



**REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION**

**WEDNESDAY, JULY 28, 2021 AT 5:30 P.M.
VIA VIDEOCONFERENCE, 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.

Notice is hereby given that the Planning and Zoning Commission of the City of Harlingen, Texas will hold a Regular Meeting on Wednesday, July 28, 2021 at 5:30 p.m. via videoconference, while providing the public the ability to view the meeting via internet live streaming at www.myharlingen.us

In accordance with the order of the Office of the Governor issued March 16, 2020, the City of Harlingen, Texas will conduct the meeting via videoconference and provide viewing for the public using live stream in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). To view the Planning and Zoning Commission meeting live, go to www.myharlingen.us and click on “Planning and Zoning Commission Live.”

The public will be permitted to offer citizen communication or participate in terms listed as public hearings telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. Written comments may also be submitted for City staff to read aloud during the meeting.

To offer citizen communication or participate in scheduled public hearings telephonically, go to www.myharlingen.us and click on “PUBLIC HEARING AND CITIZEN COMMUNICAITON FORM.” Fill out the form and indicate the item you wish to address and submit the form.

Please indicate (1) the agenda item on which you wish to speak, (2) whether you prefer to speak on the item during citizen communication or at the time the agenda item is brought for consideration before the Planning and Zoning Commission, (3) a working telephone number at which you may be reached to submit your comments. The City will then call you when the item you wish to address is being considered. You will then address the Planning and Zoning Commission through speakerphone, and your call will be made audible to the Planning and Commission and to the public through the live stream. Please submit the request before 4 p.m. on the day of the meeting.

To submit written comments for City staff to read aloud during the meeting, go to www.myharlingen.us and click on “Public Hearing and Citizen Communication Form” write your comments (limited to 400 words or less) and submit the form.

Please submit written comments before 4 p.m. the day of the meeting.

A recording of the meeting will be made and will be available to the public in accordance with the Texas Open Meetings Act.

City of Harlingen meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary's Office at (956)216-5001. Or submit request to Post Office Box 2207, Harlingen, Texas 78550 at least 48 hours in advance of the meeting.

PLEDGE OF ALLEGIANCE / WELCOME

CITIZEN COMMUNICATION

1. Approval of Minutes: Regular Meeting on July 14, 2021
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.

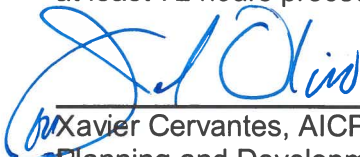
 - a. Consider take action to approve the final plat of the proposed Dominion Estates Subdivision, bearing a legal description of 5.36 acres of land out of Blocks 52, Adams Gardens Subdivision "B", located on the west side of S. Tamm Lane, south of Levens Way. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Ana Guerrero.
 - b. Consider and take action to approve the preliminary construction plans and final plat with conditions of the proposed Garner Estates Subdivision, being a 13.76 acre tract of land, more or less, being 4.72 acres out of Block 14, 4.79 acres out of Block 15, and 4.25 acres out of Block 16, Stuart, located on the east side of Palm Blvd, north of Garrett Road. Applicant: Robert Closner of JCS Engineering and Surveying c/o Komerco, LLC.
 - c. Consider and take action to approve the preliminary construction plans and final plat with conditions of the proposed Sundown Subdivision, being a 6.90 acres out of Block 12, Minner Subdivision, located on the west side of FM 507, north of Bartola Road. Applicant: Dustin Moore of Moore Land Surveying, LLC c/o Levi and Brooke Burns.
3. Consider and take action to recommend to the City Commission a variance to exceed the maximum 25 lot requirement of a Cul-de-sac for the proposed Palm Valley Heights Subdivision, bearing a legal description 10.00 acres of land being the West 10.00 acres of the West 20.00 acres of the Northeast 60.00 acres of the Gulf Coast and Santa Fe Survey No. 140, located on the south side of Wilson Rd, west of Stuart Place Rd. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o David Floodman of U R Home Texas, LLC.
4. Assistant Planning and Development Director's report by Joel Olivo, Assistant Planning and Development Director.
 - a. Report on status of items considered at the July 14, 2021, 2021 P&Z Commission Meeting:
 - i. Request for an SUP to allow a storage building greater than 144 sq. ft. in a R-1 District, located at 146 S. Nueces Park Lane. Applicant: Eric Sepulveda
 - ii. Request to rezone from M-2 to PD for multifamily use for certain lots in the Harlingen North Business Center Subdivision. Applicant: Eduardo Lopez
 - iii. Request to conduct a City Initiated Rezoning of several properties along FM 507 between FM 508 and Loop 499. Applicant: City of Harlingen

5. Planning and Development Director's report by: Xavier Cervantes, AICP Planning and Development Director
 - a. Report on upcoming agenda items:
 - i. Public hearing regarding a request for the voluntary annexation and to establish the initial zoning for a property consisting of 9.38 acres on the west side of Dilworth Road south of Garrett Road. Applicant: Eddie Bartnesky and Jennifer Bartnesky Smith
 - ii. Public hearing regarding a request for the voluntary annexation consisting of 1.47 acres of Dilworth Road right-of-way. Applicant: Cameron County
 - iii. Request for an SUP to allow an adult business (tattoo shop) in a GR District at 401 S. 77 Sunshine Strip. Applicant: Tucker Guerrero.
 - iv. Request for an SUP to allow a portable building at 1701 Dixieland Road. Applicant: Harlingen CISD
 - v. Request to amend the Thoroughfare Plan by adding an extension to November Lane. Applicant: Moore Land Surveying

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease, or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act
6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

POSTED the 23rd day of July 2021, 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