

**CITY COMMISSION
AGENDA
REGULAR MEETING
APRIL 7, 2025
@ 5:30 PM
CITY HALL, TOWN HALL MEETING ROOM
2ND FLOOR, 118 E. TYLER AVENUE
HARLINGEN, TEXAS**

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **MONDAY, APRIL 7, 2025, at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 118 E. Tyler Avenue, Harlingen, Texas and provide the public the ability to view the meeting via internet live-streaming at www.harlingentx.gov and the City of Harlingen YouTube Page.

The public will be permitted to offer citizen communication or participate in items listed as public hearings as provided by the agenda and as permitted by the presiding officer during the meeting.

To offer citizen communication or participate in scheduled public hearings, go to www.harlingentx.gov 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 City Commission.

To submit written comments requesting an item for City Secretary, go to www.harlingentx.gov 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 3:00 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 write Post Office Box 2207, Harlingen, Texas 78550 at least 48 hours in advance of the meeting.

The Harlingen City Commission reserves the right, pursuant to the Texas Government Code Chapter 551, Subchapter D, to enter into closed executive session on any item posted on the agenda if a matter is raised that is appropriate for closed discussion.

- 1) **Call Meeting to Order**
 - a) Invocation - Mayor Pro-Tem Ford Kinsley
 - b) Pledge of Allegiance
 - c) Welcome Citizens
- 2) **Conflict of Interest**

" Under State Law, a conflict of interest exists if a commission member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at the time? " (*City Attorney*)
- 3) **Announcements:** *With respect to items not listed elsewhere on this agenda, the City Commission may report on items of community interest, including announcing community events, announcing employee or community recognitions*
 - a) Mayor's Announcements
 - b) City Manager's Announcements
 - c) City Commission Member Announcements
- 4) **Proclamation/Presentation of Awards:**
 - a) Harlingen Animal Shelter-"Pet of the Week"
 - b) Presentation by Interim Chief Alfredo Alvear on Life Saving Award to Harlingen Police Officers Rogelio Montoya, Jr., Ethan A. Gonzales and Randy Reyna for saving a human life on March 1, 2025.
 - c) Proclamation - "Women in EMS" of the South Texas Emergency Care Foundation d/b/a Harlingen Emergency Medical Service
 - d) Proclamation - "Community Development Week"
 - e) Proclamation - "National Healthy Homes Month"
- 5) **Citizen Communication:** *At this time, the public is invited to address the City Commission and speak on any matter not specifically listed for public hearing elsewhere in this agenda. Please note that the City Commission members may not respond to comments or deliberate on topics addressed.*
- 6) **Approval of Minutes:**
 - a) Special Meeting of December 26, 2024
- 7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*
 - a) Consideration and possible action to adopt an ordinance on second and final reading to rezone from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 101 W. Pierce Avenue, bearing a legal description of Lot 6, Block 139, Harlingen Original Townsite. Applicant: Reynaldo Del Toro c/o Anacahuitta Development. Attachment (*Planning & Development*)
 - b) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event

center in a General Retail ("GR") District for a tract of land bearing a legal description of 5.57 acres out of 15.57 acres out of Block 185, San Benito Land and Water Company Subdivision, located on the east side of South Ed Carey Drive, approximately 974 feet south of South Expressway 83 Frontage Road. Applicant: RGV Wine Country c/o Rodrigo Rubiano. Attachment (**Planning & Development**)

- c) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail District ("GR") located at 1301 N. 77 Sunshine Strip, bearing a legal description of Block 5 and the North Part of Block 6, Brown Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)
- d) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 2220 E. Crockett Street, bearing a legal description of Lot 9, Block 2, Pendleton Subdivision. Applicant: James Petty. Attachment (**Planning & Development**)
- e) Consideration and possible action to approve a request from Immaculate Heart of Mary Catholic Church to close the following streets, Friday-Sunday, April 25th -27th, from 12:00 noon -11:59 p.m., for their Annual Spring Fiesta. Attachment (**Police**)

Southside intersection of Tyler Avenue and "C" Street;
Alleyway in the 400 Block of "C" Street; and,
Northside intersection of Polk Street and "C" Street.

- f) Consideration and possible action to approve a request from S.K. Edgar Martinez, Grand Knight, Council #2785 with the Knights of Columbus to close the following streets, Friday-Saturday, May 2nd -3rd, 2025, from 12:00 noon - 11:00 p.m. for the Knights of Columbus Association's 4th Annual RGV BBQ Cookoff Event. Attachment (**Police**)

Southside Intersection of Van Buren Avenue and 17th Street;
Alleyway in the 200 Block of South 17th Street;
Northside Intersection of Harrison Avenue and 17th Street

- g) Consideration and possible action to approve a request from Logos Community Church to close the following street, Tuesday, June 10, 2025, from 4:30 p.m. – 9:00 p.m., for their Logos Summer Conference. Attachment (**Police**).

Southside Intersection of Jackson Avenue and "E" Street;
Alleyway in the 100 Block of South "E" Street;
Northside Intersection of Van Buren Avenue and "E" Street

- h) Consideration and possible action to approve a request from Buckner Children and Family Services to close the following streets, Saturday, April 12, 2025, from 5:30 p.m. to 8:30 p.m., for their Pinwheels for Prevention Event at Lon C. Hill Park located at 1217 Fair Park Blvd. Attachment (**Police**)

Fair Park Blvd. between North "L" and "J" Streets (no thru traffic) to include all entries and exits from Harlingen Performing Arts and Casa de Amistad Parking Lots.
DETOUR SIGNS at North "L" Street/Fair Park Blvd. to direct traffic north onto Wichita Avenue.

- i) Consideration and possible action to approve the purchase of one (1) Man-Lift to maintain the Transfer Station. Attachment (**Public Works**)
- j) Consideration and possible action to approve the purchase of one (1) Pro-Patcher for the Paving Department. Attachment (**Public Works**)

- k) Consideration and possible action regarding a request from BC Lynd for payment of an Invoice to vendor Christmas Decor, for Christmas Tree set-up, take-down and storage at the Harlingen Convention Center. Attachment (**Finance**)
 - l) Consideration and possible action to approve a resolution authorizing the submission and acceptance of a grant from the Office of the Governor for the Fiscal Year 2025 Border Zone Fire Departments Program; and dealing with related matters. Attachment (**Special Projects Department**).
 - m) Consideration and possible action to approve a resolution authorizing the submission of a grant to the Office of the Governor for the Fiscal Year 2026 Rifle Resistant Body Armor Grant Program. Attachment (**Special Projects Department**).
 - n) Consideration and possible action to approve a resolution authorizing the submission and acceptance of a grant to the Office of the Governor for the Fiscal Year 2024 Operation Stonegarden Grant Program. Attachment (**Special Projects Department**)
 - o) Consideration and possible action authorizing the City Manager to accept a grant award from Blue Pearl Cares and to sign the required medical equipment grant terms and conditions. Attachment (**Special Projects Department**)
- 8) **Staff Reports and Other Discussion Items:** *Items in this section are not expected to require action by the City Commission and are generally for information only. However, any item listed in this section may become an action item at a future meeting with the request of the Mayor, or after the request of any two Commission members, or the City Manager.*
- a) City Manager's Report
 - b) Staff Reports - Presentation by South Texas Emergency Care (**STEC**) on the Quarterly Report.
- 9) **Public Hearings:** *At this time, the Mayor will invite members of the public who have filled out the Public Hearing and the Citizen Communication Form to address each item listed in this section. Please limit your comments to the topic of that public hearing. If more than one public hearing is being held, you will be allowed to speak during each topic, provided you have filled out the Public Hearing and Citizen Communication Form for the appropriate topic. If you are signed up for two (2) or more Public Hearings, you will be limited to 5 minutes for all topics.*
- a) Public hearing for a Special Use Permit ("SUP") to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Christine Blouch & Rene Capistran c/o Veterans of Foreign Wars Post 2410. Attachment (**Planning & Development**)
 - b) Public hearing for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas. Attachment (**Planning & Development**)
 - c) Public hearing for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flats Subdivision, located along the East side of Loop 499, being 277 feet North of Grimes Road. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC. Attachment (**Planning & Development**)
 - d) Public hearing amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot-wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant:

Melden and Hunt, c/o HDP Paso Real, LLC. Attachment (**Planning & Development**)

- e) Public hearing for a rezoning request from Residential, Single Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of Lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77. Applicant: Melden and Hunt, Inc. Attachment (**Planning & Development**)
 - f) Public hearing for the voluntary annexation of 3.22 acres of land out of Block 164, San Benito Land and Water Company Subdivision, located along the south side of FM 675, approximately 2,890.84 feet southeast of FM 509. Applicant: Emiliano Rosel c/o Mario Vega. Attachment (**Planning & Development**)
- 10) **Action Items:** *City Commission will discuss, consider, and take any action deemed necessary on items listed in this section, including the adoption of a resolution or an ordinance.*

Ordinances:

- a) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit ("SUP") to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Christine Blouch & Rene Capistran c/o Veterans of Foreign Wars Post 2410. Attachment (**Planning & Development**)
- b) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas. Attachment (**Planning & Development**)
- c) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flats Subdivision, located along the East side of Loop 499, being 277 feet North of Grimes Road. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC. Attachment (**Planning & Development**)
- d) Consideration and possible action to adopt an ordinance on first reading amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot-wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant: Melden and Hunt, c/o HDP Paso Real, LLC. Attachment (**Planning & Development**)
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- f) Consideration and possible action to adopt an ordinance on first reading for the voluntary annexation of 3.22 acres of land out of Block 164, San Benito Land and Water Company Subdivision, located along the south side of FM 675, approximately 2,890.84 feet southeast of FM 509. Applicant: Emiliano Rosel c/o Mario Vega. Attachment (**Planning & Development**)

- g) Consideration and possible action to adopt an ordinance on first reading amending the adoption of the 2024 International Codes and the 2023 National Electrical codes. Applicant: City of Harlingen. Attachment (***Planning & Development***)
- h) Consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances, Chapter 103, Buildings and Building Regulations, Article 1, In General, authorizing the waiver of city building permit fees for residences and businesses affected by the recent storm (flooding). Applicant: City of Harlingen Attachment (***Planning & Development***)
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- i) Consideration and possible action to approve the Harlingen Main Street Contract for 2025. Attachment (***Downtown Improvement District***)
- j) Consideration and possible action to approve the Texas Downtown Association Membership Renewal for 2025. Attachment (***Downtown Improvement District***)
- k) Consideration and possible action to approve the National Main Street Center Membership for 2025. Attachment (***Downtown Improvement District***)
- 11) **Board Appointments:**
Specifically, appointment or discussion and possible action to include appointment and/or removal of any position subject to appointment or removal by statute, ordinance, or bylaws.

Airport
Animal Shelter Advisory Committee
Audit Committee (Terms expire in June)
Charter Review Committee (Ad Hoc)
Civil Service Commission
Community Development Advisory Board (1)
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement Board
Golf Course Advisory Board
Harlingen Community Improvement Board
Harlingen Housing Authority Board
Harlingen Finance Corporation (6)
Harlingen Teen and Young Adult Advisory Board (2)
Healthy Harlingen Advisory Board
Keep Harlingen Beautiful Board
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board (1)
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Small Business Committee
Tax Increment Finance Board
Utility Board of Trustees (1)
Veterans Advisory Board
Zoning Board of Adjustment (2)

- 12) **Executive Session:** *All items listed in this section will be deliberated in a closed session. Members of the public are not generally permitted to attend a closed session. Executive Session items may be considered as an action item at the discretion of the Mayor. However, City Commission will not take any action in closed session.*
- a) Deliberation pursuant to Texas Government Code 551.074 to consider personnel matters; ie the regular annual evaluation of the City Manager. **(Mayor)**
 - b) Consultation with legal counsel pursuant to Texas Government Code 551.071, regarding an agreed order between the City of Harlingen and TSTC, pertaining to real property. **(City Attorney)**.
 - c) Consultation with legal counsel pursuant to Texas Government Code 551.071 (2) to receive attorney-client consultation protected by the attorney-client communications privilege. **(City Attorney)**
- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*
- a) Discussion and possible action on Item 12(a) as discussed in executive session.
 - b) Consideration and possible action on Item 12(b) as discussed in executive session.
 - c) Consideration and possible action on Item 12(c) as discussed in executive session
- 14) **Adjournment:**

I, the undersigned authority, do hereby certify that the above Notice of the Regular Meeting of the Harlingen City Commission is a true and correct copy of said notice posted on the bulletin board at City Hall of said City of Harlingen, Texas in a place convenient and readily accessible to the general public at all times and on the City's Internet Website and said Notice was posted on **THURSDAY, APRIL 3, 2025**, at or before 11:45 a.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 3rd day of APRIL 2025


Hermelinda Gonzales, Interim City Secretary

SPECIAL MEETING

CITY COMMISSION

HARLINGEN, TEXAS

A Special Meeting of the Harlingen City Commission was held December 26, 2024, at 5:30 p.m., at City Hall, Town Hall Meeting Room, 2nd Floor, 118 E. Tyler Avenue, Harlingen, Texas, and providing the public the ability to view the meeting via the internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.myharlingen.us Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda

Mayor Pro-Tem Rene Perez

Ford Kinsley Commissioner District 1 – Via Zoom

Daniel N. Lopez, Commissioner District 2

Michael Mezmar, Commissioner District 3

Frank Morales, Commissioner District 4

City Staff

Gabriel Gonzalez, City Manager

Amanda C. Elizondo, City Secretary

Mark Sossi, City Attorney

- 1) **Call Meeting to Order** – Mayor Sepulveda called the meeting to order and welcome the attendees to the meeting.
 - a) Invocation – Commissioner Frank Morales
 - b) Pledge of Allegiance
 - c) Welcome Citizens – Mayor Sepulveda
- 2) **Conflict of Interest**
"Under State Law, a conflict of interest exists if a council member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at this time"? **NONE**
- 3) **Citizen Communication**: **NONE**
- 4) **Consideration and possible action to approve a resolution declaring the results of the December 14, 2024, Special Run-off Election for a Commissioner, Districts 3, 4, and 5.**

Remi Garza, Cameron County Elections Administrator, stated that the Special Run-Off Election for the City of Harlingen was held December 14, 2024, to elect one commissioner for each of the districts 1, 2, and 3. There were three early voting locations and four voting locations on election day. There were 25,367 registered voters who participated in the Run-Off Election, of which 1,828 voted. The turnout percentage was 7.21%. Mr. Garza highlighted the following information:

Mike Mezmar	(District 3):	337
R. Frank Lozano:		<u>312</u>
Total Votes cast:		649
Frank Morales	(District 4):	156
Beto Pena		<u>123</u>
Total Votes Cast:		279
Rene Perez	(District 5):	474
Nikki Alvarez-Daniell		<u>426</u>
Total Votes Cast:		900

Mr. Garza noted that because this was a run-off election and with the number of election-day locations, we are required by state law to conduct what is called a partial manual count. This is essentially to verify that the machines are reading the ballots properly by doing a re-count by hand of all the election-day precincts, the early vote, and mail votes. The totals came out exactly the same.

Mr. Garza also wanted to thank the city staff for being very helpful in accommodating them during the election. He also wanted to thank the City Secretary, Amanda Elizondo, for her cooperation and work during the entire process. We greatly enjoyed working with her.

Mayor Pro-Tem Perez referred to the handout (Page 2 of 4): Precincts: Parts of 80 and 96, voter turnout. Were the 8.45% the only voters who voted, or were those who could have voted in this election eligible in District 5, or were they the entire precincts?

Mr. Garza responded that it was for those parts that fall within that City Commissioner district; 8.45% of the people that were eligible were 4,369.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to approve the resolution declaring the results of the December 14, 2024, Special Run-off Election to elect a Commissioner for Districts 3, 4 and 5. Motion carried unanimously.

5) **Swearing-in and Oath of Office to newly elected City Commissioners for Districts 3, 4, and 5.**

Amanda Elizondo, City Secretary, executed the Oath of Office to Commissioner Michael Mezmar.

Judge Oscar Guerra: Gave the Oath of Office to Commissioner Francisco Morales.

Judge Eloy Cano: Gave the Oath of Office to Mayor Pro-Tem Rene Perez.

6) **Consideration and possible action to appoint a Mayor Pro-Tem.**

Mayor Sepulveda thanked Mayor Pro-Tem Perez for his work supporting the community and taking over certain duties when she was unavailable. She nominated Commissioner Ford Kinsley to be the next Mayor Pro-Tem.

Motion was made by Mayor Sepulveda and seconded by Commissioner Rene Perez to appoint Ford Kinsley as the new Mayor Pro-Tem. Motion carried unanimously.

7) **Board Appointments: NONE**

8) **Adjournment:**

There being no other business to discuss, Mayor Sepulveda adjourned the meeting.

City of Harlingen

ATTEST:

Norma Sepulveda, Mayor

Amanda C. Elizondo, City Secretary

712)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading to rezone from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 101 W. Pierce Avenue, bearing a legal description of Lot 6, Block 139, Harlingen Original Townsite. Applicant: Reynaldo Del Toro c/o Anacahuita Development. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning & Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- February 4th, 2025 – Application for rezoning submitted to the City (**ATTACHMENT I**).
- February 12th, 2025 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 foot radius of subject tract.
- February 15th, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- February 26th, 2025 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- March 19th, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- April 2nd, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District to allow a duplex on the property. (**ATTACHMENT I**).
- The property is currently vacant and has 50.00 feet of frontage on West Pierce Avenue and 140.00 feet of frontage on S. 1st Street.
- The surrounding properties are zoned Residential, Single-Family and Multi-Family to the north, Residential, Single-Family to the south, west, and east. Surrounding land uses include single-family homes to the north, south, east, and west. (**ATTACHMENT IV**)
- The Future Land Use Plan component of the City of Harlingen's Vision 2020 Comprehensive Plan shows this area as low density residential. A duplex use is

considered low density residential, and therefore, the request is consistent with the Future Land Use Plan. (ATTACHMENT VI).

- To the present, the Planning and Zoning Department has received no phone calls in opposition from the surrounding property owners regarding the proposed request. Staff mailed out 23 notices to surrounding property owners.

Funding (if applicable):

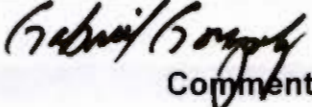
Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

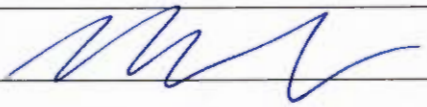
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the rezoning request.

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Attachment I - Application

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 101 W. PIERCE AVE Nearest Intersection S. 1ST STREET
(Proposed) Subdivision Name HARLINGEN ORIGINAL TOWN SITE Lot 6 Block 139
Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent REYNALDO DEL TORO Phone 956-525-5410 FAX _____
Email Address (for project correspondence only): reynaldodeltoro@hotmail.com
Mailing Address 1344 E. 8TH ST. City BROWNSVILLE State TX Zip 77820
Property Owner ALCANTARA DEVELOPMENT GROUP LLC Phone SAME FAX _____
Email Address (for project correspondence only): SAME
Mailing Address SAME City _____ State _____ Zip _____

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|---|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Minor Plat..... <u>\$100.00</u> |
| ☐ Comp. Plan Amendment Request..... <u>\$250.00</u> | ☐ Re-Plat..... <u>\$250.00</u> |
| ☒ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$250.00</u> |
| ☐ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat..... <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☐ PDD Request..... <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |
- PAID 2-4-25**

Please provide a basic description of the proposed project: DUPLEX

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: _____ Date: 2/4/25

Property Owner(s) Signature: _____ Date: 2/4/25

Accepted by: _____ Date: _____

Attachment I - Application

RE-ZONING REQUEST SUBMITTAL CHECKLIST

Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

Complete

A metes and bounds description or survey plat of the tract(s) in which the re-zoning is requested.

A written statement describing the proposed use(s) of the subject property (can be provided on Master Application).

Any other information (elevation drawings, pictures, etc.) in support of the subject request.

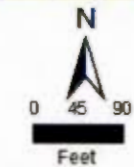
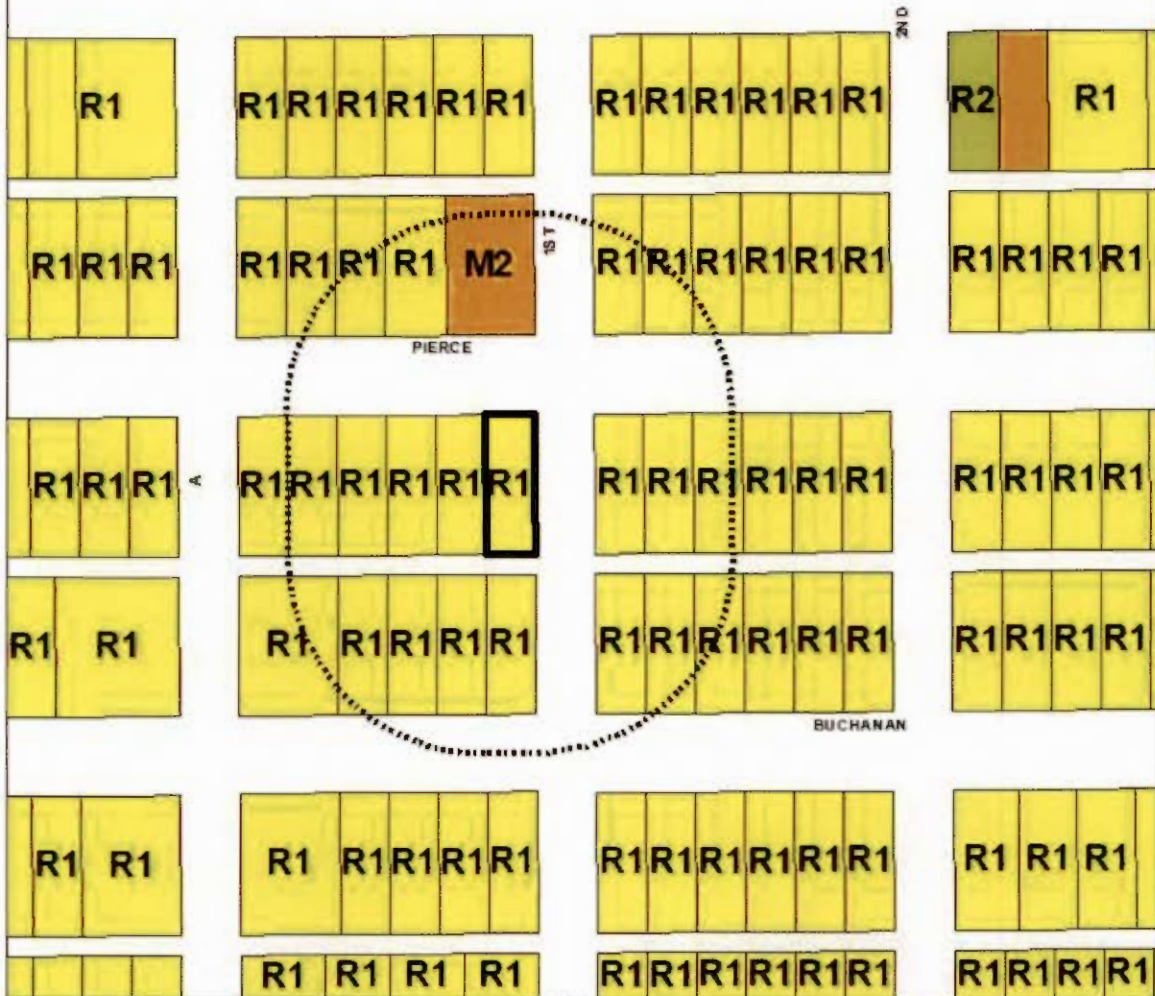
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a re-zoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner: Carl DeYbarr ORL Tolo Date: 2/4/25
Owner Address: 551 CEDARLOKE LT. / BROOKSVILLE TX
Phone/Fax: 956.525.5410
Signature: _____

Attachment II



Request to rezone from Residential, Single-Family ("R1") District to Residential, Duplex ("R2") District for a property located at 101 W. Pierce Avenue, bearing a legal description of Lot 6, Block 139, Harlingen Original Townsite Subdivision. Applicant: Reynaldo Del Toro c/o Anacahuita Development



Boundary lines

- Harlingen city limits shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---------------------------|-------------------------------|--------------------------------|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 02.10.2025

Attachment III Aerial & Street Views

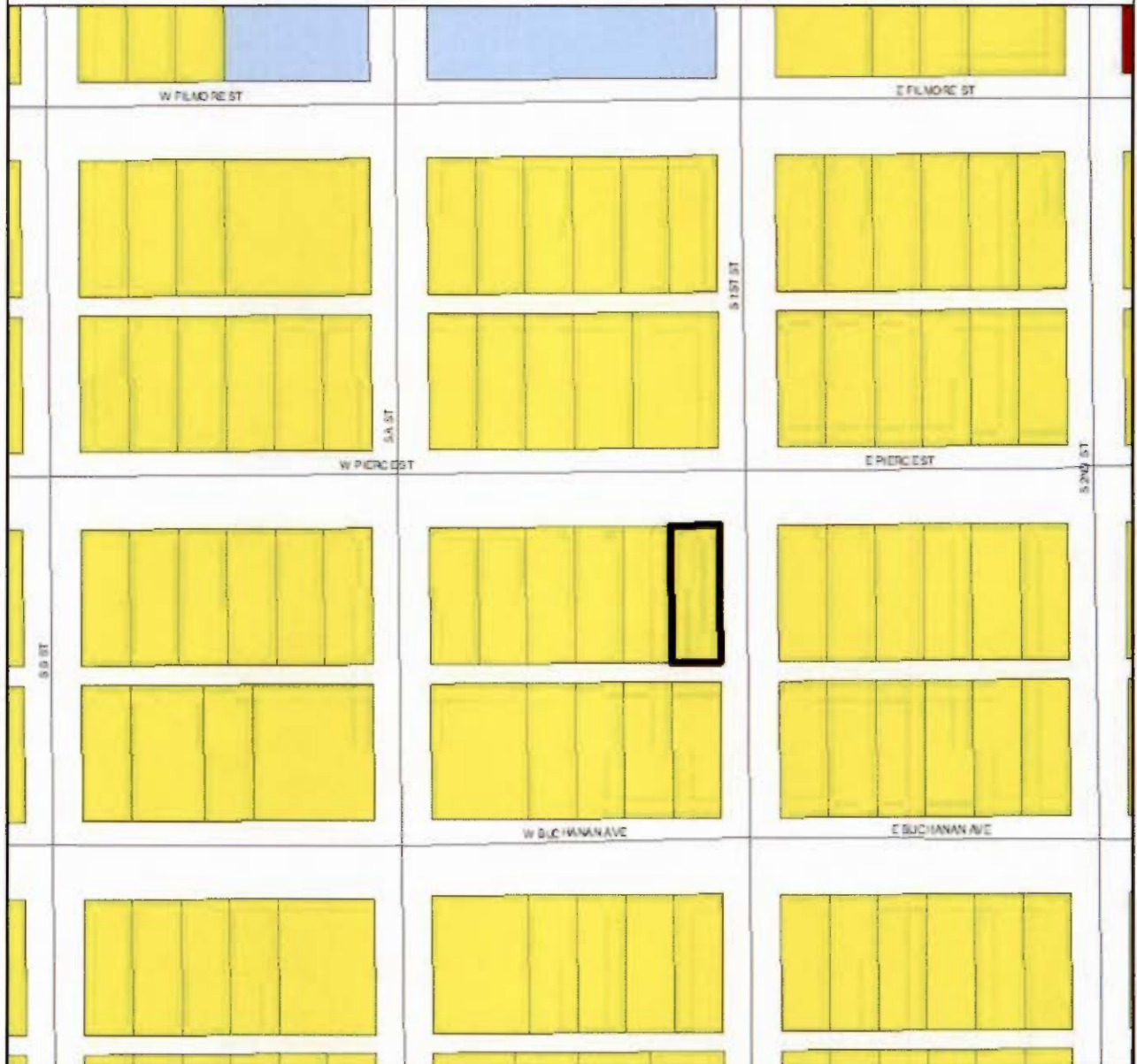


Attachment IV – Future Land Use Map

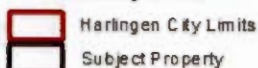


Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Boundary Lines



Future Land Use

Agricultural/Rural Residential	Institutional	Recreational/Open Space
Employment Center	Low Density Residential	Retail-Regional
High Density Residential	Medium Density Residential	Retail/Commercial/Office
Industrial	Mixed Use	

THIS MAP HAS BEEN PRODUCED BY THE CITY OF HARLINGEN FOR THE SOLE PURPOSE OF LOCATING JURISDICTIONAL BOUNDARIES AND IS NOT INTENDED FOR ANY OTHER PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING ORTHOPHOTO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT.

ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT TO RESIDENTIAL, DUPLEX ("R-2") DISTRICT FOR A PROPERTY LOCATED AT 101 W. PIERCE, BEARING A LEGAL DESCRIPTION OF LOT 6, BLOCK 139, HARLINGEN ORIGINAL TOWNSITE SUBDIVISION.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a change in the zoning classification for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed rezoning having been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Rezoning from Residential, Single -Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 101 W. Pierce Avenue, bearing a legal description of Lot 6, Block 139, Harlingen Original Townsite Subdivision as shown in Exhibit "A".

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Building Inspection Inspector and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within by the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

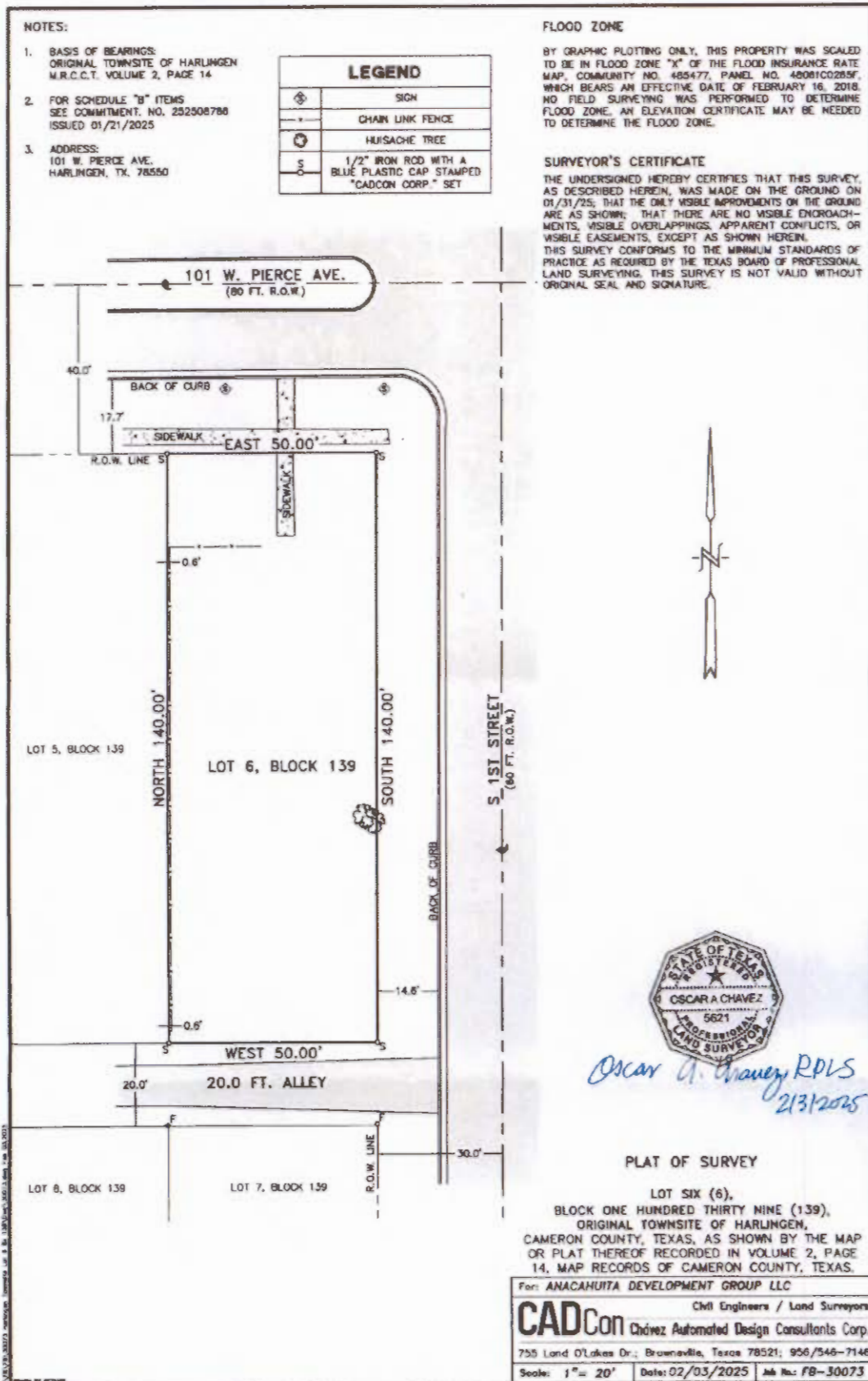
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzalez, Interim City Secretary

Exhibit "A"



7(6)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a tract of land bearing a legal description of 5.57 acres out of 15.57 acres out of Block 185, San Benito Land and Water Company Subdivision, located on the east side of South Ed Carey Drive, approximately 974 feet south of South Expressway 83 Frontage Road. Applicant: RGV Wine Country c/o Rodrigo Rubiano. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning & Development Director
Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- January 29, 2025 – Application for Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- February 12, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- February 15, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- February 26, 2025 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- March 19, 2025 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- April 7, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per Section 111-62 the City of Harlingen's Code of Ordinances, alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District requires the approval of a Special Use Permit (SUP) by the City Commission.
- RGV Wine Country LLC, the applicant, is requesting a Special Use Permit to allow an event center with alcohol permitted. (**ATTACHMENTS I, II**).
- The subject property is currently vacant and is not subdivided. The developer is proposing to subdivide the tract of land into a two-lot subdivision. The subject tract of land has 500.00 feet of frontage on Ed Carey Drive and has a depth of 517.37 feet at its longest point.
- Based on the site plan and information submitted by the applicant, the applicant is proposing to operate from Sunday to Saturday, 11 am to 2 am. The developer is proposing a 7,200.00 square foot winery event center, a 4,000.00 square foot detached winery tasting room, and a 2,400 square foot detached outdoor event pavilion. The developer wants to accommodate up to 250 guests. 72 parking

spaces are required, and a total of 262 proposed parking spaces are provided on the site plan. **(ATTACHMENT III)**

- Surrounding properties are zoned General Retail ("GR") District to the north, east, and south, and Office ("O") District to the east. Surrounding businesses include Home Depot to the north, vacant land to the east and south, and residences to the west. **(ATTACHMENTS IV-VI)**
- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, and Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department **(ATTACHMENTS VII-X)**.
- The applicant must obtain and maintain the proper State and City permits.
- Presently, the Planning and Zoning Department has not received any objections to the request from surrounding property owners. Staff had sent out sixteen (16) legal notices to surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

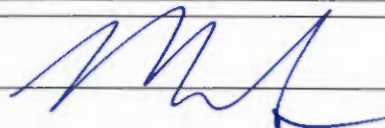
Staff Recommendation:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Obtaining and maintaining the proper State and City permits; and,
2. Maintaining the required parking in accordance with city regulations; and,
3. Providing video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments.
5. Hours of operation are 11 a.m. to 2 a.m. Sunday through Saturday.

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Attachment I

Legal Description: San Benito Land & Water Co Subd 15.57 acres out of block 185

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION (Please PRINT or TYPE)

Project Address 401 S. Ed Carey Dr Nearest Intersection South Ed Carey Dr
(Proposed) Subdivision Name _____ Lot _____ Block _____
Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent RGV Wine Country LLC Phone (956)330-0291 FAX _____
Email Address (for project correspondence only) minu@rubianocommercial.com
Mailing Address 3900 N. 10th St Suite 1080 City McAllen State TX Zip 78501
Property Owner Rodrigo Rubiano Phone (956)793-3430 FAX _____
Email Address (for project correspondence only) ricardo@rubianocommercial.com
Mailing Address 3900 N. 10th St Suite 1080 City McAllen State TX Zip 78501

Select appropriate process for which approval is sought. Attach completed checklists with this application.

☐ Annexation Request ...	No Fee	☐ Preliminary Construction Plans and Final Plat	\$150.00
☐ Administrative Appeal (ZBA)	\$125.00	☐ Minor Plat	\$100.00
☐ Comp. Plan Amendment Request	\$250.00	☐ Re-Plat	\$250.00
☐ Re-zoning Request ..	\$250.00	☐ Vacating Plat	\$250.00
☒ SUP Request/Renewal	\$252.00	☐ Development Plat	\$50.00
☐ Zoning Variance Request (ZBA)	\$250.00	☐ Subdivision Variance Request	\$25.00 (each)
☐ PDD Request	\$250.00	☐ Right-of-Way / Utility Easement Abandonment	No Fee
☐ License to Encroach	\$250.00		

Please provide a basic description of the proposed project:

Event Center and sale of alcoholic beverages for on site consumption

Schedule: Sunday to Saturday / 11am to 12am

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature Rodrigo Rubiano Date 01/29/2025

Property Owner(s) Signature [Signature] Date _____

Accepted by _____ Date _____

Attachment II

Rodrigo Rubiano
6168 Burr Oak Way
Hudson, OH 44236

January 28, 2025

City of Harlingen
Planning & Zoning Department
Harlingen, TX, 78550

Re: 5-acre development on S. Ed Carey Drive

Dear Sir/Madam,

I am writing to inform you that RGV Wine Country LLC has been granted permission to use 5 acres of land as shown on Exhibit A attached. The future address of the property is best estimated to be at 401 S. Ed Carey Dr for the development and construction of an event center and winery.

This project is an exciting venture that aims to contribute to the local economy and provide a unique destination for residents and visitors.

As part of its daily operations, the event center and winery will sell and serve alcohol. I believe RGV Wine Country is committed to adhering to all applicable regulations and guidelines to ensure the responsible service and consumption of alcohol on the premises.

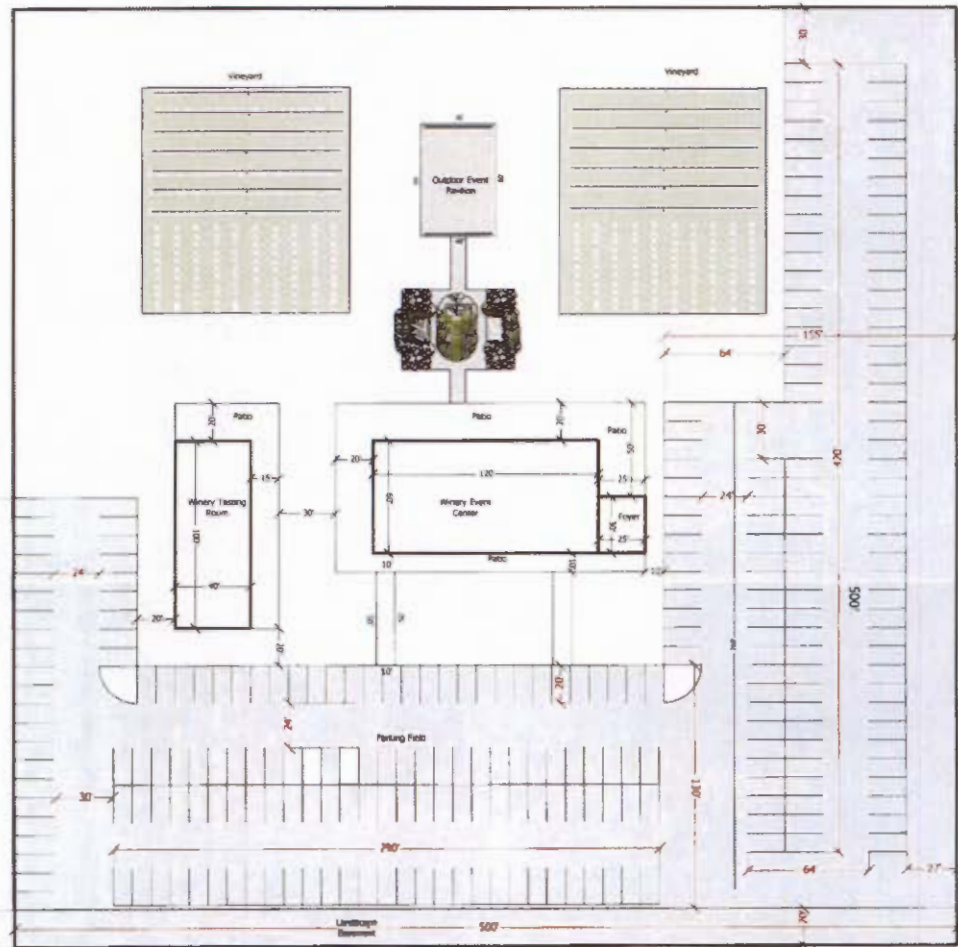
I believe that this development will not only enhance the cultural and recreational offerings in Harlingen but also create job opportunities and promote tourism in the area.

If you have any questions or require further information, please do not hesitate to contact me.

Thank you for your attention to this matter.
Sincerely,


Rodrigo Rubiano, Landlord/Landowner

Attachment III



401 S Ed Carey Dr

Wine Country
RIO GRANDE VALLEY

Scale: 1/32" = 1 ft.

Attachment IV

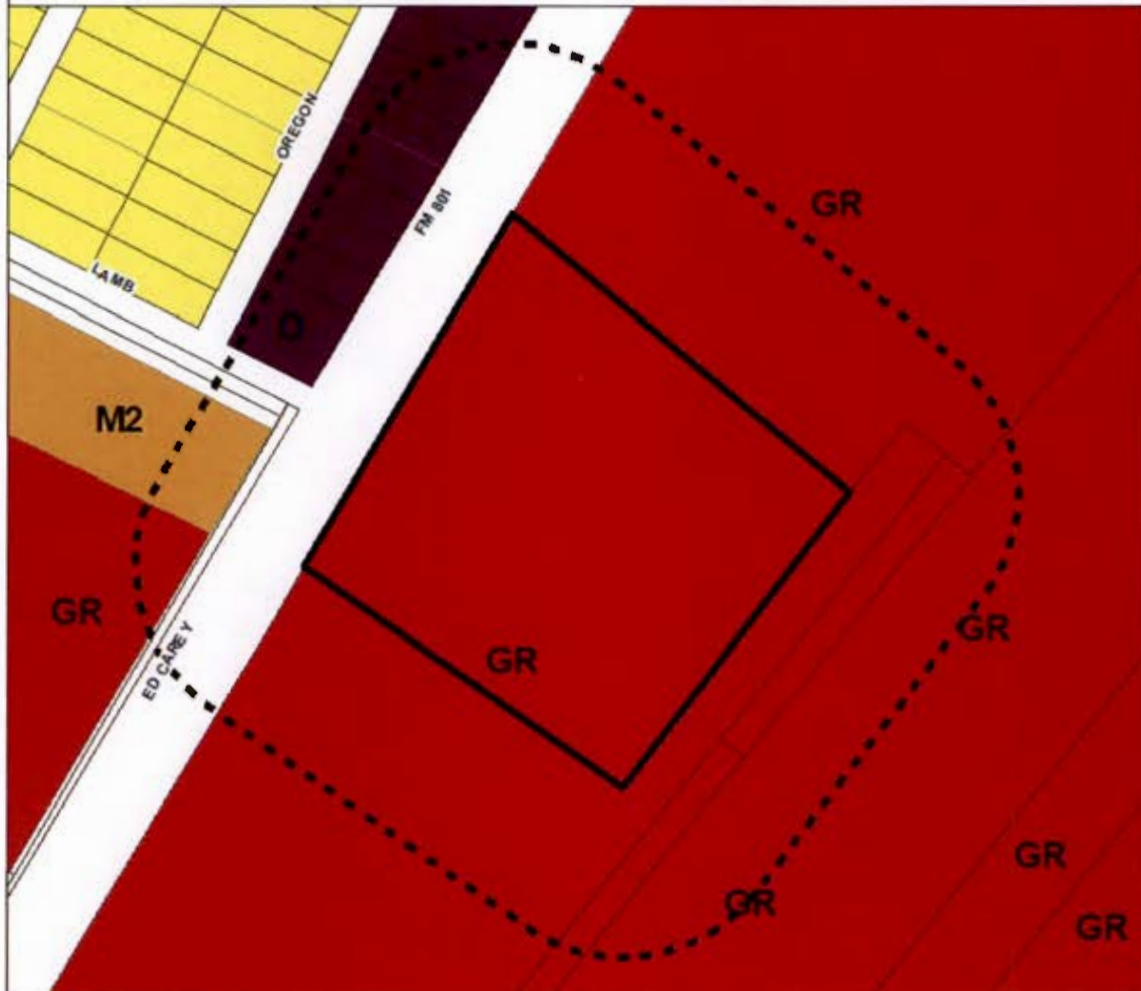
Street View from Ed Carey Dr



Attachment V



Request for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a 5.57 acre tract of land bearing a legal description of 15.57 acres out of Block 185, San Benito Land and Water Company Subdivision, located on the east side of South Ed Carey, approximately 974 feet south of South Expressway 83 Frontage Road
Applicant: RGV Wine Country c/o Rodrigo Rubiano



Boundary lines

- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---|---|--|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

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Date of map 2.12.2025

Attachment VI



Attachment VII



Specific Use Permit ("SUP") Routing Slip

Applicant: RGV Wine Country c/o Rodrigo Rubiano

Phone No.: 956-330-0291

Location: South Ed Carey Dr

Project Description: Request for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a 5.57 acre tract of land located on the east side of South Ed Carey, approximately 974 feet south of South Expressway 83 Frontage Road. Applicant: RGV Wine Country c/o Rodrigo Rubiano

Department: Building Permits and Inspections Department

Approval: ☐ YES ☐ NO ☒ PENDING

Comments: If request is approved by the Planning Dept., a plan review will be required. A building Permit Application, an overall existing or proposed floor plan with dimensions to scale identifying all areas to be used to calculate occupant load, determine required plumbing fixtures and means of egress must be submitted to the Building Dept. Ensure to comply with the 2018 IBC and family of codes.

Raul Rodriguez

Signature

02/13/2025

Date

Attachment VIII



Specific Use Permit ("SUP") Routing Slip

Applicant: RGV Wine Country c/o Rodrigo Rubiano

Phone No.: (956) 330-0291

Location: South Ed Carey Drive

Project Description: Request for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a 5.57 acre tract of land located on the east side of South Ed Carey, approximately 974 feet south of South Expressway 83 Frontage Road. Applicant: RGV Wine Country c/o Rodrigo Rubiano.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: Applicant will have to meet any code, regulation, ordinance, and standard required for permit.

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: February 13, 2025

Attachment IX



Specific Use Permit ("SUP") Routing Slip

Applicant: RGV Wine Country c/o Rodrigo Rubiano

Phone No.: 956-330-0291

Location: South Ed Carey Dr

Project Description: Request for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a 5.57 acre tract of land located on the east side of South Ed Carey, approximately 974 feet south of South Expressway 83 Frontage Road. Applicant: RGV Wine Country c/o Rodrigo Rubiano

Department: HARLINGEN POLICE DEPT.

Approval: ☒ YES ☐ NO

Comments:

*APPROVE WITH UNDERSTANDING THAT AN INSPECTION
WILL BE CONDUCTED EITHER DURING THE BUILD OR
AT COMPLETION OF BUILD*

AA #2743

AA #2743
Signature *CHIEF ALFREDO ALVAREZ*

2/21/25
Date

Attachment X



Specific Use Permit ("SUP") Routing Slip

Applicant: RGV Wine Country c/o Rodrigo Rubiano

Phone No.: 956-330-0291

Location: South Ed Carey Dr

Project Description: Request for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a 5.57 acre tract of land located on the east side of South Ed Carey, approximately 974 feet south of South Expressway 83 Frontage Road. Applicant: RGV Wine Country c/o Rodrigo Rubiano

Department: Health

Approval: ☒ YES ☐ NO

Comments: **RGV Wine Country will need to contact TABC and The City of Harlingen Finance Department to obtain alcohol licenses prior to opening the establishment. Additionally; if any food will be prepared, cooked and served at this location, RGV Wine Country will need to install the proper kitchen equipment.**



Signature

2-14-2025

Date

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO RGV WINE COUNTRY LLC TO ALLOW ALCOHOLIC BEVERAGES FOR ONSITE CONSUMPTION AT AN EVENT CENTER IN A GENERAL RETAIL ("GR") DISTRICT FOR A TRACT OF LAND BEARING A LEGAL DESCRIPTION OF 5.57 ACRES OUT OF 15.57 ACRES OUT OF BLOCK 185, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED ON THE EAST SIDE OF SOUTH ED CAREY DRIVE, APPROXIMATLY 974 FEET SOUTH OF SOUTH EXPRESSWAY 83 FRONTAGE ROAD.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a change in the zoning classification for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed rezoning having been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated in Exhibit "A".

