



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

**WEDNESDAY, JULY 14, 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 14, 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 June 9, 2021
2. Request for a Special Use Permit (SUP) to allow a storage building greater than 144 square in a Residential, Single Family (R-1) District located at 146 S. Nueces Park Lane, bearing a legal description of Lot 16, Block 1, Nueces Park Subdivision. Applicant: Eric Sepulveda
 - a. Public Hearing
 - b. Consider and take action to recommend the special use permit to the City Commission
3. Request for a Special Use Permit (SUP) to allow a storage container in a Neighborhood Services (NS) District located at 2002 S. 23rd St., bearing a legal description of Lots 1 & 2, Block 21, Treasure Hills-2 Subdivision. Applicant: Damaris Palacios.
 - a. Public Hearing
 - b. Consider and take action to recommend the special use permit to the City Commission
4. Request to rezone from Residential, Multi-Family ("M-2") District to Planned Development ("PD") District to allow for a multi-family residential use for Lots 5-16, Block 1; Lots 5-6 and 11-12, Block 2; Lots 5-23, Block 3; and Lots 1-9, Block 4, Harlingen North Business Center Subdivision, located on the east side of Expressway 77 south of Loop 499. Applicant: Eduardo Lopez
 - a. Public Hearing
 - b. Consider and take action to recommend the rezoning to the City Commission
5. Request to rezone from Not Designated ("N") District to Residential, Single-Family ("R1") District for 20.0000 acres, Block 22, Briggs-Coleman Survey 49, and 13.29 acres out of N54SE94 acres and 12.00 acres out of Tracts A & B, Gonzales Subdivision Survey 28, and 55.0000 acres out of Block 134 and 54.1420 acres out of Block 135, Harlingen Land & Water Co Subdivision, and 10.9984 acres out of 28.45 acres, 21.13 acres out of 28.45 acres, 1.00 acres out of N 20 acres, 1.00 acres out of PT N 20 acres, and S 2.7416 acres out of 6.42 acres out of S 20.00 acres, Block 5, and 10.4300 acres out of S 1/2 of N 20.87 acres, 5.0000 acres out of N5 S10, and 5.0000 acres out of S5 S10, Block 7, and 13.87 acres out of 22.03 acres out of N 25.00 acres, 8.16 acres out of 22.03 acres out of N 25.00 acres, 1.0000 acres out of PTN25 acres, E 1.0000 acre out of PTS 15, and SW 14.0000 acres, Block 8, and N 18.0000 acres, S 1.000 acres, and S 21.0000 acres, Block 9, and 4.99 acres out of 9.99 acres out of N 15.00 acres, 5.00 acres out of 9.99 acres out of N 15.00 acres, 5.01 acres out of N 15.00 acres, and 15.0000 acres, Block 10, and 6.00 acres out of N 18.7400 acres, 6.00 acres out of 12.74 acres out of N 18.7400 acres, 6.74 acres out of 12.74 acres out

of N 18.7400 acres, and S 10.9600 acres, Block 11, and N 10.0000 acres, Block 12, Lee Miner Subdivision, and Lot 1, Block 1, NPE Subdivision; and rezone from Not Designated ("N") District to Residential, Multi-Family ("M2") District for N 10.440 acres, Block 7, Lee Miner Subdivision; and rezone from Not Designated ("N") District to General Retail ("GR") District for PT E 17.010 acres and PT 10.00 acres, Block 6, Lee Miner Subdivision; and rezone from Residential, Multi-Family ("M2") District to Residential, Mobile Home ("MH") District for 1.00 acre out of 7.207 acres out of Block 121, Harlingen Land & Water Co Subdivision. All properties are generally located south of FM 508 and on FM 507. Applicant: City of Harlingen.

- a. Public Hearing
 - b. Consider and take action to recommend the rezoning to the City Commission
6. Assistant Planning and Development Director's report by Joel Olivo, Assistant Planning and Development Director.
- a. Report on status of items considered at the June 9, 2021 P&Z Commission Meeting:
 - i. Request for an SUP to allow a tattoo shop in a GR District located 1610 Midlane Drive. Applicant: Miguel Angel Lopez
7. Planning and Development Director's report by: Xavier Cervantes, AICP Planning and Development Director
- a. Report on upcoming agenda items:
 - i. Request for the voluntary annexation and establish the initial zoning for 9.38 acres of land located on the west side of Dilworth Road south of Garret Road. Applicant: Eddie Bartnesky and Jennifer Bartnesky Smith
 - ii. Announcement that starting in September the Planning and Zoning Commission Meetings will be live based on Governor's orders.
8. Closed session pursuant to Section 551.071(2), Tex. Gov't Code, to consult with legal counsel regarding the Planning and Zoning Commission's roles, duties, and responsibilities to the City of Harlingen, in accordance with state and local law.

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 9th 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