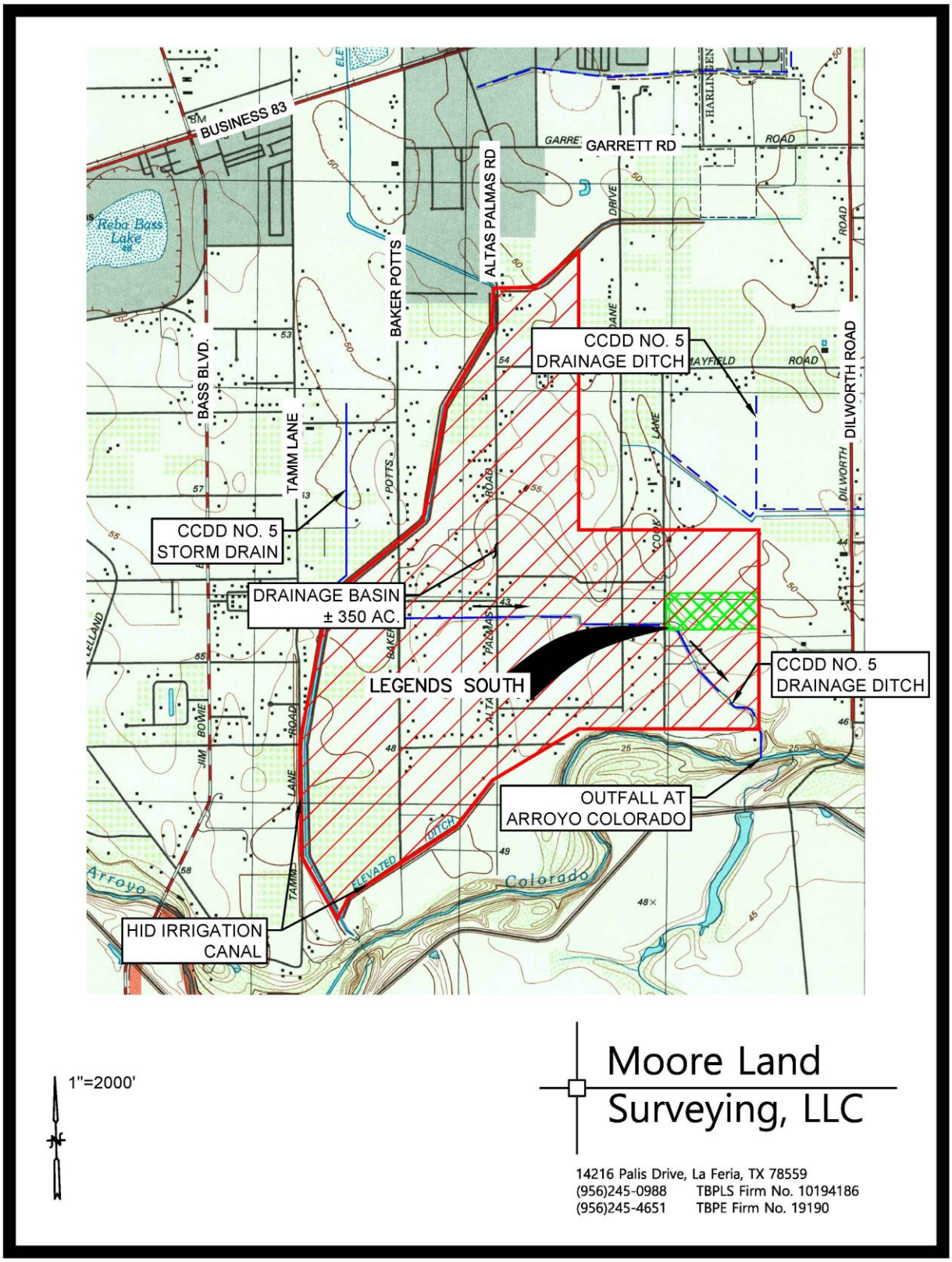
MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

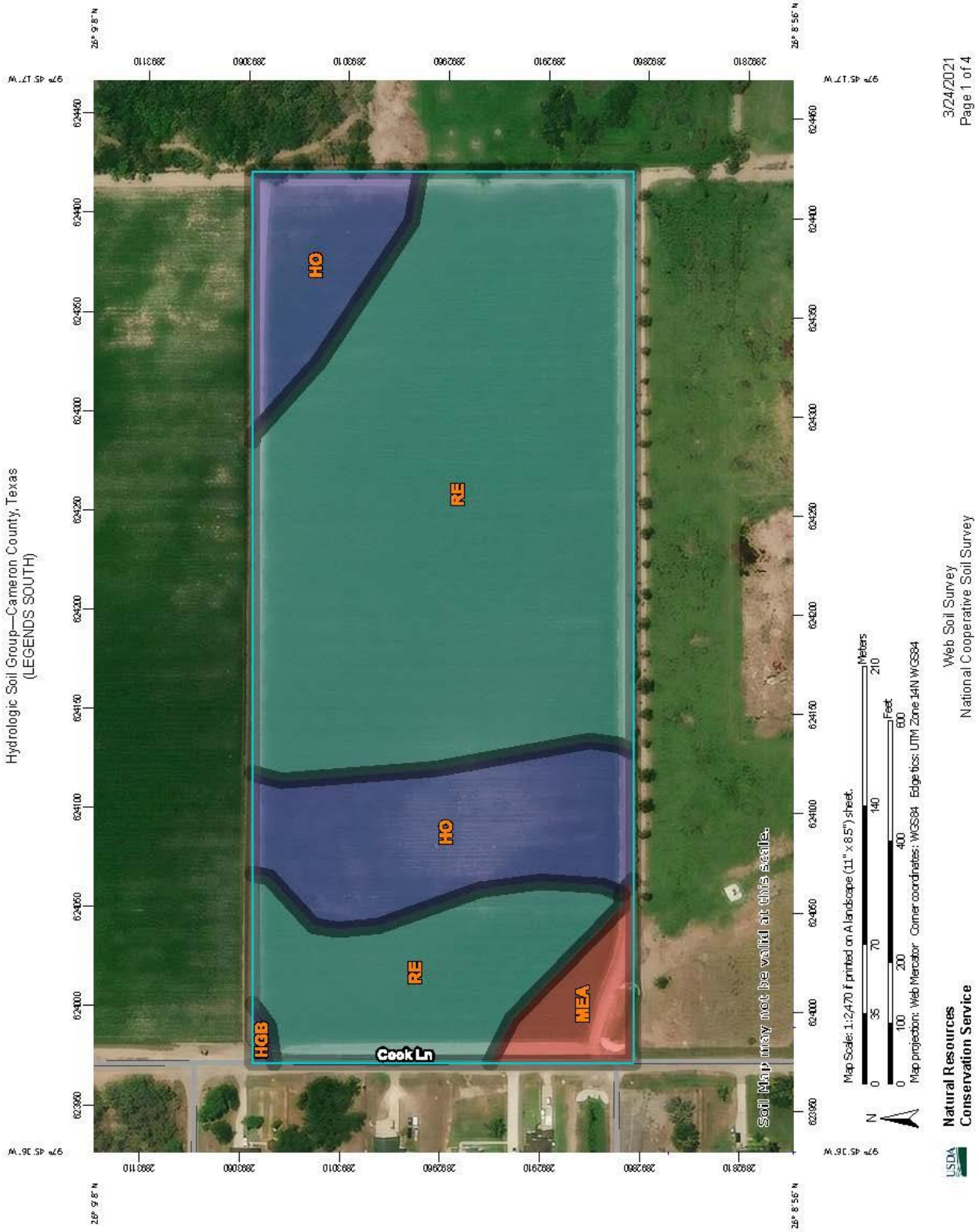
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/24/2021 at 5:59 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.