Special Use Permit (SUP) to RGV Wine Country LLC to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a tract of land bearing a legal description of 5.57 acres out of 15.57 acres out of Block 185, San Benito Land and Water Company Subdivision, located on the east side of South Ed Carey Drive, approximately 974 feet south of South Expressway 83 Frontage Road.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Chief Building Official and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within the appropriate initials for that portion herewith zoned

for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The Special Use Permit is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibits "A" and "B" and shall comply with the conditions as listed below:

1. Obtaining and maintaining the proper State and City permits; and,
2. Maintaining the required parking in accordance with city regulations; and,
3. Providing video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments.
5. Hours of operation are 11 a.m. to 2 a.m. Sunday through Saturday.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

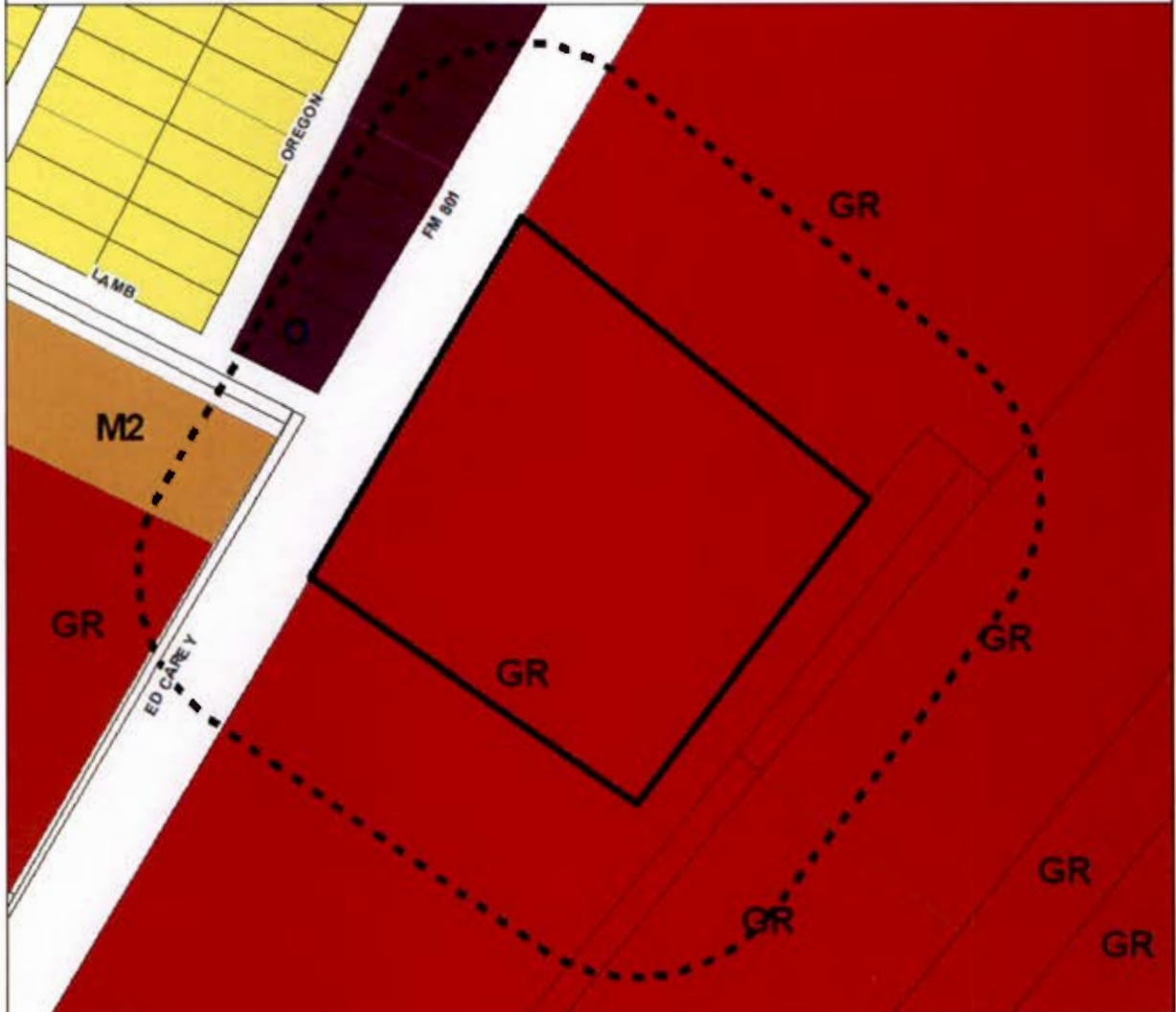
ATTEST:

Hermelinda Gonzalez, Interim City Secretary

EXHIBIT "A"



Request for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a 5.57 acre tract of land bearing a legal description of 15.57 acres out of Block 185, San Benito Land and Water Company Subdivision, located on the east side of South Ed Carey, approximately 974 feet south of South Expressway 83 Frontage Road
Applicant: RGV Wine Country c/o Rodrigo Rubiano



Boundary lines

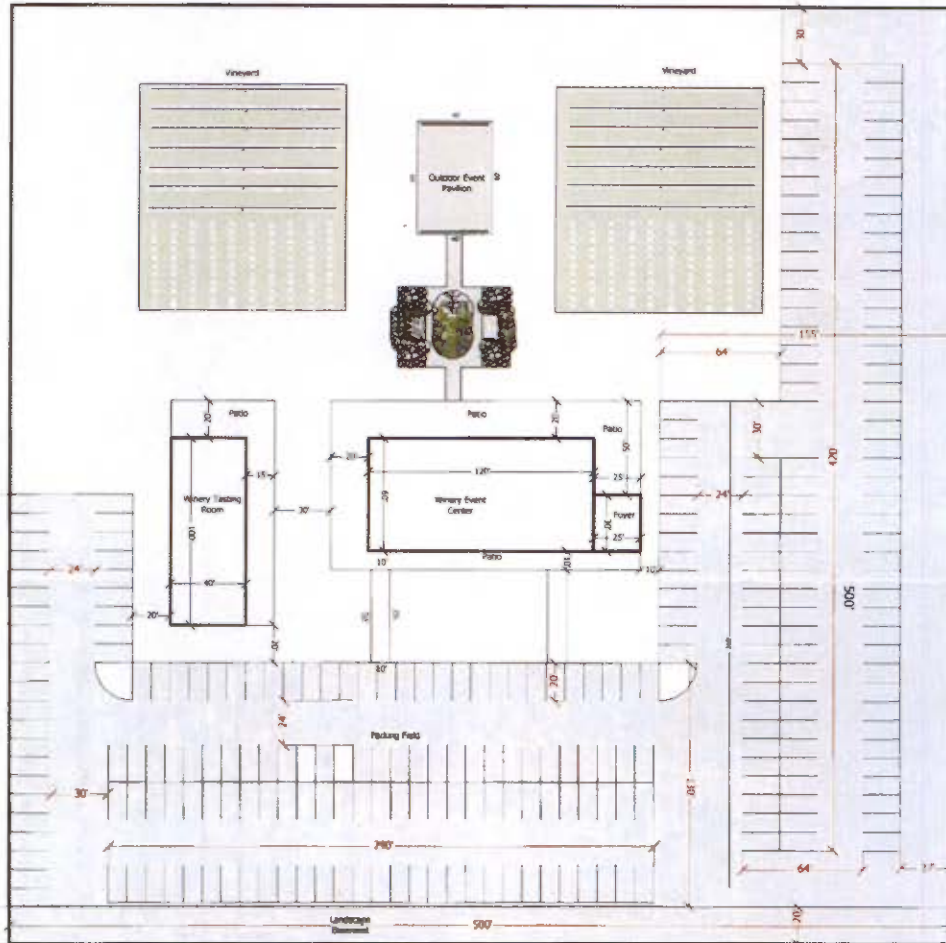
- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---|---|--|
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| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

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Date of map 2.12.2025

EXHIBIT "B"



401 S Ed Carey Dr

Wine Country
RIO GRANDE VALLEY

Scale: 1/32" = 1 ft.

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(c)

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail District ("GR") located at 1301 N. 77 Sunshine Strip, bearing a legal description of Block 5 and the North Part of Block 6, Brown Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning & Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- February 12, 2025 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I**)
- February 25, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 1, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 12, 2025– Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- March 19, 2025 – Public hearing and consideration of requested Special Use Permit via 1st ordinance reading scheduled before the City Commission.
- April 7, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per Section 111-62 the City of Harlingen's Code of Ordinances, the sale of alcoholic beverages for on-site consumption in a General Retail ("GR") District requires the approval of a Special Use Permit (SUP) by the City Commission.
- 7-Eleven Inc., the applicant, is requesting a Special Use Permit to allow the sale of alcohol for on-site consumption in a proposed Stripes Convenience Store located at 1301 N. 77 Sunshine Strip. The Stripes Convenience Store is currently under construction and is approximately 4,780.00 square feet. (**ATTACHMENT II, III**)
- Based on the site plan and information submitted, the applicant has applied to change their TABC application from a "Wine and Malt Beverage Retailers Off Premise Permit ("BQ") to a Wine and Malt Beverage Retail Dealer's On-Premise Permit ("BG"), which allows for the sale of wine and malt beverages for on- and off-premise consumption. The applicant is proposing to sell a wine based ready-to-drink product known as the "Margarita" for on-premise consumption. Seating will be provided indoors for the on-premise consumption of alcohol. The hours of operation will be every day from 7:00 a.m. to 12:00 p.m. Twelve (12) parking spaces are required, and forty-one (41) parking spaces are provided.

(ATTACHMENT II, III)

- Surrounding properties are zoned Residential, Multi-Family ("M2") to the north, Residential, Single-Family ("R-1") to the northeast, General Retail ("GR") District to the east, south, and west. Surrounding land uses include single-family residences to the north and northeast, a Stripes Convenience Store to the east, commercial plazas to the south, and an event center to the west. **(ATTACHMENT IV, V)**
- On September 25, 2024, the Planning and Zoning Commission had approved a Special Use Permit ("SUP") to allow the sale of alcoholic beverages for on-site consumption for an existing Stripes Convenience Store located at 1250 N. 77 Sunshine Strip.
- The Building Inspections Department, Fire Prevention Bureau, Harlingen Police Department, and Health Department have reviewed the application and recommended approval of the Special Use Permit. **(ATTACHMENT VI-VIII)**
- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- To the present, the Planning and Zoning Department has received no phone calls in opposition from the surrounding property owners regarding the proposed request. Staff mailed out thirteen (13) legal notices to the surrounding property owners.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

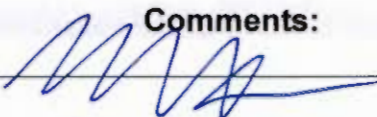
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the special use permit subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits;
2. Must maintain the required parking in accordance with city regulations;
3. Must provide video surveillance with a minimum 30 day retention; and,
4. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

City Attorney's approval:  **Comments:** ☒ Yes ☐ No ☐ N/A

ATTACHMENT I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1301 N. 77 Sunshine Strip Nearest Intersection N. 7th St.
(Proposed) Subdivision Name Harlingen-Brown Lot _____ Block 5
Existing Zoning Designation Retail Future Land Use Plan Designation On Premise Alcohol Sales

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Tim Ilaoa Phone 972-890-2560 FAX N/A
Email Address (for project correspondence only): tim@texaslicensing.net
Mailing Address 217 E. Main St. #819 City Royse City State TX Zip 75189
Property Owner 7-Eleven Inc. Phone 972-828-5728 FAX N/A
Email Address (for project correspondence only): dorothy.bennink@7-11.com
Mailing Address P.O. Box 139044 City Dallas State TX Zip 75313

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|--|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Minor Plat..... <u>\$100.00</u> |
| ☐ Comp. Plan Amendment Request..... <u>\$250.00</u> | ☐ Re-Plat..... <u>\$250.00</u> |
| ☐ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$250.00</u> |
| ☒ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat..... <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☐ PDD Request..... <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |

Please provide a basic description of the proposed project: Changing the alcohol type from off-premise alcohol sales to on-premise

*See enclosed letter

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: [Signature] Date: 2/12/25

Property Owner(s) Signature: [Signature] Date: 2/11/2025

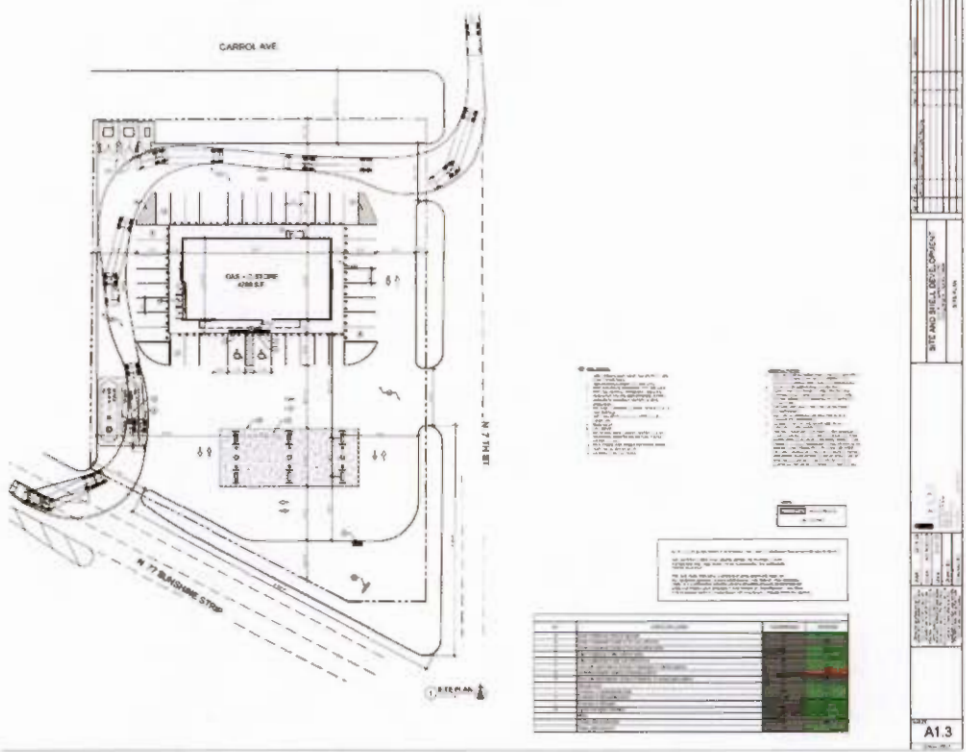
Accepted by: _____ Date: _____

ATTACHMENT I

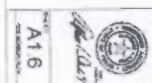
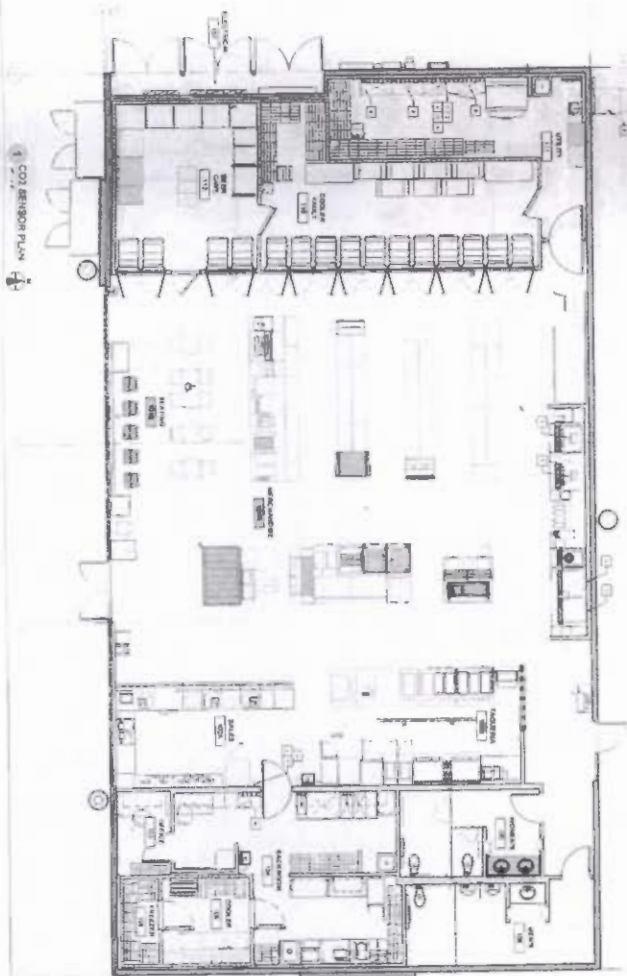
Exhibit B

Site Plan

[See attached]



ATTACHMENT I



Architect's License No. 12345
 State of Texas
 Date: 12/08/21
 Drawn By: [Name]
 Checked By: [Name]

7-ELEVEN, INC.
 10000 W. 10TH AVE., SUITE 100
 DENVER, CO 80231
 7-ELEVEN #42358
 100 W. BROADWAY
 DALLAS, TEXAS 75202
 CO2 SENSOR PLAN



7-ELEVEN, INC.
 10000 W. 10TH AVE., SUITE 100
 DENVER, CO 80231
 7-ELEVEN #42358
 100 W. BROADWAY
 DALLAS, TEXAS 75202
 CO2 SENSOR PLAN

Rev.	Date	Description
1	12/08/21	ISSUED FOR PERMIT REVIEW
2	12/08/21	ISSUED FOR PERMIT

CO2 SENSOR PLAN
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ATTACHMENT II

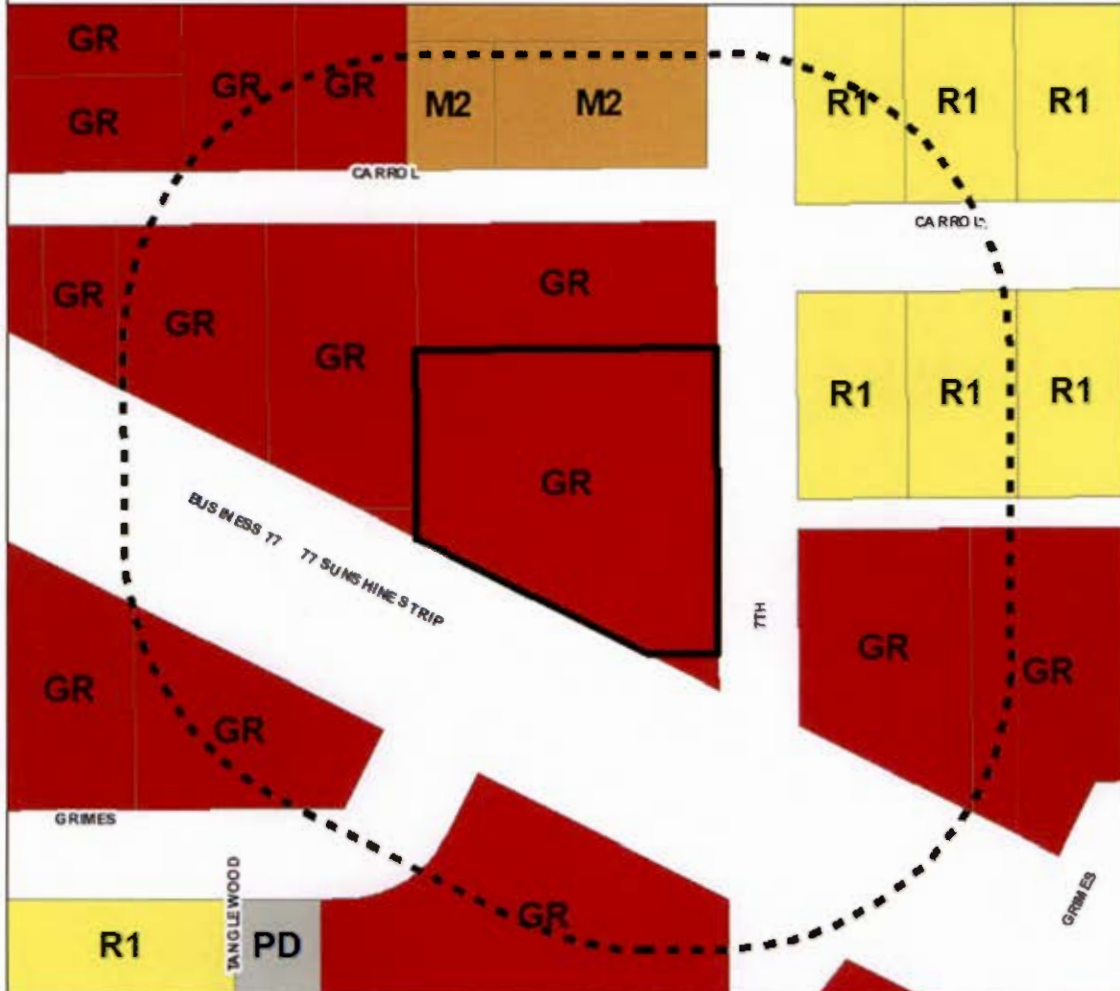
Street View from 7th Street



ATTACHMENT IV



Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail District ("GR") located at 1301 N. 77 Sunshine Strip, bearing a legal description of Block 5 and the North Part of Block 6, Brown Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc



Boundary lines

- Harlingen city limits shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|--|---|---|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 02.24.2025

ATTACHMENT V

Aerial View





Specific Use Permit ("SUP") Routing Slip

Applicant: Tim Ilaoa c/o 7-Eleven Inc.

Phone No.: (972) 890-2560

Location: 1301 N 77 Sunshine Strip

Project Description: Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail ("GR") District located at 1301 N 77 Sunshine Strip, bearing a legal description of Block 5 and the North Part of Block 6, Brown Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: **Applicant will have to meet any code, regulation, ordinance, and standard required for permit.**

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: February 27, 2025

ATTACHMENT VII – Building Inspections



Specific Use Permit ("SUP") Routing Slip

Applicant: Tim Ilaoa c/o 7-Eleven Inc.

Phone No.: (972)890-2560

Location: 1301 N 77 Sunshine Strip

Project Description: Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail District ("GR") located at 1301 N. 77 Sunshine Strip, bearing a legal description of Block 5 and the North Part of Block 6, Brown Subdivision.

Department: _____

Approval: ☐ YES ☐ NO ☒ PENDING

Comments: If request is approved by the Planning Dept., a plan review will be required. A building Permit Application, an overall existing and proposed floor plan with dimensions to scale identifying all areas to be used to calculate occupant load, determine required plumbing fixtures and means of egress must be submitted to the Building Dept. Ensure to comply with the 2018 IBC and family of codes.

Raul Rodriguez

Signature

03/05/2025

Date

ATTACHMENT VIII – Harlingen Police Department

Pending Routing Slip



Specific Use Permit ("SUP") Routing Slip

Applicant: Tim Ilaoa c/o 7-Eleven Inc.

Phone No.: (972)890-2560

Location: 1301 N 77 Sunshine Strip

Project Description: Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail District ("GR") located at 1301 N. 77 Sunshine Strip, bearing a legal description of Block 5 and the North Part of Block 6, Brown Subdivision.

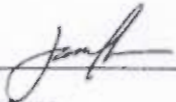
Department: Health

Approval: ☒ YES ☐ NO

Comments: 7-Eleven located at 1301 N 77 Sunshine Strip, when permitted by the Health Department and by the Finance Department at City Hall to sell alcohol on their property. The health permit does not distinguish between the selling or the consumption of alcohol on the property, that rule falls under the Texas Alcohol and Beverage Commission (TABC) and the Texas Alcoholic Beverage Code – ALCO BEV 101.72 Consumption of Alcoholic Beverage on Premises Licensed for Off-Premises Consumption (a) A person commits an offense if the person knowingly consumes liquor or beer on the premises of a holder of a wine and beer retailer's off-premise permit or a retail dealer's off-premise license. No, you cannot drink alcohol in a convenience store in Texas if you are knowingly consuming liquor or beer. This is because it is

ATTACHMENT IX – Health Department

illegal to consume alcohol on the premise of a retailer that holds an off-premise permit or license for wine and beer. 7-Eleven will have to apply for On-premises Consumption Permit



Signature

2-28-25

Date

ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO TIM ILAOA TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 1301 NORTH 77 SUNSHINE STRIP, BEARING A LEGAL DESCRIPTION OF BLOCK 5 AND THE NORTH PART OF BLOCK 6, BROWN SUBDIVISION.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a change in the zoning classification for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed rezoning having been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated in Exhibit "A":

Special Use Permit (SUP) issued to Tim Ilaoa to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at 1301 North 77 Sunshine Strip, bearing a legal description of Block 5 and the North Part of Block 6, Brown Subdivision.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Chief Building Official and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The Special Use Permit is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit "A" and shall comply with the conditions as listed below:

1. Must obtain and maintain the proper State and City permits;
2. Must maintain the required parking in accordance with city regulations;
3. Must provide video surveillance with a minimum 30 day retention; and,
4. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
5. Hours of operation shall be from 7:00 am to 12:00 pm, every day.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

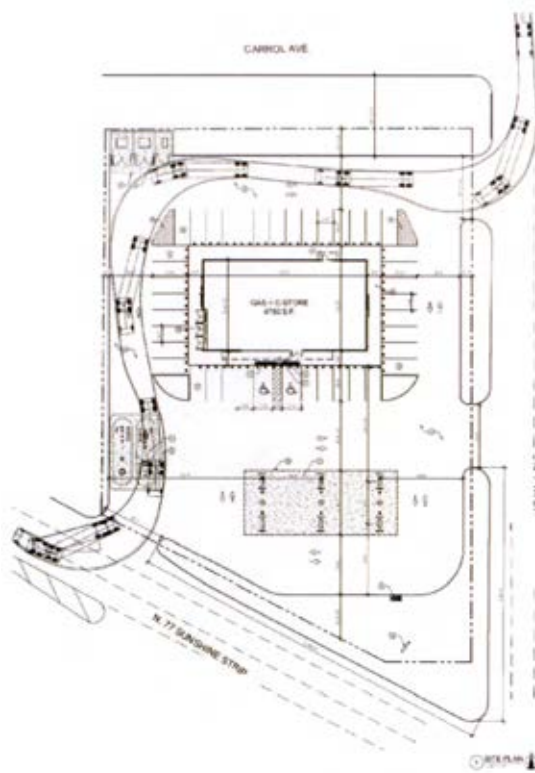
Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzalez, Interim City Secretary

Exhibit "A"

Site Plan
[See attached]



Legend

1. Existing Building Footprint

2. Proposed Building Footprint

3. Existing Parking

4. Proposed Parking

5. Existing Landscaping

6. Proposed Landscaping

7. Existing Utilities

8. Proposed Utilities

9. Existing Easements

10. Proposed Easements

11. Existing Right-of-Way

12. Proposed Right-of-Way

13. Existing Setback

14. Proposed Setback

15. Existing Zoning

16. Proposed Zoning

17. Existing Environmental Features

18. Proposed Environmental Features

19. Existing Cultural Resources

20. Proposed Cultural Resources

21. Existing Historical Resources

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24. Proposed Archaeological Resources

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34. Proposed Visual Resources

35. Existing Socioeconomics

36. Proposed Socioeconomics

37. Existing Transportation

38. Proposed Transportation

39. Existing Utilities

40. Proposed Utilities

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42. Proposed Easements

43. Existing Right-of-Way

44. Proposed Right-of-Way

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67. Existing Socioeconomics

68. Proposed Socioeconomics

69. Existing Transportation

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**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

AGENDA ITEM:

Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 2220 E. Crockett Street, bearing a legal description of Lot 9, Block 2, Pendleton Subdivision. Applicant: James Petty. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez

Title: Interim Planning & Development Director

Signature: *Soledad A. Núñez*, **CNU-A**

BRIEF SUMMARY:

Project Timeline

- February 3, 2025 – Application for Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- February 11, 2025 – In accordance with Statute and local law, notice of application for Special Use Permit was mailed to all property owners within 200 feet of the subject tract.
- February 15, 2025 – In accordance with Statute and local law, notice of application for Special Use Permit was published in the Valley Morning Star.
- February 18, 2025 – Written complaint received within 10 days from the date of notice.
- February 26, 2025 – In accordance with Statute and local law, notice of required public hearing was submitted to the surrounding property owners.
- March 1, 2025 – In accordance with Statute and local law, notice of required public hearings for Specific Use Permit published in the Valley Morning Star.
- March 12, 2025 - Public hearing and consideration of requested special use permit by the Planning and Zoning Commission (P&Z).
- March 19, 2025 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- April 7, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances Section 111-62, an SUP for a storage building/detached garage can be processed administratively if there are no written complaints within 10 days of the publication. If a written complaint is received, the SUP requires approval by the City Commission.
- The subject property has a frontage of 65.70 feet along East Crockett Avenue and a depth of 120.00 feet. There is currently a 1,035.00 square foot single-family home on the property. The applicant is proposing to build a 16-foot long by 24-foot-wide storage shed in the rear yard of the property, behind the single-family home. (**ATTACHMENT III**)

- The adjacent properties to the north, south, east, and west are zoned Residential, Single Family ("R-1") District. The properties to the south, north, west, and east are developed with single-family residences. **(ATTACHMENT III)**
- On February 18, 2025, the Planning and Zoning Department received an email in opposition of the SUP which required the public hearing process for the SUP. **(ATTACHMENT II)**
- There are several other properties in the neighborhood that have storage sheds, most of them encroaching into the rear yard setback.
- The City of Harlingen Building Inspections and Fire Prevention Bureau reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department. **(ATTACHMENT V)**
- In accordance with the Code of Ordinances, the Planning and Zoning Commission and City Commission may impose requirements and conditions of approval as necessary to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

FUNDING (IF APPLICABLE):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

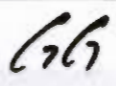
*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

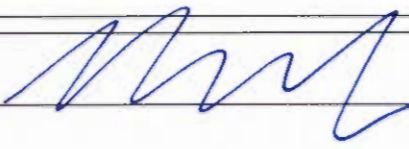
STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Complying with the requirements administered by Planning and Zoning, Building Inspections and Fire Prevention Departments.

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

ATTACHMENT I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 2220 E Crockett Ave Nearest Intersection 21st
(Proposed) Subdivision Name Pendelton PL-2 Lot 29 Block 2
Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent James Petty Phone 512-567-3125 FAX _____
Email Address (for project correspondence only): calvary-1956 at yahoo.com
Mailing Address 2220 E Crockett Ave City Harlingen State Tx Zip 78550
Property Owner James Petty Phone 512-567-3125 FAX _____
Email Address (for project correspondence only): calvary-1956 at yahoo.com
Mailing Address _____ City _____ State _____ Zip _____

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|--|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Minor Plat..... <u>\$100.00</u> |
| ☐ Comp. Plan Amendment Request..... <u>\$250.00</u> | ☐ Re-Plat..... <u>\$250.00</u> |
| ☐ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$250.00</u> |
| ☒ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat..... <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☐ PDD Request..... <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |

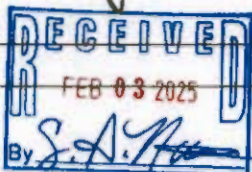
Please provide a basic description of the proposed project: 16x24 Storage Bld

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

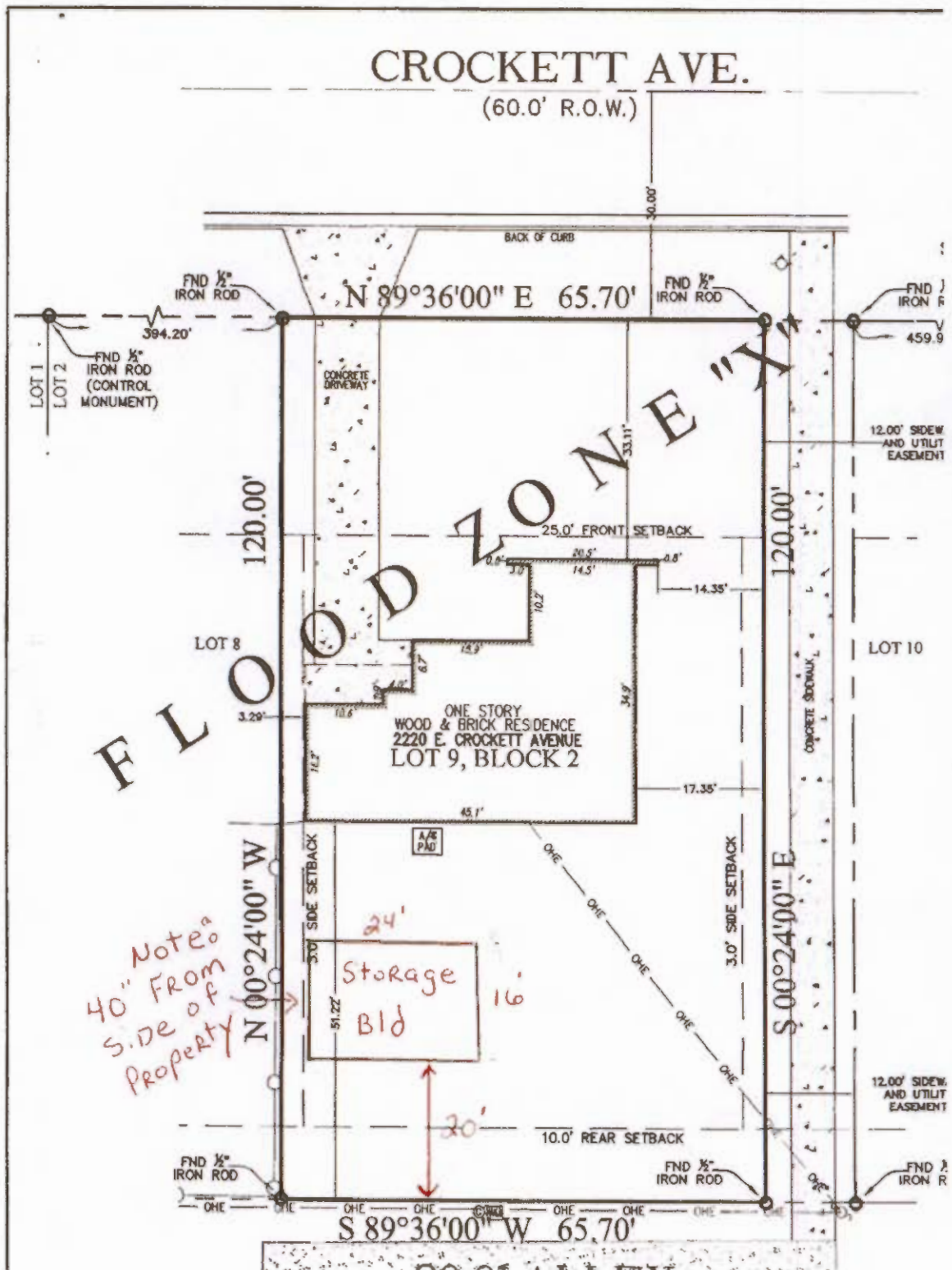
Applicant's Signature: James Petty Date: 2-3-24

Property Owner(s) Signature: James Petty Date: 2-3-24

Accepted by: _____ Date: _____



ATTACHMENT II



ATTACHMENT III

From: [Dina Romo](#)
To: [Sol Nunez](#)
Subject: Opposition to Issuance of Special Use Permit
Date: Tuesday, February 18, 2025 6:29:40 PM

David & Dina Romo
2301 E. Crockett Avenue
Harlingen, TX 78550
956.343.2998

To: Soledad A. Nuñez
Planning & Development Dept.
Harlingen, TX

We hope this message finds you well. We are writing in response to the request for a Special Use Permit for a storage building greater than 144 square feet in the residential district at 2220 E. Crockett Avenue in Harlingen.

After reviewing the matter thoroughly, we would like to express our concerns and opposition to the approval of this permit. We strongly believe that granting this permit will have a negative impact on the character and quality of our residential neighborhood. The scale of the proposed storage building, in addition to its size, could alter the aesthetic of the area and create potential issues related to traffic, safety and more importantly property values. Such a permit could set a concerning precedent for future developments in our residential neighborhood, leading to unintended consequences that may change the overall residential feel of our community.

Additionally, we are concerned about possible zoning or code violations that could arise from approving this "special use" permit. Allowing larger structures could create inconsistencies with zoning regulations designed to preserve the integrity of our neighborhood and provide a safe living environment for all residents.

We kindly request that the necessary considerations be given to our concerns before making any decisions on this matter. We appreciate your attention to this issue and thank you for considering our perspective as concerned taxpayers and community members.

Please feel free to reach out to us if further discussion is needed. We look forward to your response.

Respectfully,
David & Dina Romo

ATTACHMENT IV

To: Planning and Zoning Commission and the City Commission

From: James Petty at 2220 E Crockett Ave. Harlingen Texas 78550

For: Information for consideration in determining approval of a Special Use Permit for a storage building greater than 144 sq ft.

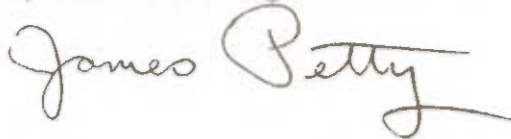
I am trying to keep my area of Harlingen Beautiful

I am requesting that the permit be approved for the storage building so I can keep my property clean and free of things being stored outside in yard. Stuff outside in the yard is not only an eye sore it prevents me from mowing and trimming around stuff in yard and is a hazard during high wind events. I am retired and have a lot of camping, fishing, hobby stuff, Lawn mowing and trimming equipment, tools, boat, electric generator, Hurricane readiness materials for my house, lots of etc. to store in it. I also have a lot of stuff to store in it from out of my house that I don't use often. I need it also to put away lawn chairs and other stuff used outside in during high wind events. I do not work for anyone else and will not run a business out of it if that is a concern. I also have a vacation home in Port Isabel at Long Island Village that I also need to bring stuff inland to store in the storage building during Hurricane events.

My phone number is 512-567-3125.

My e-mail is calvary_1956@yahoo.com.

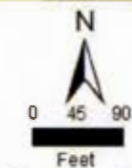
Thank you for considering the Permit.

A handwritten signature in cursive script that reads "James Petty". The signature is written in dark ink and is positioned below the typed name.

ATTACHMENT IV – Opposition Map



Request for a Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 2220 E. Crockett Street, bearing a legal description of Lot 9, Block 2, Pendleton Subdivision. Applicant: James Petty



Boundary lines

- Harlingen city limits shp
- 200' Notification Boundary
- Subject Property

Zone Map

- General Retail (GR)
- Heavy Industry (HI)
- Light Industry (LI)
- 3/4 Plex Residential (M1)

Zoning Designations

- Multi Family Residential (M2)
- Mobile Home Residential (MH)
- Not-Designated (N)
- Neighborhood Services (NS)
- Office (O)
- Planned Development (PD)
- Single Family Residential (R1)
- Duplex Residential (R2)
- Residential Patio Home (RPH)

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 03.04.2025

ATTACHMENT IV – Opposition Calculation



Planning and Development
Department
502 E. Tyler Avenue
Harlingen, TX 78550
(956) 216-5101

PETITION IN OPPOSITION

Request for a Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 2220 E. Crockett Street, bearing a legal description of Lot 9, Block 2, Pendleton Subdivision. Applicant: James Petty

Subject Property and Area of 200 ft. Radius:	4.7540 acres
Area of Subject Property:	0.2333 acres
Area of Opposition:	0.2306 acres

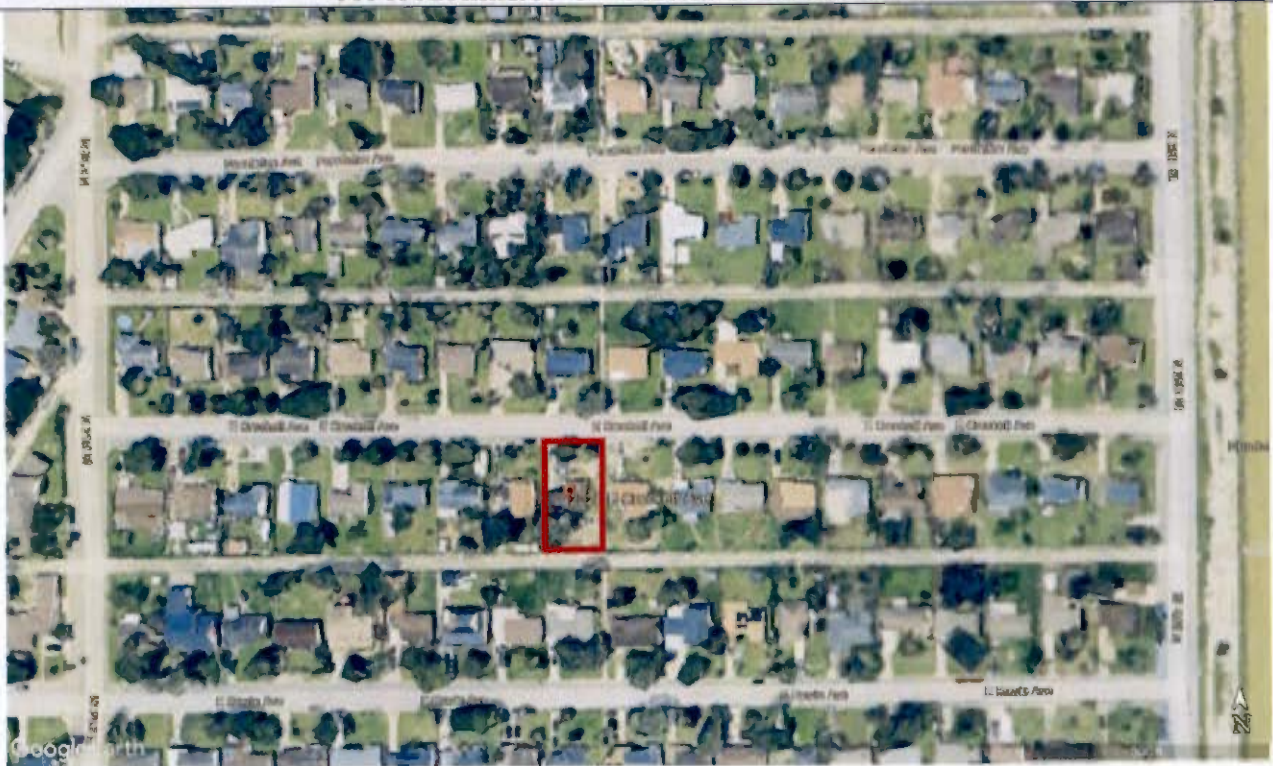
Area of 200 Ft. Radius - Area of Subject Property = *Total Adjusted Area*

Area of Opposition / Total Adjusted Area = **Percentage of Opposition**

$4.7540 - 0.2333 \text{ acres} = 4.5207$

$0.2306 \text{ acres} / 4.5207 = 0.0510 = \mathbf{5.10\%}$

ATTACHMENT V – Aerial & Street View



ATTACHMENT VI



Specific Use Permit ("SUP") Routing Slip

Applicant: James Petty

Phone No.: (512) 567-3125

Location: 2220 E. Crockett Avenue

Project Description: Request for a Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single – Family ("R-1") District located at 2220 E. Crockett Ave., bearing a legal description of Lot 9, Block 2, Pendleton Subdivision.

Department: Building Permits and Inspections Department

Approval: ☒ YES ☐ NO

Comments: **If request is approved by the Planning Department, a Building Permit Application and a complete set of Windstorm Plans (Site Plan, Structural Engineering Plans to include foundation, etc.) must be submitted to the Building Department office for the proposed use for review.**

Conventional light-frame construction shall be designed in accordance with Sec. 2308, 2018 Int'l Residential Code (IRC) that must comply with min. 140 mph wind speeds.

Raul Rodriguez

Signature

03/04/2025

Date

ATTACHMENT VII



Specific Use Permit ("SUP") Routing Slip

Applicant: James Petty

Phone No.: (512) 567-3125

Location: 2220 E Crockett Avenue

Project Description: Request for a Special Use Permit ("SUP") to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 2220 E. Crockett Ave, bearing a legal description of Lot 9, Block 2, Pendleton Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: **Applicant will have to meet any code, regulation, ordinance, and standard required for a permit.**

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: March 6, 2025

Lofted Barn Plans

Size: 16' x 24'



ATTACHMENT VIII – Renderings



ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO JAMES PETTY TO ALLOW A STORAGE BUILDING GREATER THAN 144 SQUARE FEET IN A RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT LOCATED AT 2220 E. CROCKETT, BEARING A LEGAL DESCRIPTION OF LOT 9, BLOCK 2, PENDELTON SUBDIVISION, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a change in the zoning classification for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed rezoning having been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated in Exhibit "A":

Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 2220 E. Crockett Avenue, bearing a legal description of Lot 9, Block 2, Pendleton Subdivision.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Chief Building Official and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The Special Use Permit is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit "A" and shall comply with the conditions as listed below:

1. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention Bureau, and Engineering Departments.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzalez, Interim City Secretary

CROCKETT AVE.

[illegible]

7(e)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve a request from the Immaculate Heart of Mary Catholic Church requesting a street closures, listed below, beginning at 12:00 noon on Friday, April 25, 2025 through 11:59 p.m. on Sunday, April 27, 2025 for their Annual Spring Fiesta. Attachment (**Police**)

- Southside intersection of Tyler Avenue and "C" Street;
- Alleyway in the 400 Block of "C" Street; and,
- Northside intersection of Polk Street and "C" Street.

Prepared By (Print Name): Alfredo Alvear

Title: Chief of Police

Signature: 

Brief Summary:

Rev. Robert Charlton, SS.CC, Pastor for the Immaculate Heart of Mary Catholic Church is requesting street closures, listed below, beginning at 12:00 noon on Friday, April 25, 2025 through 11:59 p.m. on Sunday, April 27, 2025 for their Annual Spring Fiesta.

- Southside intersection of Tyler Avenue and "C" Street;
- Alleyway in the 400 Block of "C" Street; and,
- Northside intersection of Polk Street and "C" Street.

The street closures will help to ensure the safety of the visitors attending this event.

The Asst. Fire Chief has reviewed the request and provided his approval.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

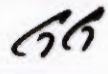
*If no, specify source of funding and amount requested: N/A

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

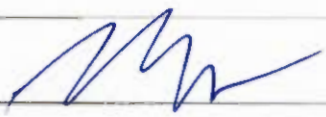
Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: ☒ Yes ☐ No ☐ N/A

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A



HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police

DATE: 3/13/25

FROM: District Representative Benito Bravo #3412

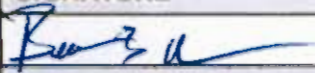
RE: Street Closure for Annual Spring Fiesta

Requestor: Robert Charlton Reverend of Immaculate Heart of Mary
Event Date: April 25, 2025 12:00 P.M. to April 27, 2025 12:00 A.M.
Location: Immaculate Heart of Mary Church (412 South C Street, Harlingen, Texas)

Mr. Charlton is requesting a street closure on behalf of Immaculate Heart of Mary Catholic Church for their Annual Spring Fiesta. This event has been held, for several years, at the external grounds of the church property. Due to the magnitude of this annual event that attracts a considerable number of people from Harlingen and its vicinity, they would like to request permission to close "C" Street, between Tyler Ave. and Polk Street. This traditional event will begin on Friday, April 25th from 12:00 noon through midnight on Sunday, April 27th 2025. The closing of the above mentioned street will secure the safety of families and individuals that would normally attend this event.

If approved, barricades are to be delivered and installed by the City of Harlingen Streets Department prior to 12:00 P.M. on Friday, April 25, 2025 and removed from the roadway on April 27, 2025 at 12:00 A.M. midnight. A copy of the map is attached to this IDC.

- Close the south side intersection of Tyler Avenue and C Street.
- Close the alleyway in the 400 block of South C Street.
- Close the north side intersection of Polk Street and C Street.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3412	03/13/2025
SERGEANT / SUPERVISOR			
COMMANDER / MANAGER		3022	3-13-25
DEPUTY CHIEF		1933	3-14-25
ASSISTANT CHIEF			
CHIEF OF POLICE		2743	3/17/25

Spring Fiesta 2025



Immaculate Heart of Mary Catholic Church

March 12, 2025

Mr. Alfredo Alvear, Interim Chief of Police
Harlingen Police Department
1018 Fairpark Blvd.
Harlingen, Texas 78550

Dear Chief Alvear:

The Community of the Immaculate Heart of Mary Catholic Church will be having its **Annual Spring Fiesta** on Saturday, April 26th and Sunday, Sunday April 27th of this year.

