

**REQUEST TO AMEND THE EXISTING SPECIFIC USE PERMIT (ORDINANCE 04-74) ISSUED TO HARLINGEN CISD FOR A SCHOOL IN A RESIDENTIAL, MULTI-FAMILY (“M-2”) DISTRICT, TO ALLOW FOR AN EXPANSION OF THE EXISTING SCHOOL LOCATED AT 2525 HAINE DRIVE, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 1, TREASURE HILLS SUBDIVISION. APPLICANT: HARLINGEN CISD.**

Mr. Baczewski summarized the following:

The applicant wishes to amend the specific use permit that they are currently operating under at Treasure Hills Elementary School so that they may undertake an expansion of the facility. Notifications were sent out and notice was advertised and two calls were received regarding runoff from the school during rain and referred to the school district. No objections were received. Future plans include the construction of a two-story wing, demolition of existing structures, and construction of a new classroom and office wing. Surrounding property uses are institutional and residential.

Staff recommends approval of the request.

Mr. Baczewski stated that he and the applicant are available to answer any questions.

V. Chrm. Consiglio asked if there were any questions for staff.

Cmr. Young asked if the building footprint would change.

Mr. Baczewski replied that yes, while they would be rebuilding in the area currently occupied, they will also be adding structures where none currently exist.

V. Chrm. Consiglio asked if there were any further questions for staff.

With no further questions for staff, V. Chrm. Consiglio opened the floor to a public hearing.

James Clark, of 2405 Mariposa Lane, approached the podium to speak. He stated that the runoff from the school has created flooding problems for him and surrounding property owners and that he has had to take measures to ensure that his house does not flood. He stated that he would like the problem addressed before building.

Cmr. Haire asked if the school district planned to address this issue.

Mr. Baczewski replied that yes, they are aware of the problem and will address it through their drainage report.

Cmr. Young then asked if that report could mandate changes or revisions.

Mr. Baczewski replied that yes, they would not get construction approval without properly addressing the matter.

Cmr. Haire then asked what department the gentleman should direct his concern to.

Mr. Baczewski replied that the Engineering Department would be who he wants to speak to.

Mr. Clark replied that he was directed by the Engineering staff to contact the school district, which he did, and was told that nothing would change until the second phase of the project.

Mike Alex of ROFA Architects approached the podium to speak.

Mr. Alex assured Mr. Clark that professional engineers, surveyors, and civil engineers would be working to ensure that all runoff goes to the appropriate inlets and not onto adjacent properties. He then provided more project details and explained the need for the replacement and renovation. He also stated that parking would not be substantially changed as the number of classrooms and assembly spaces are not substantially changing.

V. Chairman Consiglio then asked about the traffic on Haine Dr.

Mr. Alex explained possible driveway and parking configurations that would help to alleviate traffic in the area and shift more traffic to the Treasure Hills Boulevard entrance/exit.

V. Chrm. Consiglio asked if there were any others who wished to speak.

Elva Harris St. Luce, of 2813 Quail Run, approached the podium to speak. She stated that like Mr. Clark, she also has issues with collecting water and would like to see the issue addressed. She then returned to her seat.

Oscar Tapia, of the Harlingen CISD, approached the podium to speak.

Mr. Tapia stated that they are working with surveyors, architects, and engineers as well as staff from the school to create the design. The maintenance staff also brought up the same flooding issues and acknowledged that it was both to the school district's and the neighbors' benefit to correct this. He then detailed why the project is necessary and what the timeline will be.

Cmr. Young then asked Mr. Tapia if the plans could have a remedial effect.

Mr. Tapia replied that yes, inlets would be added at low points to direct the flow to the proper locations.

Mr. Haire then asked if this would alleviate the concerns of the residents.

Mr. Alex replied that while not all flooding can be controlled, yes, this project would redirect flow away from surrounding properties.

V. Chrm. Consiglio asked if there were any others who wished to speak.

Carol Daiser, of 2701 Quail Run, approached the podium to speak.

She stated that she simply wanted to back up with Mr. Clark had said and that there is a problem with water collecting in the area.

V. Chrm. Consiglio asked if anybody else wished to speak.

As there were no further comments, V. Chrm. Consiglio closed the public hearing.

Cmr. Wolf motioned to approve the request. Cmr. Haire seconded. The motion to approve passed unanimously.

**REQUEST TO ISSUE A SPECIFIC USE PERMIT TO ALLOW A STORAGE CONTAINER IN A GENERAL RETAIL (“GR”) DISTRICT LOCATED AT 4705 S. EXPRESSWAY 83, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK “A”, LOWES HARLINGEN COMMERCIAL SUBDIVISION. APPLICANT: LOWES HOME CENTER.**

Mr. Molina summarized the following:

The applicant is requesting the SUP to allow a shipping container to be used to store appliances waiting to be recycled. The applicant is aware that the permit is limited to 90 days and will be working to find a solution for an alternative storage location.

Staff recommends approval of the request with the conditions that it be limited to 90 days and that the container must remain in its current location.

Mr. Molina stated he was available to answer any questions.

Chrm. Peacock asked if there were any questions for staff.

Cmr. Wolf asked if staff could handle these requests administratively.

Chrm. Peacock explained that since it is an SUP it needs to be brought to the commission.

Chrm. Peacock asked if there were any further questions for the staff.

With no further questions for staff, Chrm. Peacock opened the floor to a public hearing.

There were no comments. Chrm. Peacock closed the public hearing.

Cmr. Wolf motioned to approve the request. Cmr. Haire seconded. The motion to approve passed unanimously.

Chrm. Peacock then stated that the next item would be the consent agenda with the removal of items “a” and “f”.