BUSINESS 83
GARRETT RD
ALTAS PALMAS RD
BAKER POTTS
BASS BLVD.
TAMM LANE
DILWORTH ROAD
Reba Bass Lake
CCDD NO. 5
DRAINAGE DITCH
CCDD NO. 5
STORM DRAIN
DRAINAGE BASIN
± 350 AC.
LEGENDS SOUTH
CCDD NO. 5
DRAINAGE DITCH
OUTFALL AT
ARROYO COLORADO
HID IRRIGATION
CANAL
Arroyo Colorado
1"=2000'
Moore Land
Surveying, LLC
14216 Palis Drive, La Feria, TX 78559
(956)245-0988 TBPLS Firm No. 10194186
(956)245-4651 TBPE Firm No. 19190


Hydrologic Soil Group—Cameron County, Texas
(LEGENDS SOUTH)
HO
RE
HO
RE
MEA
HGB
Cook Ln
Soil Map may not be valid at this scale.
Map Scale: 1:2,470 if printed on A landscape (11" x 8.5") sheet.
Meters
Feet
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84
Natural Resources
Conservation Service
Web Soil Survey
National Cooperative Soil Survey
3/24/2021
Page 1 of 4

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cameron County, Texas
Survey Area Data: Version 17, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 20, 2015—Nov 5, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HGB	Hidalgo fine sandy loam, 1 to 3 percent slopes	B	0.1	0.3%
HO	Hidalgo sandy clay loam, 0 to 1 percent slopes	B	4.9	23.1%
MEA	Mercedes clay, 0 to 1 percent slopes	D	0.8	4.0%
RE	Raymondville clay loam	C	15.4	72.6%
Totals for Area of Interest			**21.2**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

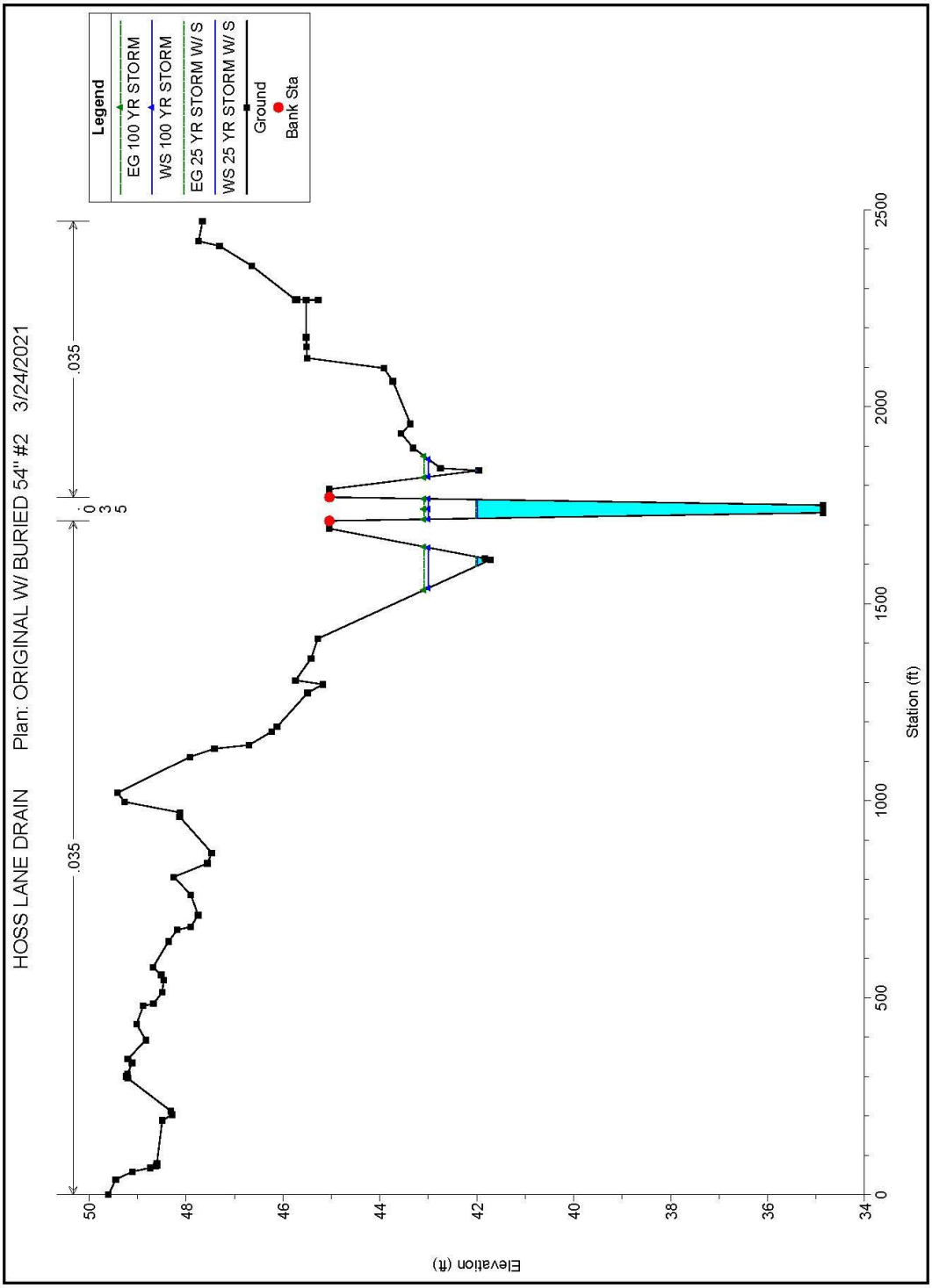
If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