This event has been held, for many years, at the external grounds of our church property. Due to the magnitude of this annual event that attracts a considerable number of people from Harlingen and its vicinity, we would like to request permission to close "C" Street between Tyler Ave. and Polk Street. This traditional event will begin on Friday, April 25th from 12:00 Noon thru midnight on Sunday, April 27th, 2025. The closing of the above mentioned street will ensure the safety of families and individuals that would normally attend this event.

We would like to thank you and your department in advance, for your kind consideration to our request and for your continuous assistance. Should you have any questions or need additional information, please contact us, at our church office (956) 423-0855.

Sincerely in Christ,



Rev. Robert Charlton, SS.CC
Pastor

412 South "C" Street – Harlingen, Texas 78550 – Phone 956-423-0855

Benito Bravo - HPD

From: Immaculate Heart of Mary <ihom@cdob.org>
Sent: Thursday, March 13, 2025 10:12 AM
To: Frances Pena - HPD; Benito Bravo - HPD
Cc: Immaculate Heart of Mary
Subject: IHMC Spring Fiesta April 2025
Attachments: Letter to Chief of Police 2025.doc

Importance: High

Ms. Frances and Officer Bravo,

Letter with corrected year is attached. Letter regarding our Spring Fiesta is attached. Original will follow in mail.

Thank you for your assistance. If you have any questions, please call me at phone number listed below.

Lou Montes
Immaculate Heart of Mary
412 South C Street
Harlingen, Tx 78550

(956) 423-0855

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Frances Pena - HPD

From: Ruben Balboa - HFD
Sent: Friday, March 14, 2025 11:01 AM
To: Frances Pena - HPD
Subject: RE: STREET CLOSURE REQUESTS

Good morning,

HFD has no issues with the street closings.

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Friday, March 14, 2025 10:55 AM
To: Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUESTS

Good Morning Asst. Fire Chief Balboa:

I would ask if you could please review the attached street closure requests for the following events:

1. LOGOS COMMUNITY CHURCH - VACATION BIBLE SCHOOL; and,
2. IMMACULATE HEART OF MARY CHURCH - ANNUAL SPRING FIESTA,

Please provide your recommendations so that I can include as agenda items at the next City Commission meeting

Thank You!

Frances Pena
Executive Admin. Asst.
Office of the Chief of Police
1018 Fair Park Blvd.
Harlingen, TX 78550
956-216-5403
fpena@harlingentx.gov

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718)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve a request from S.K. Edgar Martinez, Grand Knight, Council #2785 with the Knights of Columbus for street closures for the Knights of Columbus Association's 4th Annual RGV BBQ Cookoff event being held on Friday, May 2, 2025 from 12:00 p.m. thru 11:00 p.m. Saturday, May 3, 2025.

- Southside intersection of Van Buren Avenue and 17th Street
- Alleyway in the 200 Block of South 17th Street
- Northside intersection of Harrison Avenue and 17th Street

Prepared By (Print Name): **Alfredo Alvear**
Title: **Interim Chief of Police**

Signature: 

Brief Summary:

S.K. Edgar Martinez, Grand Knight, Council #2785 with the Knights of Columbus is requesting for street closures for the Knights of Columbus Association's 4th Annual RGV BBQ Cookoff event being held on Friday, May 2, 2025 from 12:00 p.m. thru Saturday, May 3, 2025 at 11:00 p.m.

- Southside intersection of Van Buren Avenue and 17th Street
- Alleyway in the 200 Block of South 17th Street
- Northside intersection of Harrison Avenue and 17th Street

These street closures will ensure the safety of the participants and visitors attending this event.

The Assistant Harlingen Fire Chief has reviewed the request and provided approval.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

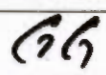
*If no, specify source of funding and amount requested: N/A

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: ☒ Yes ☐ No ☐ N/A

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A



HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police

DATE: 3/14/25

FROM: District Representative Benito Bravo #3412

RE: Street Closure for Knights of Columbus BBQ Competition

Requestor: Edgar Martinez / Grand Knight- Council #2785

Event Date: May 2, 2025 12:00 p.m. to May 3, 2025 11:00 p.m.

Location: Knights of Columbus Council #2785 (1701 E. Harrison Ave., Harlingen, TX)

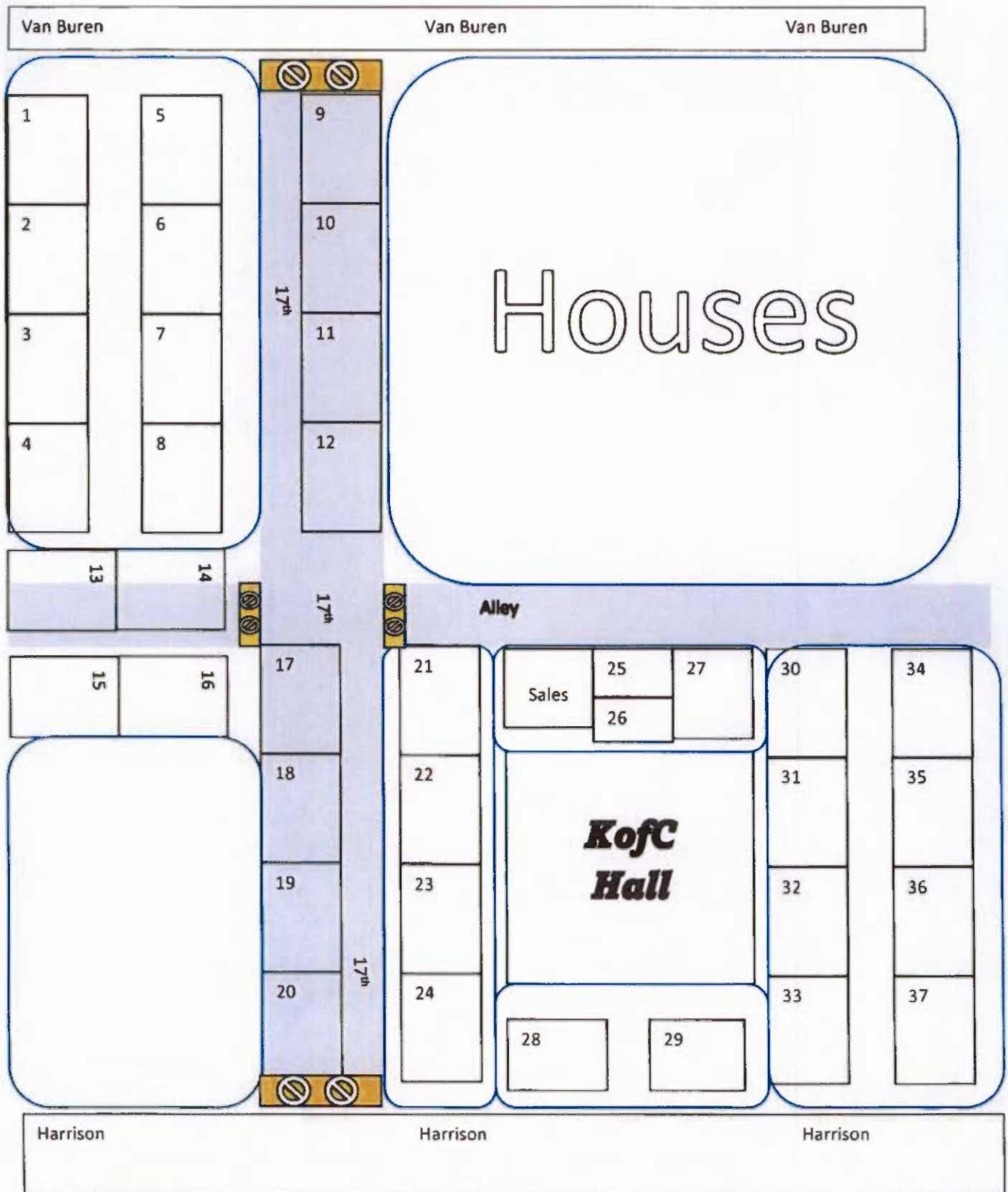
Mr. Martinez is requesting a street closure on behalf of the Knights of Columbus Council #2785 for their Annual BBQ Competition. This event has been held, for several years, at the external grounds of the Knights of Columbus Council #2785 property. Due to the magnitude of this annual event that attracts many participants, they would like to request permission to close 17th Street, between Van Buren Ave. and Harrison Ave. The street closure being requested is from 12:00 p.m. on May 2, 2025 to 11:00 p.m. on May 3, 2025. The closing of the above-mentioned street will ensure the safety of families and individuals that will attend this event.

If approved, barricades are to be delivered by the City of Harlingen Streets Department prior to 4:00 p.m. on Thursday, May 1, 2025 and removed from the roadway on May 3, 2025 at 11:00 p.m. A copy of the map is attached to this IDC.

- Close the south side intersection of Van Buren Avenue and 17th Street.
- Close the alleyway in the 200 block of South 17th Street.
- Close the north side intersection of Harrison Ave. and 17th Street.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3412	03/14/2025
SERGEANT / SUPERVISOR			
COMMANDER / MANAGER		3022	3-14-25
DEPUTY CHIEF		1933	3-14-25
ASSISTANT CHIEF			
CHIEF OF POLICE		2743	3/17/25

KofC 2785 is requesting 17th St. closer between Van Buren and E. Harrison on May 2 @ 12pm and May 3 till 11pm.





Knights of Columbus

Council #2785



Dear Harlingen Police Department,

The Knights of Columbus Council #2785 is planning to host a BBQ competition on Friday, May 2nd, and Saturday, May 3rd, 2025. Please find the attached poster with more event details and a layout map.

We respectfully request the closure of 17th Street from Van Buren to E. Harrison during the event, beginning Friday at noon and reopening by Saturday at 11 p.m. This event will bring together approximately 30 cooks and 40 judges. As one of our largest integral events, we hope to continue it as an annual tradition, God willing.

To ensure a smooth experience, we will inform all businesses and neighbors in the area weeks in advance. Proceeds from this competition will support Knights of Columbus charities, including Habitat for Humanity, Special Olympics, and the funding of both current and future events.

Please let us know how we may proceed with this request. Feel free to contact me at any time. We sincerely appreciate your support, and may God bless the entire Harlingen Police Department!

Appreciatively,

S.K. Edgar Martinez
Grand Knight - Council #2785
Edgar_R_Martinez77@yahoo.com
(956)561-0966



Knights of Columbus Council #2785
Our mailing address is: 1701 E Harrison Ave, Harlingen TX 78550
(956) 423-9044. Visit us at <https://www.facebook.com/greatcouncil2785/>





KNIGHTS OF COLUMBUS

Council #2785



Dear KofC Supporter,

My name is Edgar Martinez, and I have the honor of serving as the Grand Knight for the Knights of Columbus Council #2785 in Harlingen. We are excited to host our **4th Annual BBQ Competition** this May—an event dedicated to raising funds for the **Special Olympics, Habitat for Humanity, state & local Charities, local scholarships** and increasing awareness of our mission within the community. As you may know, the Knights of Columbus are committed to **serving those in need**, and our charitable efforts rely on the generosity of outstanding supporters like you.

We are proud to announce that this year's competition will take place on **May 2nd and May 3rd at 1701 E. Harrison Ave, Harlingen**. We anticipate welcoming approximately **30 cooking teams, an IBCA judge, 40 local judges, 70 volunteers, and hundreds of community members** who will come together in support of this great cause.

This event would not be possible without the support of local businesses and organizations like yours. **Your generosity enables us to provide essential resources for our volunteers, participants, and guests.** We humbly ask you to consider making a donation—whether monetary or in-kind—to help us cover **IBCA judge fees, team sponsorships, and event necessities.**

Every contribution, big or small, makes a meaningful impact. Your support strengthens our ability to serve the community and create lasting change.

If you would like to support us, I would be happy to provide more details. Please feel free to reach out to me at your convenience using the contact information below.

Thank you for your kindness and consideration. Join us in making a difference through faith, service, and community!

With gratitude,

Humbly,

Edgar Martinez
Grand Knight Council #2785
c. (956)561-0966
e. Edgar_R_Martinez77@yahoo.com
1701 E Harrison Ave. 78550



Knights of Columbus Council #2785
Our mailing address is: 1701 E Harrison Ave, Harlingen TX 78550
(956) 423-9044, Visit us at
<https://www.facebook.com/GreatCouncil2785/>



2785 Knights Of Columbus

4th Annual BBQ Cookoff

\$200 Dollar Entry Fee



Fri May 2nd

& Sat May 3rd

Location: KofC 2785's Hall

1701 E. Harrison Ave, 78550

Beef



Pork



Proceeds go to Local Charities

Poultry



30 Team Cap

1 Half Chicken – 8 Pork Ribs – 8 Slices of Brisket

Friday 7Pm Jackpot

Sat 11AM Jackpot

Fajitas \$30

Beans \$30

Contact Info - GK Edgar Martinez 956-561-0966

For contest rules visit IBCA website link below
<https://ibcabbq.org/organization-documents/>

From: Haroldo Rodriguez <lolodd216kofc@gmail.com>
Sent: Friday, February 21, 2025 5:51:47 PM
To: Alfredo Alvear - HPD <aalvear@harlingentx.gov>
Cc: Edgar Martinez <edgar_r_martinez77@yahoo.com>; Oscar@shallowSPORTboats.com
<Oscar@shallowSPORTboats.com>; Roberto Martinez <fskc2785@yahoo.com>
Subject: KofC Street Closure request.

Good evening Chief Alvear,
Once again, Congratulations on your recent promotion.

Please find attached documents regarding the Knights of Columbus Barbecue Cookoff fundraiser. We appreciate the support and involvement we have received thus far, so we continue to ask for the support from The city of Harlingen, and The Harlingen Police Dept. With the proceeds from this event we hope to offer continued support to our Catholic Churches, our local community organizations such as Habitat for Humanity, Special Olympics-Texas, Scholarship grants to selected graduating seniors from Harlingen High School, Harlingen High School South, and Rio Hondo High School and Knights of Columbus Charities. Much of which comes back to Bishop Daniel Flores' ministries of choice.

We would also like to offer an invitation for you to speak, introduce yourself as New Interim Chief, possibly discuss any future plans for the Harlingen Police dept, While participating in judging some delicious Barbecue for our community's finest cooks.

Please share this information with your officers and we hope to see a HPD cooking team.

This is a 2 day event which will start Friday May2 and end on Saturday May 3, 2025.

- Haroldo Rodriguez

Haroldo Rodriguez
Knights Of Columbus
District Deputy District 216
Diocese of Brownsville

District Marshal
Our Lady of Guadalupe Province
District 4
Diocese of Brownsville

Past Grand Knight
Father Keralum Council 2785 -- Harlingen, Texas
Saint Helen's Catholic Church -- Rio Hondo, Texas

Past Faithful Navigator
Past Color Corps Commander
Bishop Ledvina Assembly 1093
Harlingen, Texas

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Frances Pena - HPD

From: Ruben Balboa - HFD
Sent: Sunday, March 16, 2025 8:43 PM
To: Frances Pena - HPD
Subject: RE: STREET CLOSURE REQUEST - KNIGHTS OF COLUMBUS 4TH ANNUAL BBQ COOKOFF

Good evening,

HFD has no issues with the street closings.

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Friday, March 14, 2025 3:56 PM
To: Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUEST - KNIGHTS OF COLUMBUS 4TH ANNUAL BBQ COOKOFF

Good Afternoon Asst. Fire Chief Balboa:

I would ask if you could please review the attached street closure request for the following event:

1. KNIGHTS OF COLUMBUS 4TH ANNUAL BBQ COOKOFF

Please provide your recommendation so that I can include as an agenda item at the next City Commission meeting

Thank You!

Frances Pena
Executive Admin. Asst.
Office of the Chief of Police
1018 Fair Park Blvd.
Harlingen, TX 78550
956-216-5403
fpena@harlingentx.gov

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7(9)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

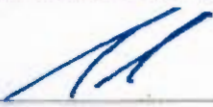
Agenda Item:

Consideration and possible action to approve a street closure request from Logos Community Church from 4:30 p.m. – 9:00 p.m. on Tuesday, June 10, 2025 for their Logos Summer Conference. Attachment (**Police**).

- Southside intersection of Jackson Avenue and "E" Street
- Alleyway in the 100 Block of South "E" Street
- Northside intersection of Van Buren Avenue and "E" Street

Prepared By (Print Name): Alfredo Alvear

Title: Interim Chief of Police

Signature: 

Brief Summary:

Ruben Degollado with the Logos Community Church is requesting the below street closures from 4:30 p.m. – 9:00 p.m. on Tuesday, June 10, 2025 for their Logos Summer Conference:

- Southside intersection of Jackson Avenue and "E" Street
- Alleyway in the 100 Block of South "E" Street
- Northside intersection of Van Buren Avenue and "E" Street

The street closure will help to ensure the safety of the visitors attending this event.

The Asst. Fire Chief has reviewed this request and provided his approval.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested: N/A

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: ☒ Yes ☐ No ☐ N/A

City Manager's approval:

GB

☒ Yes

☐ No

☐ N/A

Comments:

City Attorney's approval:

ML

☒ Yes

☐ No

☐ N/A



HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police

DATE: 3/14/25

FROM: District Representative Benito Bravo #3412

RE: Street Closure for Annual Vacation Bible School

Requestor: Ruben Degollado / Logos Community Church Member

Event Date: June 10, 2025

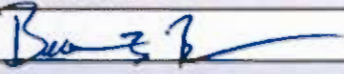
Time: 4:30 p.m. to 9:00 p.m.

Location: Logos Community Church (602 W. Van Buren Ave., Harlingen, Texas)

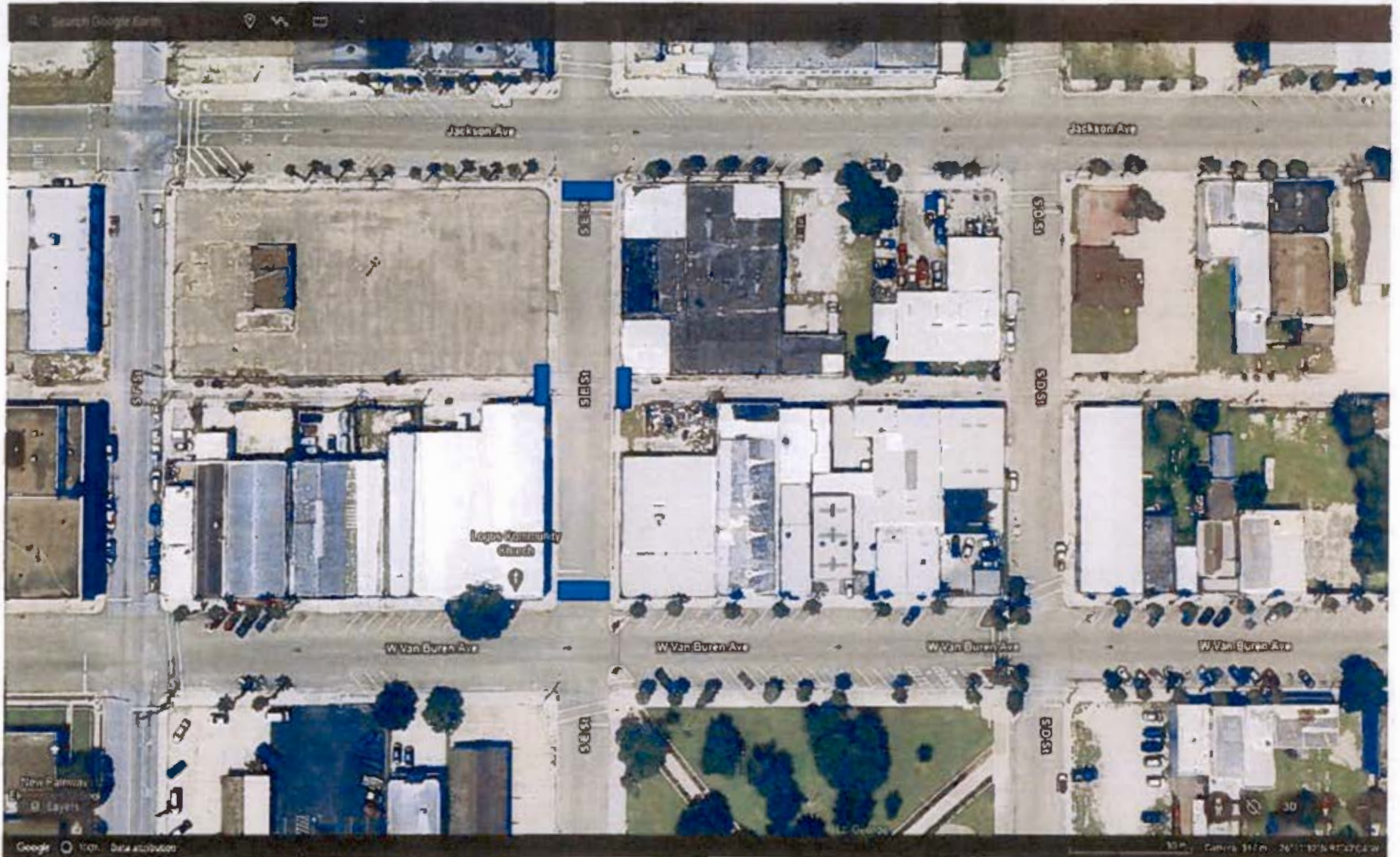
Mr. Degollado is requesting a street closure on behalf of Logos Community Church for their Annual Vacation Bible School. This event has been held, for several years, at the external grounds of the church property. Due to the magnitude of this annual event that attracts several hundred kids, they would like to request permission to close "E" Street, between Jackson Ave. and Van Buren Ave. The street closure being requested is from 4:30 p.m. to 9:00 p.m. on June 10, 2025. The closing of the above-mentioned street will ensure the safety of families and individuals that will attend this event.

If approved, barricades are to be delivered by the City of Harlingen Streets Department prior to 4:00 p.m. on Tuesday, June 10, 2025 and removed from the roadway on June 10, 2025 at 9:00 p.m. A copy of the map is attached to this IDC.

- Close the south side intersection of Jackson Avenue and E Street.
- Close the alleyway in the 100 block of South E Street.
- Close the north side intersection of Van Buren Ave. and E Street.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3412	03/14/2025
SERGEANT / SUPERVISOR			
COMMANDER / MANAGER		3022	3-14-25
DEPUTY CHIEF		1933	3-14-25
ASSISTANT CHIEF			
CHIEF OF POLICE		2743	3/17/25

LOGOS COMMUNITY CHURCH STREET CLOSURE



 Barricade



LOGOS COMMUNITY CHURCH

602 West Van Buren Avenue, Harlingen, Texas 78550 | www.logoscommunitychurch.org

March 3, 2025

To Whom it May Concern,

In the past, we at Logos Community Church have valued and appreciated having Harlingen Police Department officers present at our summer Vacation Bible School.

We are again requesting a police officer and street blockades of E Street between Van Buren and Jackson this summer on June 10th, 2025 from 4:30 PM and 9:00 PM, for our Logos Summer Conference. Please let me know if you have any questions or I can assist you in any way.

Sincerely,

Ruben Degollado

Ruben Degollado

ruben@rubenlogoscommunitychurch.org

956-388-0709

Frances Pena - HPD

From: Ruben Degollado <ruben@logoscommunitychurch.org>
Sent: Tuesday, March 4, 2025 3:55 PM
To: Frances Pena - HPD
Subject: Police Officer Request
Attachments: LCC Summer Conference.pdf

Good afternoon,

Per our discussion, here is the request to have a police officer at our summer event, Logos Summer Conference on June 10th, 2025 from 4:30 PM - 9:00 PM. Please let me know if you have any questions and thank you so much for all you do for our great city of Harlingen.

--

Ruben Degollado
Logos Community Church
Community Pastor
ruben@logoscommunitychurch.org
956.368.5036

Frances Pena - HPD

From: Ruben Balboa - HFD
Sent: Friday, March 14, 2025 11:01 AM
To: Frances Pena - HPD
Subject: RE: STREET CLOSURE REQUESTS

Good morning,

HFD has no issues with the street closings.

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Friday, March 14, 2025 10:55 AM
To: Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUESTS

Good Morning Asst. Fire Chief Balboa:

I would ask if you could please review the attached street closure requests for the following events:

1. LOGOS COMMUNITY CHURCH - VACATION BIBLE SCHOOL; and,
2. IMMACULATE HEART OF MARY CHURCH - ANNUAL SPRING FIESTA,

Please provide your recommendations so that I can include as agenda items at the next City Commission meeting

Thank You!

Frances Pena
Executive Admin. Asst.
Office of the Chief of Police
1018 Fair Park Blvd.
Harlingen, TX 78550
956-216-5403
fpena@harlingentx.gov

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7(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: April 7, 2025

Agenda Item:

Consideration and possible action to approve a request from Buckner Children and Family Services for street closures listed below for their Pinwheels for Prevention event on Saturday, April 12, 2025 from 5:30 p.m. to 8:30 p.m. at the Lon C. Hill Park located at 1217 Fair Park Blvd. Attachment (**Police**)

- Fair Park Blvd. between North "L" Street and North "J" Street (no thru traffic) to include all entries and exits from Harlingen Performing Arts and Casa de Amistad parking lots.
- DETOUR SIGNS at North "L" Street/Fair Park Blvd. to direct traffic north onto Wichita Avenue.

Prepared By (Print Name): Alfredo Alvear
Title: Interim Chief of Police

Signature: 

Brief Summary:

Bethsallee Rodriguez, Coordinator for Buckner Children and Family Services is requesting street closures listed below for their Pinwheels for Prevention event on Saturday, April 12, 2025, from 5:30 p.m. to 8:30 p.m. at the Lon C. Hill Park located at 1217 Fair Park Blvd. Attachment (**Police**)

- Fair Park Blvd. between North "L" Street and North "J" Street (no thru traffic) to include all entries and exits from Harlingen Performing Arts and Casa de Amistad parking lots.
- DETOUR SIGNS at North "L" Street/Fair Park Blvd. to direct traffic north onto Wichita Avenue.

These street closures will help to ensure the safety of the participants and visitors attending this event.

The Assistant Harlingen Fire Chief has reviewed the request and provided approval.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

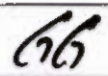
*If no, specify source of funding and amount requested: N/A

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

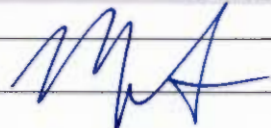
Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: ☒ Yes ☐ No ☐ N/A

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A



HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police

DATE: 3/25/25

FROM: District Representative Benito Bravo #3412

RE: Street Closure Request for Pinwheels for Prevention Event

Requestor: Bethsalee Rodriguez Coordinator for Buckner Children and Family Services

Event Date: Saturday, April 12, 2025

Time: 5:30 p.m. to 8:30 p.m.

Location: Lon C. Hill Park (1217 Fair Park Boulevard Harlingen, TX)

Ms. Bethsalee Rodriguez is requesting a street closure on behalf of the Buckner Children and Family Services for the Pinwheels for Prevention Event they plan to host on April 12, 2025, at Lon C. Hill Park. The event is to raise awareness about child abuse prevention. The event will be open to the public and will include fun activities, free food, prizes and resources. Ms. Rodriguez expects to have over 250 people attending the event. To ensure the safety of all participants Ms. Rodriguez requests the closure of the following streets on the day of the event between 4:00 p.m. and 9:00 p.m.

- Close Fair Park Blvd. between North L Street and North J Street (No thru traffic) to include all entries and exits from Harlingen Performing Arts and Casa de Amistad parking lots.
- Please include Detour Signs at North L Street/ Fair Park Blvd. to send traffic north and onto Wichita Avenue.

If approved, barricades are to be delivered by the City of Harlingen Streets Department prior to 4:00 p.m. on Friday, April 11, 2025, and removed from the roadway on April 12, 2025, at 9:00 p.m. A copy of the map is attached to this IDC.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3412	03/25/2025
SERGEANT / SUPERVISOR		2881	03/25/2025
COMMANDER / MANAGER		3072	3-25-25
DEPUTY CHIEF		1933	3-25-25
ASSISTANT CHIEF		2925	3-25-25
CHIEF OF POLICE		2743	3/25/25



Pinwheels for Prevention

Join us for a special community event to raise awareness about child abuse prevention! Enjoy an evening of family fun, activities, free food, prizes, and resources as we come together to support safe, happy, and healthy childhoods.

 Lon C. Hill Park

1217 Fair Park Blvd, Harlingen, TX 78550

 **17** Saturday, April 12, 2025

 5:30 PM – 8:30 PM

Bring the whole family for an evening of fun and connection!

FREE



BUCKNER

Hope shines here.

More Information

 **(956)382-5089**

Community Stakeholders

Host a booth at Pinwheels for Prevention to support child abuse prevention and connect with families in Cameron and Willacy counties!

Together, we can make a difference!

Community Stakeholders
Registration



Pinwheels for Prevention Event 2025



 Barricade

Frances Pena - HPD

From: Cindy Montoya
Sent: Monday, March 24, 2025 8:27 AM
To: Frances Pena - HPD
Cc: Juan Mendiola III
Subject: Employee Departure & Road Closure Request Information

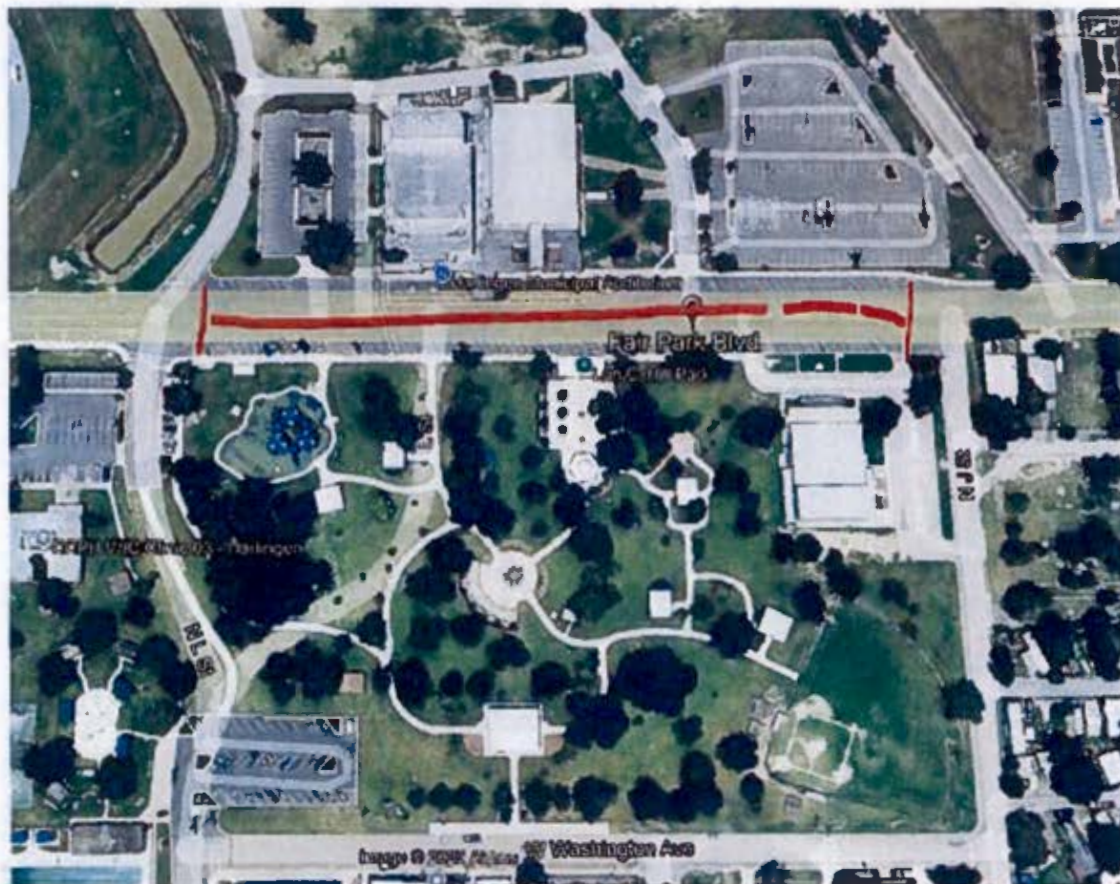
Good Morning Frances,

I hope this message finds you well.

I wanted to inform you that Javier Mendez, who was previously responsible for handling road closures, is no longer with the city.

To ensure there are no disruptions in processing road closure requests, could you please let me know which forms are required to make a formal request for road closures moving forward? Any guidance on the procedure would be greatly appreciated.

There is an event scheduled for April 12th at Lon C Hill and they are requesting a road closure on Fair Park Blvd. starting at N L St down to N J St.



Benito Bravo - HPD

From: Bethsalee Rodriguez <bethsalee.rodriguez@buckner.org>
Sent: Friday, February 28, 2025 11:28 AM
To: Benito Bravo - HPD
Subject: Bucke CFS - Invitation to Harlingen PD – Pinwheels for Prevention Event
Attachments: Cameron English.png; Cameron Spanish.png

Good morning, Officer Bravo,

I hope you're doing well! I'm inviting you to our **Pinwheels for Prevention** event on **Saturday, April 12, from 5:30 – 8:30 p.m. at Lon C. Hill Park**. As you know, this event is an important opportunity to raise awareness about child abuse prevention and strengthen our community.

We would love for Harlingen PD to participate by setting up a booth to share valuable information with the public. We invite you to join the **celebration walk** with your official vehicles and sirens to show your support for this meaningful cause.

Also, could you help connect us with Cameron County law enforcement so we can extend the invitation to them?

I've attached the event flyers, which include a QR code for registration. Please feel free to share this event with the community you serve. Let me know if you have any questions, and I truly hope to see you there!

Thank you!

Bethsalee Rodriguez
FAYS-NFSN Coordinator
Buckner Children and Family Services
1713 E Tyler Ave Suite E
Harlingen, Texas 78550
Office: 956-423-7909
Cell: 956-382-5089
buckner.org



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Frances Pena - HPD

From: Ruben Balboa - HFD
Sent: Tuesday, March 25, 2025 3:26 PM
To: Frances Pena - HPD; Rafael Balderas - HFD; Donna Henderson - HFD
Subject: RE: STREET CLOSURE REQUEST - PINWHEELS FOR PREVENTION

Good afternoon Ms. Pena,

HFD has no issues with the street closures.

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Tuesday, March 25, 2025 2:40 PM
To: Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUEST - PINWHEELS FOR PREVENTION
Importance: High

Good Afternoon Asst. Fire Chief Balboa:

I would ask if you could please review the attached street closure request for the following event:

1. PINWHEELS FOR PREVENTION event.

Please provide your recommendation so that I can include as an agenda item at the next City Commission meeting

Thank You!

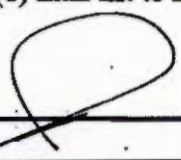
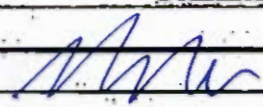
Frances Pena
Executive Admin. Asst.
Office of the Chief of Police
1018 Fair Park Blvd.
Harlingen, TX 78550
956-216-5403
fpena@harlingentx.gov

This email & the documents that accompany this email may contain information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity stated in this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this email information is strictly forbidden and prohibited. If you have received this email in error, please immediately notify us by telephone to arrange for the disposition of the original documents.

7(i)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:
Consideration and possible action to approve the purchase of one (1) man lift to maintain our transfer station. <i>(Public Works)</i>
Prepared By: Christopher D. Torres, Director 
Brief Summary:
The Sanitation Department requires the following equipment to ensure the proper maintenance of both the interior and exterior walls of our transfer station. The requested item will be procured using the department's enterprise funding allocation. <i>(Quote attached)</i> Equipment Requested: • Genie Articulating Boom Lift (GNZ-62/40 4WD) Cost: \$127,898.00
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
City Manager approval: 
Comments:
City Attorney's approval: 



J.V. Equipment, Inc
Edinburg Sales
2421 S. Expressway 281
Edinburg, TX 78542

Sell To: City of Harlingen
Leo Torres
3700 E Harrison Ave Suite 200
Harlingen, TX 78550

Tax Ident. Type: Legal Entity

Ship Via:

Terms: Due Upon Order

Quote Number: ESQ16962

Sales Quote

Page: 1



Ship To: City of Harlingen
3700 E Harrison Ave Suite 200
Harlingen, TX 78550

Customer ID: 3882
SalesPerson: Anthony Vicencio
Delivery Date: 28 Weeks
Quote Date: 3/22/2024

Item No.	Make	Description	Quantity	Unit Price	Total Price
GNZ-62/40 4WD	GEN	Genie Articulating Boom Lift Genie Articulated Boom Lift Working Height Max 67ft 11in Platform Height Max 61ft 11in Horizontal Reach 40ft 9in Lift Capacity Max 500 lbs 5ft Jib Length 5ft Stowed Drive Speed 3 mph Powered By Diesel Fuel	1	\$127,898.00	\$127,898.00

Subtotal:	\$127,898.00
Total Sales Tax:	\$0.00
Total HVY EQP Tax:	\$255.67
Total:	\$128,153.67

76j

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:
Consideration and possible action to approve the purchase of one (1) pro-patcher for our paving department. <i>(Public Works)</i>
Prepared By: Christopher D. Torres, Director
Brief Summary:
The Paving Department urgently requires an additional pro-patcher to meet operational demands. Currently, we have only two (2) pro-patchers in service: one, a 2006 model, continues to undergo maintenance but has reached the end of its service life, and the second unit, which is two (2) years old, is insufficient to adequately maintain all city streets. A third unit is essential for ensuring the effective and timely upkeep of the city's infrastructure. <i>(Attached Quote)</i>
Pro Patcher:
• Serial: #0045874 • Contract: Doggett Freightliner Buy Board Contract #723-23 FEE • Cost: \$261,966.00
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
City Manager approval: <i>66</i>
Comments:
City Attorney's approval: <i>MS</i>

**DOGETT FREIGHTLINER OF SOUTH TEXAS, LLC**

PHYSICAL ADDRESS: 3103 N. CAGE BLVD. - PHARR, TX 78577

MAILING ADDRESS: PO BOX 670688 - HOUSTON, TX 77267

PHONE - 9567828202

PURCHASE AGREEMENT: VM103006315

BILL TO

CITY OF HARLINGEN PUBLIC WORKS - 501991

PO BOX 1950

HARLINGEN TX 78551

P: (956) 216-5300

F:

DELIVER TO

CITY OF HARLINGEN PUBLIC WORKS - 501991

PO BOX 1950

HARLINGEN TX 78551

P: (956) 216-5300

F:

DATE	SALE TYPE	ORDER STATUS	DELIVERY DATE	INVOICE DATE	SALESPERSON	TERMS	CUSTOMER REFERENCE
2/26/2025	RTL	QUOTE	2/26/2025	2/26/2025	MARK BRUNNEMAN	CASH	PotHole Patcher

UNIT(S) FOR SALE

UNTID	YR - MAKE - MODEL	SERIAL NUMBER	PRICE
OO45874	OB - OB - OB	OO45874	101,273.00

Buy Board Contract# 723-23 FEE

400.00

*

Chassis to be a 2026 Year model Freightliner M2-106

Chassis to be white in color

*

PLEASE REFER TO PAGE 2. PARAGRAPH 4 OF THIS PURCHASE AGREEMENT FOR
POSSIBLE PRICE INCREASES DUE TO CHASSIS OR BODY MANUFACTURE

PB Model BC-4 Asphalt Patcher (4 cubic yard capacity)

160,293.00

Sales Price	101,273.00
Additional Equipment	+ 160,693.00
Federal Excise Tax	+ 0.00
Dealer's Inventory Tax	+ 0.00
State and Local Taxes	+ 0.00
License and Bridge Fees	+ 0.00
Emissions Fee	+ 0.00
Title Fees	+ 0.00
Inspection Fees	+ 0.00
Extended Service Plans	+ 0.00
Documentary Fees	+ 0.00
Subtotal	= 261,966.00
Less Trade Allowance	- 0.00
Trade Payoff	+ 0.00
Less Deposit or Down Payment	- 0.00
Unpaid Balance/Amount to Finance	= 261,966.00

x

Buyer Signature

Date

x

Seller Signature

Date

PURCHASE AGREEMENT

EXECUTIVE SUMMARY

7(K)

Meeting Date: April 7, 2025

Agenda Item:

Consideration and possible action regarding a request from BC Lynd for payment of Invoice to vendor Christmas Decor for Christmas Tree set-up, take-down and storage at the Harlingen Convention Center. BC Lynd will reimburse the City of Harlingen.

Prepared By: Robert Rodriguez

Title: Finance Director

Signature:



Brief Summary:

BC Lynd will reimburse the City of Harlingen in six monthly installments of \$3,187.50. The repayment will begin in April 2025 and end in September 2025. Payment will be due by the 15th of each month.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

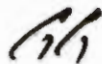
Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

Christmas Decor

326 N.A.S. Dr

Corpus Christi, TX 78418

361-687-2763

cardenenterprises@gmail.com

**INVOICE****BILL TO**

City of Harlingen

118 E. Tyler Ave

Harlingen, Texas 78550

INVOICE # 3064**DATE 09/18/2024****DUE DATE 12/15/2024****SALES PERSON**

Wayne Carden

SALES PERSON PHONE

361-779-5055

DESCRIPTION	QTY	RATE	AMOUNT
Tech level 2, man hours	58	250.00	14,500.00
Tech lodging	4	175.00	700.00
Lift Rental	3	375.00	1,125.00
Storage	1	2,800.00	2,800.00

Want to know more? Visit our website at
<https://www.christmaslightingcorpuschristi.com>

[Pay invoice](#)

SUBTOTAL	19,125.00
TAX (8.25%)	0.00
TOTAL	19,125.00
BALANCE DUE	\$19,125.00

We appreciate checks!!

7(L)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the submission and acceptance of a grant from the Office of the Governor for the Fiscal Year 2025 Border Zone Fire Departments Program; and dealing with related matters. Attachment (<i>Special Projects Department</i>).
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
This is an administrative correction to a previously approved resolution, which now includes the necessary assurance that the city will fully return the grant funds in the event of any loss or misuse of the Office of the Governor's funds. Additional changes have been made to ensure the resolution complies with all assurance requirements set by the Office of the Governor. These revisions are needed for the City to access these grant funds.
On March 19, 2025, the Harlingen City Commission approved the acceptance of an \$82,500 grant award to purchase portable radios for the Harlingen Fire Department. This resolution has been revised accordingly.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this Resolution.
City Manager approval: 
Comments:
City Attorney's approval: 

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT FROM THE OFFICE OF THE GOVERNOR FOR THE FISCAL YEAR 2025 BORDER ZONE FIRE DEPARTMENTS PROGRAM; AND DEALING WITH RELATED MATTERS.

WHEREAS, the Fiscal Year (FY) 2025 Border Zone Fire Departments (BZFD) aims to provide grants to professional fire departments along the Texas-Mexico border region for specialized equipment, maintenance, and medical supplies to support emergency services associated with the execution of border security activities with an emphasis on crime deterrence within a prescribed area.

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$82,500 to purchase portable radios to be operated during FY 2025 for the Harlingen Fire Department; and,

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the said project as required by the BZFD Program; and,

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the submission of the grant application to the Office of the Governor for the purchase of portable radios for the Harlingen Fire Department.

BE IT FURTHER RESOLVED that Harlingen City Commission accepts the grant award of \$82,500 from the Office of the Governor for the Fiscal Year 2025 Border Zone Fire Departments Grant.

CONSIDERED AND ADOPTED this **7th day of April 2025** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

Norma Sepulveda, Mayor

Hermelinda Gonzales, Interim City Secretary

7(m)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the submission of a grant to the Office of the Governor for the Fiscal Year 2026 Rifle Resistant Body Armor Grant Program. Attachment (*Special Projects Department*).

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

This is an administrative correction to a previously approved resolution, which now includes the necessary assurance that the city will fully return the grant funds in the event of any loss or misuse of the Office of the Governor's funds. Additional changes have been made to ensure the resolution complies with all assurance requirements set by the Office of the Governor. These revisions are needed for the City to access these grant funds.

On February 5th, 2025, the Harlingen City Commission approved the submission of the application. This resolution has been revised accordingly.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No):

*If no, specify source of funding and amount requested:

Finance Director's approval (Yes/No/NA):

Staff Recommendation:

Staff recommends approval of this Resolution.

City Manager approval:

GG

Comments:

City Attorney's approval:

[Signature]

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT TO THE OFFICE OF THE GOVERNOR FOR THE FY 2026 RIFLE RESISTANT BODY ARMOR GRANT PROGRAM TO FUND BALLISTIC PLATES FOR PEACE OFFICERS OF THE HARLINGEN POLICE DEPARTMENT

WHEREAS, the grant program is authorized under the Texas General Appropriations Act, Article I, Rider 26 for trusted programs within the Office of the Governor; and

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, and the region to apply for funding from the Office of the Governor to fund rifle-resistant body armor for officers; and

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the said project as required by the FY 26 Rifle Resistant Body Armor Grant Program; and,

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Mobility & Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the submission of the grant application to the Office of the Governor to fund ballistic plates for peace officers of the Harlingen Police Department.

CONSIDERED AND ADOPTED this 7th day of April 2025 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

Grant Number: 5498901

Norma Sepulveda, Mayor

Hermelinda Gonzales, Interim City Secretary

7(n)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the submission and acceptance of a grant to the Office of the Governor for the Fiscal Year 2024 Operation Stonegarden Grant Program. Attachment (*Special Projects Department*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Harlingen Police Department will utilize Operation Stonegarden funding for vehicle operating costs, fringe benefits, and personnel overtime to provide additional manpower in a state-led and unified strategy to respond to the increased presence and threat of organized crime, terrorism, and violent crimes within our borders. There are no matching funds required.

Breakdown of Funding:

Personnel Overtime: \$178,866.00

Fringe Benefits: \$41,139.00

Vehicle Operating Costs: \$6,500.00

Total Award: \$226,505.00

The grant cycle is from 3/1/2025 through 2/28/2026.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No):

*If no, specify source of funding and amount requested:

Finance Director's approval (Yes/No/NA):

Staff Recommendation:

Staff recommends approval of this Resolution.

City Manager approval:

GG

Comments:

City Attorney's approval:

[Signature]

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR REGARDING FY 2024 OPERATION STONEGARDEN

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, and the region that the City of Harlingen utilize its local law enforcement personnel in a state-led and unified strategy to respond to the increased presence and threat of organized crime, terrorism and violent crimes within our borders and;

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$226,505.00 to fund personnel overtime, fringe benefits, and vehicle operating costs and;

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the said project as required by the FY 24 Operation Stonegarden Grant Program; and,

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Mobility & Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the submission of the grant application to the Office of the Governor for the FY 24 Operation Stonegarden Grant Program.

BE IT FURTHER RESOLVED that the Harlingen City Commission accepts the grant award of \$226,505.00 from the Office of the Governor for the FY 24 Operation Stonegarden Grant Program.

CONSIDERED AND ADOPTED this 7th day of April 2025 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

Grant Number: 3186910

Norma Sepulveda, Mayor

Hermelinda Gonzales, Interim City Secretary

7(0)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action authorizing the City Manager to accept a grant award from Blue Pearl Cares and to sign the required medical equipment grant terms and conditions.
Attachment (*Special Projects Department*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The City of Harlingen has been awarded a \$10,000 grant from BluePearl Cares. This grant will be used to purchase an anesthesia machine, vaporizer and accessories, pulse oximeter, surgery table, and medical light. Funds may also be used for shipping and installation costs.

Blue Pearl Cares is a 501(c)(3) nonprofit organization committed to making emergency and special veterinary care accessible for all. The veterinary medical equipment grants elevate high-quality veterinary care for owned and shelter pets across animal welfare organizations and nonprofit partners. Funding to nonprofit animal organizations and local/state government agencies helps with the purchase of veterinary medical equipment for on-site animal shelter veterinary clinics, low-cost veterinary practices, mobile veterinary units, disaster relief vehicles, etc.

The grant period will end on April 30, 2026. By that date, the funds must be fully utilized, and the city is required to provide BluePearl Cares with a final written report outlining the project's impact, including a financial report detailing how funds were spent.

This grant does not require a local match.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No):

*If no, specify source of funding and amount requested:

Finance Director's approval (Yes/No/NA):

Staff Recommendation:

Staff recommends approval of this item.

