



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

**WEDNESDAY, AUGUST 11, 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, August 11, 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 28, 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 and take action to approve the preliminary and final plat with conditions of the proposed Springfield Estates No. 6 Subdivision, bearing a legal description of 10.59 acres of land comprised of 0.28 acres out of Block 70, and 10.31 acres out of Block 63, David and Stephenson Subdivision, located on the east side of New Combes Hwy, south of N. Loop 499. Applicant: David Flinn of Ferris, Flinn & Medina, LLC, c/o The Fennegan Group, Inc.
 - b. Consider and take action to approve the final plat of the proposed Woodland Oaks Subdivision Phase 2B, being 11.92 acres of land out of reserve tract, Stuart Place Resort Section 1 & Reserve, located on the north side of Queen Sago Drive west of Knotty Pine Lane. Applicant: Jack Brown of Brown, Leal & Associates c/o Sun Valley Enterprise.
3. Request for the voluntary annexation of 1.47 acres of land being the right-of-way of Dilworth Road, commencing at the northwest corner of Block 1 of Emil A. Johnson Subdivision recorded in Volume 11, Page 49, Map Records of Cameron County. Applicant: Cameron County
 - a. Public Hearing
4. Public Hearing and take action to consider a request for the voluntary annexation and establish the initial zoning to Residential, Single Family ("R-1") District for 9.38 acres of land comprised of two tracts: Tract 1 being a 7.77 acres of land out of a 3.44 acres of land out of the Carl F. Krueger Tract, Pendleton Resubdivision, a 1.48 acres of a land out of Block 1, Stuart Place Subdivision Survey 294, a 2.85 acres of land out of Block 1, C.D. and Sally G. Pendleton Subdivision, and being out of the tract of land described in Document Number 2019-46166, Deed Records of Cameron County, Texas; and Tract 2 being a 1.61 acres of land out of a 1.60 ft. canal right-of-way reserved in Volume 32, Page 7, Deed Records of Cameron County, Texas, being out of the tract of land described in Document Number 2020-30577, Deed Records of Cameron County, Texas, located on the west side of Dilworth Road south of Garrett Road. Applicant: Graham Lee Smith and Jennifer Bartnesky-Smith
 - a. Public Hearing
 - b. Consider and take action to recommend the annexation and initial zoning to the City Commission
5. Request to amend the City of Harlingen One Vision One Harlingen Thoroughfare Plan by adding the extension of November Lane east of Cook Lane. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Steven and Carly Thomas

- a. Public Hearing
 - b. Consider and take action to recommend the Thoroughfare Plan amendment to the City Commission
6. Request for a Special Use Permit (SUP) to allow a portable building greater than 144 sq. ft. in a Single Family Residential (R1) District located at 1701 Dixieland Road, bearing a legal description of Lot 1, Block 1, Alamo School Subdivision. Applicant: Harlingen CISD.
- a. Public Hearing
 - b. Consider and take action to recommend the special use permit to the City Commission
7. Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 1209 W. Tyler Avenue, bearing a legal description of West 1/2 of Lot 7, Block 2, LID & LIS Subdivision. Applicant: Ashley Salgado.
- a. Public Hearing
 - b. Consider and take action to recommend the special use permit to the City Commission
8. Request for a Special Use Permit ("SUP") to allow an adult business (tattoo studio) in a General Retail ("GR") District located at 401 S. 77 Sunshine Strip, Ste. D, bearing a legal description of the East 10 ft. of Lot 1 and all of Lots 2-6, Block 3, Windsor Place Subdivision. Applicant: Tucker Guerrero
- a. Public Hearing
 - b. Consider and take action to recommend the special use permit to the City Commission
9. 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 28, 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 conduct a City Initiated Rezoning of several properties along FM 507 between FM 508 and Loop 499. Applicant: City of Harlingen
10. Planning and Development Director's report by: Xavier Cervantes, AICP Planning and Development Director:
- i. Sign Ordinance Updates

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 6th day of August 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