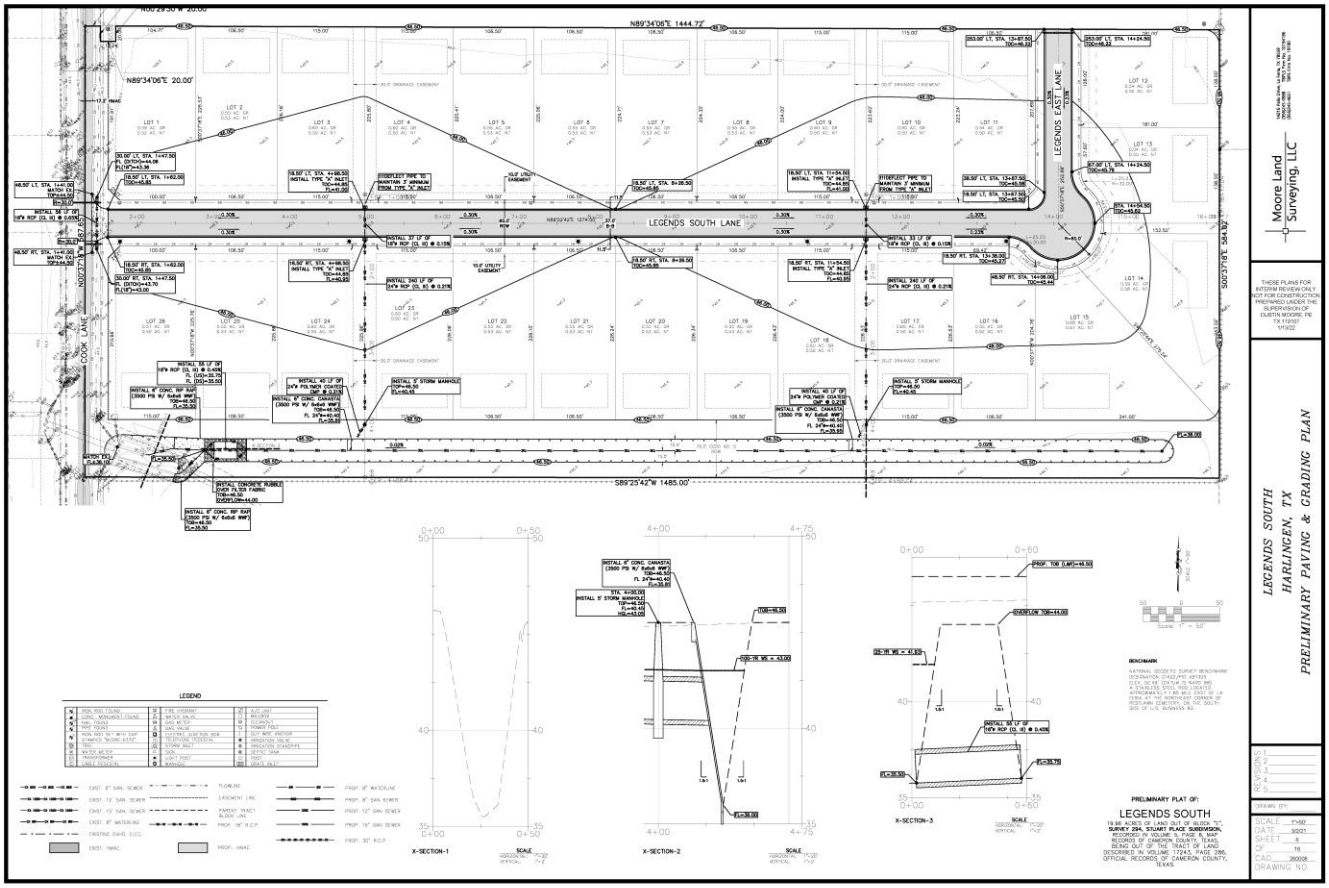
Aggregation Method: Dominant Condition

Component Percent Cutoff: *None Specified*

Tie-break Rule: Higher


HOSS LANE DRAIN Plan: ORIGINAL W/ BURIED 54" #2 3/24/2021
Legend
EG 100 YR STORM
WS 100 YR STORM
EG 25 YR STORM W/ S
WS 25 YR STORM W/ S
Ground
Bank Sta
.035
.035
Elevation (ft)
Station (ft)
50
48
46
44
42
40
38
36
34
0
500
1000
1500
2000
2500

Attachment VIII – Grading Plan



AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 26, 2022**

Agenda Item:

Consider and possible action to recommend to the City Commission a variance to the City of Harlingen Code of Ordinances with regards to the sidewalk escrows required for the proposed Breezeway Subdivision, located at 2727 N 21st Street. Applicant: CASA Engineering, c/o Robert Leftwich.

Prepared By: Johanna Maldonado, CPM
Title: City Planner
Signature: Johanna Maldonado

Brief Summary:

Project Timeline

- December 30, 2020 – Original preliminary and final plat application and subdivision application submitted to the City
- January 15, 2021 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- March 10, 2021 – preliminary and final plat resubmitted to the City
- March 30, 2021 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- August 11, 2021 – preliminary and final plat resubmitted to the City
- August 24, 2021 – Letter sent to applicant advising them that the proposed subdivision was complete and approved administratively with conditions.
- November 08, 2021 – preliminary and final plat resubmitted to the City to address the conditions.
- November 30, 2021 – Letter sent to applicant outlining deficiencies.
- December 29, 2021 – preliminary and final plat resubmitted to the City to address the conditions.
- January 10, 2022 – Letter sent to applicant outlining deficiencies.
- January 10, 2022 – Variance application submitted to the City. **(ATTACHMENT I).**
- January 26, 2022 – Consideration of variance request by the Planning and Zoning Commission.
- February 02, 2022 – Consideration of variance request by the City Commission.

Summary for the Sidewalk Variance:

- The developer is requesting a variance from the City of Harlingen Code of Ordinances Section 109-124(f) with regards to the requirement of a sidewalk escrow on the subdivision side of perimeter streets with no curb and gutter.

- North 21st is classified as a rural section road and does not have curb and gutters. There are no existing sidewalks on either side of North 21 Street between Vinson Avenue and N. 20 ½ Street. There are sidewalks along both sides of Phoenix Street which runs east-west between N 21st Street and Morgan Boulevard but they do not connect to the section of N. 21st Street between N. 20 ½ Street and Vinson Avenue. North 21st Street has sidewalks along both sides of the street between N. 20 ½ Street and Rio Hondo Road but they do not connect to N. 21st Street between N. 20 ½ Street and Vinson Road. (**ATTACHMENT II**).

- In accordance with Section 109-27(c) of the Harlingen Code of Ordinances, no variance shall be recommended unless the Planning and Zoning Commission finds:

    1. There are special circumstances or conditions affecting the land involved such that a strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land; and
    2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
    3. The granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property owners in the area; and
    4. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with this chapter.

- In addition, Section 109-27(d), states "Financial hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship."

- A majority vote of the City Commission shall be required to override a recommendation for/or against the variance from P&Z Commission.