City Manager approval:

66

Comments:

City Attorney's approval:

MEDICAL EQUIPMENT GRANT TERMS AND CONDITIONS



FUNDING TERMS AND CONDITIONS FOR VETERINARY MEDICAL EQUIPMENT GRANT TO: City of Harlingen

The granting of funds from BluePearl Cares is subject to the below terms and conditions.

1. Recipient acknowledges that a grant of \$10,000 has been approved by BluePearl Cares to City of Harlingen toward the purchase of an anesthesia machine, vaporizer and accessories, pulse oximeter, surgery table and medical light. Funds may also be used for shipping and installation costs if needed.
2. Recipient will assume total liability for the equipment purchased and its use for the life of the product. Recipient shall hold BluePearl Cares and its directors, officers, and employees harmless from, indemnify them for, and defend them against any and all claims, demands, actions, liabilities, damages and expenses, including reasonable attorney fees, arising out of or relating to this grant.
3. If, for some reason the Recipient's organization is unable to proceed with the funded project, the Recipient's organization must inform BluePearl Cares in writing as soon as possible and immediately repay the funding amount received.
4. Any variation to the project, as detailed in the application form, must be agreed to in writing by BluePearl Cares.
5. BluePearl Cares understands and supports Recipient publicizing receipt of grants to its communities via news releases, newsletters, organization's website, Facebook, etc. Recipient agrees to provide BluePearl Cares the opportunity to preview and edit material prior to release. Recipient is encouraged to send BluePearl Cares digital photos and stories of pets and people helped through BluePearl Cares' grants. Recipient authorizes BluePearl Cares, Medical Management International, Inc. (MMI), and/or BluePearl Pet Hospital to share these photos and stories on its print, digital and/or other media, and acknowledges such possible sharing. Recipient represents and warrants that it has obtained a release, for each photo and story provided, that permits BluePearl Cares, MMI and BluePearl Pet Hospital to use the photos and stories submitted in print, digital, or other media, and Recipient agrees to indemnify and hold harmless BluePearl Cares, MMI, and BluePearl Pet Hospital from any claims that their use of the photos or stories violates or infringes the intellectual property, privacy, or publicity rights of any third party.
6. The end of this grant term is April 30, 2026. By that time, funding must be spent and Recipient will provide BluePearl Cares with a final written report on the impact of the project including a financial report detailing how funds were spent. See Final Report Form provided. Photos (high-resolution) are strongly encouraged throughout the grant term.
7. If the recipient breaches any of these terms and conditions, BluePearl Cares reserves the discretionary right to reclaim in part or in whole the funding.
8. Please sign this Terms & Conditions and return to Grants@bluepearlcares.org by April 15, 2025 and retain a copy of this document for your records. Only after this has been received will monies be distributed to City of Harlingen.

SUBMITTED BY:

A handwritten signature in blue ink, appearing to read 'Kim Van Syoc'.

Kim Van Syoc
Executive Director
BluePearl Cares
18101 SE 6th Way
Vancouver, WA 98683

ACKNOWLEDGED BY:

Name

Title

Date

Signature

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(2)

Meeting Date: **April 7, 2025**

Agenda Item:

Public hearing for a Special Use Permit ("SUP") to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Christine Blouch & Rene Capistran c/o Veterans of Foreign Wars Post 2410. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning & Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- March 4, 2025 – Application for Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- March 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 15, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 26, 2025 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- April 7, 2025 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- April 19, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances, a Civic Lodge in an "M-2" District requires the approval of a Special Use Permit (SUP) by the City Commission.
- The Veterans of Foreign Wars Post 2410 are requesting a special use permit to allow a Civic Lodge for the Veterans of Foreign Wars Post 2410 (VFW). (**ATTACHMENT II AND III**)
- Based on the site plan and information submitted by the applicant, the applicant is proposing to build a 10,700 square foot facility to replace the current building that is on the property. The property has 270 feet of frontage on Whalen Road and has a depth of 550 feet. The applicants plan to operate Sunday through Saturday and the hours of operation would be from 12:00pm to 12:00am. Based on the site plan provided, 107 parking spaces are required and there are 108 parking spaces provided. (**ATTACHMENT II – IV**).
- Surrounding properties are zoned Residential, Multi-Family ("M-2") District to the north, south, east and west, and General Retail ("GR") District to the northwest. The surrounding land uses are a single-family home to the south and vacant land, vacant land, the Reata Apartments, and Windsor Atrium to the east, vacant land to the north, and vacant land and the Harlingen Collegiate High School to the

west. (ATTACHMENTS V-VII).

- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department (ATTACHMENTS VIII-XI).
- The applicant must obtain and maintain the proper State and City permits.
- Staff received one (1) phone call in opposition to the Special Use Permit request, citing concerns over noise levels, privacy issues, safety issues, lighting issues, and possible consumption of alcohol.
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

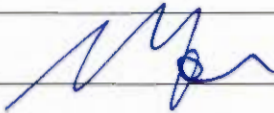
Staff Recommendation:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Obtaining and maintaining proper State and City permits.
2. Providing and maintaining the required parking in accordance with city regulations.
3. Must provide video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by the Planning and Zoning, Building Inspections, Fire Prevention, and Police Departments.
5. Hours of operation are Sunday – Saturday from 12:00pm to 12:00am.

City Manager's approval:  ☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval:  ☐ Yes ☐ No ☐ N/A

Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow a civic lodge in a Multi-Family ("M-2") District located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land & Water Company Subdivision. Applicant: Christine Blouch & Rene Capistran c/o Veterans of Foreign Wars Post 2410

Interim Director, Soledad A. Núñez, presented the following information related to the request for a Special Use Permit, as follows:

- Ms. Núñez said that currently this was the VFW. She said she was sure some were familiar with the location. She explained that the Veterans of Foreign Wars Post 2412 are the ones requesting the Special Use Permit. She said they recently received federal funding to remodel their building. She said that they were planning to demolish the existing structure and build a completely new facility for themselves. She said they were looking at a ten thousand (10,000) square foot facility. She added that there is a site plan and floor plan in the meeting packet of what they are proposing.
- A Street View from Wayland Road of the property, currently.
- The Site Plan for the proposed VFW was presented. She said that here was a ten thousand seven hundred (10,700) square foot facility they're proposing with all of the parking that would be required based off the site plan. They are required one hundred and seven (107) parking spaces, and they are providing one hundred and eight (108) parking spaces.
- Ms. Núñez reported that their hours of operation are Sunday through Saturday, twelve (12, noon) p.m. to twelve (12, midnight) a.m.
- Ms. Núñez reported that Staff did receive one (1) call in opposition and no written opposition. She shared that the individual opposing this is concerned with an increase in noise and lighting issues. She said that apparently, they have a large light that goes up at the property and that their home is adjacent to it, so it is becoming a disturbance.
- The Applicant Rendering was presented.
- An Aerial View of the Property was presented. Ms. Núñez pointed out the current VFW and the location of the home.
- The properties surrounding the Subject Property are zoned Resident, Multi-Family (M2) district to the north, south, east and west, and then General Retail (GR) district to the northwest.
- Ms. Núñez stated that surrounding land uses was mostly vacant land. She pointed out the Reata Apartment, the single-family residence, the Harlingen Early College High School and then Windsor Atrium in the back.
- Ms. Núñez reported that the Building Inspections Division, Fire Marshall's Office, Health and the Police Department had all reviewed the Special Use Permit Request, and all approved of it as long as they comply with all their State and City permits
- Ms. Núñez stated that Staff is recommending approval of the request subject to them
 - Maintaining and obtaining any and all state and city permits,
 - Providing and maintaining the required parking spaces in accordance with City regulations,

- Providing minimum thirty (30) day video retention,
- Complying with all the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention and PD, and
- Their hours of operation are Sunday through Saturday, twelve (12, noon) p.m. to twelve (12, midnight) a.m.

Cmr. Perez asked if there were any questions for Staff. Upon hearing none, he proceeded to the Public Hearing on this item.

The Public Hearing was opened. Cmr. Perez asked if there was anybody here to talk for or against, to please step up.

Melanie Dimas

Ms. Dimas introduced herself before the Board. She said that she was the one that called with Opposition. She said that she owns that [the house] and the seven (7) acres behind it and so she is next to them and all the property behind them. She said it has been the VFW as long... she said she grew up there. She restated that it was the VFW but said they were concerned about now the size and the amount of traffic and the amount of people...just people. She said they did have a big spotlight. She said they were worried about theft in the parking lot and that it was shining like all in the property and in their bedroom window and that it was on, like all the time. Ms. Dimas said that there was also concern about safety and privacy. She described that they were a single-family home and that there was just one (1) little fence. She asked if they were going to have any type of modification that would help that. Ms. Dimas reiterated that she knew it had always been and that she knew they needed a Special Permit because they are going to take that building down and going to put in another one, which is big. She said she didn't know how big that one that is there now is. She asked Ms. Núñez if she had that information, how much bigger it is. Ms. Núñez shook her head. Ms. Dimas then added that with one hundred and eight (108) parking spaces, that would pretty much take the whole spot. She said she was just voicing her concerns over privacy, the safety, the lights, the noise, because it is going to be it... that it looks like it's going to be quite a bit bigger than it is now. She added that there are rarely like five (5) or six (6) cars in the parking lot now. She said she didn't know what they can [do]. She said that she knew there was a noise ordinance already. She asked if that would be when they go in front of the Commission or City Commissioner, or she asked if there was anything in place right now. Ms. Núñez informed her that the City does have a noise ordinance that is administered by the Police Department. She said that if there was any disturbance, she could call them. Ms. Núñez continued and said that as part of the building permit, there are certain requirements that would have to be met because they are abutting a residential property. She said they would have to have a buffer, which they do now. Ms. Núñez addressed the Board and stated that as with any Special Use Permits, Planning and Zoning can add conditions, as can City Commission. She said that if they felt they wanted a higher fence, they could impose that condition. Or if they want to take other measures. Ms. Núñez stated that she believed they have one of the applicants present and that they might be able to shed a little more light as to what their plan is.

Christine Blouch, Texas Noble Builders, applicant

Ms. Blouch introduced herself before the Board. She said she would do the best to answer what she could. Ms. Blouch indicated that the [proposed] building is larger than the previous building and explained that it is based up against the property of concern and that it would be the back of the building.

She said that once they pull down the existing building, the parking lot will be to the other side and so the lighting should not be as bright. She said they would certainly not want to disturb anyone any more than they need to.

Ms. Blouch stated this is a great cause because the current building is in total disrepair. She said that they have helped out in getting some labor and materials donated. She added that there will be a GSO Office in this which will help veterans coming in with paperwork and that this would be a lot of the operation. She asked if there were any specific questions or concerns that they would like for her to take back and said she would be happy to do so. Cmr. Perez thanked Ms. Blouch.

Cmr. Perez addressed Mr. Dimas and asked if this addressed her concern. Ms. Dimas said they just wanted reassurances to maybe have a higher fence or whatever that they would be willing. Ms. Blouch said they would. Ms. Dimas reiterated that they know it's always been that. She explained that her daughter lives there by herself and that she was worried about her safety and privacy. Ms. Dimas asked for clarification that the back of the building is going to be where the fence stands. Ms. Dimas explained that right now there is a trashcan there and that everyone walks to take the trash there. Ms. Blouch asked if the drawings could be pulled back up. She also said she could get with Ms. Dimas on it telling her that she would be happy to meet with her about any concerns. Ms. Blouch referred to the site plan and identified the property line to the south and said it would be the back of the building. She said the front entrance would be facing the parking lot and then explained that the side entrance would be open during the day and that it would only be for GSO Office separately with no pass through in the veteran's facility. She said that hopefully they would see more daytime activity and said they will be setting up some computer labs to try to help some of the veterans get some training. Ms. Blouch went back to the back of the building. She said that there will be a door and that it will be used for loading from the back entrance so that they can pull and pull back down. She said it will be the kitchen. She also pointed out the Assembly Hall as being the large section off to the right.

Ms. Dimas asked about the distance between the building and her property, commenting that it looks pretty, pretty small. Ms. Blouch said she didn't know. Ms. Dimas asked if it could be pushed a little bit noting that there was quite a bit on the other side. Ms. Dimas pointed out the unused area where there is a concrete drainage ditch. She suggested that they could move it that way to not be so close to the property line. Ms. Blouch said that she can take that back and the dimensions. Cmr. Perez suggested they continue this conversation off the record. Ms. Blouch asked them to please get with her on any questions and she would be happy [to take it back].

Cmr. Villarreal asked Ms. Dimas if having a ten (10) foot fence would solve the problem? Ms. Dimas said it would help but said the now that she was looking at it, she saw how close it was. She said that they had all that other land. She said her mother had actually sold them half an acre in the back. She said that it was just a lot planned in one way and asked if it could be pushed in another direction. Ms. Blouch indicated that they needed to accommodate the parking. Ms. Dimas identified another unused space and asked if that would accommodate some parking. Ms. Blouch indicated it would remain as is. She also indicated that she could check with the architects and engineers on some of the concerns. She however stated that this had already been approved through the grant funding and that this was federal [money]. She added that she knew they were coming in late. Cmr. Perez thanked Ms. Blouch for her comments.

Cmr. Perez asked if there was anybody else here to speak for or against [this item].

Sarah Dimas, resident

Ms. Sarah Dimas introduced herself to the Board. She said that she is the one that lives on the property and that Ms. Dimas was her mom.

Ms. S. Dimas said that she wanted to blatantly disapprove of this. She said it was a residential neighborhood and that there was no need for a bar. She added that she knows they are going to get a liquor license and that the proposed hours are till midnight, but that a liquor license means two (2) a.m.

She reiterated that it was a residential neighborhood and that there was no need for a bar and recognized that they had been there for a long time. She said that for twenty (20) million dollars in federal funding they could get another piece of land and one (1) that could accommodate them a little bit better.

Cmr. Villarreal asked Ms. Blouch if the grant was site specific. Ms. Blouch said yes. Cmr. Villarreal acknowledged that they couldn't move it.

Ms. S. Dimas again expressed wanting to say that it was a residential neighborhood and that there are kids. She said it was a bar in the middle of a residential neighborhood. She repeated that she knew they had been there for a long time and acknowledged that but that it was a bar. She also repeated that she knew they were applying for a liquor license and that means two (2) a.m. She said that liquor is a lot... that it was liquor. She added that safety was a huge thing, and that privacy was a huge thing. Ms. S. Dimas said that she [Ms. Blouch] can say whatever she wants to say about what they're going to do right now to when it actually happens, and they put lights blaring on one hundred and eight (108) parking spots and one hundred and eight (108) people. She cited that scenario where one hundred and eight (108) people show up on that little piece of land, until two (2) a.m. She said that she has one picket fence between her and one hundred and eight (108) drunk people. Cmr. Perez thanked Ms. S. Dimas for her comments.

Cmr. Perez asked if there was anybody else here to speak for or against, at this time. Upon seeing hearing and seeing none, he proceeded to close the Public Hearing.

Cmr. Perez asked if the Board had any more questions. Cmr. Villarreal stated he wanted to make a motion and commented that we wouldn't want to lose a grant in his opinion. Ms. Núñez indicated wanted to make a clarification first. She stated that whatever the SUP stipulates, as far as hours go, they cannot deviate from that. If they do, then they would have to redo their SUP. Cmr. Perez thanked Ms. Núñez.

Cmr. Villarreal said he wanted to make a motion with a ten (10) foot fence and approve it because it was a lot of money and that they got. He said there was not much else they could do. He repeated that he motioned to approve with a ten (10) foot fence on the residential side. Cmr. Perez stated we had a motion and asked if there was a second. Cmr. Flores seconded the motion. The motion was moved to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(b)

Meeting Date: **April 7, 2025**

Agenda Item:

Public hearing for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning & Development Director
Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- February 27, 2025 – Application for a Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- March 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 11, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 26, 2025 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission ("P&Z").
- April 7, 2025 – Public hearing and consideration of the requested SUP via 1st Ordinance reading scheduled before the City Commission.
- April 16, 2025 – Pending approval of 1st Ordinance reading, consideration of approval of 2nd Ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, an adult business (bar/lounge) in a General Retail ("GR") District requires the approval of an SUP by the City Commission.
- The applicant wishes to operate a bar/lounge at 1105 S. Tamm Lane under a new name, "Station 83". The building floor area is approximately 4,550 square feet, measuring 65 ft. by 70 ft. Based on the floor area there will be approximately 48 seats. The subject property has 60 parking spaces in total. The proposed hours of operation will be from 12 pm to 2 am, seven days a week. (**ATTACHMENT II**).
- On July 10, 2024, the Planning and Zoning Commission had approved an SUP for a bar/lounge under the name, "The Roadhouse Blues", with Karlos Esquivel as the applicant. The previous SUP for the property was for a bar/lounge approved on December 13, 2017 under the name of "Club Envy", with Ruben Martinez as the TABC permit holder. A previous SUP for the property was for a bar/lounge approved on July 11, 2012 under the name of "Club Legacy-151", with Richard Amador as the applicant.
- The surrounding properties are zoned General Retail ("GR") District to the north and northwest of the subject property, and Residential, Single-Family ("R-1") to

the east and west of the subject property. (ATTACHMENT IV). Surrounding land uses are an auto glass shop to the west, a single-family residence to the west, and commercial use to the north. (ATTACHMENT V).

- The SUP request was routed to the Building Inspections Department, Health Department, Fire Prevention Department, and Police Department for review. Staff reported no objections subject to applying for all applicable permits and compliance with all city ordinances, codes and standards. (ATTACHMENT VI).
- The applicant must obtain and maintain the proper State and TABC permits.
- On March 25, 2025, staff received a letter in opposition to the SUP request, citing concerns over a new residential subdivision being built near a bar/lounge. (ATTACHMENTS VII-IX) Staff mailed out 8 legal notices.
- In accordance with the Code of Ordinances, the P&Z and City Commissions may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

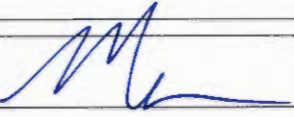
Staff Recommendation:

Staff recommends approval subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits;
2. Must provide video surveillance with a minimum 30 day retention; and,
3. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
4. Hours of operation shall be seven days a week, from 12:00 pm to 2:00 am.
5. A licensed security officer must be on-site during the peak hours of Thursday to Saturday from 9:00 pm to 2:00 am.

City Manager's approval:  ☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 137/297/298. Applicant: Cipriano Cardenas

City Planner, Estefania Hernández, presented the following information related to the request for a Special Use Permit, as follows:

Ms. Hernández prefaced her presentation by stating that pursuant to our Code of Ordinances, an adult business such as a bar/lounge in a General Retail (GR) property requires the approval of a Special Use Permit. She presented that the applicant wishes to operate a bar/lounge out of the property outlined in red, as shown in an Aerial View, under the name "Station 83".

- The building area is approximately four thousand, five hundred, and fifty-five (4,555) square feet, measuring sixty-five (65) feet by seventy (70) feet.
- Ms. Hernández said that there are approximately forty-eight seats and there were sixty (60) parking spaces that were provided on the site plan drawn out by the applicant.
- The proposed hours of operation would be seven (7) days a week, from twelve (pm, noon) to two (2) a.m.
- The floor plan as mentioned was presented.
- A floor plan of the second story of that building, as provided by the applicant, was presented.
- A Street View from the US. Business 83 was presented.
- Ms. Hernández recounted that if this all seemed familiar, it was because last year, on July 10th the Planning and Zoning Commission did vote on a Special Use Permit for the same type of business under a different name and under a different applicant. She said it has been used as a bar/lounge previously. It was previously approved as "Club Envy", with Mr. Ruben Martinez as the applicant. Before then it was "Club Legacy 151" with a different applicant name back in 2012. Ms. Hernández restated it has been a bar/lounge for a long time.
- Surrounding properties are zoned single-family (R1) to the east, south and west, and General Retail (GR) to the north.
- Surrounding Land Uses include a glass shop on the same property to the west, a single-family residence to the west, and commercial uses to the north.
- Ms. Hernández stated that the SUP request had been reviewed by the Fire Prevention Bureau, Building Inspection, Health and the Police Department, all of which had either approved or approved with conditions.
- Ms. Hernández reported that on Tuesday, March 25th, Staff did receive a written opposition. She stated that the Planning admin prepared physical copies of the opposition just in case they hadn't had a chance to see them.
- Ms. Hernández reported that the opposition cited concerns over a new residential subdivision being so close to the bar/lounge.
- The Witten Opposition, Opposition Map as well as the Calculation was presented. Ms. Hernández said that the calculation made up approximately eight-point twenty-eight percent (8.28%) of the notification radius.

- Ms. Hernández stated that the applicant is required to maintain any sort of proper State and TABC permits.
- Staff is recommending approval subject to the following conditions –
 - Maintain any sort of State and City permits,
 - Maintain video surveillance with a minimum thirty (30) day retention period,
 - Comply with the standards and requirements administered by the Planning and Development Department, Building Inspections Department, the Fire Prevention Bureau, Health and Police Departments,
 - Maintain the hours of operation as listed, which were seven (7) days a week, from twelve (pm, noon) to two (2) a.m., and that they
 - Have a licensed security officer during peak hours of Thursday to Saturday, from nine (9) p.m. to two (2) a.m.
- Ms. Hernández herself available to answer questions. She determined that the applicant was present as well, should they have any questions for them

Cmr. Perez asked if anybody had any questions for Staff.

Cmr. Cruz-Velázquez asked to go back to the Aerial View. Ms. Hernández explained that the yellow outline is the property itself and that the red outline is the building where they want to have the bar/lounge. She added that as mentioned earlier, there is a different building to the West and that is the glass shop. She said that technically they were on the same lot. Cmr. Cruz-Velázquez asked if the area above is where the new homes would be coming. Ms. Hernández stated that it was the area to the east is where the proposed subdivision would be taking place and that it would be a new single-family residential (R1) subdivision. Cmr. Cruz-Velázquez asked if this is where the opposition came from. Ms. Hernández said yes and presented the Opposition Map from the east side. She said it hasn't been subdivided just yet and said that it was still just one (1) tract of land.

Cmr. Villarreal asked about this place being previously discussed and it being opened like six (6) months ago. Ms. Hernández said that she had mentioned earlier in the presentation that back in July of last year, a different applicant has applied for the same SUP for the same use. She said she thought that when it came to the leasing or renting portion, the project may have fallen through. She said she really wasn't sure what might have happened.

Cmr. Perez proceeded to the Public Hearing on this item. He asked if anybody was present to speak for or against this SUP. Upon seeing and hearing none, the Public Hearing was closed.

Cmr. Perez asked if anybody had any questions for the Applicant. Upon hearing none, he asked if we had a motion. Cmr. Villarreal made the motion to approve. Cmr. Cantu seconded the motion. The motion was taken to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(c)

Meeting Date: **April 7, 2025**

Agenda Item:

Public hearing for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flats Subdivision, located along the East side of Loop 499, being 277 feet North of Grimes Road. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- March 11, 2025 – Application for SUP submitted to the City. **(ATTACHMENT I)**.
- March 12, 2025 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 feet radius of subject tract. **(ATTACHMENT II)**
- March 15, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star. **(ATTACHMENT II)**
- March 26, 2025 - Public hearing and consideration of the requested SUP by the Planning and Zoning Commission (P&Z).
- April 7, 2025 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- April 19, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting a Special Use Permit to allow an unmanned battery storage facility.
- The proposed facility will connect to the AEP infrastructure adjacent to North Loop 499. The system will be capable of charging from the AEP substation and then discharging to the electrical grid. **(ATTACHMENT I)**
- According to the site plan, the project area is 6.27 acres and will be a 100MW, 2-hour battery energy storage system. **(ATTACHMENT III)**
- The applicant has provided a rendering depicting what the boundary along Loop 499 will look like after the construction of a block wall with landscaping and spaces for murals **(ATTACHMENT III)**.
- The Planning and Zoning Commission previously approved similar projects for battery storage energy facilities on Tucker Road, Lincoln Avenue, E. Harrison Avenue, and Memphis Street. **(ATTACHMENT VIII)**
- The property has 957.45 feet of frontage on Loop 499 and a depth of 281.96 feet. **(ATTACHMENT V)**
- The original Special Use Permit request submitted by Black Mountain Energy was approved by the Planning & Zoning Commission on March 8, 2023, and was approved by the City Commission on May 3, 2023. Due to a change in ownership, a new Special Use Permit request is being processed for the new property owner, Citrus Flatts Energy Center, LLC.

- Surrounding properties are zoned Light Industrial ("LI") District to the north, east and south, and General Retail ("GR") to the west. The lot north of the subject property has been developed as a shipment facility. The lot east of the subject property is currently vacant. The lot to the south is a gas station. The lot west of the subject property is currently vacant. **(ATTACHMENT V)**
- The applicant provided a brief description of the proposed battery storage facility. **(ATTACHMENT VIII)**
- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- To the present, the Planning and Development Department has not received any phone calls in opposition from the surrounding property owners for the proposed request.
- The City of Harlingen Fire Prevention Bureau, Engineering and the Building Inspections Departments reviewed the application. All three recommended approval of the Special Use Permit request. **(ATTACHMENT VII)**

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

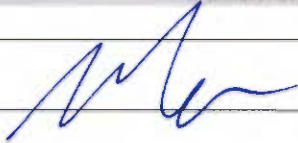
Staff Recommendation:

Staff recommends approval of the request subject to the following:

1. Complying with Planning ordinances and regulations, Fire Prevention Bureau's regulations, Engineering's regulations and Building Inspections ordinances and regulations.
2. Install and maintain an 8-foot solid wall along the Loop 499 boundary of the property with landscaping and an irrigation system between the wall and the pavement.
3. The project must be approved by the Fire Chief prior to a building permit being issued.

City Manager's approval:  ☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

1. Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flatts Addition Subdivision. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC

Interim Director, Soledad A. Núñez, presented the following information related to the request for a Special Use Permit, as follows:

- Ms. Núñez stated the applicant is requesting a Special Use Permit to allow an unmanned battery storage facility.
- Ms. Núñez the proposed facility will connect to the AEP infrastructure adjacent to North Loop 499. The system will be capable of charging from the AEP substation and then discharging to the electrical grid.
- Ms. Núñez stated according to the site plan, the project area is 6.27 acres and will be a 100MW, 2-hour battery energy storage system.
- Ms. Núñez stated the applicant provided a rendering depicting what the boundary along Loop 499 will look like after the construction of a block wall with landscaping and spaces for murals.
- Ms. Núñez stated the Planning and Zoning Commission previously approved similar projects for battery storage energy facilities on Tueker Road, Lincoln Avenue, E. Harrison Avenue, and Memphis Street.
- Ms. Núñez stated the property has 957.45 feet of frontage on Loop 499 and a depth of 281.96 feet,
- Ms. Núñez stated the original Special Use Permit request submitted by Black Mountain Energy was approved by the Planning & Zoning Commission on March 8, 2023, and was approved by the City Commission on May 3, 2023. Due to a change in ownership, a new Special Use Permit request is being processed for the new property owner, Citrus Flatts Energy Center, LLC.
- Ms. Núñez stated surrounding properties are zoned Light Industrial ("LI") District to the north, east and south, and General Retail ("GR") to the west. The lot north of the subject property has been developed as a shipment facility. The lot east of the subject property is currently vacant. The lot to the south is a gas station. The lot west of the subject property is currently vacant.
- Ms. Núñez stated the applicant provided a brief description of the proposed battery storage facility.
- Ms. Núñez stated in accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- Ms. Núñez stated there were no calls in opposition received for the item.
- Ms. Núñez stated the City of Harlingen Fire Prevention Bureau, Engineering and the Building Inspections Departments reviewed the application. All four

recommended approval of the Special Use Permit request subject to compliance with all state and city permits and requirements.

- Ms. Núñez stated staff was recommending approval of the Special Use Permit request subject to the following:
 - Complying with Planning ordinances and regulations, Fire Prevention Bureau's regulations, Engineering's regulations and Building Inspections ordinances and regulations.
 - Install and maintain an 8-foot solid wall along the Loop 499 boundary of the property with landscaping and an irrigation system between the wall and the pavement.
 - The project must be approved by the Fire Chief prior to a building permit being issued.

Cmr. Flores asked why the Fire Chief needed to approve of the building permit before it was issued. Ms. Núñez stated that was a condition added to the battery storage facilities in October of last year at the request of City Commission. Ms. Núñez stated they (City Commission) feel it is important as far as life safety is concerned for the Fire Chief and/or Fire Marshal to sign off on these projects prior to them (the developer) obtaining a building permit.

Cmr. Flores stated, I don't agree with that, the danger there could be undersized or oversized conductors. I don't think the Chief, or the Fire Marshal knows anything about sizing electrical wiring. Cmr. Flores asked, it's been in the city a couple of years now?

Ms. Núñez stated the original SUP got approved on May 3, 2023, and then that company sold off the property to another company. Since November or December, they have been working on the site and then it was requested that they obtain their own SUP. It's been in the works for about 2-3 years.

Cmr. Perez asked if there was a change in the design. Ms. Núñez stated there was a slight change in the design, it wasn't anything significant. Ms. Núñez stated it's a different company and SUP requirements are that applicants have to have their own SUP. If you change ownership, if anything changes, you do have to reapply for a new SUP under your own company name. Cmr. Perez stated that's fair.

Cmr. Perez proceeded to the Public Hearing on this item. He asked if anybody was present to speak for or against this SUP. Upon seeing and hearing none, the Public Hearing was closed.

Cmr. Perez asked if anybody had any questions for the Applicant. Upon hearing none, he asked if we had a motion. Cmr. Villarreal made the motion to approve. Cmr. Cruz-Velasquez seconded the motion. The motion was taken to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(d)

Meeting Date: **April 7, 2025**

Agenda Item:

Public hearing amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant: Melden and Hunt, c/o HDP Paso Real, LLC. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- January 24, 2025 – Application for an amendment to the PD site plan submitted to the City. **(ATTACHMENT I)**.
- March 14, 2025 – In accordance with State and local law, notice of the required public hearing mailed to all property owners within a 200 feet radius of subject tract.
- March 15, 2025 – In accordance with State and local law, notice of the required public hearings was published in the Valley Morning Star.
- March 26, 2025 - Public hearing and consideration of the requested amendment of the PD site plan by the Planning and Zoning Commission (P&Z).
- April 7, 2025 – Public hearing and consideration of requested amendment of the PD site plan via 1st ordinance reading scheduled before the City Commission.
- April 16, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Melden and Hunt on behalf of HDP Paso Real, LLC is requesting to amend the Planned Development (PD) site plan to allow for 28-foot wide private streets with 30 feet of right-of-way for 90 townhome lots and one commercial lot development. **(ATTACHMENT II)**.
- The irregular shaped property is currently vacant and not subdivided. The developer is proposing to subdivide the property under the name of Villas at Paso Real Subdivision. The property has 495.05 feet of frontage on Haine Drive and 524 feet of frontage on FM 509.
- The original Planned Development (PD) ordinance for the subject property which was approved in December 2021 showed the property to be developed with multi-

family lots and one commercial lot. **(ATTACHMENT III)**

- The new proposed site plan will allow for 90 townhome lots, one commercial lot, and a lot designated for common area. The residential section will be a gated development with lots sizes varying from 3,137 square feet to 4,910 square feet. All lots sizes exceed the minimum 2,500 square feet lot size required for a townhome lot. The maximum height of the homes will be 30 feet. All townhome lots will front 28-foot wide paved streets. The internal streets will be private with no parking permitted on both sides of the interior streets. The setbacks for the townhome lots will be 20 feet in the front, 0 feet on the sides, 10 feet on the corner sides, and 10 feet in the rear of the property. The setbacks for the commercial lot are 20 feet on the east and south sides, and 10 feet on the north and west sides. **(ATTACHMENT IV)**
- The surrounding properties are zoned Planned Development ("PD") District for single family residential use to the north, Office ("O") District and General Retail (GR) to the south, and Planned Development (PD) District to the west. East of FM 509 is outside the city limits. The surrounding land uses consist of single family residential use to the north, vacant land in agricultural use to the south, and vacant land in agricultural use, single family residential use, and an electrical substation to the west. East of FM 509 is outside the city limits. **(ATTACHMENT V-VII)**
- The Building Inspections, Fire Prevention and Engineering Departments have reviewed the request. The Building Inspections, Fire Prevention and Engineering Departments reported no objection to the request amendment to the planned development site plan subject to complying with all applicable codes. **(ATTACHMENT VIII-X)**
- The Future Land Use Plan (FLUP) component of the City of Harlingen Comprehensive Plan One Vision One Harlingen shows this area as low density residential. The request is generally consistent with the Future Land Use Plan and consistent with the surrounding zoning and land use. **(ATTACHMENT XI)**
- To the present, the Planning and Zoning Department has not received any opposition to the requested amendment.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the request subject to the following conditions:

1. Compliance with all applicable building codes and regulations;
2. No on-street parking permitted on both sides of the interior streets; and
3. Compliance with drainage requirements and all applicable requirements from the

Engineering Department.

City Manager's approval:

GL

☐ Yes

☐ No

☒ N/A

Comments:

City Attorney's approval:

MA

☒ Yes

☐ No

☐ N/A

Public hearing and take action to amend the previously-approved Planned Development ("PD") District Site Plan to allow for 28-foot wide streets with 30-feet of Right-of-Way and smaller lot sizes for a 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, all out of Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Road and FM 509. Applicant: Melden & Hunt c/o HDP Paso Real, LLC (Nick Rhodes)

Assistant Planning and Development Director, Mr. Joel Olivo, presented the following information related to the request for an amendment, as follows:

- The original Site Plan was presented.
- Mr. Olivo described that the subject property is on the northwest corner of Hayden Drive and FM 509.
- Mr. Olivo stated that the subject property is currently vacant and unsubdivided. It has approximately four hundred ninety-five (495) feet of frontage on Haine Drive, and approximately five hundred and twenty-four (524) feet of frontage on FM 509.
- The previous site plan was approved back in December 2021. Mr. Olivo said the subject property was previously for multi-family use.
- The new site plan was presented. Mr. Olivo explained that the developers are proposing ninety (90) town home lots, which are actually going to be detached townhomes lots and more like single family units. He said there will be ninety (90) townhome lots and one (1) commercial lot.
- Mr. Olivo said it was going to be a private subdivision, a gated subdivision. The streets will be private twenty-eight (28) foot wide streets with thirty (30) feet of right away.
- The Site Plan that was submitted was presented.
- A similar Site Plan that they did in McAllen was present. Mr. Olivo said it has been successful.
- An example of the detached units was presented.
- An Aerial View of the Subject Property was presented and was shown to be vacant. Mr. Olivo described that it was right up, just south of the Paso Real Cove, which is the same developer.
- A Street View from the east, from FM 509, was presented.
- The Aerial View showed the surrounding area. Paso Real Cove from the same developer was pointed out. To the south is vacant land and agricultural use, to the west is single-family and an electrical substation and to the east of FM 509 is the San Benito city limit.
- Building Inspections, the Fire Prevention Bureau and the City Engineer reviewed the request and reported no objections, subject to complying with all applicable building code requirements and City ordinances.
- Future Land Use shows this is low density and is generally consistent with the Future Land Use Map.
- Surrounding Zoning includes commercial zoning to the South. He said it fronts a State Highway.
- Mr. Olivo stated Staff notified property owners within a two hundred (200) foot radius. He said twenty-five (25) property owners received notices and that Staff did not receive any objections.

- Staff is recommending approval, subject to complying with all applicable building codes and regulations.
- Mr. Olivo added that no on-street parking will be permitted within the subdivision that no on-street parking is also consistent with the proposed HOA requirements and of course, compliance with all drainage requirements.
- Mr. Olivo made himself available for any questions. He stated that the applicant was also present.

Cmr. Perez thanked Mr. Olivo. He asked if the Board had any questions. Upon hearing and seeing none, Cmr. Perez proceeded to the Public Hearing for the item.

The Public Hearing was opened. Cmr. Perez asked if there was anybody present that wishes to speak for or against this project. Upon hearing and seeing none, the Public Hearing was closed.

Cmr. Perez asked if anyone had any additional questions. Upon hearing none, he asked if there was a motion. Cmr. Cruz-Velázquez made the motion to approve. Cmr. Cantu seconded the motion. The motion was moved to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(e)

Meeting Date: **April 7, 2025**

Agenda Item:

Public hearing for a rezoning request from Residential, Single Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of Lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77. Applicant: Melden and Hunt, Inc. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning & Development Director
Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- February 27, 2025 – Application for a rezoning submitted to the City. **(ATTACHMENT I)**
- March 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 11, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 26, 2025 - Public hearing and consideration of requested rezoning by the Planning and Zoning Commission ("P&Z").
- April 7, 2025 – Public hearing and consideration of the requested rezoning via 1st Ordinance reading scheduled before the City Commission.
- April 16, 2025 – Pending approval of 1st Ordinance reading, consideration of approval of 2nd Ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Residential, Single-Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet. **(ATTACHMENT III).**
- The property is currently vacant. It has 447.90 feet of frontage along Primera Road and a depth of 954.50 feet. Primera Road is a four-lane, approximately 47-foot-wide paved street with curb and gutter.
- According to the site plan, 64 lots will be for one patio home-style single family residence on each lot. Setbacks are 20 feet in the front, 5 feet on the sides, and 10 feet in the rear. All potential patio home lots will front an interior public street.
- The property to the south is zoned Light Industry ("LI"), and the properties to the east are not designated ("N"). The surrounding land uses consist of single family residential use to the north, mobile home residential use to the east, and vacant land to the south and west. **(ATTACHMENTS II AND IV).**

- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan, named One Vision One Harlingen, shows this area as low density residential. A patio home use is considered low density residential, and therefore, the request is consistent with the Future Land Use Plan. **(ATTACHMENT V).**
- Staff received one phone calls in inquiry to the Planned Development request. Staff sent out 8 notices to the surrounding property owners within a 200-foot radius.
- The City of Harlingen Engineering, Building Inspections, and Fire Prevention Departments reviewed the proposed Planned Development site plan. The Fire Prevention Bureau, Engineering Department, and Building Inspections department have recommended approval, subject to complying with all applicable codes. **(ATTACHMENT VII).**

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the request.

Comments:

City Manager's approval:  ☐ Yes ☐ No ☒ N/A

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Public hearing and take action to consider a request to rezone from Residential, Single Family (“R-1”) District to Planned Development (“PD”) District to allow internal roads to have 50 feet R-O-W, and for 64 residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of lot 17, Cunningham’s Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77. Applicant: Melden & Hunt c/o Prisma Developments, LLC

City Planner, Esteeanía Hernández, presented the following information related to the request for a Planned Development rezoning, as follows:

- Mrs. Hernández said the applicant is requesting to rezone the property from Single-Family Residential to Planned Development District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single-family residential lots be less than the required 6,000 square feet.
- Mrs. Hernández said that the property is currently vacant. She said the lot has 447 feet of frontage along Primera Road and a depth of 945 feet.
- Mrs. Hernández stated that Primera Road was a 4-lane, approximately 47-foot wide paved street with curb and gutter.
- Mrs. Hernández showed a legal notice map that was sent out to surrounding property owners.
- Mrs. Hernández showed a site plan of the proposed subdivision, as well as the proposed setbacks. Mrs. Hernández stated that the setbacks would be consistent with single-family residential setbacks.
- Mrs. Hernández stated that surrounding properties were zoned Light Industry to the south, and the properties to the east were not designated. She said surrounding land uses to the east were for a mobile home park development and vacant land to the south.
- Mrs. Hernández showed a street view from Primera Road.
- Mrs. Hernández showed an aerial view of the subject property, highlighting the mobile home park to the east.
- Mrs. Hernández stated that the request had been reviewed by the Building Inspections department, the Fire Prevention Bureau, and the Engineering department, and further stated that the departments had either approved or approved with conditions.
- Mrs. Hernández stated that the Planning department had received one phone call in inquiry of the Planned Development request and that staff had sent out eight legal notices to the surrounding property owners.
- Mrs. Hernández showed the Future Land Use Plan. She said the property outlined was shaded in yellow, meaning low-density residential. She said patio homes are considered low-density residential, and therefore the request is consistent with the Future Land Use Plan.
- Mrs. Hernández stated that Staff was recommending approval of the request.

Cmr. Perez asked if anybody had any questions for Staff.

Cmr. Flores asked if the lot below the subject property were owned by the Chamber (of Commerce). Interim Director, Soledad A. Núñez, stated that the Economic Development

Corporation had annexed the lot west of the subject property. Cmr. Flores asked if it were the property next to the church, and both Ms. Núñez and Mrs. Hernández confirmed.

Cmr. Perez asked if anybody had further questions for Staff.

Cmr. Perez proceeded to the Public Hearing on this item. He asked if anybody was present to speak for or against this annexation. Upon seeing and hearing none, the Public Hearing was closed.

Cmr. Perez asked if we had a motion. Cmr. Villarreal made the motion to approve. Cmr. Cruz-Velázquez seconded the motion. The motion was taken to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

94)

Meeting Date: **April 7, 2025**

Agenda Item:

Public hearing for the voluntary annexation of 3.22 acres of land out of Block 164, San Benito Land and Water Company Subdivision, located along the south side of FM 675, approximately 2,890.84 feet southeast of FM 509. Applicant: Emiliano Rosel c/o Mario Vega. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- March 15, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 26, 2025 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- April 7, 2025 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- April 16, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The owner of the property has requested the voluntary annexation of 3.22 acres of land (**Attachment I**). The property has frontage along FM 675 and is contiguous to the city limits via the north side of the property. (**Attachment V**).
- The property owner is proposing a single-family home on the property and finds it beneficial for the property to be within the city limits to process a building permit. With the rezoning to Residential, Single-Family ("R-1") District, the developer will build a single-family home for his family.
- Water and sewer for this property is provided by Military Highway Water Supply Corporation.
- The developer will be processing permits for a single-family home after the annexation process is completed. During the rezoning process legal notices will be mailed to all property owners within 200 feet of the subject property. The legal notices will be mailed to the property owners within the city limits only.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.
- In 2024 the city annexed a total of 103.94 acres. In 2023 the city annexed 19.94 acres. In 2022 the city annexed 71.1 acres. In 2021 the city annexed 1.47 acres.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval: *GH* ☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval: *[Signature]* ☒ Yes ☐ No ☐ N/A

Public hearing and take action to consider a request for the voluntary annexation of 3.22 acres of land out of Block 164, San Benito Land and Water Company Subdivision, located along the south side of FM 675, approximately 2,890.84 feet southeast of FM 509. Applicant: Emiliano Rosel c/o Mario Vega

Interim Director, Soledad A. Núñez, presented the following information related to the request for an annexation, as follows:

- Ms. Núñez opened the presentation by stating that this item was for an annexation for 3.22 acres. Ms. Núñez said the applicant owns approximately 35 acres, part of it is inside city limits and the other part is in county. She said the applicant wants to annex the 3.5 acres to be able to build a house. She said there is a lake on the property.
- Ms. Núñez presented an annexation request letter, stating that the property owner would like to build a single-family home on the property. The property owner believes the annexation would be beneficial in processing a building permit.
- Ms. Nuñez showed an aerial, stating that the property has frontage on FM 675 and is contiguous to the city limits at the north side of the property.
- Ms. Nuñez showed a survey, stating that the survey shows what will be annexed to the city. She stated the property owner will process a building permit once the annexation is approved and the zoning goes through, which would be Residential, Single-Family.
- Ms. Nuñez stated that legal notices were sent out to surrounding property owners within 200 ft, and clarifies that legal notices were only sent out to property owners within city limits and not outside in county.
- Ms. Nuñez stated that the request will have to go through three public hearings, one with the Planning and Zoning Commission and two with the City Commission.
- Ms. Nuñez stated the city had annexed over 100 acres in 2024, 19.94 acres in 2023, 70.1 acres in 2022, and 1.47 acres in 2021.
- Ms. Núñez stated that Staff was recommending approval of the request.

Cmr. Perez asked if anybody had any questions for Staff.

Cmr. Villarreal asked if the lot was already subdivided, and if they weren't going to struggle putting a house on the lot. Ms. Núñez stated that the property was not subdivided, and that the area was part of the San Benito Land and Water Company Subdivision. She stated part of it was inside (city limits) and part of it was outside (city limits). She clarified that the part the applicant annexes, as per (the City's) ordinances, the applicant can build a single-family residence without having to subdivide, subject to meeting all requirements. Ms. Núñez reiterated that the applicant wouldn't have issues because he has more than fifty feet of frontage on a public street.

Cmr. Perez proceeded to the Public Hearing on this item. He asked if anybody was present to speak for or against this annexation. Upon seeing and hearing none, the Public Hearing was closed.

Cmr. Perez asked if we had a motion. Cmr. Villarreal made the motion to approve. Cmr. Flores seconded the motion. The motion was taken to a vote. The motion passed unanimously.

10(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a Special Use Permit ("SUP") to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Christine Blouch & Rene Capistran c/o Veterans of Foreign Wars Post 2410. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning & Development Director
Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- March 4, 2025 – Application for Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- March 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 15, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 26, 2025 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- April 7, 2025 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- April 19, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances, a Civic Lodge in an "M-2" District requires the approval of a Special Use Permit (SUP) by the City Commission.
- The Veterans of Foreign Wars Post 2410 are requesting a special use permit to allow a Civic Lodge for the Veterans of Foreign Wars Post 2410 (VFW). (**ATTACHMENT II AND III**)
- Based on the site plan and information submitted by the applicant, the applicant is proposing to build a 10,700 square foot facility to replace the current building that is on the property. The property has 270 feet of frontage on Whalen Road and has a depth of 550 feet. The applicants plan to operate Sunday through Saturday and the hours of operation would be from 12:00pm to 12:00am. Based on the site plan provided, 107 parking spaces are required and there are 108 parking spaces provided. (**ATTACHMENT II – IV**).
- Surrounding properties are zoned Residential, Multi-Family ("M-2") District to the north, south, east and west, and General Retail ("GR") District to the northwest. The surrounding land uses are a single-family home to the south and vacant land, vacant land, the Reata Apartments, and Windsor Atrium to the east, vacant land

to the north, and vacant land and the Harlingen Collegiate High School to the west. (ATTACHMENTS V-VII).

- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department (ATTACHMENTS VIII-XI).
- The applicant must obtain and maintain the proper State and City permits.
- Staff received one (1) phone call in opposition to the Special Use Permit request, citing concerns over noise levels, privacy issues, safety issues, lighting issues, and possible consumption of alcohol.
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Obtaining and maintaining proper State and City permits.
2. Providing and maintaining the required parking in accordance with city regulations.
3. Must provide video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by the Planning and Zoning, Building Inspections, Fire Prevention, and Police Departments.
5. Hours of operation are Sunday – Saturday from 12:00pm to 12:00am.

City Manager's approval: *GG* ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval: *Me* ☒ Yes ☐ No ☐ N/A

Attachment I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)Project Address 2006 N. Whalen Rd, Harlingen, TX 78550 Nearest Intersection W. Business 77 / N. Whalen Rd, Harlingen

(Proposed) Subdivision Name _____ Lot _____ Block _____

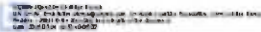
Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)Applicant/Authorized Agent Christine Blouch / Rene Capistran Phone 956-873-3003 / 956-535-2370 FAX _____Email Address (for project correspondence only): christine.blouch@nobletx.comMailing Address 108 S. Main St. City La Feria State TX Zip 78559Property Owner Veterans of Foreign Wars Post 2410 / Rick Linan Representative Phone 956-778-5629 FAX _____Email Address (for project correspondence only): linancomputerservice@gmail.comMailing Address 2006 Whalen Rd. City Harlingen State TX Zip 78550**Select appropriate process for which approval is sought. Attach completed checklists with this application.**

- | | |
|--|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA) <u>\$125.00</u> | ☐ Minor Plat <u>\$100.00</u> |
| ☐ Comp. Plan Amendment Request... <u>\$250.00</u> | ☐ Re-Plat <u>\$250.00</u> |
| ☐ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$250.00</u> |
| ☒ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Subdivision Variance Request <u>\$25.00 (each)</u> |
| ☐ PDD Request <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |

Please provide a basic description of the proposed project:Replace the current Veterans of Foreign Wars Post 2410 facility with a new building.

