



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

**WEDNESDAY, MAY 12, 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, May 12, 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 April 14, 2021

2. Consider and take action to recommend to the City Commission a variance to exceed the 1,000 feet maximum length of a Cul-de-sac for the proposed Legends South Subdivision, bearing a legal description 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: Dustin Moore of Moore Land Surveying, LLC, c/o Steven and Carly Thomas.

3. Request to rezone from Not Designated ("N") District to Residential, Single Family ("R-1") District for 109.395 acres comprised of 29.195 acres out of Block 12, MInner Subdivision and 80.20 acres out of Block 140, Harlingen Land and Water Company Subdivision, located on the west side of FM 507, north of Bartola Road. Applicant: Levi T. Burns and Brooke Burns.
 - a. Public Hearing
 - b. Consider and take action to recommend the rezoning to the City Commission

4. Request for a Special Use Permit to allow adult business (liquor store) in a General Retail ("GR") District located at 822 Dixieland Road, bearing a legal description of Lot 1, Block 1, Luby's Subdivision. Applicant: John McClure, c/o McClure Partners
 - 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 Planning and Development Director
 - a. Report on upcoming agenda item: Request for a SUP to allow a food truck park at 1811 W. Jefferson Avenue. Applicant: Lynn Zanca

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 7th day of May 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