Staff Recommendation:

Staff recommends disapproval of the sidewalk escrow variance as:

1. The variance request does not comply with the findings outlined in Section 109-27(c) of the Code of Ordinances; and
2. There is no undue hardship for the request; and
3. There are existing sidewalks on south side of 21st street south of phoenix Drive and an existing middle school.
4. The planning and engineering departments are recommending denial of the request.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? *If no, specify source of funding and amount requested:		Yes		No*	
Finance Director's approval:		Yes		No	N/A
City Manager's approval:		Yes		No	N/A

Comments:

City Attorney's approval:		Yes		No	N/A

Attachment I—Application

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT
MASTER APPLICATION

PROPERTY INFORMATON: (*Please* **PRINT** *or* **TYPE**)

Project Address 2727 n 21st st Nearest Intersection N21 st & E Vinson ave

(Proposed) Subdivision Name Breezeway Subdivision Lot 1 Block 1

Existing Zoning Designation M2 Future Land Use Plan Designation M2

OWNER/APPLICANT INFORMATION: (*Please* **PRINT** or **TYPE**)

Applicant/Authorized Agent Francisco Medrano Jr Phone 956-553-4431 FAX 956-428-7903

Email Address (for project correspondence only): fmedrano@casaengr.com

Mailing Address 1117 N. Stuart Place Rd City Harlingen State TX Zip 78552

Property Owner Robert Leftwich Phone 956-343-4263 FAX n/a

Email Address (for project correspondence only): robertleftwich77@yahoo.com

Mailing Address 909 e parkwood st City harlingen State tx Zip 78550

Select appropriate process for which approval is sought. Attach completed checklists with this application.

☐ Annexation Request……No Fee	☐ Preliminary Construction Plans and Final Plat……$150.00
☐ Administrative Appeal (ZBA)……$125.00	☐ Minor Plat……$100.00
☐ Comp. Plan Amendment Request…$250.00	☐ Re-Plat……$250.00
☐ Re-zoning Request……$250.00	☐ Vacating Plat……$250.00
☐ SUP Request/Renewal……$250.00	☐ Development Plat…… $50.00
☐ Zoning Variance Request (ZBA)……$250.00	☒ Subdivision Variance Request……$25.00 (each)
☐ PDD Request……$250.00	☐ Right-of-Way / Utility Easement Abandonment……No Fee
☐ License to Encroach……$250.00	

Please provide a basic description of the proposed project: sidewalk variance

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: Francisco Medrano Jr EIT, SIT Date: 1/6/21

Property Owner(s) Signature: Francisco Medrano Jr EIT, SIT Date: 1/6/21
in lieu of Robert Leftwich

Accepted by: _____ Date: _____

SUBDIVISION VARIANCE REQUEST SUBMITTAL CHECKLIST

Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Subdivision Ordinance.

Complete

- ☐ Variance requests must be submitted at the time the preliminary construction plans and final plat are submitted to the City. (Sec. 109-27 of the Harlingen Code of Ordinances)
- ☐ A written statement describing the requested variance and an explanation of the special conditions that result in the unnecessary hardship for which the variance is requested.
- ☐ Any other information (drawings, pictures, etc.) the applicant would like to submit in support of the subject request.

- I understand that the variance requested will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that variances related to paving, curb, and gutter for subdivisions in the City limits cannot be granted.
- I understand that, in accordance with Sec. 109-27 of the Harlingen Code of Ordinances, variances cannot be granted unless the Planning and Zoning Commission and/or City Commission finds that:
    - There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of the Subdivision Ordinance would deprive the applicant of the reasonable use of his land; and
    - The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
    - The granting of the variance will not be detrimental to the public health, safety, welfare, or injurious to other property in the area; and
    - The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Subdivision Ordinance.
- I understand that financial hardship, standing alone, shall not be deemed an undue hardship for which variance approval can be based.
- I have read and understand in its entirety the City of Harlingen's Subdivision Ordinance and understand that the requirements of a variance request are subject to the terms and conditions therein.
- I understand that while all requirements for the submittal of a variance request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
- I understand that a simple majority vote of the City Commission is required to reverse the decision of the Planning and Zoning Commission.