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: Christine Blouch  Date: 3/4/2025Property Owner(s) Signature: Enrique Linan Date: 3/4/2025

Accepted by: _____ Date: _____

Attachment I

PLANNED DEVELOPMENT DISTRICT (PDD) REQUEST SPECIFIC USE PERMIT (SUP) REQUEST SUBMITTAL CHECKLIST

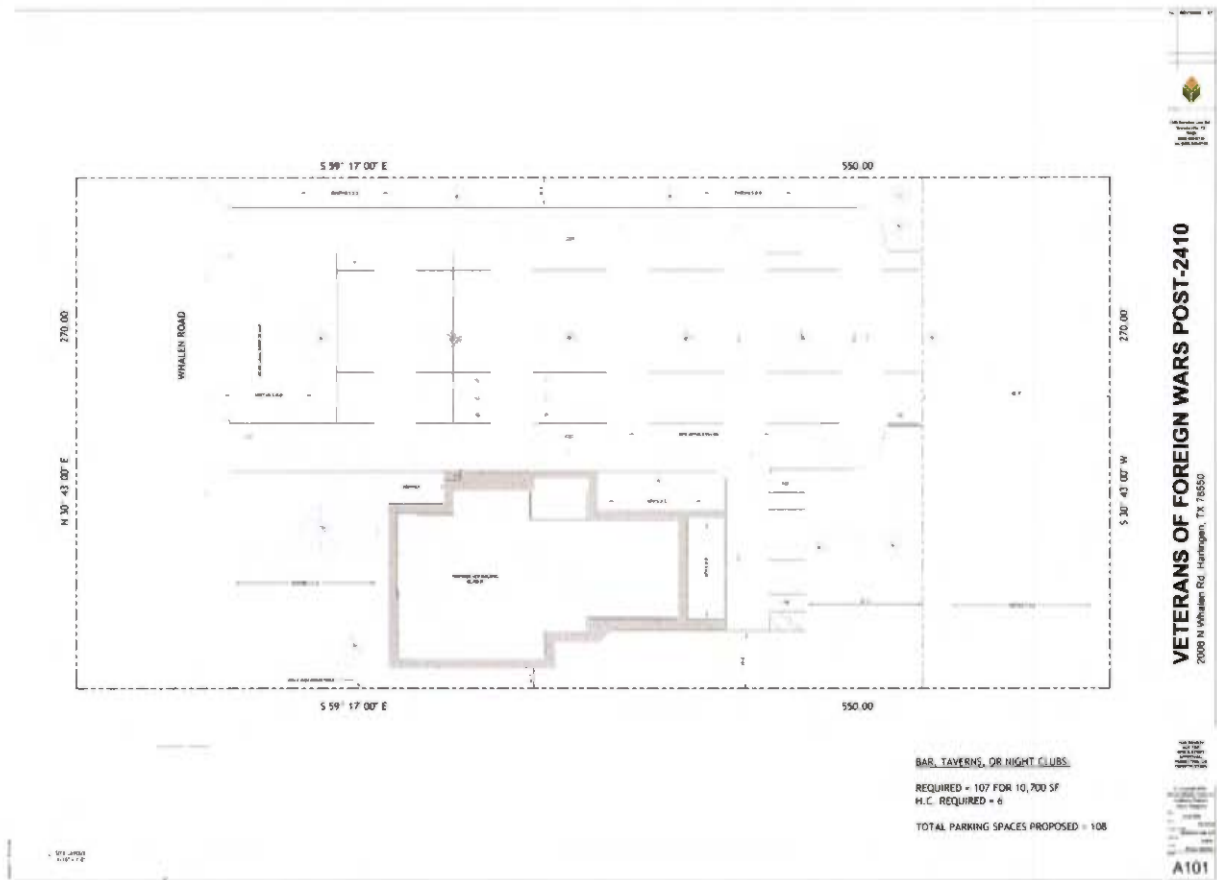
Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

Complete

- ☐ One (1) copy of a comprehensive site plan showing the proposed development of the property. The site plan shall consist of the following items, as applicable:
 - o Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
 - o Locations of proposed uses; and
 - o Ingress and egress to/from property;
 - o Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
 - o Existing/proposed sidewalks; and
 - o Existing/proposed utilities; and
 - o Existing/proposed drainage; and
 - o Existing/proposed parking spaces.
 - ☐ A written statement describing the proposed use(s) of the subject property.
 - ☐ Any other information (elevation drawings, pictures, etc.) in support of the subject request.
-
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
 - I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - o A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - o Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
 - I understand that while all requirements for the submittal of a PDD or SUP request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
 - I understand that the purpose of a PDD or SUP is to allow for development not otherwise authorized in the Zoning Ordinance. Hence, the Planning and Zoning Commission and/or City Commission may impose development standards important to the health, safety, welfare, and protection of the proposed development and the adjacent property and its occupants.

Owner: Veterans of Foreign Wars Post 2410 Date: 3/4/2025
Owner Address: 2006 Whalen Rd., Harlingen, TX 78550
Phone/Fax: 956-778-5629
Signature: Enrique Linares

Attachment II



Attachment III



Request for a Special Use Permit ("SUP") to allow a civic lodge in a Multi-Family ("M-2") District located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land & Water Company Subdivision. Applicant: Christine Blouch & Rene Capistran c/o Veterans of Foreign Wars Post 2410



Boundary lines

- Harlingen city limits shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---|---|--|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 03.11.2025

Attachment IV



Attachment V





Specific Use Permit ("SUP") Routing Slip

Applicant: Christine Blouch / Rene Capistran c/o Veterans of Foreign Wars (VFW)

Phone No.: (956) 873-3003 or (956) 535-2370

Location: 2006 Whalen Road

Project Description: Request for a Special Use Permit (SUP) to allow a civic lodge in a Multi-Family ("M-2") District located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: **Applicant will have to meet any code, regulation, ordinance, and standard required for the building permit.**

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: March 17, 2025



Specific Use Permit ("SUP") Routing Slip

Applicant: Christine Blouch/Rene Capistran c/o Veterans of Foreign Wars (VFW)

Phone No.: 956-873-3003 OR 956-535-2370

Location: 2006 Whalen Road

Project Description: Request for a Special Use Permit (SUP) to allow a civic lodge in a Multi-Family ("M-2") District located at 2006 Whalen Rd., bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision.

Department: Health

Approval: ☒ YES ☐ NO

Comments: **Request for SUP approved. However, if a kitchen is used at this location engineered plans will have to show all the kitchen equipment such as, 3 compartment sink, handwash sink, mop sink, hood oven system, kitchen equipment, and grease traps. Both bar areas show the 3 compartment sinks but nothing in the section for the kitchen area.**


Signature

3-20-2025
Date

Attachment VIII



Specific Use Permit ("SUP") Routing Slip

Applicant: Christine Blouch/Rene Capistran c/o Veterans of Foreign Wars (VFW)

Phone No.: 956-873-3003 OR 956-535-2370

Location: 2006 Whalen Road

Project Description: Request for a Special Use Permit (SUP) to allow a civic lodge in a Multi-Family ("M-2") District located at 2006 Whalen Rd., bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision.

Department: Building Permits and Inspections Department

Approval: ☒ YES ☐ NO

Comments:

If request is approved by the Planning Department, A Building Permit application and complete set of construction documents for the proposed use must be submitted to the Building Department. The construction documents must comply with the 2018 International Building Code and Family of Codes. The city commission adopted the new 2024 family of codes which will take effect on May 6, 2025. Any building permit applications received after that date will have to follow the new codes.

Raul Rodriguez _____

Signature

03/19/2025 _____

Date

Attachment IX



Specific Use Permit ("SUP") Routing Slip

Applicant: Christine Blouch/Rene Capistran c/o Veterans of Foreign Wars (VFW)

Phone No.: 956-873-3003 OR 956-535-2370

Location: 2006 Whalen Road

Project Description: Request for a Special Use Permit (SUP) to allow a civic lodge in a Multi-Family ("M-2") District located at 2006 Whalen Rd., bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision.

Department: HARLINGEN POLICE DEPT.

Approval: ☒ YES ☐ NO

Comments: *APPROVES WITH UNDERSTANDING THAT AN INSPECTION WILL BE CONDUCTED EITHER DURING THE BUILD AT COMPLETION OF BUILD.*

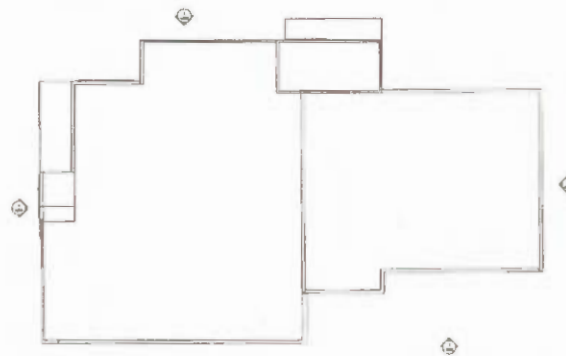


Alfredo Alvear, BSCJ, CPM
Interim Chief of Police

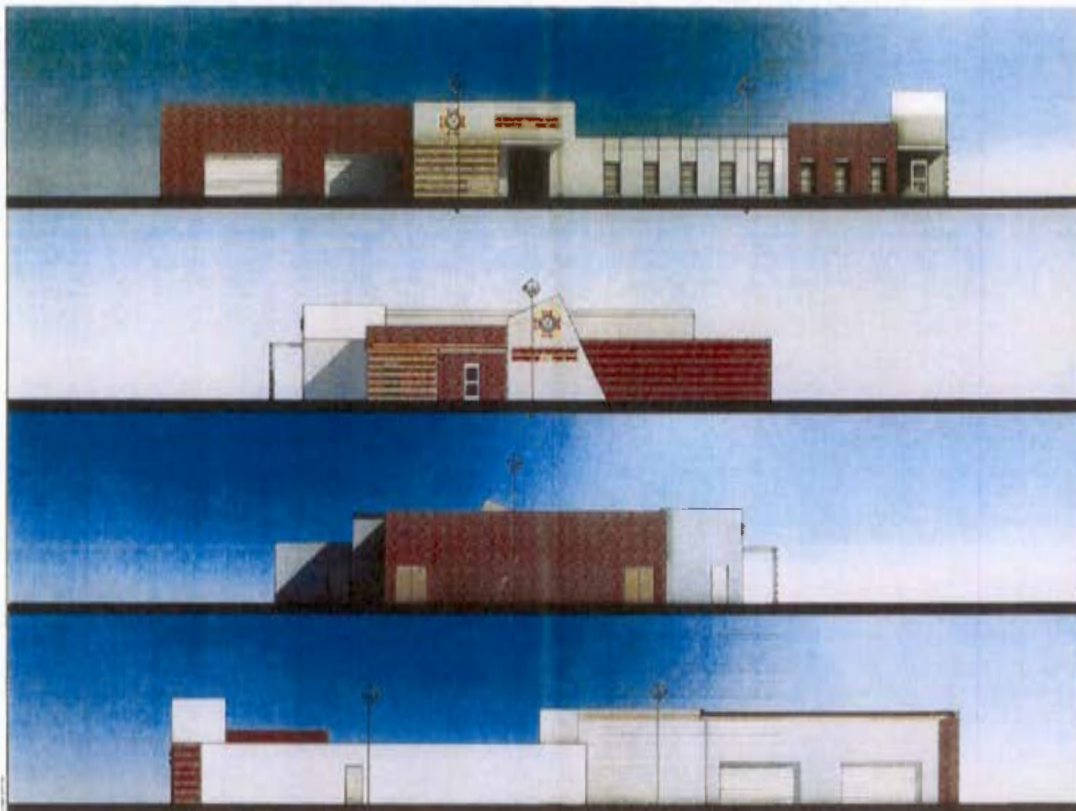
3/21/25

Date

Attachment X – Applicant Rendering

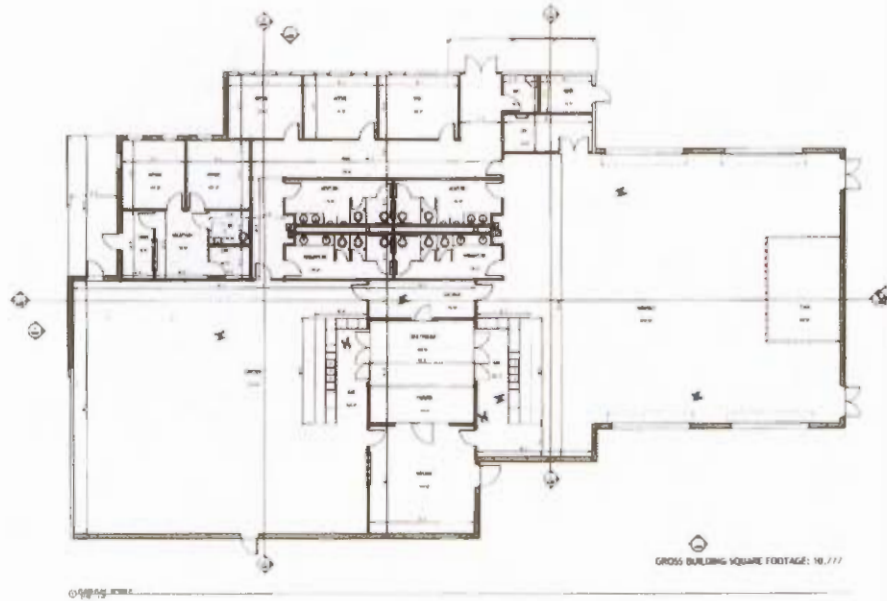


VETERANS OF FOREIGN WARS POST-2410
3020 N. WILSON RD., HARTSMAN, TX 75050

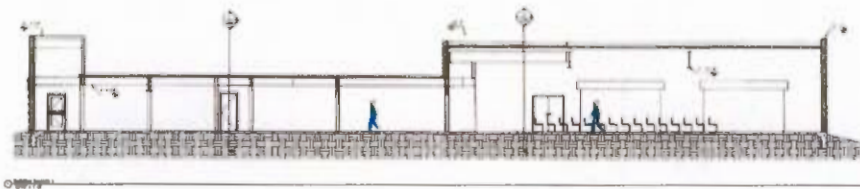


VETERANS OF FOREIGN WARS POST-2410
3020 N. WILSON RD., HARTSMAN, TX 75050

Attachment X – Floor Plan



VETERANS OF FOREIGN WARS POST-2410
2008 N. Wrenn Rd. Harlingen, TX 78550



VETERANS OF FOREIGN WARS POST-2410
2008 N. Wrenn Rd. Harlingen, TX 78550
A300

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO THE VETERANS OF FOREIGN WARS POST 2410 TO ALLOW A CIVIC LODGE IN A RESIDENTIAL, MULTI-FAMILY ("M-2") DISTRICT LOCATED AT 2006 WHALEN ROAD, BEARING A LEGAL DESCRIPTION OF 2.5420 ACRES AND 0.62 ACRES OUT OF THE SOUTH 5 ACRES OF LOT 14, BLOCK 147, SAN BENITO LAND AND WATER COMPANY SUBDIVISION. APPLICANT: CHRISTINE BLOUCH & RENE CAPISTRAN C/O VETERANS OF FOREIGN WARS POST 2410

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a special use permit for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed special use permit having been fully made and complied with as required by said Code of Ordinances and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated in Exhibit "A":

Special Use Permit (SUP) to allow a Civic Lodge in a Residential, Multi-Family ("M-2") District located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres, out of Lot 14, Block 147, San Benito Land and Water Company Subdivision.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Building Inspection Inspector and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within by the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director

being herewith instructed and authorized to document such Zoning Map changes and revisions.

The Special Use Permit is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit "A" and shall comply with the conditions as listed below:

1. Obtaining and maintaining proper State and City permits.
2. Providing and maintaining the required parking in accordance with city regulations.
3. Must provide video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by the Planning and Zoning, Building Inspections, Fire Prevention, and Police Departments.
5. Hours of operation are Sunday – Saturday from 12:00pm to 12:00am.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

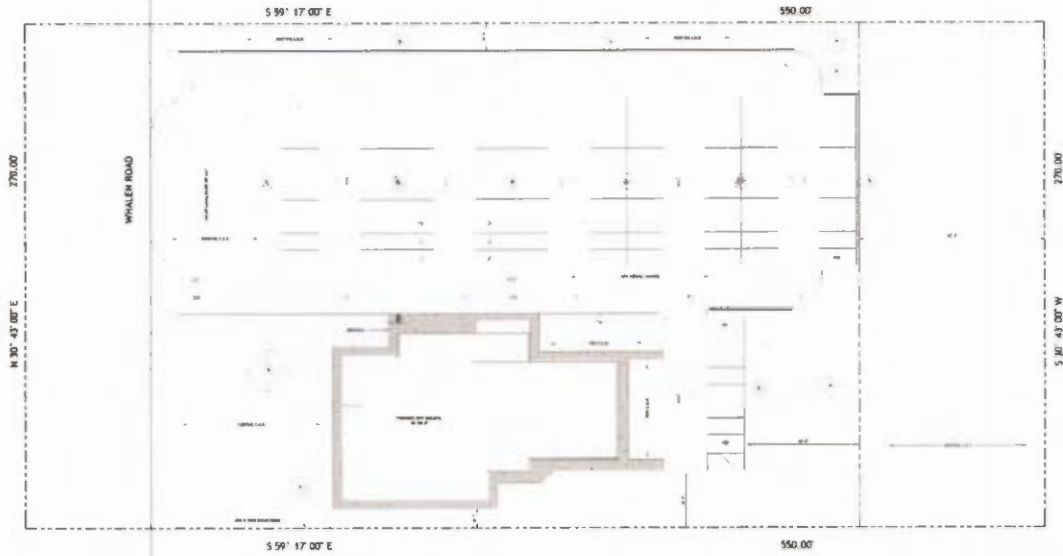
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzalez, Interim City Secretary

Exhibit "A"



BAR, TAVERNS, OR NIGHT CLUBS
 REQUIRED = 107 FOR 10,700 SF
 H.C. REQUIRED = 6
 TOTAL PARKING SPACES PROPOSED = 108

VETERANS OF FOREIGN WARS POST-2410
 2008 N Whalen Rd. Harlingen, TX 78550

A101

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(b)

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning & Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- February 27, 2025 – Application for a Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- March 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 11, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 26, 2025 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission ("P&Z").
- April 7, 2025 – Public hearing and consideration of the requested SUP via 1st Ordinance reading scheduled before the City Commission.
- April 16, 2025 – Pending approval of 1st Ordinance reading, consideration of approval of 2nd Ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, an adult business (bar/lounge) in a General Retail ("GR") District requires the approval of an SUP by the City Commission.
- The applicant wishes to operate a bar/lounge at 1105 S. Tamm Lane under a new name, "Station 83". The building floor area is approximately 4,550 square feet, measuring 65 ft. by 70 ft. Based on the floor area there will be approximately 48 seats. The subject property has 60 parking spaces in total. The proposed hours of operation will be from 12 pm to 2 am, seven days a week. (**ATTACHMENT II**).
- On July 10, 2024, the Planning and Zoning Commission had approved an SUP for a bar/lounge under the name, "The Roadhouse Blues", with Karlos Esquivel as the applicant. The previous SUP for the property was for a bar/lounge approved on December 13, 2017 under the name of "Club Envy", with Ruben Martinez as the TABC permit holder. A previous SUP for the property was for a bar/lounge approved on July 11, 2012 under the name of "Club Legacy-151", with Richard Amador as the applicant.
- The surrounding properties are zoned General Retail ("GR") District to the north

and northwest of the subject property, and Residential, Single-Family ("R-1") to the east and west of the subject property. **(ATTACHMENT IV)**. Surrounding land uses are an auto glass shop to the west, a single-family residence to the west, and commercial use to the north. **(ATTACHMENT V)**.

- The SUP request was routed to the Building Inspections Department, Health Department, Fire Prevention Department, and Police Department for review. Staff reported no objections subject to applying for all applicable permits and compliance with all city ordinances, codes and standards. **(ATTACHMENT VI)**.
- The applicant must obtain and maintain the proper State and TABC permits.
- On March 25, 2025, staff received a letter in opposition to the SUP request, citing concerns over a new residential subdivision being built near a bar/lounge. **(ATTACHMENTS VII-IX)** Staff mailed out 8 legal notices.
- In accordance with the Code of Ordinances, the P&Z and City Commissions may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

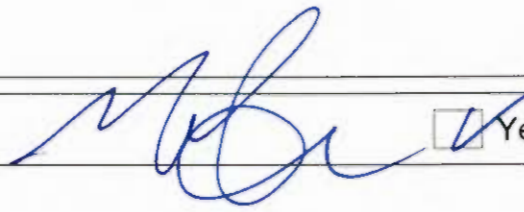
Staff Recommendation:

Staff recommends approval subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits;
2. Must provide video surveillance with a minimum 30 day retention; and,
3. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments
4. Hours of operation shall be seven days a week, from 12:00 pm to 2:00 am.
5. A licensed security officer must be on-site during the peak hours of Thursday to Saturday from 9:00 pm to 2:00 am.

City Manager's approval: **GG** ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Attachment I - Application

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1105 S. Tamm Lane Nearest Intersection Bus Hwy 83
(Proposed) Subdivision Name Stewart Place Survey 139-297-298 Lot _____ Block 33 3.4744 acre.
Existing Zoning Designation GR Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Cipriano Cardenas Phone 956-536-0369 FAX _____
Email Address (for project correspondence only): ccardenas83@yahoo.com
Mailing Address 1105 S. Tamm Lane City Harlingen State TX Zip 78552
Property Owner Darin Tiffin Phone _____ FAX _____
Email Address (for project correspondence only): _____
Mailing Address 1105 S. Tamm Lane City Harlingen State TX Zip 78552

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|--|---|
| ☐ Annexation Request.....No Fee | ☐ Preliminary Construction Plans/Final Plat.....\$150.00 |
| ☐ Administrative Appeal (ZBA).....\$125.00 | ☐ Subdivision Variance Request.....\$25.00 (each) |
| ☐ Comp. Plan Amendment Request...\$250.00 | ☐ Re-plat.....\$250.00 |
| ☐ Re-zoning Request.....\$250.00 | ☐ Vacating Plat.....\$50.00 |
| ☒ SUP Request/Renewal.....\$250.00 | ☐ License to Encroach.....\$250.00 |
| ☐ Zoning Variance Request (ZBA).....\$250.00 | ☐ Right-of-Way/Utility Easement Abandonment...No Fee |
| ☐ PDD Request.....\$250.00 | |

Please provide a basic description of the proposed project: The proposed project will be a Bar/Tavern event center. The basic layout of the business will include a bar with a small dance floor restrooms and outdoor space. The proposed area will be in compliance with all local regulations. Hours of operation are 3pm - 2am

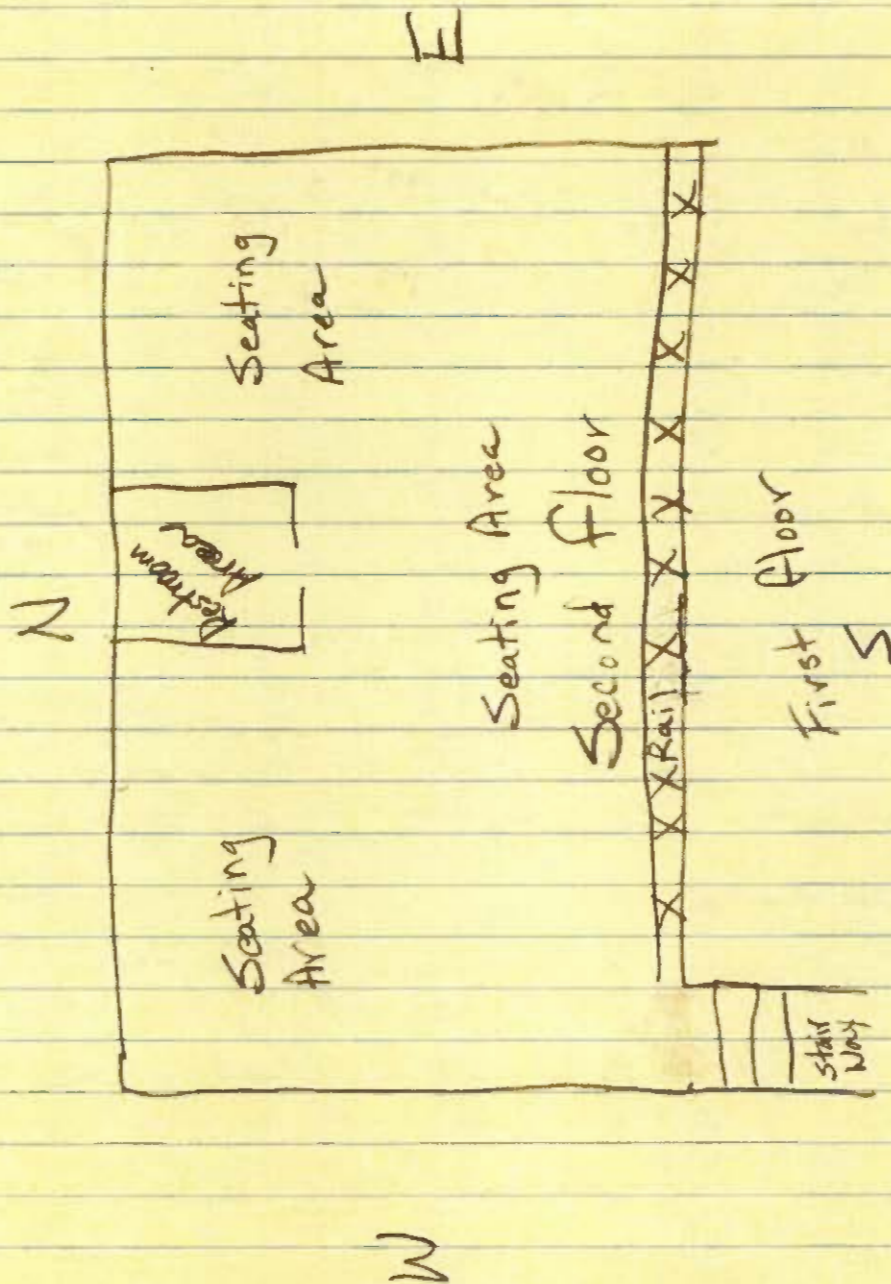
I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: Cipriano Cardenas Date: 2/25/25

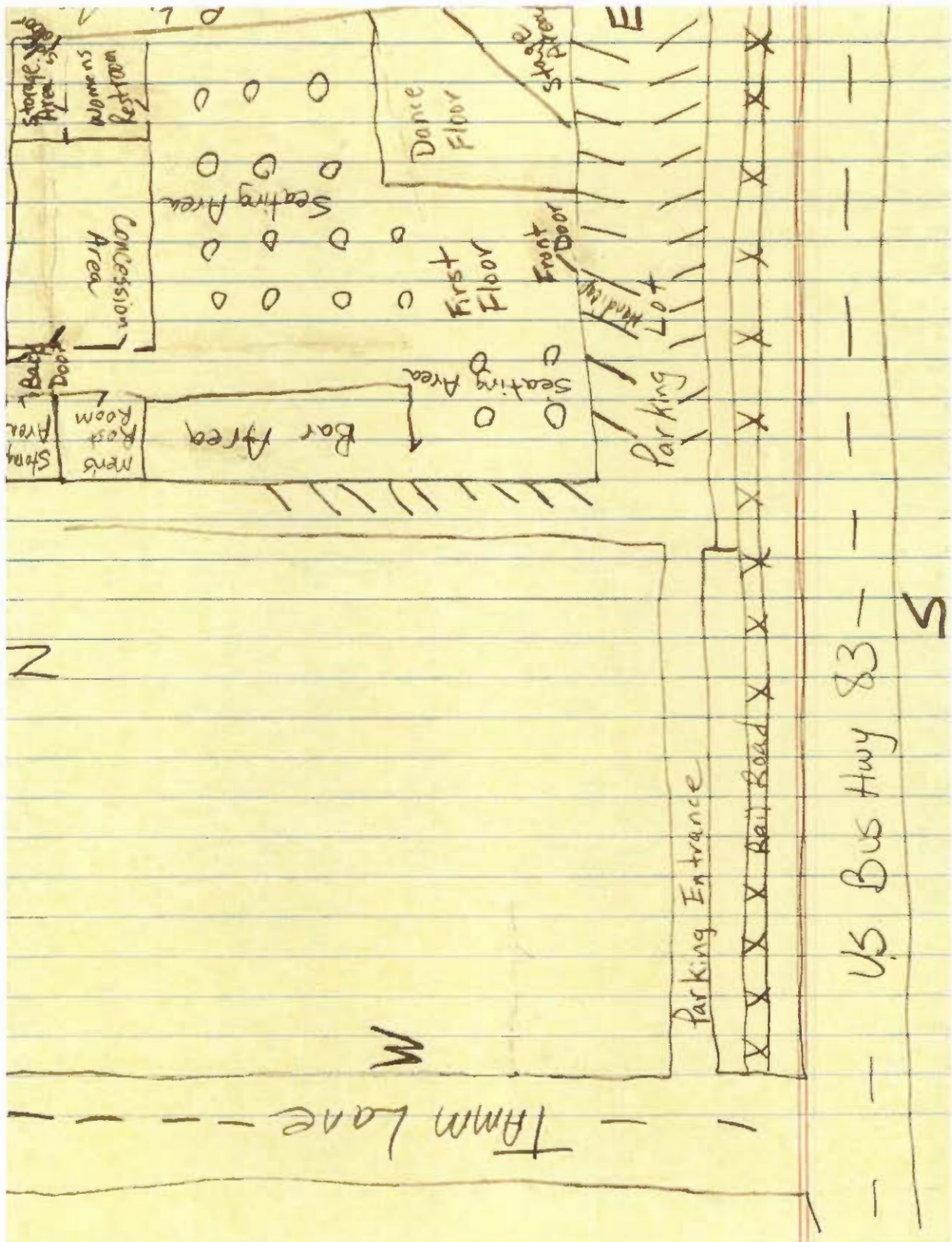
Property Owner(s) Signature: [Signature] Date: 2/25/25

Accepted by: _____ Date: _____

Attachment II - Floor Plan



Attachment II - Floor Plan



Attachment III – Street View



Attachment IV – Legal Notice



Request for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 137/297/298. Applicant: Cipriano Cardenas



Boundary lines

- Harlingen city limits shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---------------------------|-------------------------------|--------------------------------|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

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Attachment V – Aerial View



Attachment VI – Building Inspections



SUP Request Routing Slip

Applicant: Karlos Esquivel

Phone No.: (956) 202-7395

Location: 1105 S Tamm Lane

Project Description: Request for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of Stuart Place Subdivision 139/297/298 Block 33, 3.4740 Acres

Department: Building Permits and Inspections Department

Approval: ☐ YES ☐ NO ☒ PENDING

Comments:

If request is approved by the Planning Department, A Building Permit application, a site plan, existing floor plan and proposed floor plan with a code analysis for the proposed use must be submitted to the Building Department. The construction documents must comply with the 2018 International Building Code and Family of Codes. The city commission adopted the new 2024 family of codes which will take effect on May 6, 2025. Any building permit applications received after that date will have to follow the new codes.

Raul Rodriguez

Signature

03/19/2025

Date

Attachment VI – Fire Prevention Bureau



Specific Use Permit ("SUP") Routing Slip

Applicant: Cipriano Cardenas

Phone No.: (956) 536-0369

Location: 1105 S Tamm Lane

Project Description: Request for a Special Use Permit (SUP) to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: Applicant will have to meet any code, regulation, ordinance, and standard required for the building permit.

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: March 12, 2025



Specific Use Permit ("SUP") Routing Slip

Applicant: Cipriano Cardenas.

Phone No.: (956) 536-0369

Location: 1105 S. Tamm Lane

Project Description: Request for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 137/297/298. Applicant: Cipriano Cardenas

Department: Health

Approval: ☒ YES ☐ NO

Comments: **After reviewing site plans submitted by Cipriano Cardenas location 1105 S. Tamm Lane, a concession area is listed, however, there is no cooking equipment, refrigeration, or 3 compartment sinks on the plans. The application is listed as a bar/tavern, if the establishment plans on preparing, cooking, or serving any foods, the proper equipment needs to be listed, including grease traps and hot water availability.**


Signature

3-20-25
Date

Attachment VI – Harlingen PD



Specific Use Permit ("SUP") Routing Slip

Applicant: Cipriano Cardenas.

Phone No.: (956) 536-0369

Location: 1105 S. Tamm Lane

Project Description: Request for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 137/297/298. Applicant: Cipriano Cardenas

Department: HARLINGEN POLICE DEPT.

Approval: / YES NO

Comments:

 /
Alfredo Alvear, BSCJ, CPM
Interim Chief of Police

 3/17/25
Date

Attachment VII – Opposition

March 25, 2025



Dear Mrs. Hernandez:

We are recommending to the Planning & Zoning Commission to deny the proposed and requested Special Use Permit. The basis for our denial is that the surrounding area is a quiet countryside type of residential and farming area in which people value privacy and quiet. We have also invested a substantial amount of money in the adjacent subdivision (Crockett Corner Subdivision) that will be for large residential Estate Tracts use. This type of home buyer will not want to be located and/or subjected to the close proximity of a bar/lounge area which will disturb their evenings and nights.

In our opinion, the Harlingen school district will also be in agreement with us, as they have also purchased property slightly to the north of this proposed bar/lounge on Tamm Road - and are in the 200 feet perimeter. Lastly as parents, we also feel that a bar/lounge in this area is not a good fit.

We are again requesting that the Planning & Zoning Commission consider a denial of this permit.

Thank you for your consideration and time. It is greatly appreciated.

Sincerely,
RSW Land

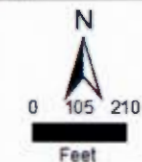
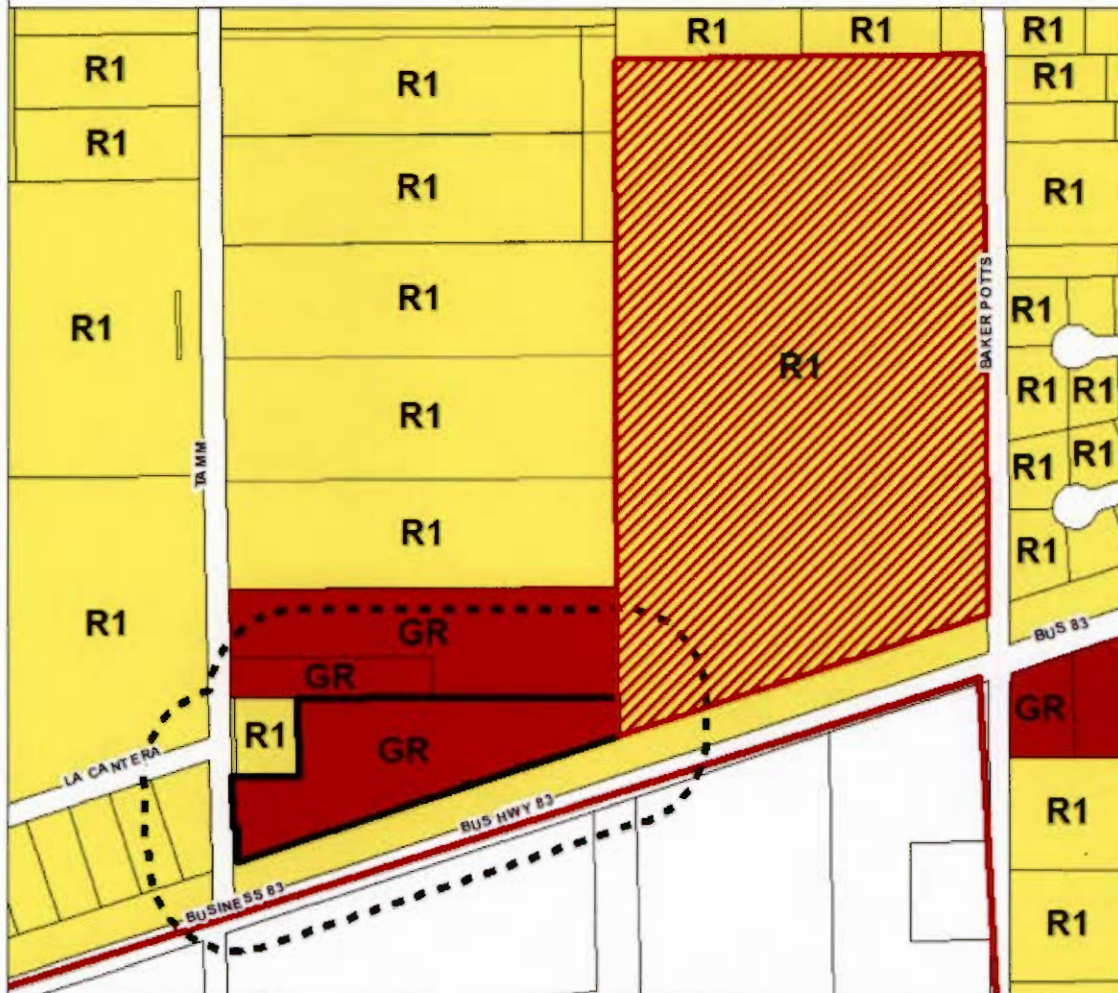
Shelly Winston
956-454-4548

Randall Winston, P.E.
956-373-1492

Attachment VIII – Opposition Map



Request for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas



Boundary lines

- Harlingen city limits shp
- 200 Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---------------------------|-------------------------------|-----------------------------------|
| Inside Opposition | Multi Family Residential (M2) | Planned Development District (PD) |
| General Retail (GR) | Mobile Home Residential (MH) | Single Family Residential (R1) |
| Heavy Industry (HI) | Not-Designated (N) | Duplex Residential (R2) |
| Light Industry (LI) | Neighborhood Services (NS) | Residential Patio Home (RPH) |
| 3/4 Plex Residential (M1) | Office (O) | |

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 03.25.2025

Attachment IX – Petition in Opposition



Planning and Development
Department
502 E. Tyler Avenue
Harlingen, TX 78550
(956) 216-5101

PETITION IN OPPOSITION

Request for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas

Area of 200 ft. Radius and Subject Property	15.3750 acres
Area of Subject Property:	3.4740 acres
Notification Area:	11.9010 acres
Area of Opposition:	0.9831 acres

$0.9831 \text{ acres} / 11.9010 = 0.0826 = \mathbf{8.26\%}$

ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT (SUP) ISSUED TO CIPRIANO CARDENAS TO ALLOW A BAR/LOUNGE IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 1105 SOUTH TAMM LANE, BEARING A LEGAL DESCRIPTION OF 3.4740 ACRES OUT OF BLOCK 33, STUART PLACE SUBDIVISION 139/297/298, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a change in the zoning classification for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed rezoning having been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated in Exhibit "A":

Special Use Permit (SUP) issued to Cipriano Cardenas to allow a bar/lounge in a General Retail ("GR") District located at 1105 South Tamm Lane, bearing a legal description of 3.4740 Acres out of Block 33, Stuart Place Subdivision 139/297/298.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Chief Building Official and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The Special Use Permit is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibits "A" and "B" and shall comply with the conditions as listed below:

1. Must obtain and maintain the proper State and City permits;
2. Must provide video surveillance with a minimum 30-day retention; and,
3. Must comply with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health, and Police Departments
4. Hours of operation shall be seven days a week from 12:00 pm to 2:00 am.
5. A licensed security officer must be on-site during the peak hours of Thursday to Saturday from 9:00pm to 2:00am.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzalez, Interim City Secretary

EXHIBIT "A"

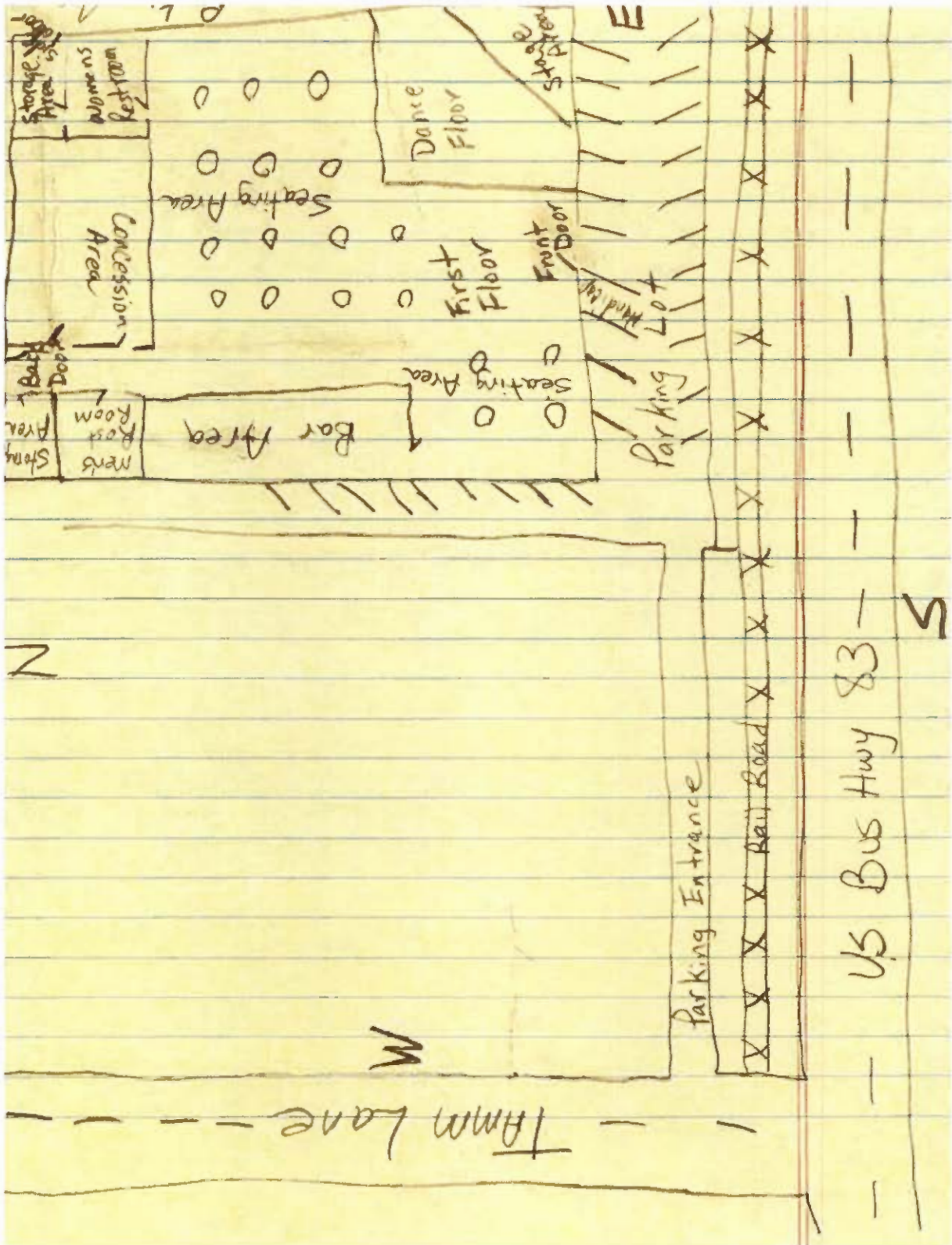
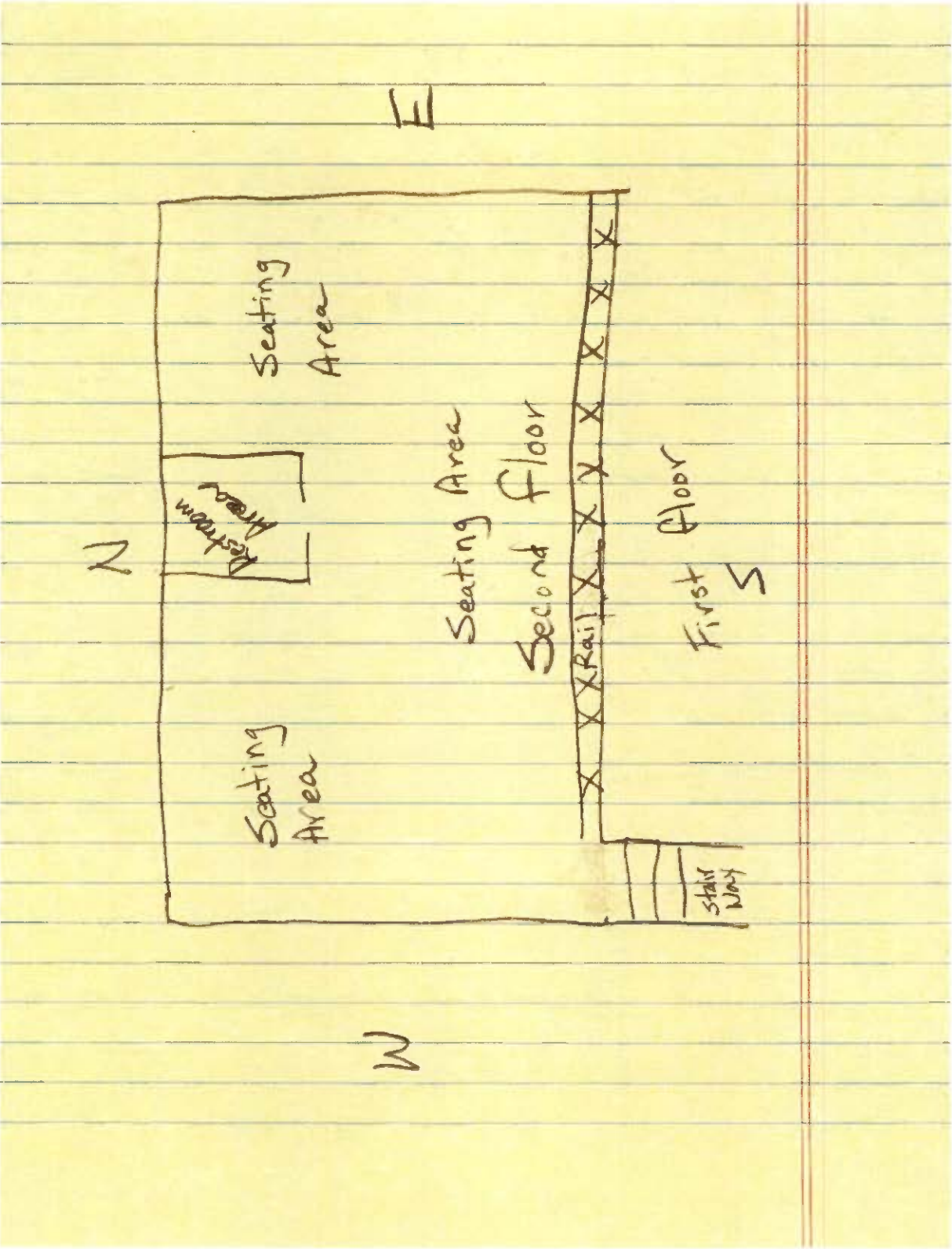


EXHIBIT "B"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(c)

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flatts Subdivision, located along the East side of Loop 499, being 277 feet North of Grimes Road. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- March 11, 2025 – Application for SUP submitted to the City. **(ATTACHMENT I)**.
- March 12, 2025 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 feet radius of subject tract. **(ATTACHMENT II)**
- March 15, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star. **(ATTACHMENT II)**
- March 26, 2025 - Public hearing and consideration of the requested SUP by the Planning and Zoning Commission (P&Z).
- April 7, 2025 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- April 19, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting a Special Use Permit to allow an unmanned battery storage facility.
- The proposed facility will connect to the AEP infrastructure adjacent to North Loop 499. The system will be capable of charging from the AEP substation and then discharging to the electrical grid. **(ATTACHMENT I)**
- According to the site plan, the project area is 6.27 acres and will be a 100MW, 2-hour battery energy storage system. **(ATTACHMENT III)**
- The applicant has provided a rendering depicting what the boundary along Loop 499 will look like after the construction of a block wall with landscaping and spaces for murals **(ATTACHMENT III)**.
- The Planning and Zoning Commission previously approved similar projects for battery storage energy facilities on Tucker Road, Lincoln Avenue, E. Harrison Avenue, and Memphis Street. **(ATTACHMENT VIII)**
- The property has 957.45 feet of frontage on Loop 499 and a depth of 281.96 feet. **(ATTACHMENT V)**
- The original Special Use Permit request submitted by Black Mountain Energy was approved by the Planning & Zoning Commission on March 8, 2023, and was approved by the City Commission on May 3, 2023. Due to a change in ownership, a new Special Use Permit request is being processed for the new property owner, Citrus Flatts Energy Center, LLC.

