REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION

WEDNESDAY, JULY 8, 2020 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 8, 2020 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 and the City of Harlingen Facebook Page.

In accordance with the order 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 COMMUNICATION 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: Meeting on June 10, 2020

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 preliminary and final plat with conditions of the proposed Burns Subdivision, bearing a legal description of 7.18 acres of land out of Block 3, David and Stephenson Subdivision, located on the west side of Breedlove Road, south of F.M. 508 Road. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Levi Burns and Brooke Burns.

3. Consider and take action to approve the preliminary and final plat of the proposed DLG Subdivision with conditions and consider a variance request to the fire hydrant requirement as per Section 109-91(c)(11), bearing a legal description of 11.27 acres of land out of Block 73, Minnesota-Texas Land and Irrigation Co., located on the east side of Louisiana Street, west of FM 506. Applicant: Dustin Moore of Moore Land Surveying, LLC., c/o James Green (TABLED AT THE JUNE 10, 2020 P&Z COMMISSION MEETING)

4. Request for a Special Use Permit (SUP) to allow a School in a Single Family Residential (R1) District located at 401 N. 21st Street, bearing a legal description of 1.54 Acres, PT Block 64, Harlingen Land & Water Co. Subdivision. Applicant: Daniel Ybarra.
   
   a. Public Hearing
   b. Consider and take action to recommend the Special Use Permit to the City Commission

5. Request for a Special Use Permit (SUP) to allow a Group Home facility in a Residential Single-Family (R1) District located at 221 McGregor Street, bearing a legal description of North part of Lot 9, and the South 66.4' of Lot 9, Block D, Hunter No. 2 Subdivision. Applicant: Lolly Burns.
   
   a. Public Hearing
   b. Consider and take action to recommend the Special Use Permit to the City Commission

6. Request To Amend The Code Of Ordinances Of The City Of Harlingen Chapter 109 (Subdivisions), Article I (In General), Sec. 109-1 Definitions; Article II (Variances And Appeals), Sec. 109-27—Variances , Defeating Sec. 109-27—Appeals; Article III (Penalty And Enforcement), Sec. 109-60—Civil Penalty, Sec. 109-61—Criminal Penalty, Sec. 109-62—Administrative Enforcement, Sec. 109-63— Enforcement; Article Iv (Plat Submittal And Review Procedures), Sec. 109-87—General Process, Sec. 109-88—Minor

a. Public Hearing
b. Consider and take action to recommend the amendment to the City Commission


a. Public hearing
b. Consider and take action to recommend the amendment to the City Commission

8. Assistant Planning and Development Director’s report by: Joel Olivo, Assistant Planning and Development Director.


9. Planning and Development Director’s report by: Xavier Cervantes, AICP Planning and Development Director


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.


POSTED the 3rd day of July 2020, 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