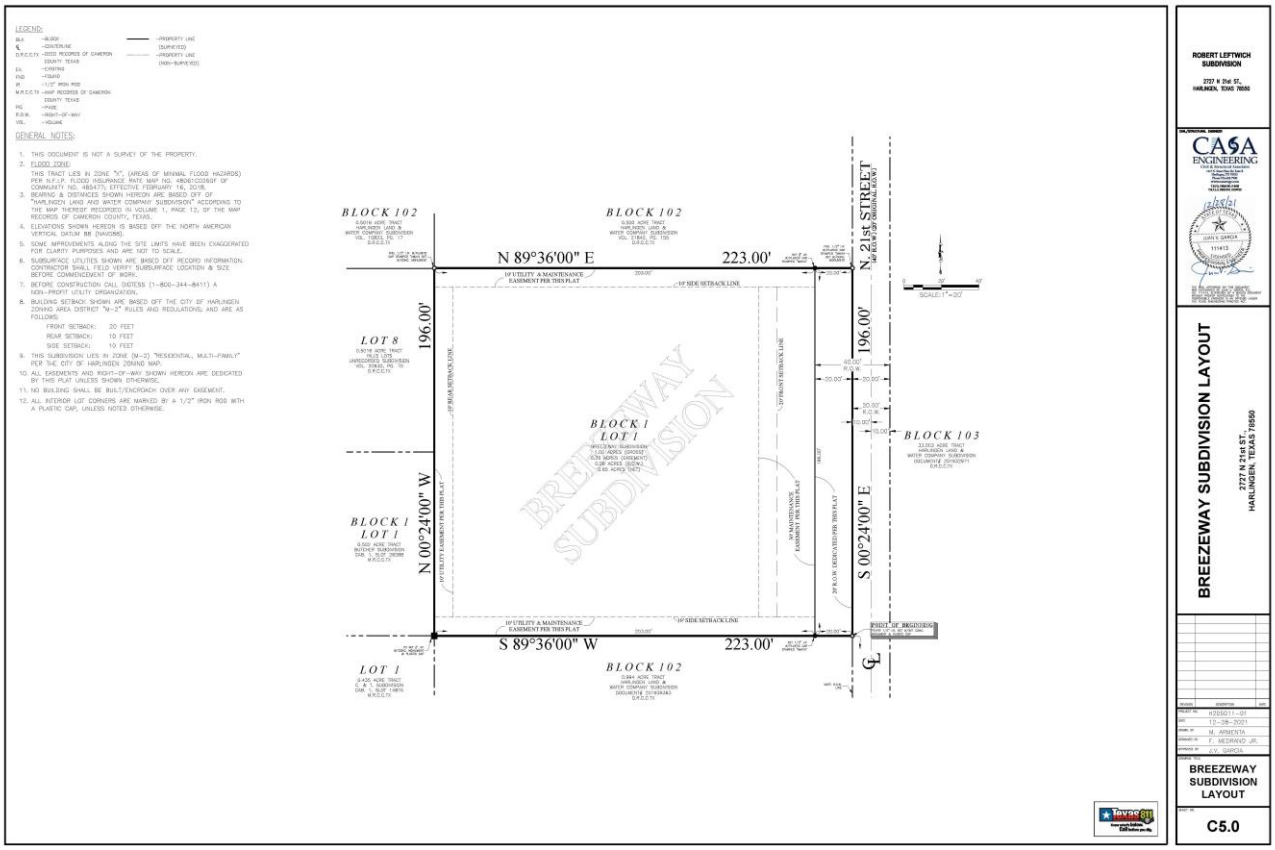
Owner: Robert Leftwich Date 1/6/21

Owner Address: 909 E. Parkwood st Harlingen TX 78550

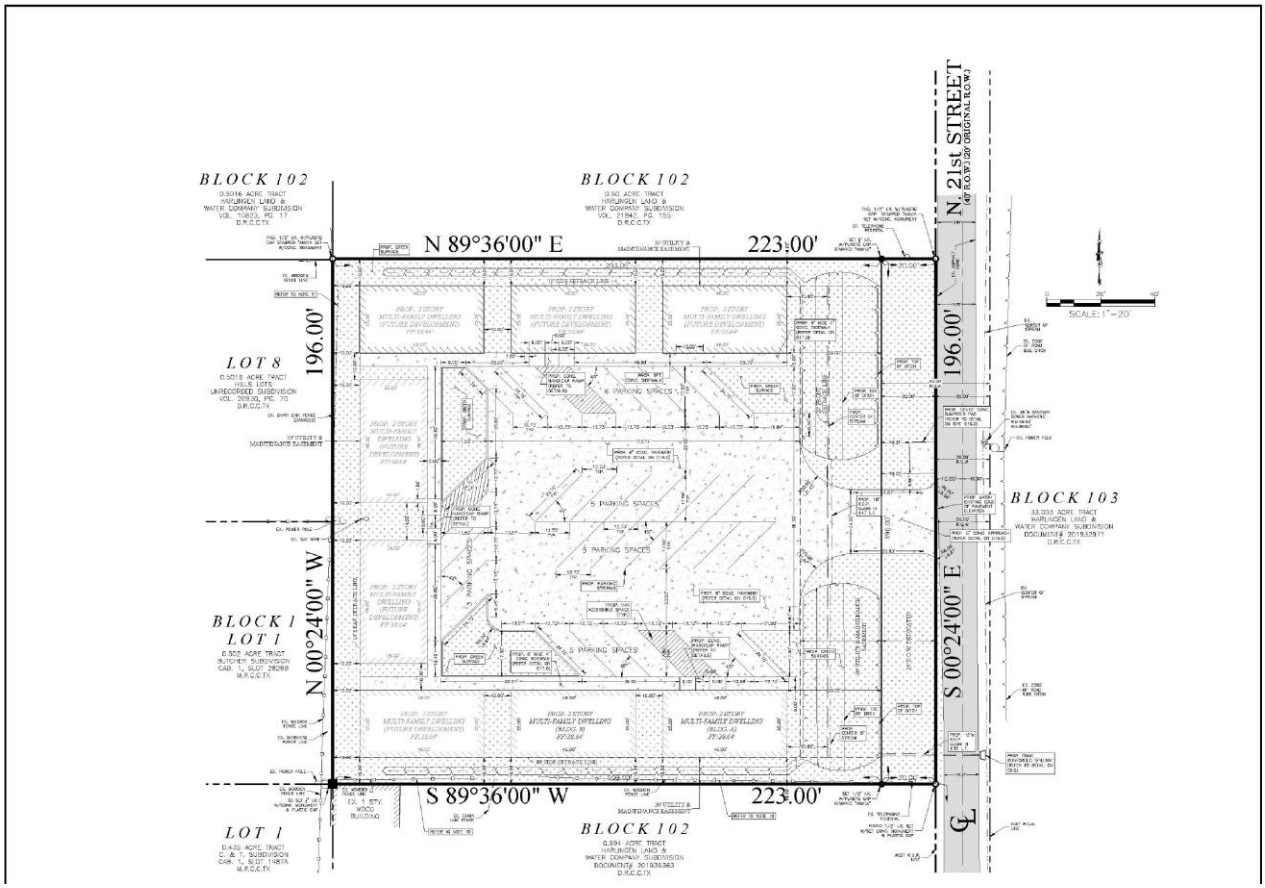
Phone/Fax: (956) 343-4263

Signature: Francisco Martinez Jr EIT, SIT

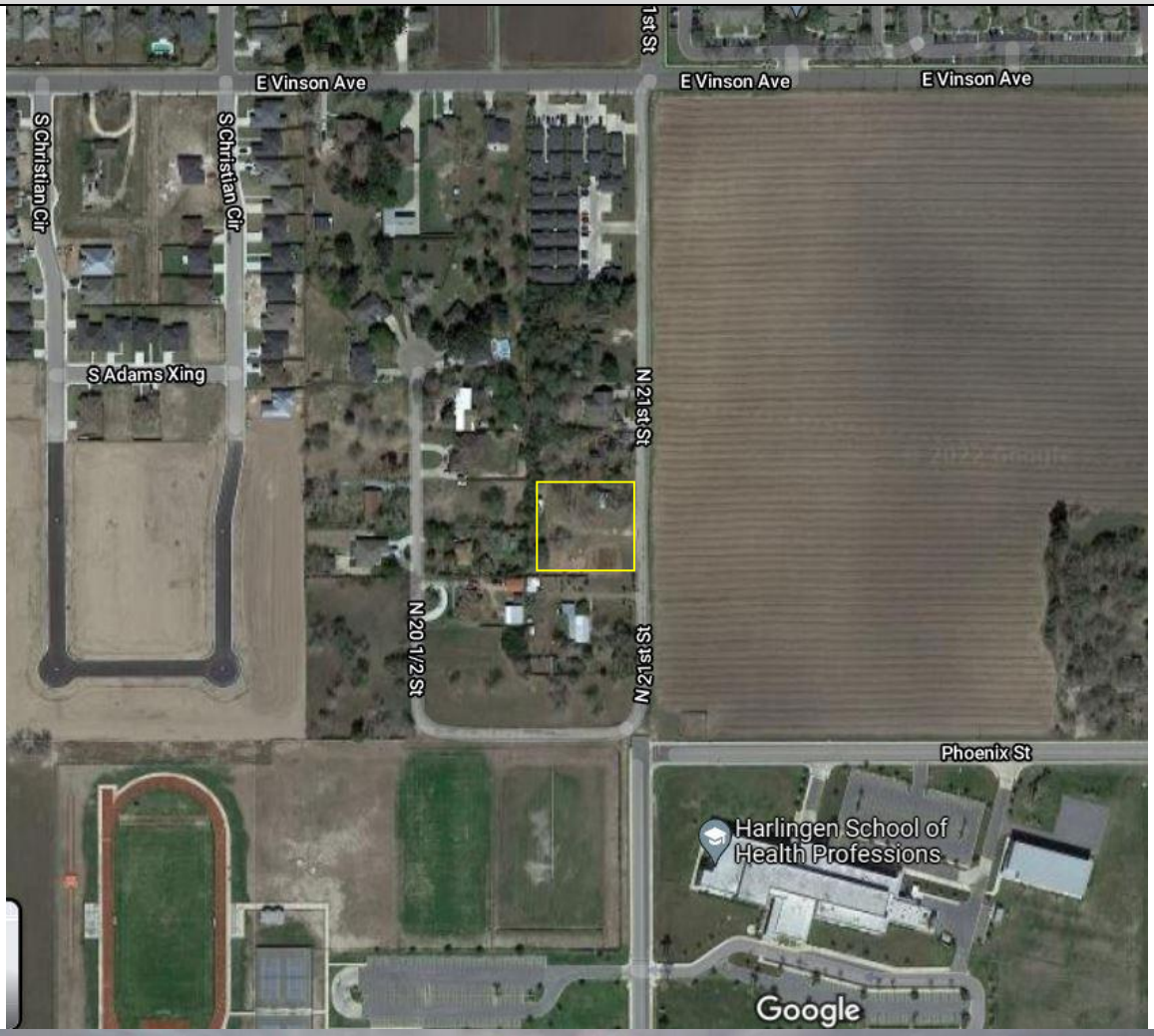
Attachment II —Final Plat



Attachment III-Site Plan



Attachment IV — Aerial and Street View Photos



AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 26, 2022**

Agenda Item:
Public hearing and take action to consider a request for a Special Use Permit to allow a Recycling Center to buy and sell recyclable items such as cardboard, paper, aluminum cans, and copper in a General Retail ("GR") District located at 720 South F Street, bearing a legal description of Lots 36-43, Block 1, Harlingen Land & Investment Company Subdivision. Applicant: Jorge Casillas.

Prepared By:	Esteefanía Hernández
Title:	City Planner
Signature:	*Esteefanía Hernández*

Brief Summary:

Project Timeline

- December 21, 2021 – Application for Special Use Permit (SUP) submitted to the City. **(ATTACHMENT I)**
- January 15, 2022 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star and mailed to all property owners within 200 feet of subject tract.
- January 26, 2022 – Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- February 2, 2022 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- February 16, 2022- Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per Section 111-62 the City of Harlingen's Code of Ordinances, a non-ferrous recycling center use in a General Retail ("GR") District requires the approval of a Special Use Permit (SUP) by the City Commission. **(ATTACHMENT I)**
- The applicant is requesting a Special Use Permit to allow a Recycling Center to buy and sell recyclable items such as cardboard, paper, aluminum cans, and copper in a General Retail ("GR") District located at 720 South F Street **(ATTACHMENT II, III).**
- The subject property has approximately 280 feet of frontage on South "F" Street and approximately 800 feet of frontage on West Pierce Avenue. The applicant is intending to occupy a 2,640 sq. ft. building located at the northwest corner of the property. In the Northeast corner of the property, there is a two-story, 24,960 sq. ft. commercial warehouse that is vacant. There is also a 930 sq. ft. ice cream shop named "Scoops Ice Cream Parlor" at the corner of West Pierce Avenue and "F" Street. **(ATTACHMENT II, III)**
- Surrounding properties are zoned General Retail (GR) District to the north, east and south, and Residential, Single-Family ("R-1") to the west and north. The lots north of the subject lot are a vacant warehouse as well as lots developed with single family residences, the lot east of the subject lot has a car wash, the lot

south of the subject lot is undeveloped, and the lots west of the subject lot have developed with single family residences. **(ATTACHMENT IV, V)**

- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

- To the present, the Planning and Development Department has received two phone calls in opposition of the Special Use Permit (SUP). The department informed the citizens that they can gather signatures for a petition in opposition if desired.

- The Building Inspections Department, Fire Prevention Bureau, and Code Compliance Department have reviewed the application. Building Inspections recommended approval of the Special Use Permit. Code Compliance and Fire Prevention Bureau recommended disapproval of the Special Use Permit. **(ATTACHMENT VI-VIII)**