- Surrounding properties are zoned Light Industrial ("LI") District to the north, east and south, and General Retail ("GR") to the west. The lot north of the subject property has been developed as a shipment facility. The lot east of the subject property is currently vacant. The lot to the south is a gas station. The lot west of the subject property is currently vacant. **(ATTACHMENT V)**
- The applicant provided a brief description of the proposed battery storage facility. **(ATTACHMENT VIII)**
- In accordance with the zoning ordinance, the P&Z Commission and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.
- To the present, the Planning and Development Department has not received any phone calls in opposition from the surrounding property owners for the proposed request.
- The City of Harlingen Fire Prevention Bureau, Engineering and the Building Inspections Departments reviewed the application. All three recommended approval of the Special Use Permit request. **(ATTACHMENT VII)**

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the request subject to the following:

1. Complying with Planning ordinances and regulations, Fire Prevention Bureau's regulations, Engineering's regulations and Building Inspections ordinances and regulations.
2. Install and maintain an 8-foot solid wall along the Loop 499 boundary of the property with landscaping and an irrigation system between the wall and the pavement.
3. The project must be approved by the Fire Chief prior to a building permit being issued.

City Manager's approval:

GG

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

[Signature]

☒ Yes ☐ No ☐ N/A

Attachment I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1402 North Loop 499, Harlingen, TX 78550 Nearest Intersection North Loop 499 and Grimes Road
(Proposed) Subdivision Name Citrus Flatts Lot _____ Block 78
Existing Zoning Designation Commercial Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Citrus Flatts Energy Center, LLC/Sydney Harness Phone 434-310-1740 FAX _____
Email Address (for project correspondence only): sharness@eastpointenergy.com
Mailing Address 310 4th St, NE, 3rd Floor City Charlottesville State VA Zip 22902
Property Owner Citrus Flatts Energy Center, LLC Phone 434-465-6210 FAX _____
Email Address (for project correspondence only): sharness@eastpointenergy.com
Mailing Address 310 4th St, NE, 3rd Floor City Charlottesville State VA Zip 22902

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|--|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Minor Plat..... <u>\$100.00</u> |
| ☐ Comp. Plan Amendment Request..... <u>\$250.00</u> | ☐ Re-Plat..... <u>\$250.00</u> |
| ☐ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$250.00</u> |
| ☒ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat..... <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☐ PDD Request..... <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |

Please provide a basic description of the proposed project: Utility scale, battery energy storage facility

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: Tyler Cline Digitally signed by Tyler Cline Date: 2025.03.11 08:57:12 -05'00' Date: March 11th, 2025

Property Owner(s) Signature: Tyler Cline Digitally signed by Tyler Cline Date: 2025.03.11 08:57:27 -05'00' Date: March 11th, 2025

Accepted by: _____ Date: _____

**PLANNED DEVELOPMENT DISTRICT (PDD) REQUEST
SPECIFIC USE PERMIT (SUP) REQUEST
SUBMITTAL CHECKLIST**

Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

Complete

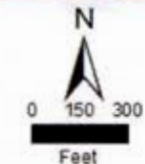
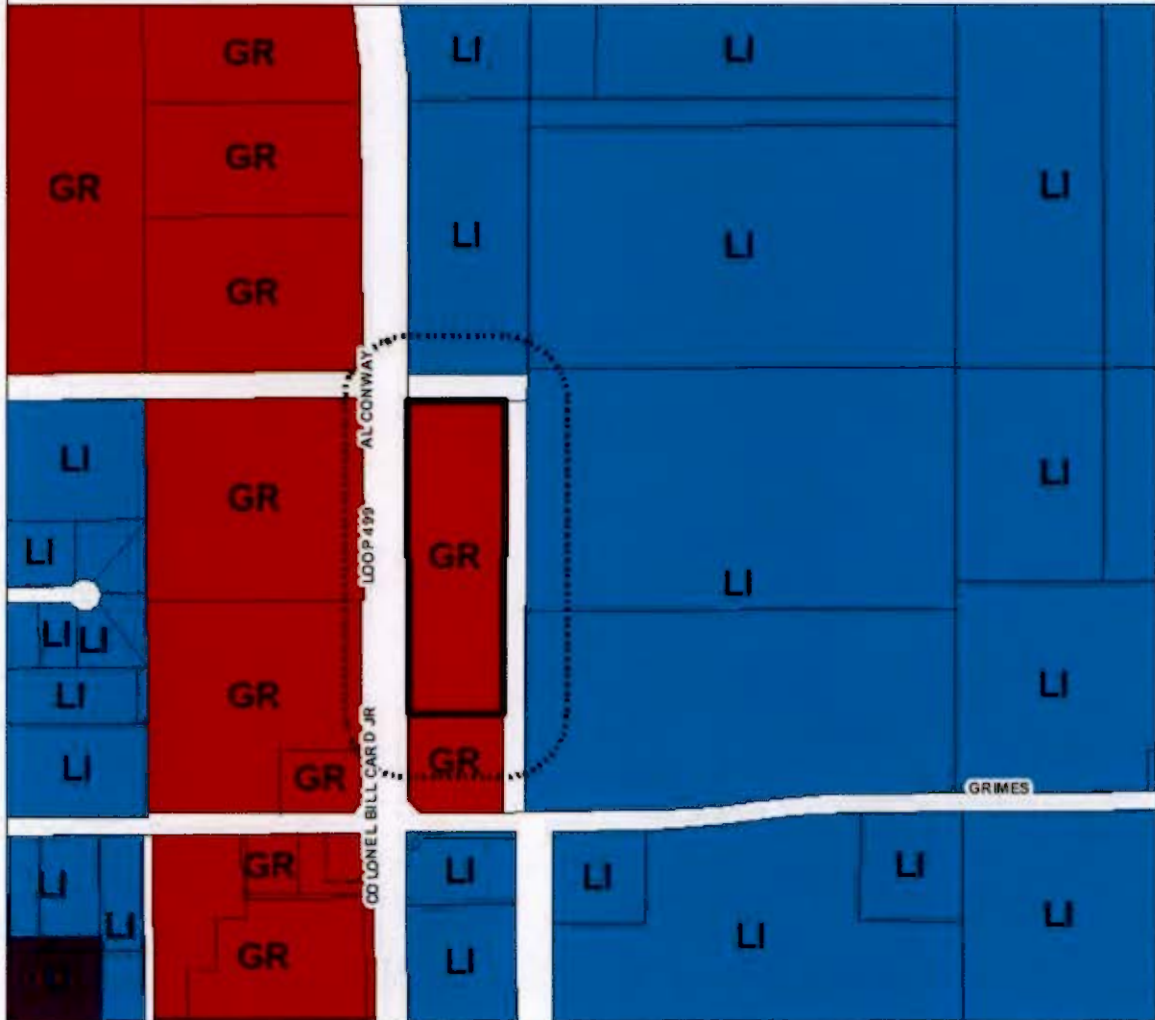
- ☐ One (1) copy of a comprehensive site plan showing the proposed development of the property. The site plan shall consist of the following items, as applicable:
 - o Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
 - o Locations of proposed uses; and
 - o Ingress and egress to/from property;
 - o Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
 - o Existing/proposed sidewalks; and
 - o Existing/proposed utilities; and
 - o Existing/proposed drainage; and
 - o Existing/proposed parking spaces.
 - ☐ A written statement describing the proposed use(s) of the subject property.
 - ☐ Any other information (elevation drawings, pictures, etc.) in support of the subject request.
-
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
 - I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - o A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - o Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
 - I understand that while all requirements for the submittal of a PDD or SUP request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
 - I understand that the purpose of a PDD or SUP is to allow for development not otherwise authorized in the Zoning Ordinance. Hence, the Planning and Zoning Commission and/or City Commission may impose development standards important to the health, safety, welfare, and protection of the proposed development and the adjacent property and its occupants.

Owner: Citrus Flatts Energy Center, LLC Date: March 11th, 2025
Owner Address: 310 4th St, NE, 3rd Floor, Charlottesville, VA 22902
Phone/Fax: 434-465-6210
Signature: Tyler Cline Digitally signed by Tyler Cline
Date: 2025.03.11 08:57:38 -05'00'

Attachment II



Request for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flatts Addition Subdivision. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC



Boundary lines

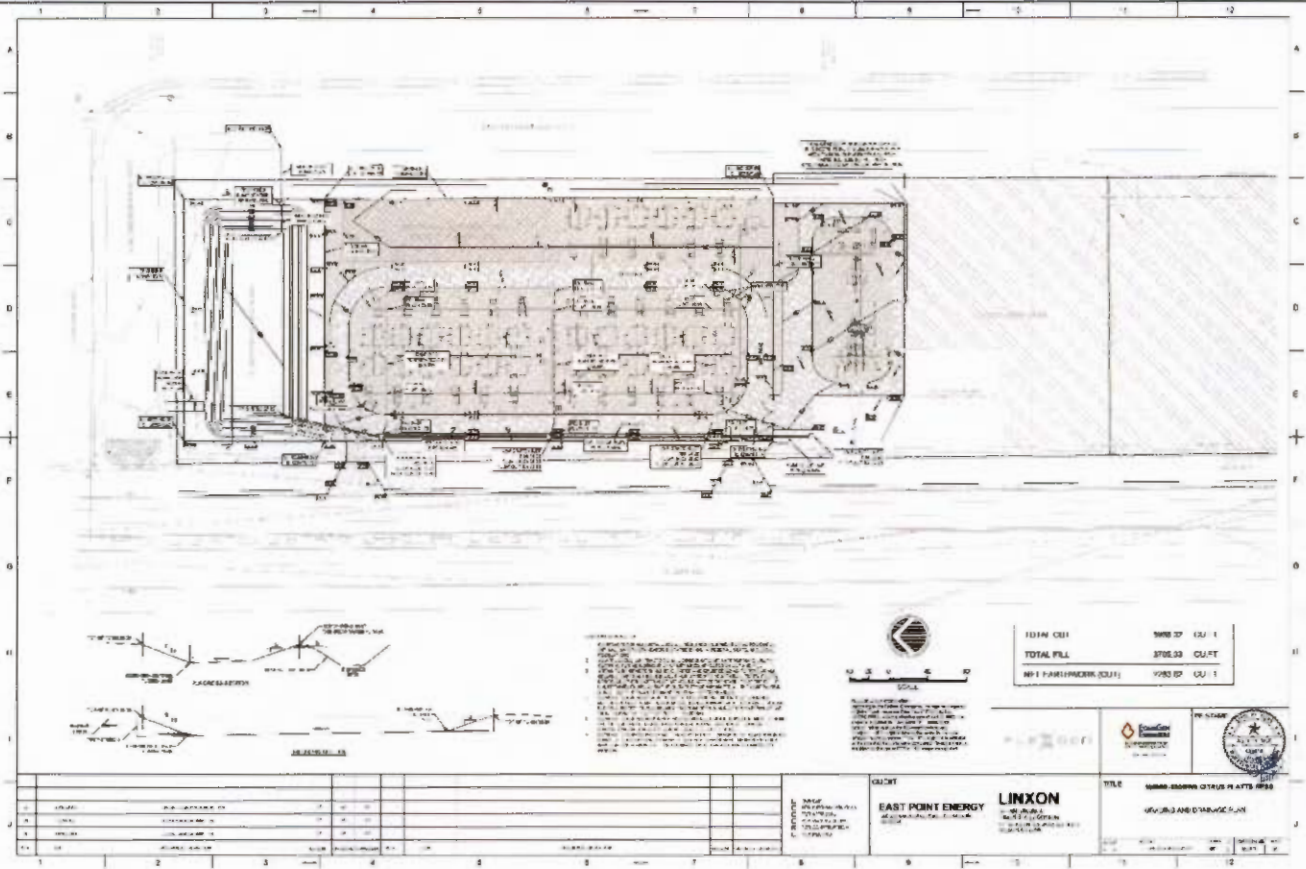
- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

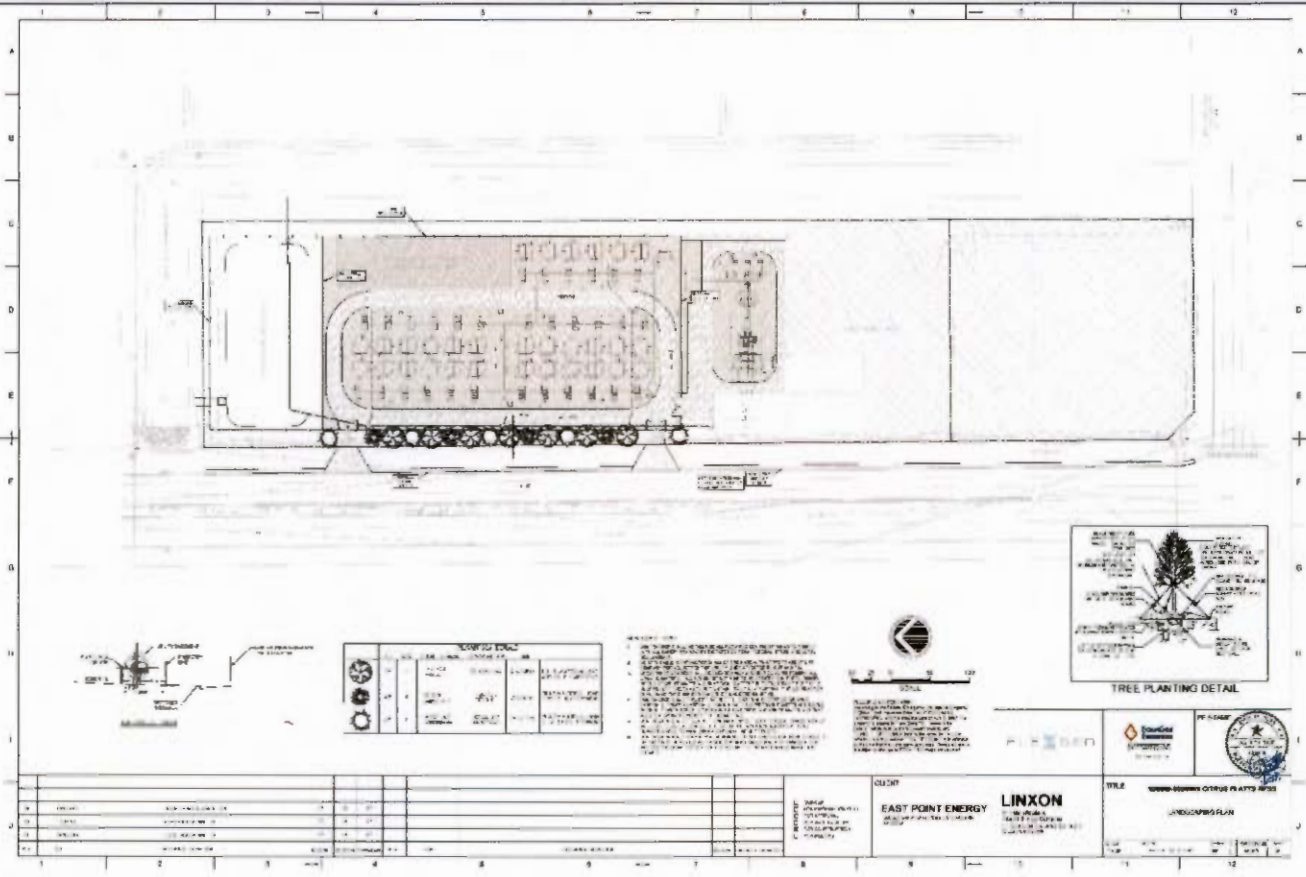
- | | | |
|---|---|--|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

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Attachment III



Attachment III



Attachment IV

Battery Storage Energy Facility-Tucker Road
as of March 20, 2025



Attachment IV

Battery Storage Energy Facility-Tucker Road
as of March 20, 2025



Attachment V

Aerial View



Attachment VI

Street view from Loop 499



Attachment VI

Street view from Loop 499



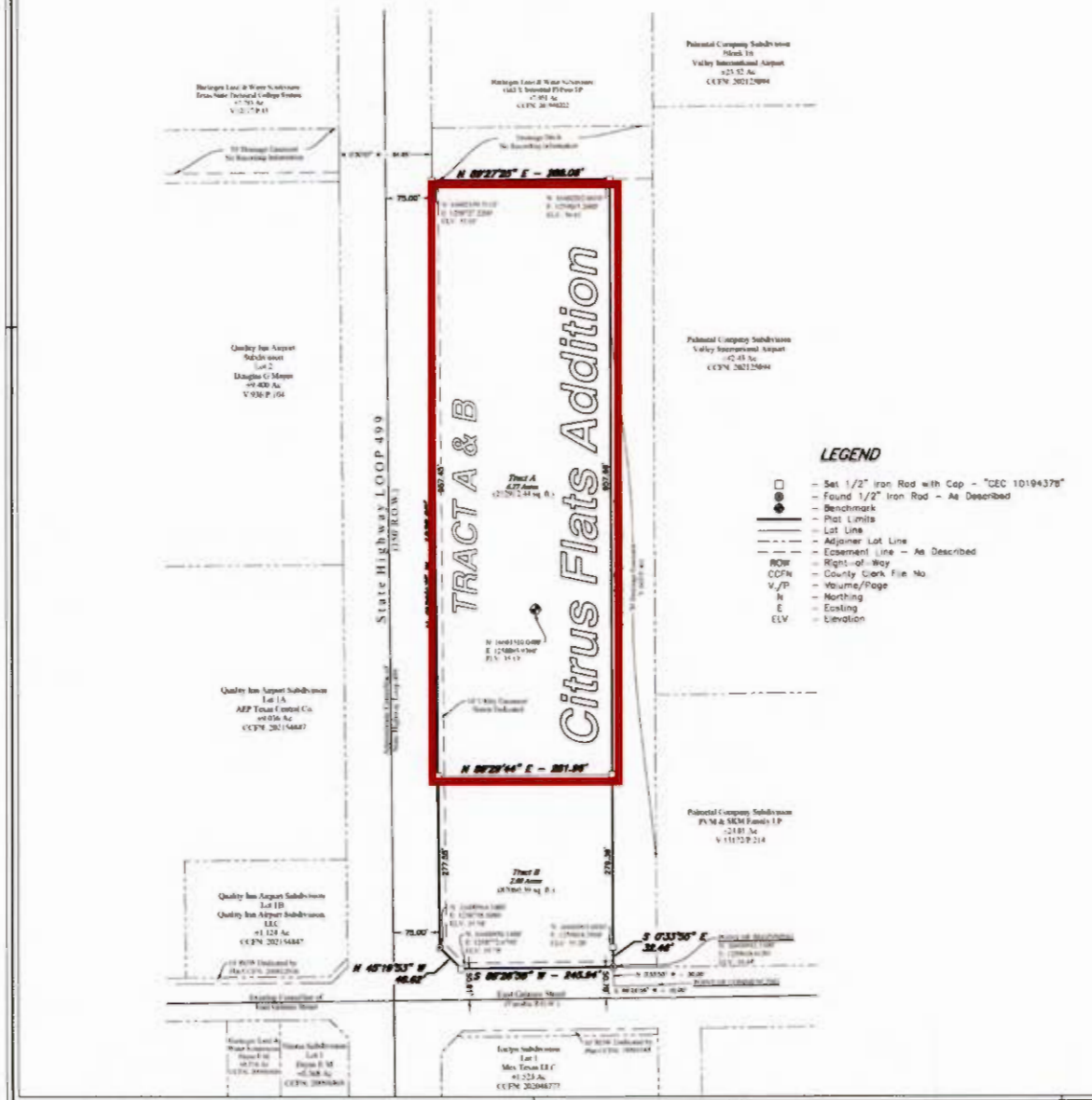
Attachment VI

Street view from Loop 499



Final Plat

TRACT A & B,
Citrus Flats Addition,
 an addition to the City of Harlingen,
 Cameron County, Texas,
 Being a Replat of the Harlingen Land and Water
 Company Subdivision addition to the City of
 Harlingen, Cameron County, Texas



Project Information

Company Background

East Point Energy – the sole owner of Citrus Flatts Energy Center, LLC – is a Virginia-based energy storage developer, owner, and operator. We focus on standalone, utility-scale energy storage systems that help make the electrical grid more renewable, resilient, and affordable. We partner with utilities, landowners, and communities to deploy energy storage solutions that benefit the grid and our environment. East Point Energy is a wholly owned subsidiary of Equinor, a leading company in the energy transition.

Project Details

Introduction

East Point is presenting the City Commission with a Special Use Permit application for the Citrus Flatts Energy Center ("Citrus Flatts"). This project and parcel location received a SUP from the City of Harlingen in May 2023 through Ordinance No. 23.13 to amend a code of ordinance for permissive zone use of an unmanned utility scale battery storage facility. Due to a change in project ownership, Citrus Flatts Energy Center, LLC is reapplying for the special use permit to amend the current SUP and ensure we are fully in compliance with Ordinance No. 111-413.6.

The proposed project is a battery energy storage system (BESS) that will connect to American Electric Power (AEP) infrastructure adjacent to North Loop 499. Once connected, the system will be capable of charging from and discharging to the electrical grid to provide a variety of benefits. This includes, but is not limited to, providing the City's residents and businesses a more reliable electricity grid, indirectly contributing to lower electricity rates, and generating meaningful local tax revenue.

The sections below highlight details of the potential project and our planned conformity to all the City of Harlingen's rules and ordinances.

Table 1

Current Property Owners	Citrus Flatts Energy Center, LLC
Property Address	1402 North Loop 499, Harlingen TX 78550
Property Coordinates	26.20766763868801, -97.66243486126703
Parcel ID	446792
Block	78
Project Acreage	6.27 acres

Property & Topography

The project is located on approximately 6.27 acres east of N Loop 499 road, north of the Heatz Gas Station, adjacent to the AEP Substation and south of Standard Supply. Table 1 (above) contains additional information on the property. Figure 1 (below) shows the general location of the project property.

Project Information

3

Figure 1: Location of Proposed SiteSite Plans

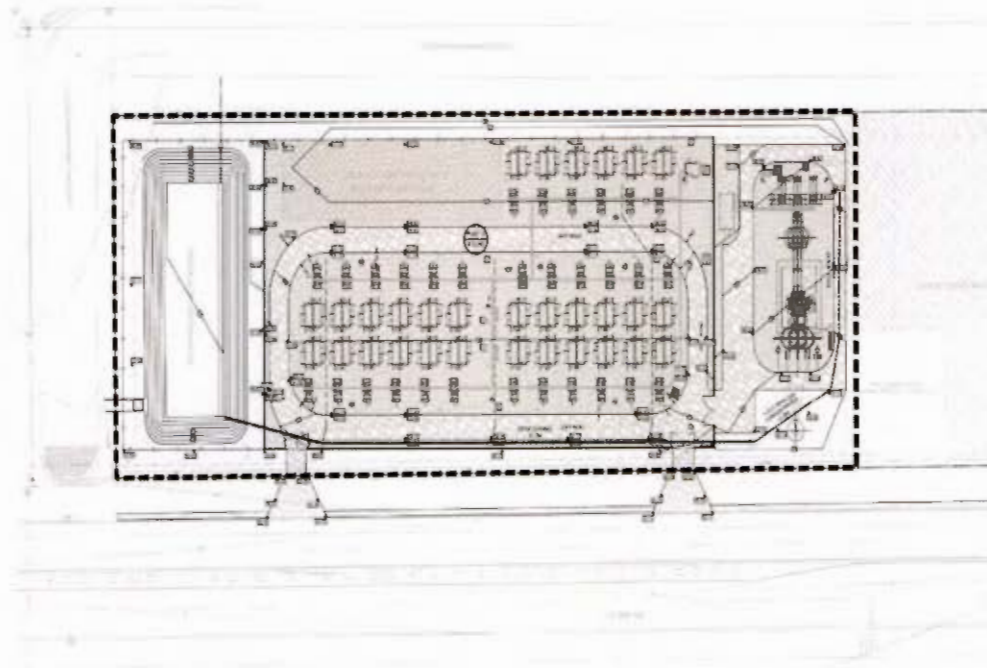
The proposed Citrus Flatts project will be a 100 MW, 2-hour battery energy storage system. Figure 2 (below) shows the site plan for the storage system. High fencing and vegetative screening of the project area is included. The grey "boxes" in Figure 2 highlights where battery containers and associated equipment would be located at the time of construction completion.

Project access will be achieved through two permanent access roads off N Loop 499, as pictured in Figure 2. Project entrances will be up to TXDOT standards. Stormwater has been considered, and the infrastructure will be designed to allow the drainage flows to drain through the property and underneath the road with appropriate measures.

Project Information

4

Figure 2: Site Plan



Project Progress Report and History

Citrus Flatts has substantially completed development and progressed to engagement with two engineering procurement contractors. The Black Mountain Energy Storage (BMES) Citrus Flatts project team began actively developing the project in 2022. The project was acquired by East Point Energy (EPE) in 2023. Prior to the change in ownership, Black Mountain secured a SUP with the City of Harlingen for an unmanned utility scale battery storage facility. It was the understanding of the project team that the SUP transferred with the transfer of ownership. Please see an outline below in Table 2 of items completed since the original SUP was approved.

Table 2

August 2023	APA signed & project sale closed	EPE purchases Citrus Flatts project from BMES
September 2023	NTP to utility	EPE notified AEP to proceed (NTP) with engineering design & procurement of transmission facilities
September 2023	EPC pre-bid site walk & Harlingen fire chief meeting	EPE met with prospective EPC contractors to walk project site; EPE team met with Harlingen Fire Station #B chief & crew members
June 2023	FAA Review	FAA completed a formal review of the project site and determined specification for both the utility and Citrus Flatts to adhere by. AEP and Citrus Flatts have designed all transmission and other infrastructure in accordance with FAA guidance.
October 2023	Geotechnical study completed	Assessed suitability of soil & ground conditions on property for project construction

Attachment VIII

Project Information

5

February 2024	LNTP to HV EPC	EPE notified Applied High Voltage (AHV) of limited notice to proceed (LNTP) on engineering & procurement of high-voltage designs & equipment
April 2024	ESA Phase 1 refresh completed	Studied environmental conditions and past uses of property prior to project construction
April 2024	ALTA survey completed	American Land Title Association survey completed in preparation for property purchase
April 2024	Secured project funding	East Point Energy's parent company approved project for funding, achieving a major financial milestone
April 2024	NTP to MV EPC	EPE executed an Engineering, Procurement, & Construction Agreement with Linxon, the medium voltage contractor, providing payments for equipment procurement & project design
May 2024	Property purchase option executed	Citrus Flatts Energy Center, LLC acquired 6.27 acre property on Loop 499 from private landowners
June 2024	Pre-development meeting with City	EPE's Development & EPC teams, contractors, AEP, and City of Harlingen officials met to re-introduce project and discuss requirements for construction & building permits
November 2024	3rd party tax services engaged	Engaged Cirrus Tax Services to prepare for 2025 tax filing and associated appraisal process
December 2024	TXDOT permit secured	Driveway permit from TX Department of Transportation obtained
November 2024	Battery systems arrived in TX	Battery systems delivered to warehouse in Houston, Texas; awaiting delivery to site
February 2025	Completion of AEP Interconnection Studies	AEP finalized Facilities, Steady State, Short Circuit, and Stability Studies to evaluate the electrical characteristics of the project

Project Information

6

Contractors

Linxon and Applied High Voltage (AHV) have completed preconstruction preparations and have mobilized to site. Upon successful review of the SUP and all needed permits in hand both EPCs are prepared for full construction mobilization.

Table 3

Linxon	Medium Voltage EPC
Applied High Voltage (AHV)	High Voltage EPC

Equipment

In preparation for construction, equipment has been procured. Table 4 below outlines the vendors and model for the project's main equipment: Battery Enclosure, power conversion system, and main power transformer. Please note Exhibits 3 & 4 outline in more detail specifications for the Battery Enclosure and Power Conversion System.

Table 4

Battery Enclosure	CATL EnerC+
Power Conversion System (PCS)	SunGrow SC5000
Main Power Transformer (MPT)	HICO-Memphis

Project Information

7

Safety, Environment, & Operation

BESS facilities are built to be good neighbors, prioritizing safety of our projects, environment, and communities in which our projects are located. East Point Energy puts this in practice by adhering to robust codes and standards, ensuring the BESS contains advanced safety systems and designs, partnering with local first responders, and proactive and routine maintenance.

This Energy Center will have no emissions into the environment around the City of Harlingen as lithium-ion is a non-emitting technology. Since the site is remotely monitored and operated, there will be little lighting required beyond what is needed for safety purposes.

BESS projects are fundamentally safe to install and operate, which is reflected by the exponential growth in deployments in recent years all around the world. Amongst a rapid deployment of these types of projects, fire-related instances remain incredibly rare. There have been ~20 incidents in the last 10 years at U.S. operating energy storage facilities; this coincides with energy storage deployment growth of more than 25,000% since 2018.

Past fire-related incidents demonstrate that fires are contained within the facility, and air quality in neighboring areas remains at safe levels. Furthermore, all investigations into all historical grid-scale BESS fires have found there has been no risk to public health, neighboring properties, or the surrounding community.

For a more comprehensive overview on safety, generally and specific to the equipment being utilized for Citrus Flatts, please see *Exhibit 9 – Battery Energy Storage System Safety Overview* and *Exhibit 10 – Specific Battery Safety Design Overview*. East Point Energy is more than willing to provide additional materials and discuss further to ensure alignment on this important topic.

Regarding operations, the system will be remotely monitored 24/7 – 365 days a year and will require infrequent visits from trained staff as the majority of system operations will be handled remotely. East Point acknowledges the limited risks associated with lithium-ion BESS and will ensure local, state, and federal safety requirements are followed and that local responders are well-trained and equipped to handle any kind of response to a system malfunction.

Community Development and Tax Benefits

East Point Energy intends to be a good neighbor and long-term partner in the communities where we develop, build, own and operate projects. Our desire for said partnership with Harlingen is no different. East Point Energy has committed to donate \$175,000 to the Corporation of Harlingen, Inc for a new soccer complex following the completion of the Citrus Flatts project.

In addition to the donation for the city's economic development, Citrus Flatts is anticipated to bring around \$19 million in tax revenue to the surrounding community. This tax revenue is largely due to the improvements that will be installed for the operations of the facility. A large portion of the equipment contributing to the increase in tax revenue has already been purchased by East Point Energy. Please see an estimated tax revenue break out for the county, city, school, and port over the life of the project in Exhibit 15.

Project Information

8

Conclusion

In summary, East Point Energy is respectfully requesting a Special Use Permit or an amendment to the existing SUP, allowing the development of a battery energy storage system, with a capacity of up to 100MW. This project will help to increase the reliability and resiliency of the local electricity grid, indirectly lower electricity rates, and provide tax revenue to the City of Harlingen with little to no impact on local resources such as schools and roads. This application and the material financial and resource commitment made to date is an indication of our confidence in and excitement for this project.

Project Information

9

Exhibits:

- Exhibit 1: Site Plan
- Exhibit 2: Rendering of Site Plan
- Exhibit 3: Battery Specification
- Exhibit 4: Inverter Specifications
- Exhibit 5: Substation Specification
- Exhibit 6: Community Benefit Agreement
- Exhibit 6 A: Community Benefit Agreement Amendment
- Exhibit 7: Citrus Flatts 911 Address
- Exhibit 8: Plat
- Exhibit 9: Energy Storage System Safety Design Overview
- Exhibit 10: Specific Equipment Safety Design Overview
- Exhibit 11: Landscaping Plans
- Exhibit 12: Drainage Site Layout
- Exhibit 13: Drainage Calculations
- Exhibit 14: UL 9540A Report
- Exhibit 15: Estimated Taxes

Appendix**Statement of Qualifications**

East Point Energy is a development firm focused on the origination, construction, and operation of energy storage projects. Our team is currently developing gigawatts of energy storage projects throughout the country, helping to transform the grid into a renewable, resilient, and affordable system for generations to come. East Point is a wholly owned subsidiary of Equinor, a broad international energy company committed to long-term value creation in a low-carbon future.

East Point's nimble team is comprised of hard-working, strategic problem solvers who are passionate about sustainability. We are technology and contractor agnostic, allowing us to find the best solution for each project. The firm's executive team founded East Point in 2018, bringing decades of combined energy development experience. Success for East Point is measured by delivering affordable energy storage solutions that benefit the grid, communities, and our environment.

East Point at a Glance

- 3.7 GW energy storage projects actively under development
- Management team has developed over 1.8 GW (\$1.5B) of operating Distributed Energy Resources around the country
- Developed 88 MWh of projects that are now operated by leading electrical utilities in the Commonwealth of VA

Project Information

Utility Partners (East Point & Executive Experience)



Supply Chain Partners

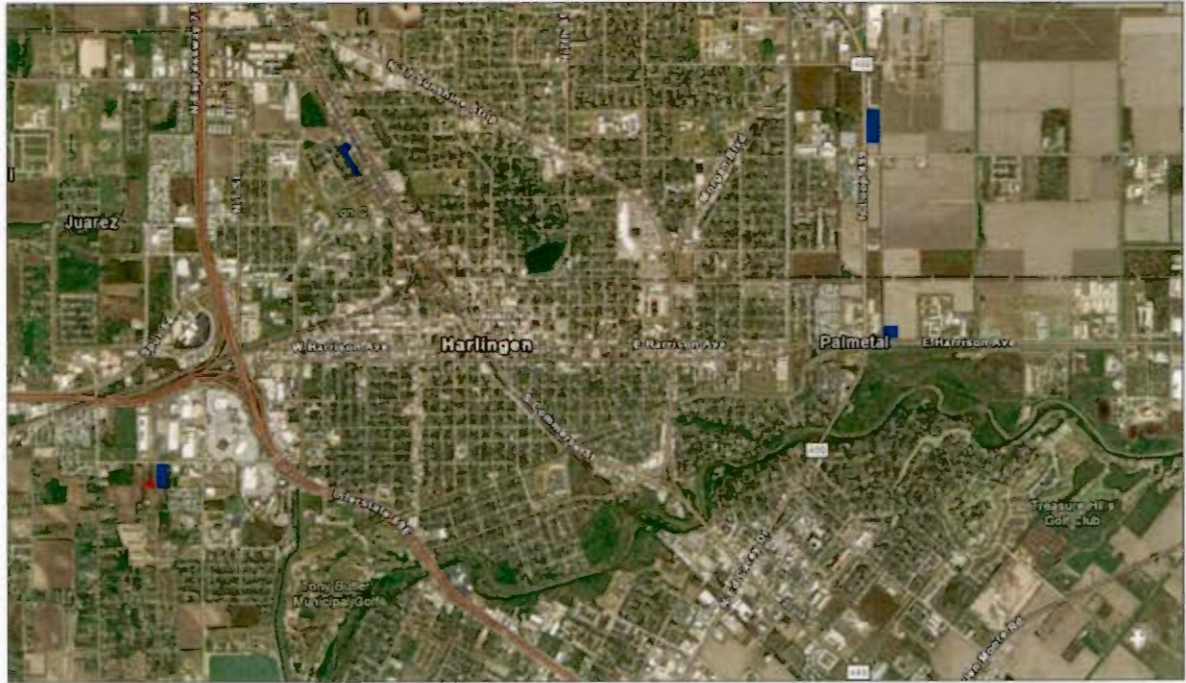


Attachment IX – Tax Projections

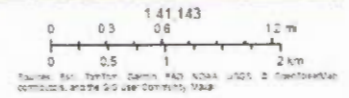
	Estimated Taxes	Depreciation Factor	Taxable Income	Tax Rate (Cameras)	Tax Rate (Harrington)	Tax Rate (Port)	Tax Rate (RDC)	Total Tax Rate	Estimated Taxes (Cameras County)	Estimated Taxes (Harrington)	Estimated Taxes (Port)	Estimated Taxes (Harrington CSD)	Total Estimated Taxes (County, City, Port, etc.)
2026	100,144,300.00	100%	100,144,300.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	427,908.08	528,789.38	20,111.08	930,808.54	1,896,617.08
2027	100,144,300.00	95%	95,137,684.28	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	403,104.32	496,022.44	19,054.87	841,960.64	1,743,796.67
2028	100,144,300.00	90%	90,131,068.57	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	378,300.56	468,476.77	18,000.61	793,855.94	1,670,633.88
2029	100,144,300.00	85%	85,124,452.86	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	353,496.80	440,931.08	16,946.36	765,751.24	1,600,185.48
2030	100,144,300.00	80%	80,117,837.15	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	328,693.04	413,385.39	15,892.11	737,646.54	1,530,631.08
2031	100,144,300.00	75%	75,111,221.44	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	303,889.28	385,839.70	14,837.86	709,541.84	1,461,076.68
2032	100,144,300.00	70%	70,104,605.73	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	279,085.52	358,294.01	13,783.61	681,437.14	1,391,522.28
2033	100,144,300.00	65%	65,097,990.02	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	254,281.76	330,748.32	12,729.36	653,332.44	1,321,967.88
2034	100,144,300.00	60%	60,091,374.31	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	229,478.00	303,202.63	11,675.11	625,227.74	1,252,413.48
2035	100,144,300.00	55%	55,084,758.60	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	204,674.24	275,656.94	10,620.86	597,123.04	1,182,859.08
2036	100,144,300.00	50%	50,078,142.89	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	179,870.48	248,111.25	9,566.61	569,018.34	1,113,304.68
2037	100,144,300.00	45%	45,071,527.18	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	155,066.72	220,565.56	8,512.36	540,913.64	1,043,750.28
2038	100,144,300.00	40%	40,064,911.47	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	130,262.96	193,019.87	7,458.11	512,808.94	974,195.88
2039	100,144,300.00	35%	35,058,295.76	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	105,459.20	165,474.18	6,403.86	484,704.24	904,641.48
2040	100,144,300.00	30%	30,051,680.05	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	80,655.44	137,928.49	5,349.61	456,600.54	835,087.08
2041	100,144,300.00	25%	25,045,064.34	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	55,851.68	110,382.80	4,295.36	428,495.84	765,532.68
2042	100,144,300.00	20%	20,038,448.63	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	31,047.92	82,837.11	3,241.11	400,391.14	705,978.28
2043	100,144,300.00	15%	15,031,832.92	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	6,244.16	55,291.42	2,186.86	372,286.44	655,423.88
2044	100,144,300.00	10%	10,025,217.21	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	1,240.80	27,745.73	1,132.61	344,181.74	595,869.48
2045	100,144,300.00	5%	5,018,601.50	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	240.40	13,872.87	226.52	316,077.04	547,315.08
2046	100,144,300.00	0%	0,011,985.79	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	48.08	6,904.00	45.30	287,972.34	501,760.68
2047	100,144,300.00	0%	0,005,370.08	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	9.62	3,455.11	9.06	259,867.64	479,206.28
2048	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	231,762.94	459,651.88
2049	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	203,658.24	439,597.48
2050	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	175,553.54	419,543.08
2051	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	147,448.84	399,488.68
2052	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	119,344.14	379,434.28
2053	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	91,239.44	359,379.88
2054	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	63,134.74	339,325.48
2055	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	35,030.04	319,271.08
2056	100,144,300.00	0%	0,000,000.00	0.426893%	0.527524%	0.020099%	0.018200%	1.000716%	0.00	0.00	0.00	6,925.34	299,216.68
TOTAL	4,380,592.28		5,385,506.70	205,182.84	9,379,155.48	18,333,420.88							

Attachment X – BESS Maps

Battery Storage Facilities



3/20/2025



Attachment XI-Fire Department



Specific Use Permit ("SUP") Routing Slip

Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC

Phone No.: (434) 310-1740

Location: 1402 N. Loop 499 (East Corner of Loop 499 and North of Grimes Avenue)

Project Description: Request for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located along the East side of Loop 499, being 277 feet North of Grimes Avenue, bearing a legal description of Tract A Citrus Flatts Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: Applicant will have to meet any code, regulation, ordinance, and standard required for permit.

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: March 17, 2025

Attachment XII-Building Inspections



Specific Use Permit ("SUP") Routing Slip

Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC

Phone No.: (434) 310-1740

Location: 1402 N. Loop 499 (East Corner of Loop 499 and North of Grimes Rd.)

Project Description: Request for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located along the East side of Loop 499, being 277 feet North of Grimes Road, bearing a legal description of Tract A Citrus Flatts Subdivision.

Department: Building Permits and Inspections Department

Approval: ☒ YES ☐ NO

Comments:

If request is approved by the Planning Department, A Building Permit application and complete set of construction documents for the proposed use must be submitted to the Building Department. The construction documents must comply with the 2018 International Building Code and Family of Codes. The city commission adopted the new 2024 family of codes which will take effect on May 6, 2025. Any building permit applications received after that date will have to follow the new codes.

Raul Rodriguez

Signature

03/19/2025

Date



March 21, 2025

Ms. Soledad Nunez
Interim Planning and Development Director
City of Harlingen - Lon C. Hill Building
502 East Tyler Avenue
Harlingen, Texas 78550

RE: Citrus Flatts Energy Center

Dear Sol,

I am writing to express support for the Citrus Flatts Energy Center, LLC unmanned battery storage project. The Harlingen Economic Development Corporation and its Board of Directors recommend approval of the Specific Use Permit required by the City of Harlingen.

At the Harlingen Economic Development Corporation, we are committed to supporting growth for development that benefits the community. The energy supply produced by the utility scale battery could supply enough power for 50,000 homes within the area.

Additionally, with the expansion of public utilities and platting, the Citrus Flatts project will encourage commercial development on the corner of Grimes and FM 499 for general retail use. Furthermore, the landscaping and fencing will create the needed beautification of the project along FM 499.

Thank you for your consideration of this letter of support and your continued efforts with development in Harlingen.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Orlando Campos', is written over a horizontal line.

Orlando Campos
Chief Executive Officer

Attachment XIV-Engineering

Pending Engineering

Attachment XV-Valley International Airport

From: [Marv Esterly](#)
To: [Sol Nunez](#)
Cc: [Joel Olivo](#); [Brian Wren](#)
Subject: RE: Citrus Flats Battery Storage Facility
Date: Thursday, March 20, 2025 11:16:52 AM
Attachments: [image003.png](#)
[image004.png](#)

Good Morning,

Thank you for reaching out regarding the Citrus Flats Battery Storage Facility located at 1402 N. Loop 499.

Valley International Airport has reviewed the attached documents and site plans provided for the proposed Special Use Permit. We have no objections, concerns, or additional comments regarding the planned use of this site or its proximity to the airport. Our position remains consistent with the feedback previously provided to the prior property owner in May of 2023.

Please feel free to reach out if you require further information or clarification.

Sincerely,

Marv Esterly

Director of Aviation



Valley International Airport

3002 Heritage Way, Harlingen, TX 78550

956-430-8605 fax 956-430-8619 cell 956-873-8988

<https://link.edgepilot.com/s/a602c9ec/KH1v9k201ku3W3QI3mOKNQ?u=http://www.flythevalley.com/>

<https://link.edgepilot.com/s/52b4b007/KmWma3m-gU6yNC8MWXR0CA?u=http://www.harlingenaerotropolis.com/>

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ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO ALLOW AN UNMANNED BATTERY STORAGE FACILITY IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 1402 N. LOOP 499. BEARING A LEGAL DESCRIPTION OF TRACT A, CITRUS FLATS SUBDIVISION, LOCATED ALONG THE EAST SIDE OF LOOP 499, BEING 277 FEET NORTH OF GRIMES ROAD. APPLICANT: SYDNEY HARNESS C/O CITRUS FLATTS ENERGY CENTER, LLC

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a special use permit for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed special use permit having been fully made and complied with as required by said Code of Ordinances and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located along the East side of Loop 499, being 277 feet North of Grimes Road, bearing a legal description of Tract A out of the proposed Citrus Flats Subdivision being 8.27 acres out Block 8, Harlingen Land and Water Company Subdivision, as shown in Exhibit A, subject to:

1. Complying with Planning ordinances and regulations, Fire Prevention Bureau's regulations, Engineering's regulations and Building Inspections ordinances and regulations.
2. Install and maintain an 8-foot solid wall along the Loop 499 boundary of the property with landscaping and an irrigation system between the wall and the pavement.
3. The project must be approved by the Fire Chief prior to a building permit being issued.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Building Inspection Inspector and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith

amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within by the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzales, Interim City Secretary

Exhibit "A"

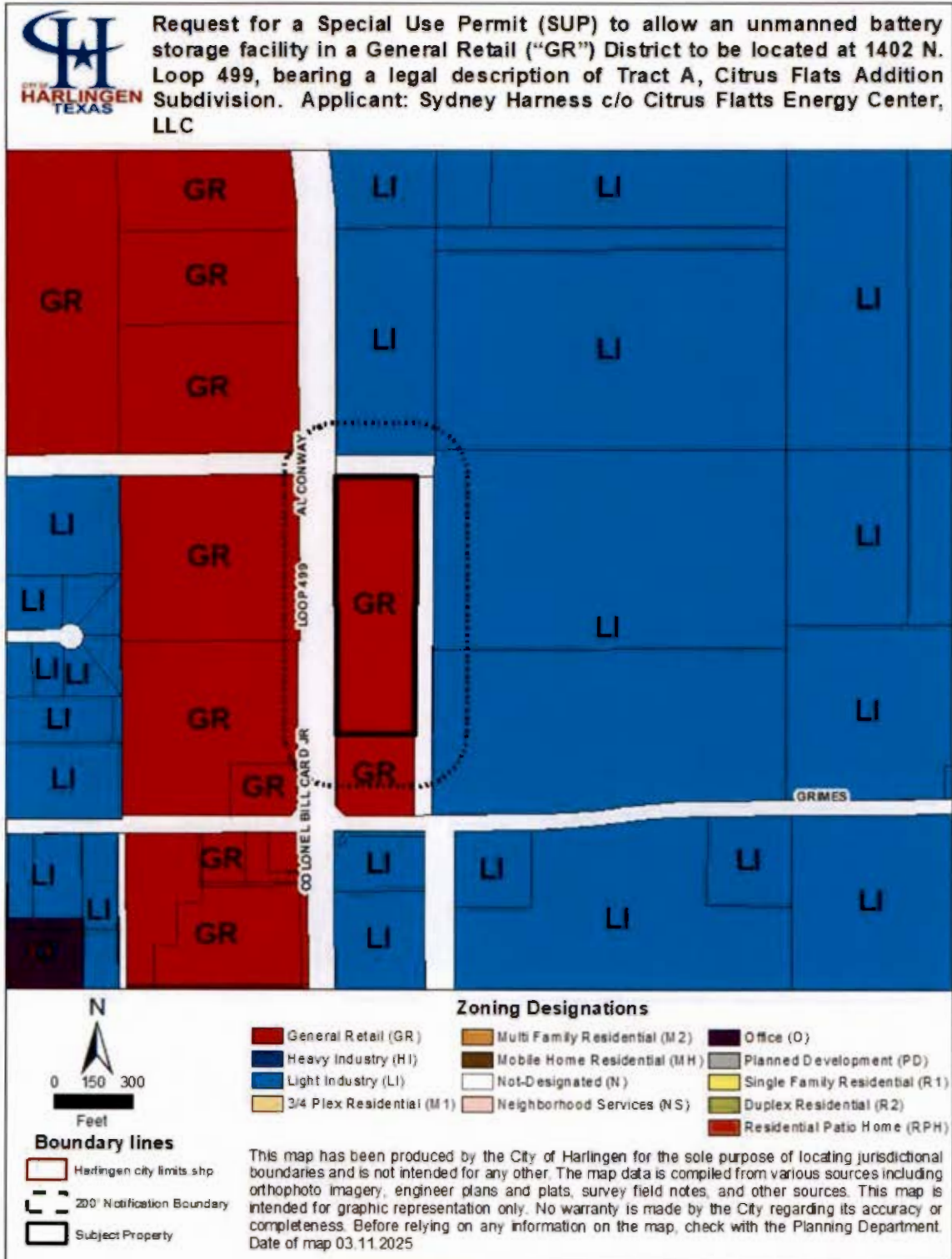
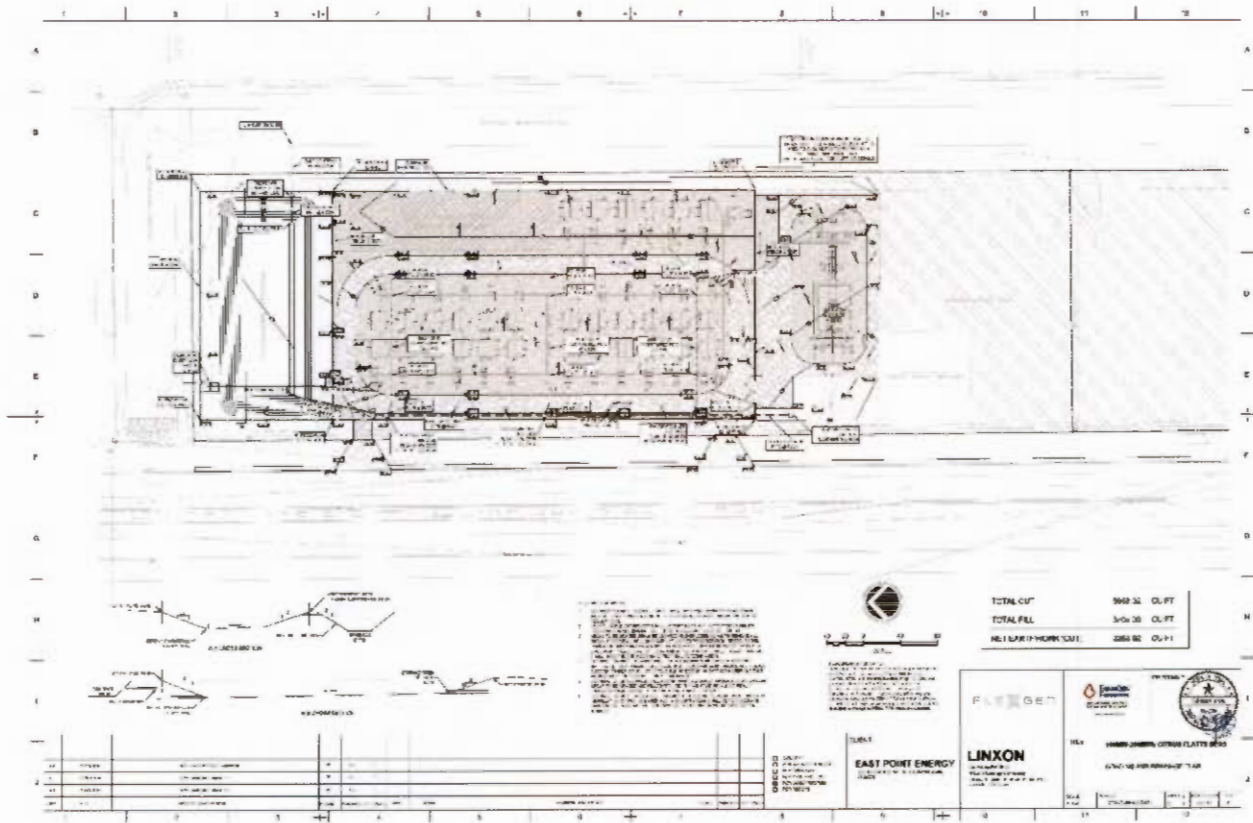


Exhibit "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(d)

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant: Melden and Hunt, c/o HDP Paso Real, LLC. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- January 24, 2025 – Application for an amendment to the PD site plan submitted to the City. (**ATTACHMENT I**).
- March 14, 2025 – In accordance with State and local law, notice of the required public hearing mailed to all property owners within a 200 feet radius of subject tract.
March 15, 2025 – In accordance with State and local law, notice of the required public hearings was published in the Valley Morning Star.
- March 26, 2025 - Public hearing and consideration of the requested amendment of the PD site plan by the Planning and Zoning Commission (P&Z).
- April 7, 2025 – Public hearing and consideration of requested amendment of the PD site plan via 1st ordinance reading scheduled before the City Commission.
- April 16, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Melden and Hunt on behalf of HDP Paso Real, LLC is requesting to amend the Planned Development (PD) site plan to allow for 28-foot wide private streets with 30 feet of right-of-way for 90 townhome lots and one commercial lot development. (**ATTACHMENT II**).
- The irregular shaped property is currently vacant and not subdivided. The developer is proposing to subdivide the property under the name of Villas at Paso Real Subdivision. The property has 495.05 feet of frontage on Haine Drive and 524 feet of frontage on FM 509.
- The original Planned Development (PD) ordinance for the subject property which was approved in December 2021 showed the property to be developed with multi-

family lots and one commercial lot. **(ATTACHMENT III)**

- The new proposed site plan will allow for 90 townhome lots, one commercial lot, and a lot designated for common area. The residential section will be a gated development with lots sizes varying from 3,137 square feet to 4,910 square feet. All lots sizes exceed the minimum 2,500 square feet lot size required for a townhome lot. The maximum height of the homes will be 30 feet. All townhome lots will front 28-foot wide paved streets. The internal streets will be private with no parking permitted on both sides of the interior streets. The setbacks for the townhome lots will be 20 feet in the front, 0 feet on the sides, 10 feet on the corner sides, and 10 feet in the rear of the property. The setbacks for the commercial lot are 20 feet on the east and south sides, and 10 feet on the north and west sides. **(ATTACHMENT IV)**
- The surrounding properties are zoned Planned Development ("PD") District for single family residential use to the north, Office ("O") District and General Retail (GR) to the south, and Planned Development (PD) District to the west. East of FM 509 is outside the city limits. The surrounding land uses consist of single family residential use to the north, vacant land in agricultural use to the south, and vacant land in agricultural use, single family residential use, and an electrical substation to the west. East of FM 509 is outside the city limits. **(ATTACHMENT V-VII)**
- The Building Inspections, Fire Prevention and Engineering Departments have reviewed the request. The Building Inspections, Fire Prevention and Engineering Departments reported no objection to the request amendment to the planned development site plan subject to complying with all applicable codes. **(ATTACHMENT VIII-X)**
- The Future Land Use Plan (FLUP) component of the City of Harlingen Comprehensive Plan One Vision One Harlingen shows this area as low density residential. The request is generally consistent with the Future Land Use Plan and consistent with the surrounding zoning and land use. **(ATTACHMENT XI)**
- To the present, the Planning and Zoning Department has not received any opposition to the requested amendment.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the request subject to the following conditions:

1. Compliance with all applicable building codes and regulations;
2. No on-street parking permitted on both sides of the interior streets; and
3. Compliance with drainage requirements and all applicable requirements from the

Engineering Department.