**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.

- b. Consider and take action to approve the preliminary and final plat of the proposed JNL Subdivision, consisting of a 6.97 acre tract of land out of Block 6 of the Martin

- H. Garcia Estate; located on the south side of FM 107 west of Pomelo Road. Applicant: Rios Surveying L.L.C., c/o Jose and Maria De Leon.
- c. Consider and take action to approve the preliminary plat of the proposed Morning Dove Estates Phase IIA Subdivision, being 5.20 acres out of Block 28, 29 & 30 Howard's Dixieland Heights, Out of Survey 44, located on the east side of Tucker Road north of Garrett Road. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Ruben Salazar.
  - d. Consider and take action to approve the preliminary replat of the proposed Panda Restaurant Subdivision, bearing a legal description of a replat of Lots 2, 3, and 4, Block 2, Hospital Heights Subdivision, located on the north side of 77 Sunshine Strip east of South Carolina Avenue. Applicant: Frank Rios of Rio Surveying, LLC, c/o Panda Restaurant Group, Inc.
  - e. Consider and take action to approve the preliminary plat of the proposed Snavelly Ventures Subdivision #2, bearing a legal description of 19.75 acres of land out of Block 139, Adams Gardens Subdivision "C", located on the west side of Tamm Lane north of Hughes Road. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Snavelly Ventures, Inc.

Cmr. Wolf motioned to approve consent agenda items B, C, D, and E. Young seconded. The motion passed unanimously.

- a. Consider and take action to approve the final replat of the proposed JMM Subdivision being a 4.00 acre tract of land comprised of 2.00 acre tract of land out of a certain 10.0 acre tract recorded in Volume 4638, page 260, deed records of Cameron County, Texas, out of a certain 120 acre tract in the northeast portion of Survey 40, and all of A&R Casas Estates Subdivision, located on the south side of Garrett Rd west of Paloma Lane. Applicant: Juan Garcia of JNH Surveying c/o Daniel Menchaca.

Cmr. Wolf asked about the staff recommendation of approval with this being zoned multifamily and the fact that the future land use plan calls for low density residential. Mr. Molina explained that with their acreage, the proposed development will still fit the criteria of low density.

Cmr. Wolf asked why we are not asking the applicant to commit to single family residences.

Mr. Molina replied that this property is in the City of Harlingen's ETJ and not within the city limits, so as long as it meets the low density requirement, city staff is comfortable.

Cmr. Wolf voiced concern that it would become a colonia due to its location at the end of Paloma Lane.

Mr. Davila stated that technically it will be considered a colonia due to its septic system and then outlined steps that are being taken to improve coordination between the City and the County. He also stated that since it is outside of city limits, the city cannot dictate its zoning.

Cmr. Wolf then requested clarification of the differences between the R-2 and M-2 zoning designations and both Mr. Molina and Mr. Davila responded.

Cmr. Wolf motioned to approve the request. Cmr. Haire seconded. The motion to approve passed unanimously.

Chrm. Peacock stated that he will recues himself from consent agenda item f and item 6 and exited the room. V. Chrm. Consiglio began presiding over the meeting.

- f. Consider and take action to approve the preliminary plat of the proposed Stem2 Academy Subdivision, being a 5.5078 acre tract of land, more or less, out of Block 64, Harlingen Land and Water Company's Subdivision, located on the south side of E Washington Ave, west of N. 21<sup>st</sup> Street. Applicant: Jack Brown of Brown, Leal & Associates c/o Harlingen Consolidated Independent School District.

Cmr. Wolf motioned to approve the request. Cmr. Haire seconded. The motion to approve passed unanimously.

**REQUEST TO REZONE FROM NOT DESIGNATED (“N”) DISTRICT TO RESIDENTIAL, MOBILE HOME (“MH”) DISTRICT FOR LOTS 41-100, AMENDED MAP OF SUN VALLEY RETIREMENT VILLAGE NO. 2 SUBDIVISION; LOTS 1-52, PALM VISTA ESTATES SUBDIVISION; LOTS 53-81 AND LOTS 83-103, PALM VISTA ESTATES UNIT 2 SUBDIVISION; LOTS 104 – WEST PART OF LOT 109, AND LOTS 110-138, PALM VISTA ESTATES UNIT 3 SUBDIVISION; LOTS 139-159, AND LOTS 161-190, PALM VISTA ESTATES UNIT 4 SUBDIVISION; AND LOTS 191-253; AND LOTS 255 AND 256, PALM VISTA ESTATES UNIT 5 SUBDIVISION, GENERALLY LOCATED SOUTH OF PERKINS ROAD AND EAST OF ALTAS PALMAS ROAD. APPLICANT: CITY OF HARLINGEN.**

Mr. Olivo summarized the following:

This is a city led rezone of currently not-designated properties. The area was annexed in November of 2008 and about a year ago, a separate city led rezoning was undertaken to make the area consistent with the comprehensive plan. However, some properties were inadvertently left out of that rezoning and the purpose of the current item is to correct that. The area has developed primarily as mobile homes and single-family houses. The proposed zoning allows for both uses and is consistent with its current use. The future land use plan shows the area as high-density residential which is consistent with the proposed change. Three hundred property owners received notifications concerning the rezone. City staff received 12 phone calls regarding the rezoning and all were in favor.

Staff recommends approval of the request.

Mr. Olivo stated he was available to answer any questions.

Chrm. Peacock asked if there were any questions for staff.

Cmr. Young asked about any letters received by city staff.

Mr. Olivo clarified that no letters were received, only calls.

Chrm. Peacock asked if there were any other questions for staff.

With no further questions for staff, Chrm. Peacock opened the floor to a public hearing.

There were no comments. Chrm. Peacock closed the public hearing.

Cmr. Wolf motioned to approve the request. Cmr. Young seconded. The motion passed unanimously.