Funding (if applicable):			
Are funds specifically designated in the current budget for the full amount for this purpose? *If no, specify source of funding and amount requested:	☐ Yes	☐ No*	
Finance Director's approval:	☐ Yes	☐ No	☐ N/A

Staff Recommendation:			
Staff recommends **disapproval** of the Special Use Permit (SUP) request as: **1.** The request is not consistent with the surrounding land use in the area. There is residential land use to the north, south, and west of the proposed recycling center. **2.** Code Compliance recommended disapproval of the Special Use Permit as the building the applicant is intending on occupying has been designated as an unsafe structure. **3.** Fire Prevention Bureau recommended disapproval of the Special use Permit as the intended use is permitted by right in Light Industry and Heavy Industry districts, and not as restrictive as General Retail districts.			
City Manager's approval:	☐ Yes	☐ No	☐ N/A
Comments:			
City Attorney's approval:	☐ Yes	☐ No	☐ N/A

ATTACHMENT I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT
MASTER APPLICATION

PROPERTY INFORMATON: (*Please* **PRINT** *or* **TYPE**)

Project Address 720 S. F Street Nearest Intersection F st and W Pierce Ave

(Proposed) Subdivision Name _____ Lot _____ Block _____

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (*Please* **PRINT** or **TYPE**)

Applicant/Authorized Agent Jorge Casillas Phone 956-4546641 FAX _____

Email Address (for project correspondence only): jorje751@hotmail.com

Mailing Address 109 Parkview Circle City Harlingen State TX Zip 78550

Property Owner _____ Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

Select appropriate process for which approval is sought. Attach completed checklists with this application.

☐ Annexation Request..... No Fee	☐ Preliminary Construction Plans and Final Plat.....$150.00
☐ Administrative Appeal (ZBA).....$125.00	☐ Minor Plat.....$100.00
☐ Comp. Plan Amendment Request...$250.00	☐ Re-Plat.....$250.00
☐ Re-zoning Request.....$250.00	☐ Vacating Plat.....$250.00
☒ SUP Request/Renewal.....$250.00	☐ Development Plat..... $50.00
☐ Zoning Variance Request (ZBA).....$250.00	☐ Subdivision Variance Request.....$25.00 (each)
☐ PDD Request.....$250.00	☐ Right-of-Way / Utility Easement Abandonment.....No Fee
☐ License to Encroach.....$250.00	

Please provide a basic description of the proposed project: _____

Recycling center, buy and sell recyclable items as cardboard paper, aluminum cans, copper

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: Jorge Casillas Date: 12-21-2021

Property Owner(s) Signature: Elicia Rayne Date: 12-20-2021
REALTOR/PROPERTY Manager

Accepted by: _____ Date: _____

ATTACHMENT I cont.

PLANNED DEVELOPMENT DISTRICT (PDD) REQUEST
SPECIFIC USE PERMIT (SUP) REQUEST
SUBMITTAL CHECKLIST

Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

Complete

- ☐ One (1) copy of a comprehensive site plan showing the proposed development of the property. The site plan shall consist of the following items, as applicable:
  - Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
  - Locations of proposed uses; and
  - Ingress and egress to/from property;
  - Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
  - Existing/proposed sidewalks; and
  - Existing/proposed utilities; and
  - Existing/proposed drainage; and
  - Existing/proposed parking spaces.
- ☐ A written statement describing the proposed use(s) of the subject property.
- ☐ Any other information (elevation drawings, pictures, etc.) in support of the subject request.

- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
  - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
  - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a PDD or SUP request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
- I understand that the purpose of a PDD or SUP is to allow for development not otherwise authorized in the Zoning Ordinance. Hence, the Planning and Zoning Commission and/or City Commission may impose development standards important to the health, safety, welfare, and protection of the proposed development and the adjacent property and its occupants.

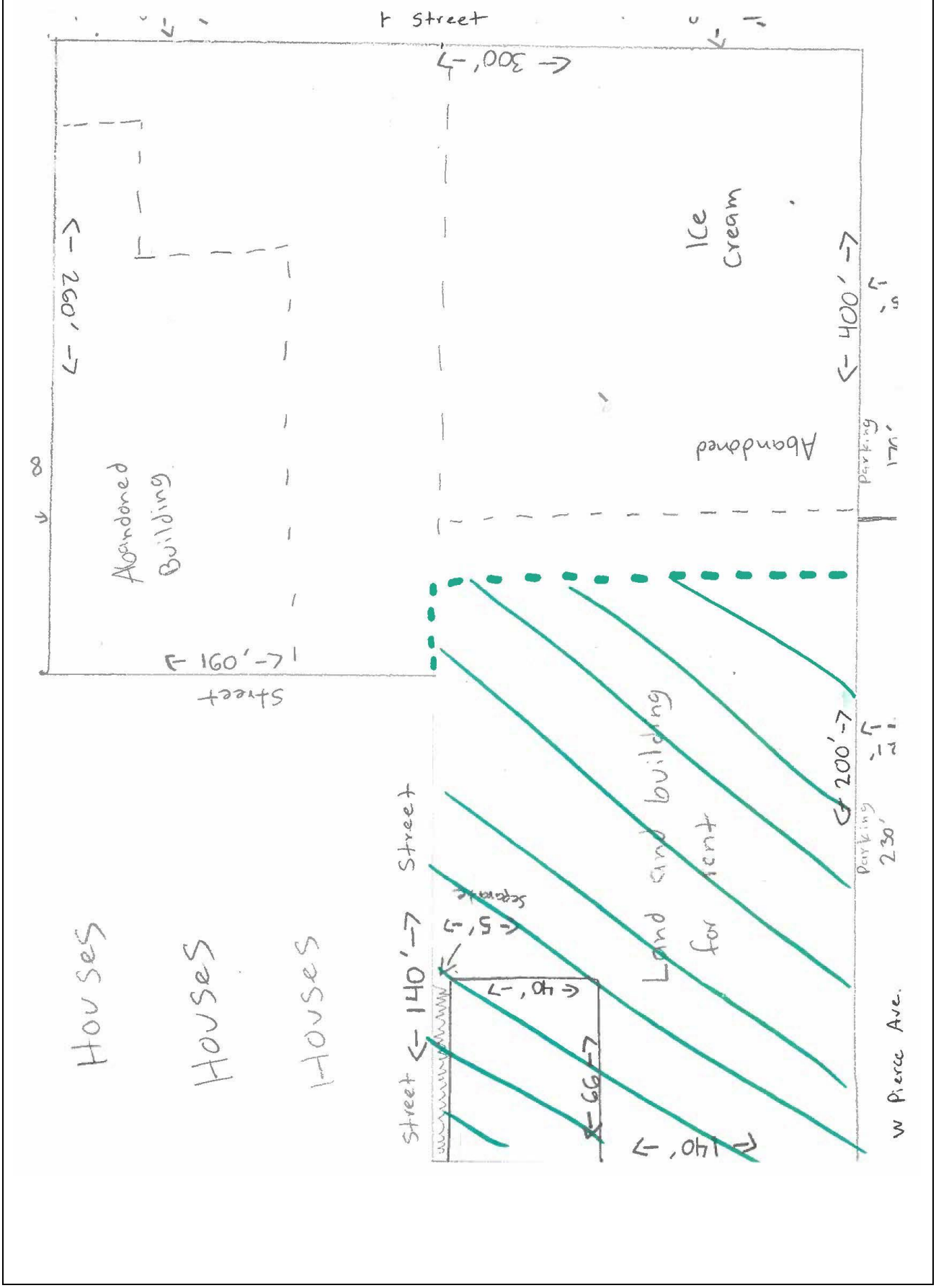
Owner: JOHN RAH Elvira Reyna Date 12-20-2021