City Manager's approval:



☒ Yes

☐ No

☐ N/A

Comments:

City Attorney's approval:



☒ Yes

☐ No

☐ N/A

Attachment I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address _____ Nearest Intersection Farm to Market Rd 509 & Russell Ln
(Proposed) Subdivision Name Paseo Real Coves Subdivision Lot 1-8 Block 146
Existing Zoning Designation Residential Future Land Use Plan Designation Residential Townhomes

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Melden & Hunt, Inc. c/o Mario A. Reyna Phone (956) 381-0981 FAX (956) 381-1839
Email Address (for project correspondence only): mario@meldenandhunt.com
Mailing Address 115 W. McIntyre Street City Edinburg State TX Zip 78541
Property Owner HDP Paso Real LLC Phone c/o 381-0981 FAX c/o 381-1839
Email Address (for project correspondence only): c/o mario@meldenandhunt.com
Mailing Address 115 W. McIntyre Street City Edinburg State TX Zip 78541

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|---|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Minor Plat..... <u>\$100.00</u> |
| ☐ Comp. Plan Amendment Request... <u>\$250.00</u> | ☐ Re-Plat..... <u>\$250.00</u> |
| ☐ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$250.00</u> |
| ☐ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat..... <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☒ PDD Request..... <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |

Please provide a basic description of the proposed project:

Proposing Town-homes

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature:  Date: 1-24-2025

Property Owner(s) Signature: _____ Date: _____

Accepted by: _____ Date: _____

Attachment I

PLANNED DEVELOPMENT DISTRICT (PDD) REQUEST SPECIFIC USE PERMIT (SUP) REQUEST SUBMITTAL CHECKLIST

Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

Complete

One (1) copy of a comprehensive site plan showing the proposed development of the property. The site plan shall consist of the following items, as applicable:

- o Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
- o Locations of proposed uses; and
- o Ingress and egress to/from property;
- o Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
- o Existing/proposed sidewalks; and
- o Existing/proposed utilities; and
- o Existing/proposed drainage; and
- o Existing/proposed parking spaces.

A written statement describing the proposed use(s) of the subject property.

Any other information (elevation drawings, pictures, etc.) in support of the subject request.

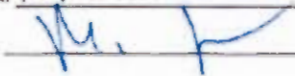
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - o A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - o Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a PDD or SUP request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
- I understand that the purpose of a PDD or SUP is to allow for development not otherwise authorized in the Zoning Ordinance. Hence, the Planning and Zoning Commission and/or City Commission may impose development standards important to the health, safety, welfare, and protection of the proposed development and the adjacent property and its occupants.

Owner: c/o Mario A. Reyna

Date 1-24-25

Owner Address: 115 W. McIntyre Street Edinburg, Texas 78541

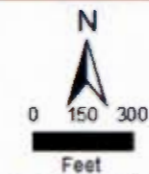
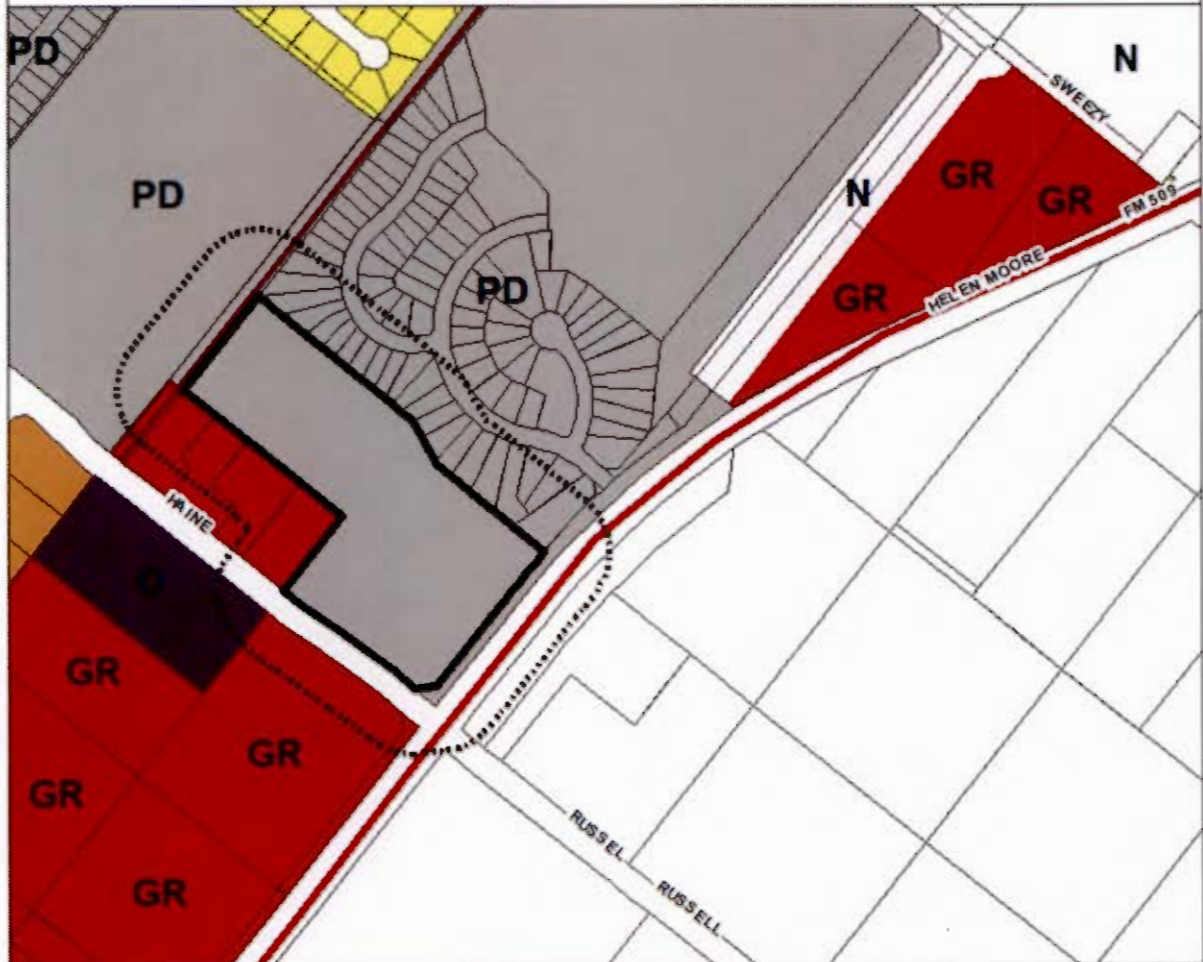
Phone/Fax: (956) 381-0981

Signature: 

Attachment II



Request to amend the previously-approved Planned Development ("PD") District site plan to allow for 28-foot wide streets with 30-feet of Right-of-Way for a 90-lot townhome development and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, all out of Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Road and FM 509. Applicant: Melden & Hunt c/o HDP Paso Real, LLC (Nick Rhodes)



Boundary lines

- Harlingen city limits shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---|---|--|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department.
Date of map 03.20.2025

Attachment III

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM GENERAL RETAIL (GR) DISTRICT TO PLANNED DEVELOPMENT ("PD") DISTRICT FOR SINGLE FAMILY AND MULTI-FAMILY USES FOR 66.902 ACRES OUT OF LOTS 1, 2, 3, 4, 5, 6, 7, AND 8, ALL OUT OF BLOCK 146, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED ON THE NORTHWEST CORNER OF HAINE RD & FM 509; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a change in the zoning classification for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed rezoning having been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 18-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Rezoning from General Retail (GR) District to Planned Development ("PD") District for Single Family and Multi-Family uses for 66.902 acres out of Lots 1,2,3,4,5,6,7, and 8, all out of Block 146, San Benito Land and Water Company Subdivision, Located on the northwest corner of Haine Rd & FM 509.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Chief Building Official and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The rezoning is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit "A" and shall comply with the conditions as listed below:

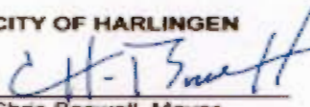
1. Compliance with the drainage requirements and all applicable requirements from the Engineering Department;
2. Compliance with the applicable requirements from the Fire Prevention Bureau; and
3. Compliance with the building code requirements.

Attachment III

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this 5th day of January, 2022 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

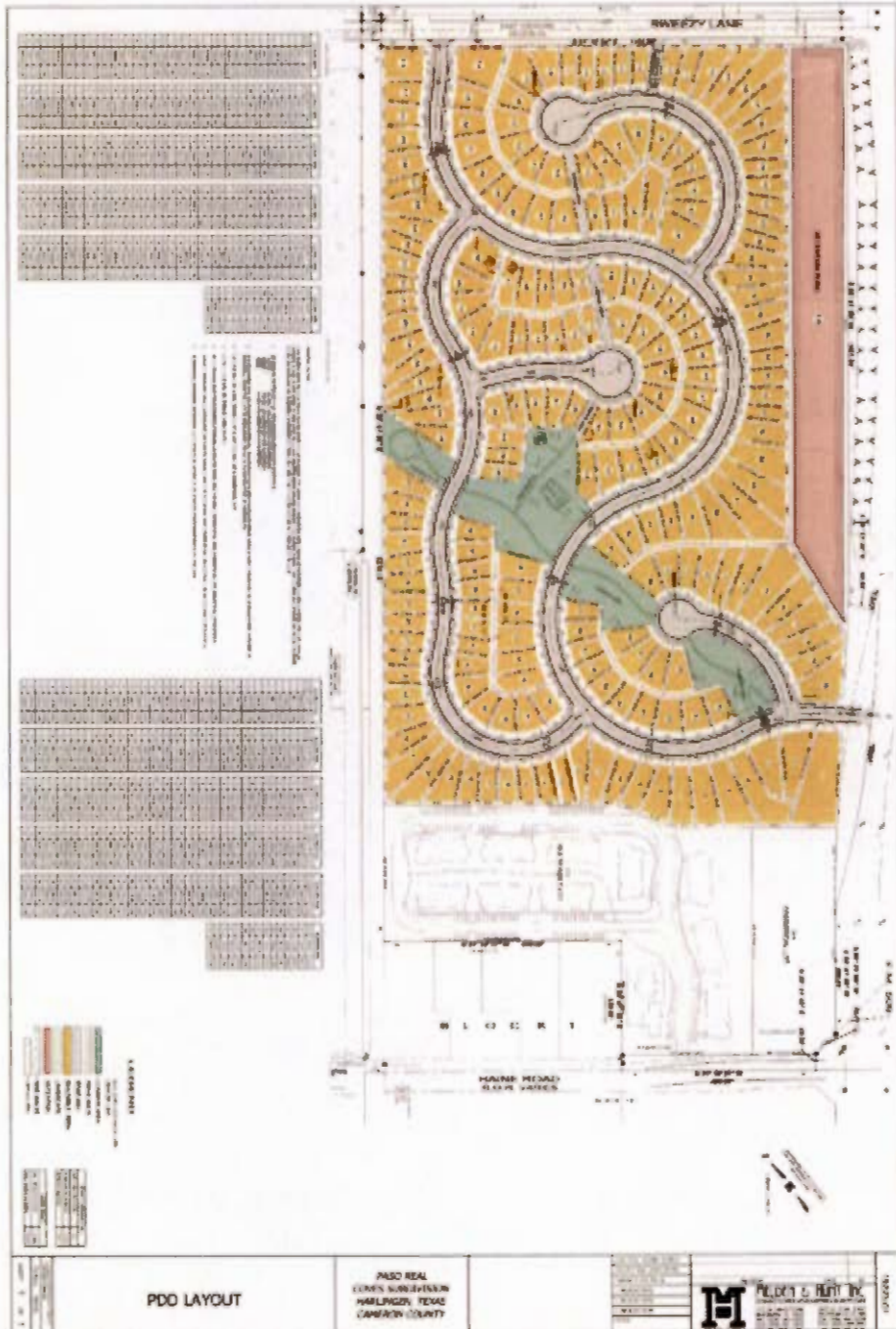
CITY OF HARLINGEN


Chris Boswell, Mayor

ATTEST:


Amanda C. Elizondo, City Secretary

EXHIBIT A



PLAT OF
VILLAS AT PASO REAL
SUBDIVISION

BEFORE ME, the undersigned authority, on this day of 2008, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

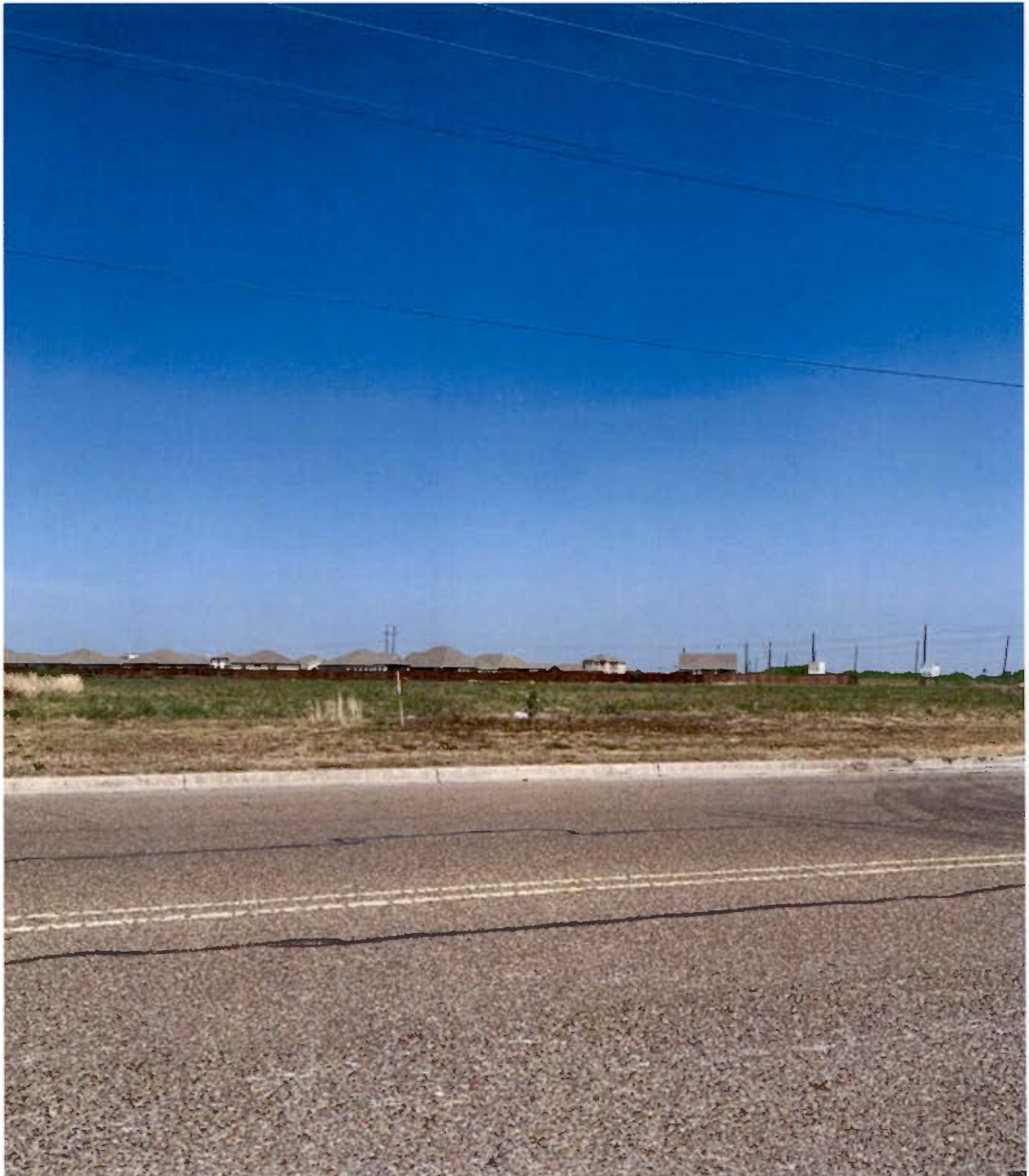
Given under my hand and seal of office this day of 2008.

Notary Public in and for the State of California

Notary Public

Attachment V

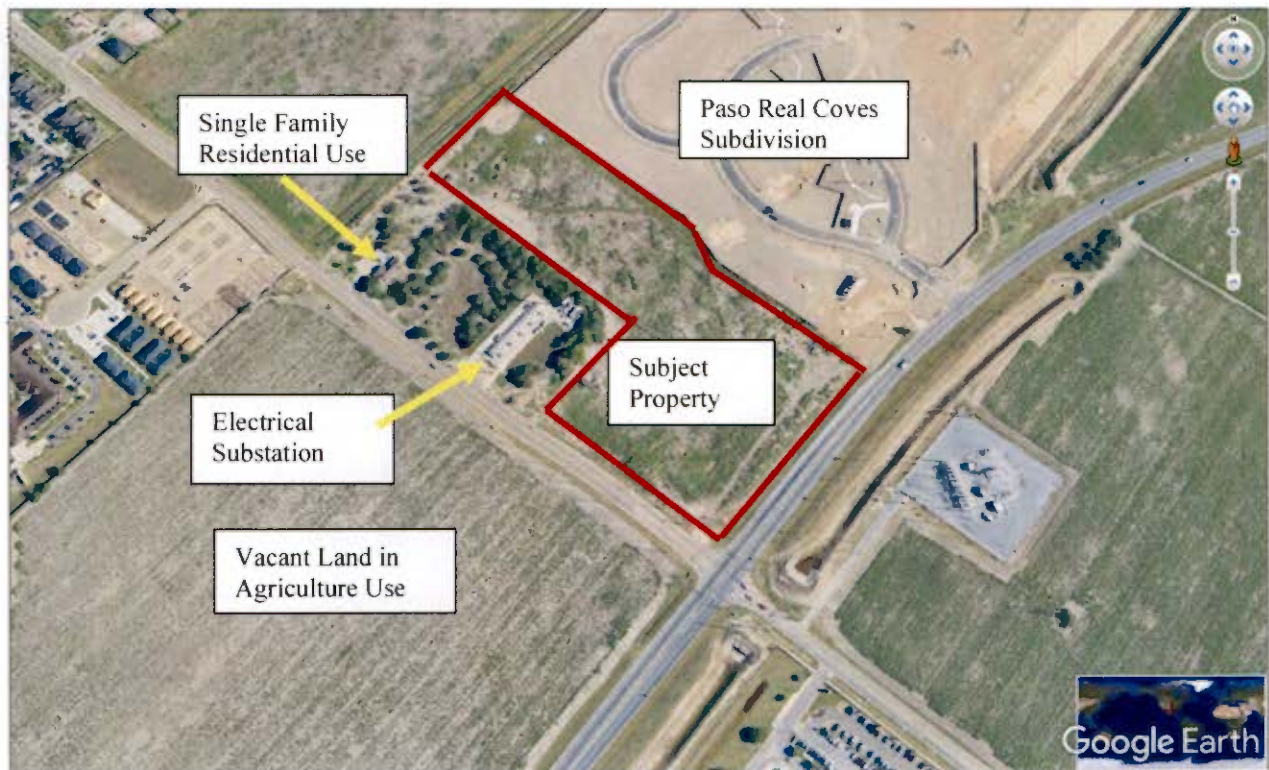
View from the South on Haine Drive



View from the East on FM 509



Attachment VII





Planned Development (PD) Request Routing Slip

Applicant: Meden and Hunt, c/o HDP Paso Real, LLC

Phone No.: (956)381-0981

Location: Northwest corner of Haine Road and FM 509.

Project Description: Request to amend the Planned Development ("PD") District site plan to allow for 28 ft wide street with 30 ft of right-of-way with smaller lot sizes for a 90-lot single-family and 1 commercial lot development.

Department: Building Permits and Inspections Department

Approval: ☒ YES NO

Comments: If request is approved by the Planning Department, A Building Permit application and complete set of construction documents for the proposed use must be submitted to the Building Department. The construction documents must comply with the 2018 International Residential Code and Family of Codes. Windstorm Engineered plans are required with min. 140 mph wind speeds. The city commission adopted the new 2024 family of codes which will take effect on May 6, 2025. Any building permit applications received after that date will have to follow the new codes.

Raul Rodriguez _____

Signature

03/21/2025 _____

Date

Attachment IX



Planned Development (PD) Request Routing Slip

Applicant: Melden & Hunt, c/o HDP Paso Real, LLC

Phone No.: (956) 381-0981

Location: Northwest corner of Haine Drive and FM 509.

Project Description: Request to amend the Planned Development ("PD") District site plan to allow for 28 ft wide street with 30 ft of right-of-way with smaller lot sizes for a 90-lot single-family and 1 commercial lot development.

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: Applicant will have to meet any code, regulation, ordinance, and standard required for permit.

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: March 17, 2025

February 20, 2025

Mr. Joel Olivo
Assistant Director for Planning and Development
502 E. Tyler Ave., Harlingen, Texas 78550

Dear Mr. Olivo,

☐ Approved
☒ Approved with Conditions
☐ Disapproved

Plat

- ## Civil Plans

- ## Drainage Report

- Please note that this review shall be for conformance to subdivision regulations and the responsibility and liability for the adequacy of the design shall remain with the Engineer sealing the documents.

Sincerely,

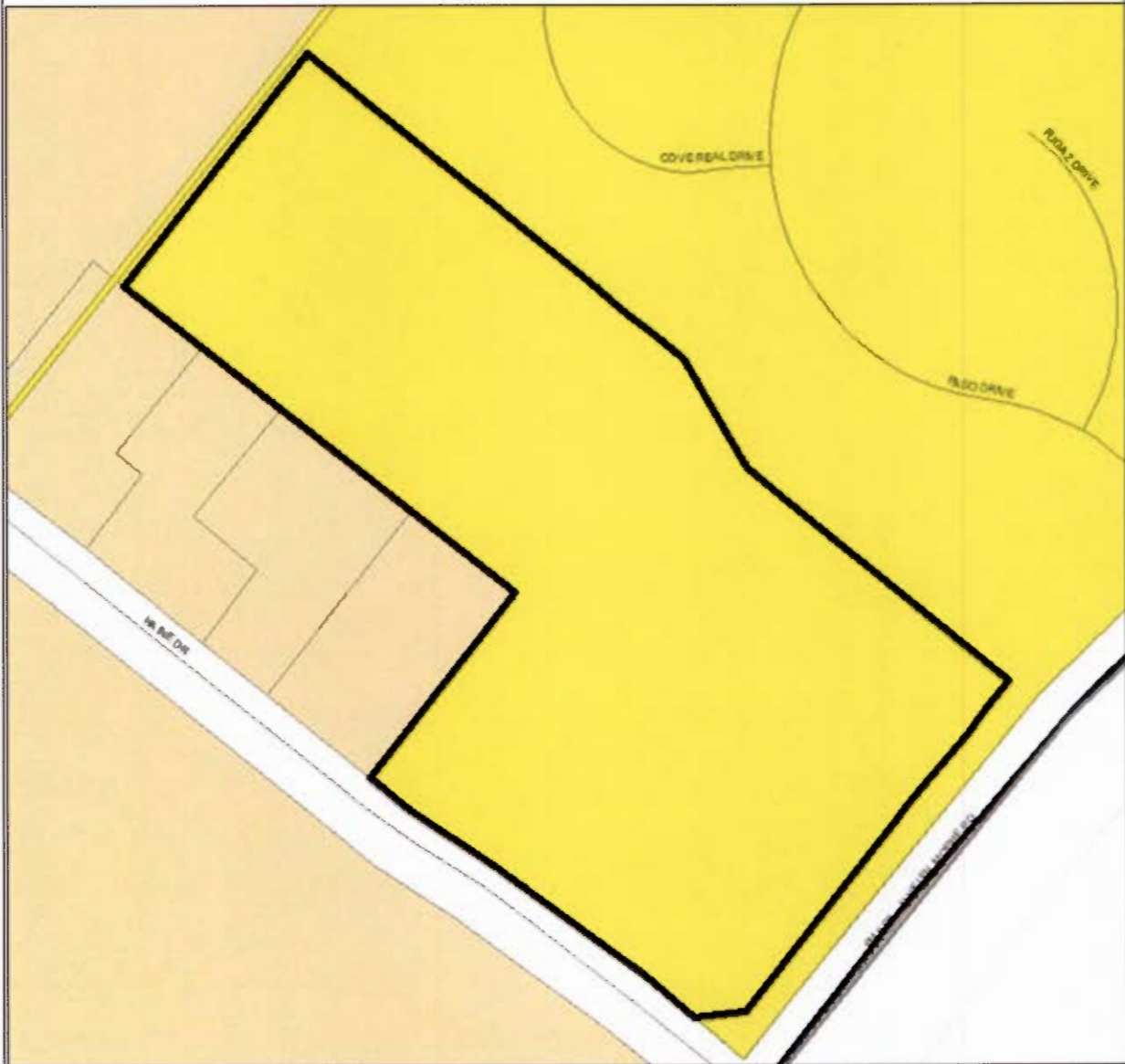
Isaac J. Ramirez

1 / 1

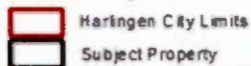


Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Boundary Lines



Future Land Use

Agricultural/Rural Residential	Institutional	Recreational/Open Space
Employment Center	Low Density Residential	Retail-Regional
High Density Residential	Medium Density Residential	Retail/Commercial/Office
Industrial	Mixed Use	

THIS MAP HAS BEEN PRODUCED BY THE CITY OF HARLINGEN FOR THE SOLE PURPOSE OF LOCATING JURISDICTIONAL BOUNDARIES AND IS NOT INTENDED FOR ANY OTHER PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING ORTHOPHOTO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT. DATE OF MAP 03.21.2025

ORDINANCE NO. 25_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN; AMENDING THE PLANNED DEVELOPMENT ("PD") SITE PLAN TO ALLOW FOR 28-FOOT WIDE STREETS WITH 30-FEET OF RIGHT-OF-WAY FOR 90 TOWNHOME LOTS AND ONE COMMERCIAL LOT DEVELOPMENT ON A PROPERTY BEARING A LEGAL DESCRIPTION OF 12.537 ACRES OF LAND OUT OF A PORTION OF LOTS 1, 2, 7, AND ALL OF LOT 8, BLOCK 146, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED ON THE NORTHWEST CORNER OF HAINE DRIVE AND FM 509; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a change in the zoning classification for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed rezoning having been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) and Ordinance 2022-01 establishing the original planned development site plan, be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Amending the Planned Development ("PD") site plan to allow for 28-foot wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property gearing a legal description of 12.537 acres of land out of a Portion of Lots 1,2,7, and all of Lot 8, Block 145, San Benito Land and Water Company Subdivision, located on the Norwest corner of Haine Drive and FM 509, as shown on Exhibit "A".

The provisions prohibiting the violation of the Code of Ordinances shall continue in full force and effect and apply to this ordinance.

The provisions amendment is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit "A" and shall comply with the conditions as listed below:

1. Compliance with all applicable building codes and regulations;
2. No on-street parking permitted on both sides of the interior streets; and
3. Compliance with drainage requirements and all applicable requirements from the Engineering Department.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this _____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzalez, Interim City Secretary

PLAT OF
VILLAS AT PASO REAL
SUBDIVISION

BEING 12.87 ACRES SITUATED IN THE CITY OF HENDERSON, CLARK COUNTY,
NEVADA, BEING A PART OR PORTION OUT OF LOTS 1, 2, 3 AND 4 ALL OF BLOCK 14
SAR BENTLEY LAND AND WATER COMPANY SUBDIVISION, ACCORDING TO THE PLAT
THEREOF RECORDED IN VOLUME 1, PAGE 8, CLARK COUNTY MAP RECORDS.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(e)

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a rezoning request from Residential, Single Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of Lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77. Applicant: Melden and Hunt, Inc. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning & Development Director
Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- February 27, 2025 – Application for a rezoning submitted to the City. (**ATTACHMENT I**)
- March 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 11, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 26, 2025 - Public hearing and consideration of requested rezoning by the Planning and Zoning Commission ("P&Z").
- April 7, 2025 – Public hearing and consideration of the requested rezoning via 1st Ordinance reading scheduled before the City Commission.
- April 16, 2025 – Pending approval of 1st Ordinance reading, consideration of approval of 2nd Ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Residential, Single-Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet. (**ATTACHMENT III**).
- The property is currently vacant. It has 447.90 feet of frontage along Primera Road and a depth of 954.50 feet. Primera Road is a four-lane, approximately 47-foot-wide paved street with curb and gutter.
- According to the site plan, 64 lots will be for one patio home-style single family residence on each lot. Setbacks are 20 feet in the front, 5 feet on the sides, and 10 feet in the rear. All potential patio home lots will front an interior public street.
- The property to the south is zoned Light Industry ("LI"), and the properties to the east are not designated ("N"). The surrounding land uses consist of single family residential use to the north, mobile home residential use to the east, and vacant land to the south and west. (**ATTACHMENTS II AND IV**).

- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan, named One Vision One Harlingen, shows this area as low density residential. A patio home use is considered low density residential, and therefore, the request is consistent with the Future Land Use Plan. **(ATTACHMENT V).**
- Staff received one phone calls in inquiry to the Planned Development request. Staff sent out 8 notices to the surrounding property owners within a 200-foot radius.
- The City of Harlingen Engineering, Building Inspections, and Fire Prevention Departments reviewed the proposed Planned Development site plan. The Fire Prevention Bureau, Engineering Department, and Building Inspections department have recommended approval, subject to complying with all applicable codes. **(ATTACHMENT VII).**

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the request.

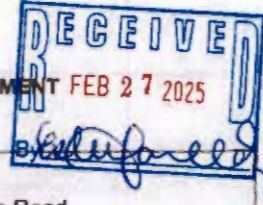
Comments:

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Attachment I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION



PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 18552 Primera Road Nearest Intersection Hwy 77 & Primera Road
(Proposed) Subdivision Name Kingswood Subdivision Lot 17 Block _____
Existing Zoning Designation Single Family Res. Future Land Use Plan Designation RPH

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Melden & Hunt, Inc. Phone (956) 381-0981 FAX _____
Email Address (for project correspondence only): ruben@meldenandhunt.com
Mailing Address 115 W. McIntyre Street City Edinburg State TX Zip 78541
Property Owner Prisma Developments LLC Phone _____ FAX _____
Email Address (for project correspondence only): _____
Mailing Address 2035 N. Central Avenue City Brownsville State TX Zip 78521

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|---|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Minor Plat..... <u>\$100.00</u> |
| ☐ Comp. Plan Amendment Request... <u>\$250.00</u> | ☐ Re-Plat..... <u>\$250.00</u> |
| ☐ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$250.00</u> |
| ☐ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat..... <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☒ PDD Request..... <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |

Please provide a basic description of the proposed project: Internal roads R.O.W. to be 50 feet instead of 60 feet for patio homes and lot sizes to be less than the permitted 5,000 sq ft. (4,645.68 smallest lot)

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature: _____ Date: 2/25/25

Property Owner(s) Signature: _____ Date: _____

Accepted by: _____ Date: _____

Attachment I

RE-ZONING REQUEST SUBMITTAL CHECKLIST

Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

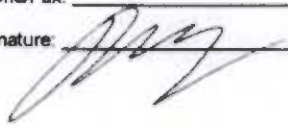
Complete

- ☐ A metes and bounds description or survey plat of the tract(s) in which the re-zoning is requested.
 - ☐ A written statement describing the proposed use(s) of the subject property (can be provided on Master Application).
 - ☐ Any other information (elevation drawings, pictures, etc.) in support of the subject request.
-
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
 - I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
 - I understand that while all requirements for the submittal of a re-zoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner: _____ Date 2/25/25

Owner Address: _____

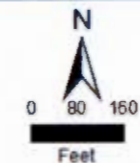
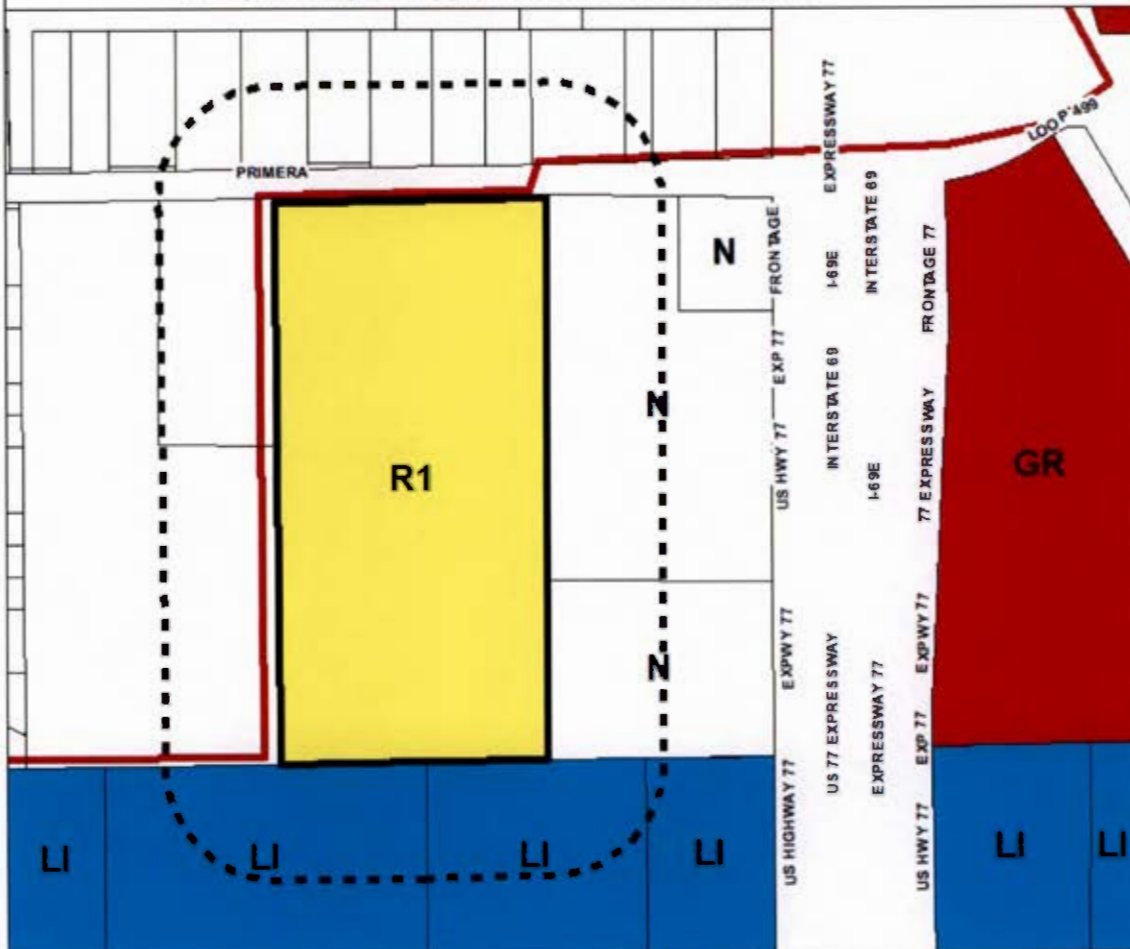
Phone/Fax: _____

Signature:  _____

Attachment II



Request to rezone from Residential, Single Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of Lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77. Applicant: Melden and Hunt, Inc



Boundary lines

- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
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| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

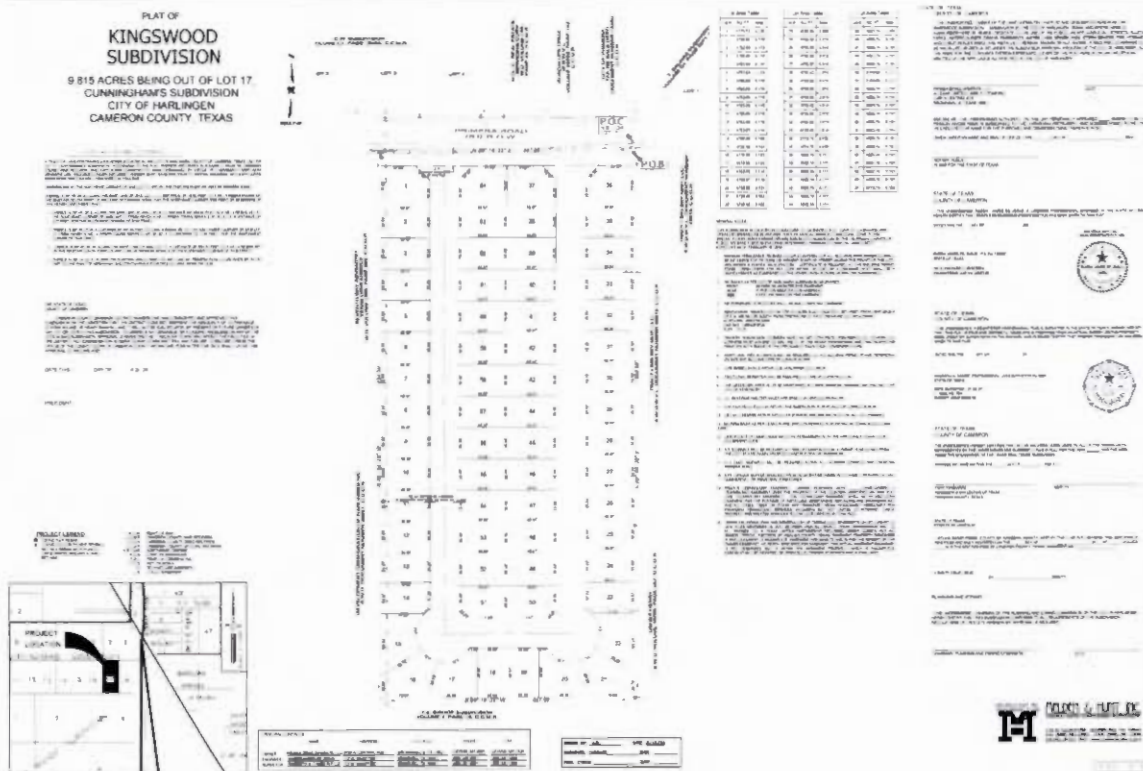
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Attachment III – Street View

View from Primera Road



Attachment III – Proposed Layout for the Kingswood Planned Development



Attachment III – Proposed Setbacks for the Kingswood Planned Development

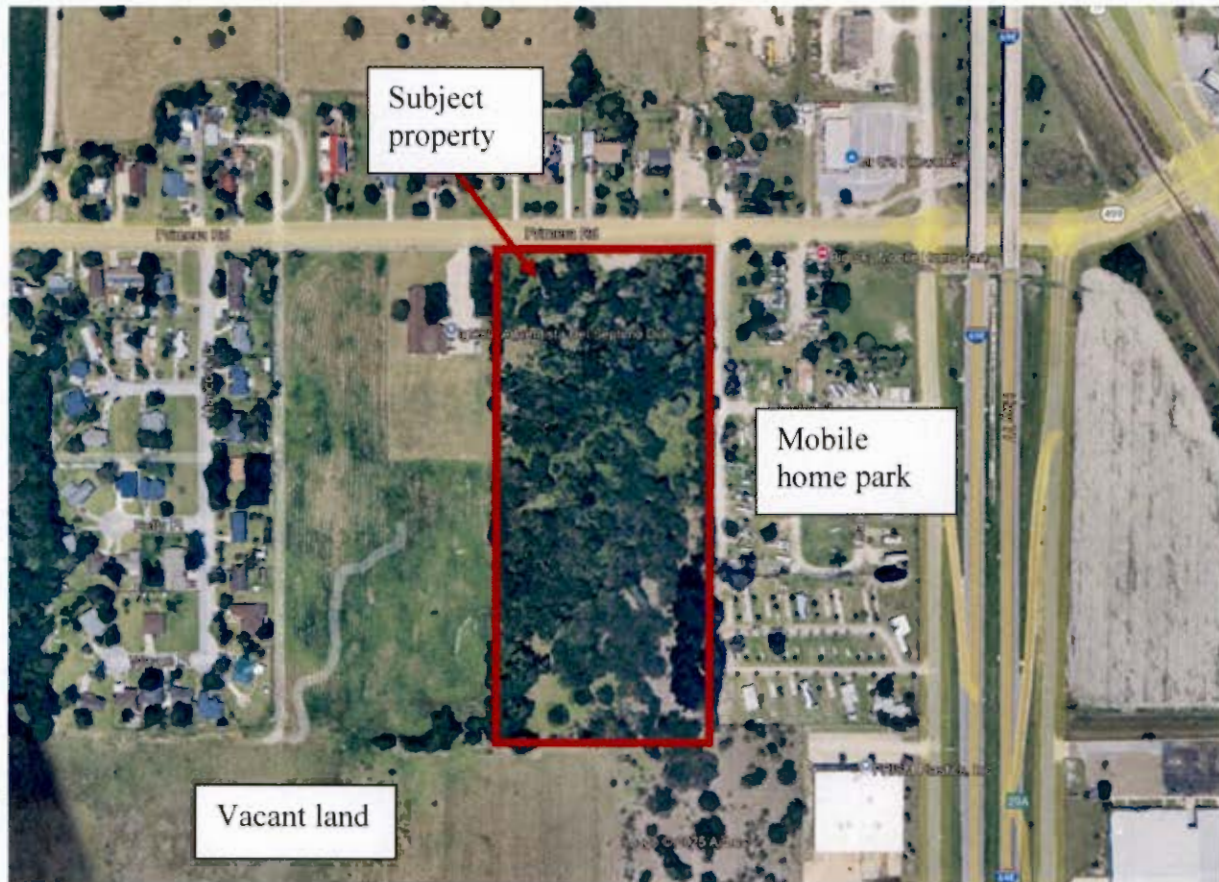
GENERAL NOTES:

THIS SUBDIVISION IS LOCATED IN FLOOD ZONE "X" (UNSHADED) & "A" ZONE "X" (UNSHADED) ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN. ZONE "A" ARE SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE OF FLOOD. NO BASE FLOOD ELEVATIONS DETERMINED. COMMUNITY PANEL No. 485477 027 F.
EFFECTIVE DATE: FEBRUARY 16, 2018

1. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION FOR ALL BUILDING IMPROVEMENTS SHALL BE 24" ABOVE TOP OF CURB OR HIGHEST POINT OF STREET (ALONG THE FRONT OF THE LOT), WHICHEVER IS HIGHER. AN ELEVATION CERTIFICATE IS REQUIRED. AT THE BUILDING PERMIT STAGE, FINISH FLOOR FOR ANY LOTS WITHIN 100 FEET OF A DRAINAGE INLET SHALL BE 6 INCHES HIGHER AS COMPARED TO THE OTHER FINISH FLOORS WITHIN THE SUBDIVISION.
2. SETBACKS AS PER CITY OF HARLINGEN SUBDIVISION ORDINANCE:
FRONT: 20 FEET OR GREATER FOR EASEMENT
REAR: 10 FEET OR GREATER FOR EASEMENT
SIDE: 5 FEET OR GREATER FOR EASEMENT
3. NO PERMANENT STRUCTURE SHALL BE BUILT OVER ANY EASEMENT.
4. BENCH MARK: SQUARE CUT ON TOP OF CURB INLET LOCATED 1,227' WEST FROM CENTERLINE OF F.M. 509 AND 25' SOUTH FROM CENTERLINE OF EAST TREASURE HILL BOULEVARD.
NORTHING: 10589159.5326
EASTING: 1283506.9725
ELEV. = 31.25
5. PRIMARY SUBDIVISION CORNERS MUST BE SET CONCRETE MONUMENTS. ALL OTHERS LOT CORNERS MUST ADHERE TO SEC. 663.17 OF THE TEXAS ENGINEERING AND LAND SURVEYING PRACTICE ACTS RULES OF THE APPLICABLE TEXAS LOCAL GOVERNMENT CODE.
6. ADDITIONAL FIRE HYDRANTS MAY BE REQUIRED AT THE BUILDING PERMIT STAGE DEPENDING ON SIZE AND BUILDING TYPE OF CONSTRUCTION.
7. THIS SUBDIVISION IS WITHIN THE HARLINGEN CITY LIMITS.
8. ADDITIONAL DETENTION MAY BE REQUIRED AT TIME OF CONSTRUCTION.
9. THE DETENTION AREA IS TO BE MAINTAINED BY HOME OWNERS ASSOCIATION AND NOT THE CITY OF HARLINGEN.
10. ALL BEARINGS AND DISTANCES ARE BASED ON GRID COORDINATES.
11. THE HIGHEST ELEVATION WITHIN THIS SUBDIVISION IS 36.40 AND THE LOWEST IS 35.50.
13. SET No. 4 REBARS WITH PLASTIC CAP STAMPED MELDEN AND HUNT ON ALL LOT CORNERS.
14. BEARING BASIS AS PER TEXAS PLANE GRID COORDINATE SYSTEM NAD 83 TEXAS SOUTH ZONE (4205).
15. CERTIFICATE OF COMPLIANCE WITH THE REQUIREMENTS OF THE APPLICABLE TEXAS LOCAL GOVERNMENT CODE.
16. A 5' SIDEWALK WILL BE REQUIRED AT TIME OF CONSTRUCTION. A PERMIT IS REQUIRED FROM THE CITY OF HARLINGEN PRIOR TO CONSTRUCTION OF SIDEWALKS.
17. A 5 FOOT SIDEWALK WILL BE REQUIRED ALONG ALL INTERIOR STREETS AND FRONTING PRIMERA ROAD.
18. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.
19. PRIVATE TECHNOLOGY EASEMENT. OWNER RESERVES UNTO _____ DEVELOPMENT A TECHNOLOGY EASEMENT OVER THE PROPERTY IN THE LOCATION IDENTIFIED ON THIS PLAT (THE "TECHNOLOGY EASEMENT"). THE TECHNOLOGY EASEMENT SHALL BE AN EXCLUSIVE EASEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPLACING AND UPGRADING ANY AND ALL CABLE, FIBER, OR OTHER ANY TRANSPORT MEDIA REASONABLY NECESSARY FOR PROVIDING TECHNOLOGY SERVICES, INCLUDING BUT NOT LIMITED TO INTERNET, CABLE, SECURITY, AND RELATED SERVICES, TO THE LOTS CREATED BY THIS PLAT.
20. TERMS AND CONDITIONS AND RESERVATION OF TECHNOLOGY EASEMENTS DATED AUGUST 13, 2015, FILED NOVEMBER 25, 2015, BETWEEN HIDALGO COUNTY TEXAS CORPORATION, INC., TO M.L. RHODES LTD. A TEXAS LIMITED PARTNERSHIP RECORDED UNDER CLERK'S FILE NO. 2665226, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS. EASEMENT PROPERTY DESCRIBED IN SAID DOCUMENT IS INCOMPLETE. EASEMENT PERTAINS TO AND IS FOR THE BENEFIT OF THE OWNER/RESERVIST. NO WIDTH SPECIFIED FOR EASEMENT. THE ACTUAL EASEMENT BOUNDARY IS NOT DESCRIBED, BUT IS WITHIN THE EASEMENT PROPERTY WHICH IS INCOMPLETE. EASEMENT MAY BE REVOKED OR AMENDED BY OWNER/ RESERVER AND IS EXCLUSIVE.