Owner Address: 720 S.F ST property mgr Harlingen, TX 78550

Phone/Fax: 702 764-1082

Signature: _____

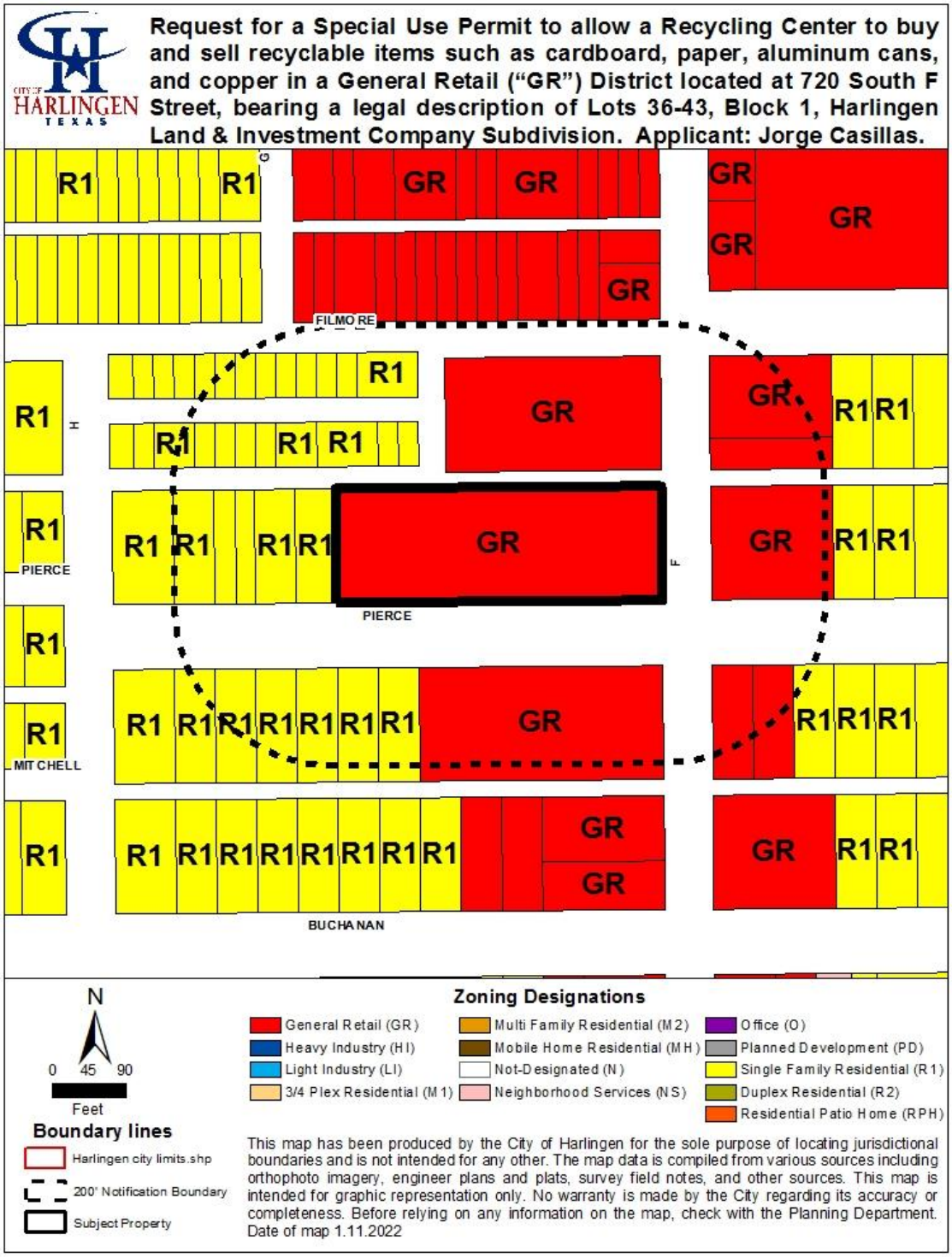
ATTACHMENT II



ATTACHMENT III

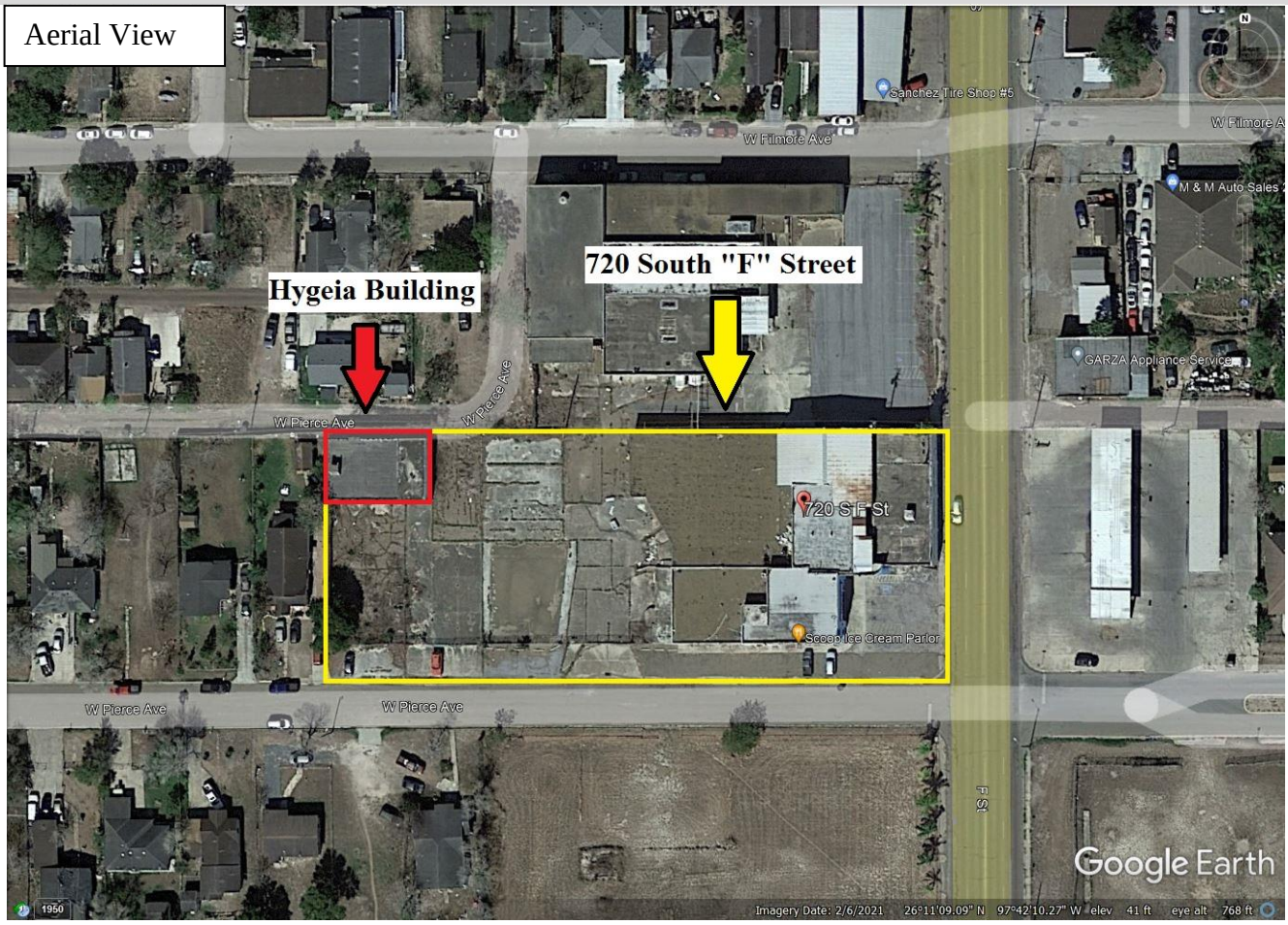
Street View on W Pierce Avenue

ATTACHMENT IV



ATTACHMENT V

Aerial View



ATTACHMENT VI

CITY OF HARLINGEN TEXAS

SPECIAL USE PERMIT ("SUP") ROUTING SLIP

Applicant: Jorge Casillas

Phone No.: 956-454-6641

Location: 720 South "F" Street

Project Description: a Recycling Center to buy and sell recyclable items such as cardboard, paper, aluminum cans, and copper in a General Retail ("GR") District

Department: _____

Approval: X YES _____ NO

Comments: **Must comply with the 2018 International Building Code.**

_____

_____

_____

_____

_____

_____

_____

Roberto G. Gonzalez 1-21-22.

Signature **Date**

ATTACHMENT VII

CITY OF HARLINGEN TEXAS

Specific Use Permit ("SUP") Routing Slip

Applicant: Jorge Casillas

Phone No.: (956) 454-6641

Location: 702 South "F" Street

Project Description: Request for a Special Use Permit for recycling center to buy and sell recyclable items such as cardboard, paper, aluminum cans, and copper in a General Retail ("GR") District.

Department: Fire Prevention Bureau

Approval: ___YES _X_ NO

Comments: Applicant's business is permitted by right in Light Industry and Heavy Industry.

Fire Marshal Juan Sauceda Jr.

Juan Sauceda Jr

Date: January 21, 2022

ATTACHMENT VII

CITY OF HARLINGEN TEXAS

SPECIAL USE PERMIT ("SUP") ROUTING SLIP

Applicant: Jorge Casillas

Phone No.: 956-454-6641

Location: 720 South "F" Street

Project Description: a Recycling Center to buy and sell recyclable items such as cardboard, paper, aluminum cans, and copper in a General Retail ("GR") District

Department: **Code Compliance**

Approval: ____YES __X_ NO

Comments: **Structure that he intends to use has been condemned by Code Compliance due to structure being unsafe for occupancy.**

Manny Aceves **01-20-2022**

Signature **Date**