Attachment IV – Aerial View

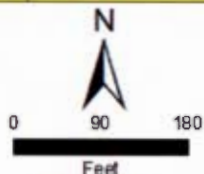
AERIAL





Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Boundary Lines
Harlingen City Limits
Subject Property

Future Land Use

Agricultural/Rural Residential	Institutional	Recreational/Open Space
Employment Center	Low Density Residential	Retail-Regional
High Density Residential	Medium Density Residential	Retail/Commercial/Office
Industrial	Mixed Use	

THIS MAP HAS BEEN PRODUCED BY THE CITY OF HARLINGEN FOR THE SOLE PURPOSE OF LOCATING JURISDICTIONAL BOUNDARIES AND IS NOT INTENDED FOR ANY OTHER PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING ORTHOPHOTO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT. DATE OF MAP 03.18.2025

Attachment VII – Fire Prevention



Planned Development (PD) Request Routing Slip

Applicant: Melden and Hunt

Phone No.: (956) 381-0981

Location: The south side of Primera Road and Southbound Frontage Road of Expressway 77

Project Description: Request to rezone from Residential, Single-Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77.

Department: Fire Prevention Bureau

Approval: ☐ YES ☒ YES with comments ☐ NO

Comments: 1. As per Sec. 109-91 (d) (5) a fire hydrant plan which includes the location of existing and proposed fire hydrants. Fire hydrants must be shown to create a coverage network of not more than 500-foot intervals measured along streets or other public access right-of-way for single-family residential subdivisions. In all other subdivisions, this distance must be a 150-foot radius.

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: February 27, 2025

Attachment VII – Building Inspections



Planned Development (PD) Request Routing Slip

Applicant: Melden and Hunt

Phone No.: (956) 381-0981

Location: Located on the south side of Primera Road and Southbound Frontage Road of Expressway 77

Project Description: Request to rezone from Residential, Single Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77

Department: Building Permits and Inspections Department

Approval: ☒ YES ☐ NO

Comments: If request is approved by the Planning Department, A Building Permit application and complete set of construction documents for the proposed use must be submitted to the Building Department. The construction documents must comply with the 2018 International Residential Code and Family of Codes. Windstorm Engineered plans are required with min. 140 mph wind speeds. The city commission adopted the new 2024 family of codes which will take effect on May 6, 2025. Any building permit applications received after that date will have to follow the new codes.

Raul Rodriguez _____

Signature

03/19/2025 _____

Date



Engineering Department | 24200 FM 509, Harlingen, Texas 78550

February 12, 2025

Isac Ramirez, EIT, CFM
Project Engineer

Mr. Joel Olivo
Assistant Director for Planning and Development
502 E. Tyler Ave., Harlingen, Texas 78550

RE: REVIEW OF KINGSWOOD SUBDIVISION PRELIM/FINAL - 1ST SUBMITTAL

Dear Mr. Olivo,

Please find comments below regarding the preliminary construction documents for the above-mentioned subdivision per Section 109-128.(a) of the City of Harlingen City Ordinances.

- ☐ Approved
- ☒ Approved with Conditions
- ☐ Disapproved

Please review and address the following comments:

Plat

- The drainage report shows Lots 64 & 37 as detention for the subdivision. Please add a plat note stating that Lots 64 & 37 are non-buildable lots that will be privately owned and maintained.

Drainage Report

- Please include a full-sized copy of the sheet titled "STORM LAYOUT" from the drainage report to verify compliance with local standards. The copy included in the drainage report is illegible.
- Please include cross-section details for the proposed detention to verify its accuracy with statements included in the drainage report and plat.

Please note that this review shall be for conformance to subdivision regulations and the responsibility and liability for the adequacy of the design shall remain with the Engineer sealing the documents. If you have any questions, please feel free to contact me at (956) 216-5283 or via email at isacr@harlingentx.gov.

Sincerely,

Isac Ramirez, EIT, CFM

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN TO: REZONE FROM RESIDENTIAL, SINGLE FAMILY ("R-1") DISTRICT TO PLANNED DEVELOPMENT ("PD") DISTRICT TO ALLOW INTERNAL ROADS TO HAVE 50 FEET R-O-W, AND FOR 64 PATIO HOME-STYLE SINGLE FAMILY RESIDENTIAL LOTS BE LESS THAN THE REQUIRED 6,000 SQUARE FEET FOR A PROPERTY BEARING THE LEGAL DESCRIPTION OF 9.815 ACRES OUT OF LOT 17, CUNNINGHAM'S SUBDIVISION, LOCATED ON THE SOUTH SIDE OF PRIMERA ROAD AND SOUTHBOUND FRONTAGE ROAD OF EXPRESSWAY 77 PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a special use permit for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed special use permit having been fully made and complied with as required by said Code of Ordinances and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Rezone from Residential, Single Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77 as shown in Exhibits "A" and "B".

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Building Inspection Inspector and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within by the appropriate initials for that

portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

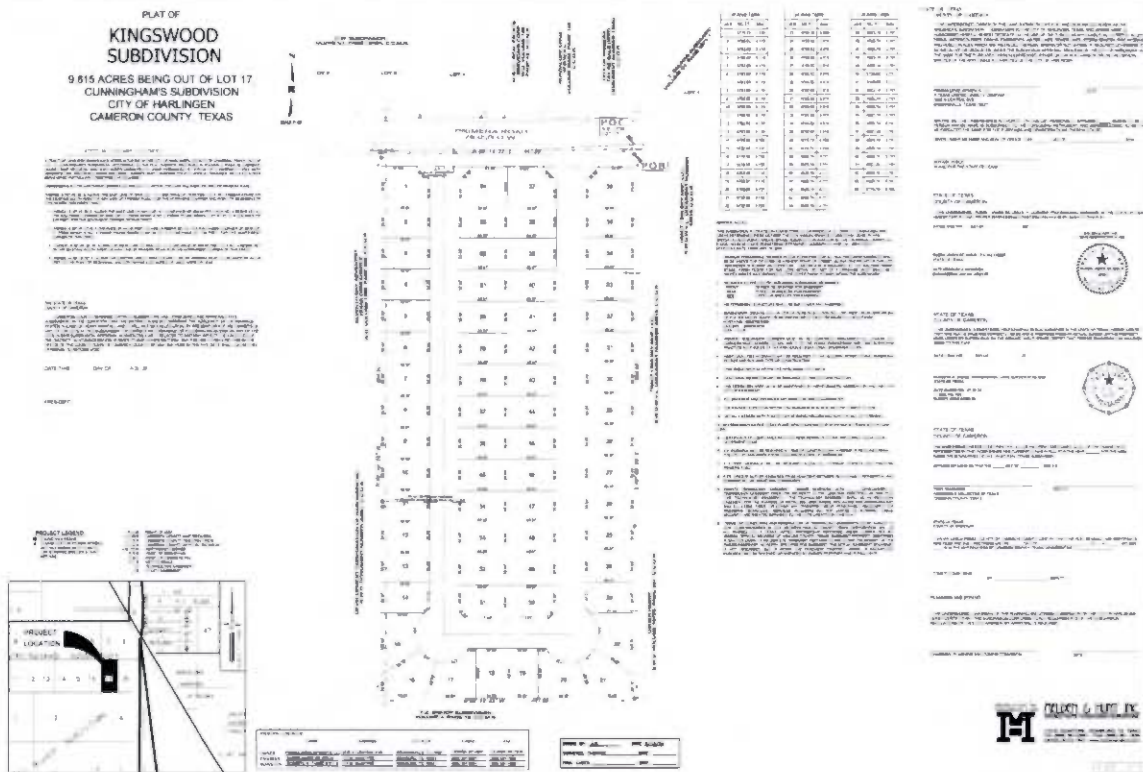
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzalez, Interim City Secretary

Exhibit "A"



Lot Area Table		
Lot #	SQ. FT.	Area
1	5775.75	0.133
2	4783.62	0.110
3	4783.63	0.110
4	4783.63	0.110
5	4783.63	0.110
6	4783.63	0.110
7	4783.63	0.110
8	4783.63	0.110
9	4783.63	0.110
10	4783.63	0.110
11	4783.63	0.110
12	4783.63	0.110
13	4783.63	0.110
14	4700.00	0.108
15	5722.48	0.131
16	5770.45	0.132
17	5674.50	0.130
18	4783.08	0.110
19	4783.07	0.110
20	5702.63	0.131
21	5732.40	0.132
22	5732.40	0.132

Lot Area Table		
Lot #	SQ. FT.	Area
23	4700.00	0.108
24	4783.62	0.110
25	4783.62	0.110
26	4783.62	0.110
27	4783.62	0.110
28	4783.62	0.110
29	4783.62	0.110
30	4783.62	0.110
31	4783.62	0.110
32	4783.62	0.110
33	4783.62	0.110
34	4783.62	0.110
35	4783.63	0.110
36	5775.75	0.133
37	5775.75	0.133
38	4823.74	0.111
39	4823.74	0.111
40	4823.74	0.111
41	4823.74	0.111
42	4823.74	0.111
43	4823.74	0.111
44	4823.74	0.111

Lot Area Table		
Lot #	SQ. FT.	Area
45	4823.74	0.111
46	4823.74	0.111
47	4823.74	0.111
48	4823.74	0.111
49	4823.74	0.111
50	5106.00	0.117
51	5106.00	0.117
52	4823.74	0.111
53	4823.74	0.111
54	4823.74	0.111
55	4823.74	0.111
56	4823.74	0.111
57	4823.74	0.111
58	4823.74	0.111
59	4823.74	0.111
60	4823.74	0.111
61	4823.74	0.111
62	4823.74	0.111
63	4823.74	0.111
64	5775.75	0.133

Exhibit "B"

GENERAL NOTES:

THIS SUBDIVISION IS LOCATED IN FLOOD ZONE "X" (UNSHADED) & "A" ZONE "X" (UNSHADED) ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN. ZONE "A" ARE SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE OF FLOOD. NO BASE FLOOD ELEVATIONS DETERMINED. COMMUNITY PANEL No. 485477 027 F, EFFECTIVE DATE: FEBRUARY 16, 2018

1. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION FOR ALL BUILDING IMPROVEMENTS SHALL BE 24" ABOVE TOP OF CURB OR HIGHEST POINT OF STREET (ALONG THE FRONT OF THE LOT), WHICHEVER IS HIGHER. AN ELEVATION CERTIFICATE IS REQUIRED, AT THE BUILDING PERMIT STAGE. FINISH FLOOR FOR ANY LOTS WITHIN 100 FEET OF A DRAINAGE INLET SHALL BE 6 INCHES HIGHER AS COMPARED TO THE OTHER FINISH FLOORS WITHIN THE SUBDIVISION
2. SETBACKS AS PER CITY OF HARLINGEN SUBDIVISION ORDINANCE:
FRONT: 20 FEET OR GREATER FOR EASEMENT
REAR: 10 FEET OR GREATER FOR EASEMENT
SIDE: 5 FEET OR GREATER FOR EASEMENT
3. NO PERMANENT STRUCTURE SHALL BE BUILT OVER ANY EASEMENT.
4. BENCH MARK: SQUARE CUT ON TOP OF CURB INLET LOCATED 1.227' WEST FROM CENTERLINE OF F.M. 509 AND 25' SOUTH FROM CENTERLINE OF EAST TREASURE HILL BOULEVARD.
NORTHING: 16589159.5326
EASTING: 1263506.9725
ELEV. = 31.25
5. PRIMARY SUBDIVISION CORNERS MUST BE SET CONCRETE MONUMENTS ALL OTHERS LOT CORNERS MUST ADHERE TO SEC. 663.17 OF THE TEXAS ENGINEERING AND LAND SURVEYING PRACTICE ACTS RULES OF THE APPLICABLE TEXAS LOCAL GOVERNMENT CODE.
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19. PRIVATE TECHNOLOGY EASEMENT. OWNER RESERVES UNTO _____ DEVELOPMENT A TECHNOLOGY EASEMENT OVER THE PROPERTY IN THE LOCATION IDENTIFIED ON THIS PLAT (THE "TECHNOLOGY EASEMENT"). THE TECHNOLOGY EASEMENT SHALL BE AN EXCLUSIVE EASEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPLACING AND UPGRADING ANY AND ALL CABLE, FIBER, OR OTHER ANY TRANSPORT MEDIA REASONABLY NECESSARY FOR PROVIDING TECHNOLOGY SERVICES, INCLUDING BUT NOT LIMITED TO INTERNET, CABLE, SECURITY, AND RELATED SERVICES, TO THE LOTS CREATED BY THIS PLAT.
20. TERMS AND CONDITIONS AND RESERVATION OF TECHNOLOGY EASEMENTS DATED AUGUST 13, 2015, FILED NOVEMBER 25, 2015, BETWEEN HIDALGO COUNTY TEXAS CORPORATION, INC., TO M.L. RHODES LTD, A TEXAS LIMITED PARTNERSHIP RECORDED UNDER CLERK'S FILE NO. 2685226, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS. EASEMENT PROPERTY DESCRIBED IN SAID DOCUMENT IS INCOMPLETE. EASEMENT PERTAINS TO AND IS FOR THE BENEFIT OF THE OWNER/RESERVIST. NO WIDTH SPECIFIED FOR EASEMENT, THE ACTUAL EASEMENT BOUNDARY IS NOT DESCRIBED, BUT IS WITHIN THE EASEMENT PROPERTY WHICH IS INCOMPLETE. EASEMENT MAY BE REVOKED OR AMENDED BY OWNER/ RESERVER AND IS EXCLUSIVE.

10(f)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for the voluntary annexation of 3.22 acres of land out of Block 164, San Benito Land and Water Company Subdivision, located along the south side of FM 675, approximately 2,890.84 feet southeast of FM 509. Applicant: Emiliano Rosel c/o Mario Vega. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- March 15, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 26, 2025 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- April 7, 2025 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- April 16, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The owner of the property has requested the voluntary annexation of 3.22 acres of land **(Attachment I)**. The property has frontage along FM 675 and is contiguous to the city limits via the north side of the property. **(Attachment V)**.
- The property owner is proposing a single-family home on the property and finds it beneficial for the property to be within the city limits to process a building permit. With the rezoning to Residential, Single-Family ("R-1") District, the developer will build a single-family home for his family.
- Water and sewer for this property is provided by Military Highway Water Supply Corporation.
- The developer will be processing permits for a single-family home after the annexation process is completed. During the rezoning process legal notices will be mailed to all property owners within 200 feet of the subject property. The legal notices will be mailed to the property owners within the city limits only.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.
- In 2024 the city annexed a total of 103.94 acres. In 2023 the city annexed 19.94

acres. In 2022 the city annexed 71.1 acres. In 2021 the city annexed 1.47 acres.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval: *GH* ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval: *NO* ☒ Yes ☐ No ☐ N/A

Attachment I- Letter from the Property Owner

Moore Land Surveying, LLC

14216 Palis Drive
La Feria, TX 78552

(956)245-0988
(956)245-4651

TBPLS Firm No. 10194186
TBPE Firm No. 19190

Sol A. Nunez
City of Harlingen Planning
502 E. Tyler Ave.
Harlingen, TX 78550

March 20, 2025

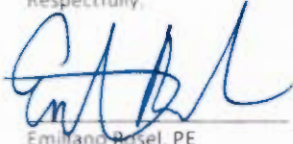
RE: 3.22 ACRES OUT OF BLOCK 164, SAN BENITO LAND AND WATER COMPANY

Ms. Nunez:

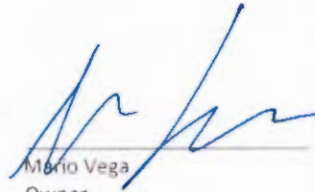
On behalf of our client, we would like to request an annexation into the City of Harlingen's ETJ for the property consisting of 3.22 Acres out of Block 164, San Bentio Land and Water Company Subdivision. The owner of the subject property would like to pull a permit to build a house on the property. However, the property lies within both the city limits of Harlingen and the county.

Should you have any questions feel free to contact myself at 956-929-1615.

Respectfully,



Emiliano Rosel, PE
Moore Land Surveying, LLC



Mario Vega
Owner

Attachment II- Property Survey



Attachment III- Metes & Bounds Description

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559 (956)245-0988

TBPLS Firm No. 10194186

March 20, 2025

METES AND BOUNDS 3.22 ACRES OF LAND

BEING 3.22 ACRES OF LAND out of Block One Hundred Sixty-Four (164), San Benito Land and Water Company Subdivision, Cameron County, Texas, according to the map or plat thereof recorded in Volume 1, Page 6, Map Records of Cameron County, Texas, being out of a 57.739 Acre tract of land described in Volume 23739, Page 130, Official Records of Cameron County, Texas, said 3.22 Acre tract being more particularly described by metes and bounds as follows:

COMMENCING at the Southeast corner of said 57.739 Acre tract, from which the Northeast corner of Block 165 bears **NORTH 38 DEG. 42 MIN. 22 SEC. EAST** a distance of **374.79 FEET**;

THENCE along the East boundary of Blocks 164 & 165, **NORTH 38 DEG. 42 MIN. 22 SEC. EAST** a distance of **578.00 FEET** to a point, for the Southeast corner and **POINT OF BEGINNING** of the tract herein described;

1) **THENCE** leaving the East boundary of Block 164, **NORTH 54 DEG. 35 MIN. 11 SEC. WEST**, at a distance of 25.00 feet pass an iron rod with plastic cap stamped "MOORE 6370" set, a total distance of **952.97 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set, for the Southwest corner of the tract herein described;

2) **THENCE NORTH 30 DEG. 14 MIN. 23 SEC. EAST** a distance of **192.90 FEET** to an iron rod found on the South boundary of Hacienda De Lago Subdivision, recorded in Cabinet 1, Page 26-8, Map Records of Cameron County, Texas, for a corner of the tract herein described;

3) **THENCE** along the South boundary of Hacienda De Lago Subdivision, being the South right of way of Parmer Drive, **SOUTH 76 DEG. 50 MIN. 38 SEC. EAST** a distance of **120.00 FEET** to a point, for a corner of the tract herein described;

4) **THENCE** along the East boundary of Hacienda De Lago Subdivision, **NORTH 13 DEG. 09 MIN. 22 SEC. EAST**, at a distance of 40.00 pass an iron rod found on the North right of way of Parmer Drive, a total distance of **427.32 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set for the point of curvature of a curve to the right, for a corner of the tract herein described;

5) **THENCE** continuing along the East boundary of Hacienda De Lago Subdivision and along said curve to the right, with a radius of **412.50 FEET**, an arc length of **227.39 FEET**, and a central angle of **31 DEG. 35 MIN. 03 SEC.**, having a chord bearing of North 28 Deg. 56 Min. 53 Sec. East and a chord distance of 224.52 feet to an iron rod found for the Southwest corner of a 0.09 Acre tract of land described in Document No. 2024-16708, Official Records of Cameron County, Texas, for the Northwest corner of the tract herein described;

6) **THENCE** along the South boundary of said 0.09 Acre tract, **SOUTH 47 DEG. 20 MIN. 38 SEC. EAST** a distance of **31.08 FEET** to an iron rod found, for a corner of the tract herein described;

7) **THENCE** continuing along the South boundary of said 0.09 Acre tract, **NORTH 47 DEG. 39 MIN. 21 SEC. EAST** a distance of **20.52 FEET** to an iron rod found, for a corner of the tract herein described;

8) **THENCE** continuing along the South boundary of said 0.09 Acre tract, **SOUTH 68 DEG. 27 MIN. 27 SEC. EAST** a distance of **22.89 FEET** to an iron rod found, for a corner of the tract herein described;

9) **THENCE** leaving the South boundary of said 0.09 Acre tract, **SOUTH 38 DEG. 29 MIN. 46 SEC. WEST** a distance of **130.91 FEET** to a point, for a corner of the tract herein described;

10) **THENCE SOUTH 16 DEG. 56 MIN. 30 SEC. WEST** a distance of **281.75 FEET** to a point, for a corner of the tract herein described;

Attachment III- Metes & Bounds Description

11) THENCE SOUTH 01 DEG. 14 MIN. 33 SEC. EAST a distance of 519.19 FEET to a point, for a corner of the tract herein described;

12) THENCE SOUTH 49 DEG. 33 MIN. 39 SEC. EAST a distance of 599.77 FEET to a point, for a corner of the tract herein described;

13) THENCE SOUTH 38 DEG. 42 MIN. 22 SEC. WEST a distance of 10.77 FEET to the POINT OF BEGINNING; Containing 3.22 Acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane Coordinate System, South Zone, NAD 83. A plat of survey accompanies this metes and bounds description.

C. Moore

Cody Michael Moore, R.P.L.S.
Registered Professional Land Surveyor No. 6370



7/20/25

Date

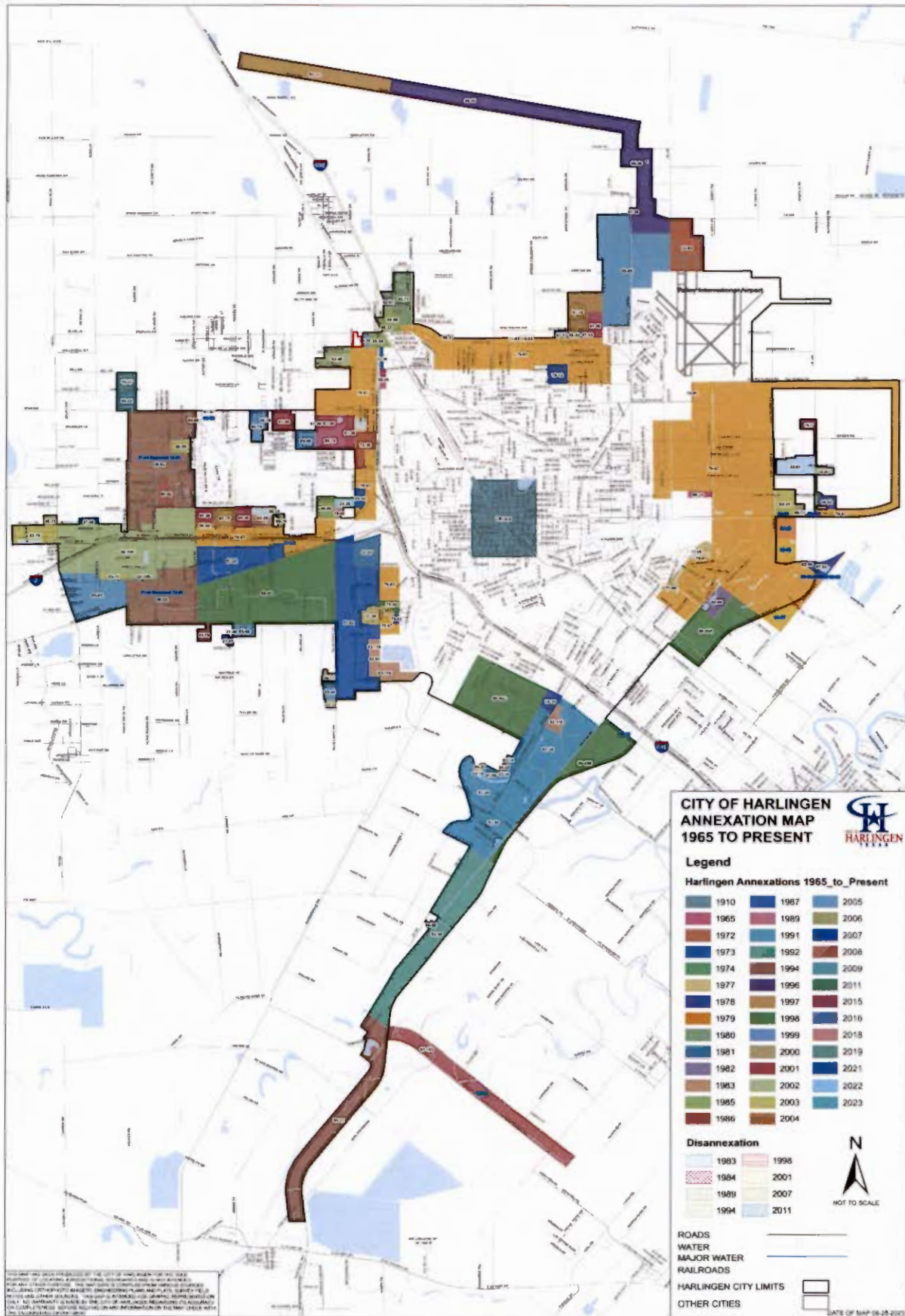
Attachment IV- Aerial Photo with Existing City Limits



Attachment V- Zoning Map



Attachment VI- Annexation Map



ORDINANCE NO. 25-_____

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE A 3.22 ACRE TRACT OF LAND OUT OF BLOCK 164, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED ALONG THE NORTH SIDE OF FM 106 APPROXIMATELY 1,295 FEET EAST OF FM 509; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; APPROVING AN ANNEXATION SERVICES AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the "City") desires to annex approximately 3.22 acres of land situated along the along the south side of FM 675, approximately 2,890.84 feet southeast of FM 509 legally described as a 3.22 acre tract of land out of Block 164, San Bentio Land and Water Company Subdivision and depicted in Exhibit "A", with the exhibit being attached hereto and incorporated herein by reference (collectively, the "Property"); and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality which are contained in the municipality's extra-territorial jurisdiction (ETJ); and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex an area on the request of all property owners in an area, whereby the City has received a petition for annexation by the property owner for the tract of land described as depicted in Exhibit "B"; and

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, Section 43.0672, the City has negotiated and entered into a written

agreement dated March 11, 2025, with the owner of the Property regarding the provision of services to the Property upon annexation, of which the applicable annexation services agreement and schedule is attached hereto and incorporated herein as Exhibit "C," and

WHEREAS, the City Commission provided public notice and held public hearings on March 26, April 7, and April 16, 2025, for all interested persons to attend and be heard in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, § 43.0673; and

WHEREAS, at such hearings all interested persons were heard concerning the advisability of annexing such tracts of land; and

WHEREAS, the City Commission of the City of Harlingen, finds that the inclusion of such additional area will be of benefit to the City of Harlingen; now therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

- Section 1.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Commission and made a part hereof for all purposes as findings of fact.
- Section 2.** The Property, lying outside of, but adjacent to and adjoining the City and located within the City's ETJ, is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.
- Section 3.** The City finds annexation of the Property to be in the public interest due the Property promoting economic growth of the City.
- Section 4.** The annexation services agreement attached as Exhibit "C" is approved, and municipal services shall be provided to the Property in accordance therewith.
- Section 5.** The City Manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the addition to the City's Corporate Limits and the City Secretary is directed to file a certified

copy of this Ordinance in the office of the County Clerk of Cameron County, Texas, and in the official records of the City.

Section 7. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Commission that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

Section 8. This Ordinance will take effect upon its adoption by the City Commission in accordance with the provisions of Article V, Section 5 of the City Charter.

APPROVED ON FIRST READING on this ____ day of _____, 2025

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this ____ day of _____, 2025

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzales, Interim City Secretary

EXHIBIT "A"

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559

(956)245-0988

TBPLS Firm No. 10194186

March 20, 2025

METES AND BOUNDS

3.22 ACRES OF LAND

BEING 3.22 ACRES OF LAND out of Block One Hundred Sixty-Four (164), San Benito Land and Water Company Subdivision, Cameron County, Texas, according to the map or plat thereof recorded in Volume 1, Page 6, Map Records of Cameron County, Texas, being out of a 57.739 Acre tract of land described in Volume 23739, Page 130, Official Records of Cameron County, Texas, said 3.22 Acre tract being more particularly described by metes and bounds as follows:

COMMENCING at the Southeast corner of said 57.739 Acre tract, from which the Northeast corner of Block 165 bears **NORTH 38 DEG. 42 MIN. 22 SEC. EAST** a distance of **374.79 FEET**;

THENCE along the East boundary of Blocks 164 & 165, **NORTH 38 DEG. 42 MIN. 22 SEC. EAST** a distance of **578.00 FEET** to a point, for the Southeast corner and **POINT OF BEGINNING** of the tract herein described;

1) **THENCE** leaving the East boundary of Block 164, **NORTH 54 DEG. 35 MIN. 11 SEC. WEST**, at a distance of 25.00 feet pass an iron rod with plastic cap stamped "MOORE 6370" set, a total distance of **952.97 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set, for the Southwest corner of the tract herein described;

2) **THENCE NORTH 30 DEG. 14 MIN. 23 SEC. EAST** a distance of **192.90 FEET** to an iron rod found on the South boundary of Hacienda De Lago Subdivision, recorded in Cabinet 1, Page 26-B, Map Records of Cameron County, Texas, for a corner of the tract herein described;

3) **THENCE** along the South boundary of Hacienda De Lago Subdivision, being the South right of way of Parmer Drive, **SOUTH 76 DEG. 50 MIN. 38 SEC. EAST** a distance of **120.00 FEET** to a point, for a corner of the tract herein described;

4) **THENCE** along the East boundary of Hacienda De Lago Subdivision, **NORTH 13 DEG. 09 MIN. 22 SEC. EAST**, at a distance of 40.00 pass an iron rod found on the North right of way of Parmer Drive, a total distance of **427.32 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set for the point of curvature of a curve to the right, for a corner of the tract herein described;

5) **THENCE** continuing along the East boundary of Hacienda De Lago Subdivision and along said curve to the right, with a radius of **412.50 FEET**, an arc length of **227.39 FEET**, and a central angle of **31 DEG. 35 MIN. 03 SEC.**, having a chord bearing of North 28 Deg. 56 Min. 53 Sec. East and a chord distance of 224.52 feet to an iron rod found for the Southwest corner of a 0.09 Acre tract of land described in Document No. 2024-16708. Official Records of Cameron County, Texas, for the Northwest corner of the tract herein described;

6) **THENCE** along the South boundary of said 0.09 Acre tract, **SOUTH 47 DEG. 20 MIN. 38 SEC. EAST** a distance of **31.08 FEET** to an iron rod found, for a corner of the tract herein described;

7) **THENCE** continuing along the South boundary of said 0.09 Acre tract, **NORTH 47 DEG. 39 MIN. 21 SEC. EAST** a distance of **20.52 FEET** to an iron rod found, for a corner of the tract herein described;

8) **THENCE** continuing along the South boundary of said 0.09 Acre tract, **SOUTH 68 DEG. 27 MIN. 27 SEC. EAST** a distance of **22.89 FEET** to an iron rod found, for a corner of the tract herein described;

9) **THENCE** leaving the South boundary of said 0.09 Acre tract, **SOUTH 38 DEG. 29 MIN. 46 SEC. WEST** a distance of **130.91 FEET** to a point, for a corner of the tract herein described;

10) **THENCE SOUTH 16 DEG. 56 MIN. 30 SEC. WEST** a distance of **281.75 FEET** to a point, for a corner of the tract herein described;

EXHIBIT "B"

11) THENCE SOUTH 01 DEG. 14 MIN. 33 SEC. EAST a distance of 519.19 FEET to a point, for a corner of the tract herein described,

12) THENCE SOUTH 49 DEG. 33 MIN. 39 SEC. EAST a distance of 599.77 FEET to a point, for a corner of the tract herein described,

13) THENCE SOUTH 38 DEG. 42 MIN. 22 SEC. WEST a distance of 10.77 FEET to the POINT OF BEGINNING; Containing 3.22 Acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane Coordinate System, South Zone, NAD 83. A plat of survey accompanies this metes and bounds description.


Cody Michael Moore, R.P.L.S.
Registered Professional Land Surveyor No. 6370



7/20/2025
Date

EXHIBIT "C"

ANNEXATION SERVICE AGREEMENT

SECTION 1. Pursuant to the provisions of V.T.C.A., Local Government Code Section 43.0672, in connection to the voluntary annexation of a 18.26 acres of land out of Block 164, San Benito Land and Water Company Subdivision, Cameron County, Texas, the owners(s) of the land in the area and the City of Harlingen ("City"), collectively referred to herein as the "Parties", hereby enter into this written Annexation Service Agreement as follows:

A. Services to be provided on the effective date of annexation unless otherwise specified.

1. Police Protection

Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on the effective date of annexation. Patrol positions will be added when population warrants.

2. Fire Protection

Fire protection by the present personnel and equipment of the fire fighting force within the limitations of available water will be provided on the effective date of annexation.

3. Emergency Medical Services

Emergency medical services will be provided through contract services on the effective date of annexation.

4. Environmental Health and Code Compliance

Health protection including the elimination of weedy lots, illegal dumping, unsanitary septic systems, sources of standing water and other public nuisances will be provided on the effective date of annexation.

Regulation of animal and fowl density will be provided on the effective date of annexation.

5. Solid Waste Collection

Pick up will begin on the effective date of annexation at the same level of service and cost provided to other similar areas presently found within the City of Harlingen.

Brush collection will be on a periodic basis as established by the City Sanitation Department with an active utility account.

6. Operation and maintenance of public water and wastewater facilities
Routine maintenance of existing water and wastewater facilities owned by Harlingen Waterworks System that are not within the service area of another water or wastewater utility will begin on the effective date of annexation.
7. Operation and maintenance of public roads and streets
Routine maintenance of public roads and streets will begin on the effective date of annexation on the same basis as presently occurs in the city.

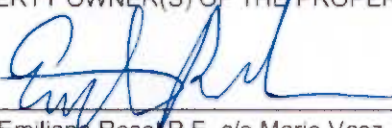
- B. If the city fails to zone the property as Residential, Single-family ("R-1") District after the rezoning public hearings are held, the city agrees to de-annex the property within three (3) months after the rezoning process is completed.

SIGNED this ____ day of ____, 2025.

CITY OF HARLINGEN

By: _____
Gabriel Gonzalez, CPM, City Manager

PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED ABOVE

By: 
Emiliano Rosel P.E. c/o Mario Vesz

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(9)

Meeting Date: **April 7, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading, amending the adoption of the 2024 International Codes and the 2023 National Electrical codes. Applicant: City of Harlingen. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Summary

- The City of Harlingen adopted the 2018 International Building Codes and the 2017 Electrical Codes in May of 2020.
- The adoption of the most current codes and standards is the most efficient and effective method of creating safe environments that protect and improve public health, safety, general welfare and the economic interests of the community.
- The adoption of the most current codes and standards provides the opportunity for cost savings based on the usage of the latest technology and practices (i.e. plastic pipe for plumbing, trusses vs. dimensional lumber, engineered wood products, etc.) and assures that products and materials are available in the market and comply with specifications and testing standards referenced in the code.
- According to the Insurance Service Office (ISO), communities with well-enforced, up-to-date codes generally fare better in the face of hazards.
- The current codes are in excess of 6 years of age which result in a lower classification by the Insurance Services Office, Inc (ISO). Failure to adopt the most recent codes would inevitably result in a higher classification from the ISO. This would result in higher insurance premiums for the local property owners.
- A survey was conducted to show what the different communities in the Rio Grande Valley are currently enforcing. The table with the comparison can be found in **Attachment I**.
- A list of changes from the 2018 International Building codes to the proposed 2024 International Codes is shown in **Attachment II**.
- In the proposed ordinance it states that the new codes will take effect after the six-month anniversary of the adoption of the ordinance.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval:

☐

Yes

☐

No

☐

N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:

GH

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

ADe

☒

Yes

☐

No

☐

N/A

RGV ADOPTED CODES COMPARISONS
As of September 16, 2024

CITY	ADOPTED CODE
Los Fresnos	2018 International Codes
South Padre Island	2018 International Codes
Brownsville	2018 International Codes
Edinburg	2018 International Codes
La Feria	2021 International Codes
McAllen	2018 International Codes
Mission	2021 International Codes
Pharr	2018 International Codes
San Benito	2024 International Codes
San Juan	2018 International Codes
Weslaco	2015 but getting ready to adopt the 2021 codes

2024 IBC Significant Changes

105.2 Fences Not Exempt from Permit

Fences up to 7 feet in height no longer exempt from permit requirements where utilized as a swimming pool barrier.

Recognizes life safety protection provided by minimum fence height, limitation on size of any openings, lack of climb ability, and controlled gate access.

Permit requirement provides mechanism for ensuring fence and its installation go through the plan review and inspection process

306.2 Group F Occupancy Classification

Group F-1 occupancy classification also now includes: Energy storage systems (ESS) and equipment containing lithium-ion or lithium metal batteries
Manufacture of lithium-ion batteries
Manufacture and assembly of vehicles powered by lithium-ion or lithium metal batteries
Recognition as Group F-1 based on moderate degree of hazard due to large part to safeguards mandated in IFC.

310.4 Group R Occupancy Classification

In addition to several clarifications of various residential uses, the lodging house provisions have been revised. Emergency services living quarters introduced as congregate living facilities
Scoping provisions for bed and breakfast establishments and similar lodging houses classified as a Group R-3 occupancy no longer mandate a maximum of 10 occupants. In addition, no longer an occupant load limit required for construction of an owner-occupied lodging house under the International Residential Code
Threshold of five guest rooms remains as sole factor for lodging house classification

Attachment II – Changes from the existing codes

510.2 Horizontal Building Separations

Where the horizontal building separation allowance (podium buildings) of Section 510 is applied, the restriction on occupant loads for the upper building has been eliminated

Previously, the only Group A occupancies permitted above the podium level were those with an occupant load of less than 300. In addition, where vertical offsets occur in the horizontal separation required between the upper and lower buildings, the offsets shall be constructed as for fire barriers

903.2, 903.3.1.1.3 Automatic Sprinkler Protection for Batteries

Allowance to exempt sprinkler protection for battery areas in telecommunications buildings where automatic smoke detection and fire resistive separation is provided has been modified to those conditions where such battery areas not required to have sprinkler system per IFC Section 1207. Where sprinkler protection required for areas containing lithium-ion or lithium metal batteries, design of system to be based on series of fire tests involving scenarios that address range of variables associated with arrangement of hazards to be protected. Tests to be conducted or witnessed and reported by approved testing laboratory

903.2 Sprinkler System Required – Lithium-ion and Lithium Metal Batteries

Sprinkler systems are required in certain Group B, F-1, M and S-1 occupancies where these batteries are involved.

Not limited to use in Energy Storage Systems as previously done. Addresses the unique fire hazard the batteries create and the potential for a thermal runaway fire.

Sprinkler required for: Group B: Laboratories, testing, research and development of batteries Group F-1: Manufacture of batteries or vehicles, ESS or equipment using them Group M: Storage Group S-1: Storage or repair of vehicles powered by these batteries with fire area over 500 square feet

Attachment II – Changes from the existing codes

907.2.11.3 Smoke Alarms Near Cooking Appliances

Modifies the location requirements applicable to smoke alarms due to changes in the listing standard. New testing standards help reduce nuisance alarms caused by cooking sources. Align with NFPA 72 and UL 217 Requires 10-foot horizontal separation to permanently installed cooking appliance, with exception permitting reduction to 6 feet to ensure detectors are installed where required by 907.2.11.1 or 907.2.11.2. Code previously used 20 feet, 10 feet or 6 feet, depending on alarm type.

1015.8 Window Openings in Group R-2 and R-3 Buildings

Scope of Section 1015.8 is windows in Group R-2 and R-3 buildings including dwelling units where: Bottom of clear opening of operable window located less than 36 inches above finished floor and more than 72 inches above finished grade or other surface below on exterior of building. Provisions reorganized to regulate two conditions: Windows located less than 75 feet but more than 6 feet above exterior grade or surface below Window openings located 75 feet or more above exterior grade or surface below

1107.2 Electrical Vehicle Charging Stations

Electrical vehicle charging stations serving Group R-2 occupancies must now comply with accessible provisions of Section 1107.2.

Exemption continues to apply to Groups R-3 and R-4 Electrical vehicle charging stations not required to be accessible where used exclusively by: Buses, Trucks, Other deliver vehicles, Law enforcement vehicles, Motor pools

1208 Dwelling Unit Size

Minimum size of 70 square feet has been established for sleeping units. Previously unaddressed, now consistent with minimum size required for habitable rooms of a dwelling unit. Dwelling units now required to have a minimum of 190 square feet of habitable space. Provides consistency with minimum size required for efficiency dwelling units.

1403.13, 1403.14, 1404.19 Exterior Wall Materials and Installation

Attachment II – Changes from the existing codes

1409 **Insulated Metal Panels (IMP)**

New provisions now regulate the materials, construction and quality of insulated wall panels (IMP) used as exterior walls and exterior wall coverings. MP newly defined a factory manufactured panel consisting of metal facings and an insulation core intended for use as a system forming an exterior wall, an exterior wall covering, a roof covering or roof assembly of a building. Provisions vary based upon whether insulating materials are combustible or noncombustible. Although regulated similar to MCMs, they need their own provisions due to variety of insulating materials that are permitted

1502.3 **Roof Drainage Scuppers**

Scupper requirements for secondary roof drainage removed from IBC as they are addressed in full by IPC. Previously, IBC was incomplete as it did not contain all applicable provisions set forth in IPC. Retention of Section 1502.2 maintains requirement for secondary roof drains or scuppers, where applicable, with reference to required compliance with Chapter 11 of IPC. Does not require specific adoption of IPC due to application of Section 102.4 recognizing referenced standards as an extension of the IBC.

1705.2.6 **Special Inspection—Metal Building Systems**

New special inspection requirement complement new provisions applicable to metal building systems now found in IBC Section 2214. Metal building systems are typically heavily dependent on bracing components to function per the design. Due to a previous lack of special inspection requirements for these components, inspection of the completed installation of these critical components was often overlooked. While individual components are often covered by fabricator special inspections and tests, metal building systems are often unique Approved agency to perform inspections of erected metal building system to verify compliance with approved construction documents.

3111.3.5 **Elevated PV Support Structures**

Overhead photovoltaic support structures now regulated where potential exists for people or vehicles in space beneath them. Not applicable where installed over agricultural use,

Where installed over open-grid framing or noncombustible deck: Panels to be tested, listed and labeled with fire type rating per UL 1703, or per UL 61730 1&2. Panels marked “not fire rated” not to be installed on elevated PV support structures. Where installed over roof assembly, panel system to have fire classification in accordance with Section 1505.9

2024 IRC Significant Changes

Wind loads Section (Structural Loads R301)

Lateral loads on studs, Fasteners of studs to framing, Sheathing and its fasteners, Gable ~~endwall~~ overhangs, Suction on rafters/purlins, Roof uplift connectors

R302.1 Exterior Walls Measurement of fire separation distance when there are multiple dwellings or townhouse buildings on the same lot is added.

R302.3 Two-family dwellings Two-family dwellings have updated fire resistance requirements for improved clarity.

R302.3.5 Stacked Dwelling Units Details are added for stacked two family dwelling units.

R302.3.6.1 Opening protection

Openings from a shared accessory room into a sleeping room not be permitted, Other openings equipped with a self-closing or automatic-closing device and: Solid wood doors not less than 1-3/8 inches in thickness, Solid or honeycomb core steel doors not less than 1-3/8 inches thick, Fire door assembly with a 20-minute fire-protection rating.

R302.3.6.2 Duct penetration

Ducts penetrating the walls or ceilings separating the dwelling from the shared accessory room, Shall not have openings into the shared accessory room, Constructed of a minimum No. 26 gage sheet steel, Other approved material.

R303.1, R303.8 Foam Plastics

New standards for foam plastic materials and their applications are added.

Attachment II – Changes from the existing codes

R310 Smoke Alarms

Adds requirement for smoke alarms to meet manufacturers installation instructions, Clarifies locations for smoke alarms.

R317.6, R317.7 EV Charging E

EV charging stations must be installed per NEC, listed and labeled per UL 2202 with supply equipment listed and labeled per UL 2594.

R318.7.6 Stair Landings

Stair landings have all exceptions grouped into one section, Top landings may be on the opposite side of a door. Landings may be up to 7¼ inches below the threshold, No top landing required with less than 3 risers, Exterior stairs to grade must have a bottom landing.

R318.8 Ramps Handrails requirements for ramps are deleted and the ramp section is relocated.

R506.2 Post-tensioned Slabs

A referenced standard for posttensioned slabs on ground is added to the IRC.

R506.2.3 Vapor Retarder

The minimum thickness of vapor retarders is changed back to 6 mil.

Table R602.3(1) Roof Sheathing Fastener Schedule

Fastener spacing applies where roof framing $SG \geq 0.42$. Where roof framing ≤ 0.42 $SG \leq 0.35$, fastening of roof sheathing shall be with RSRS03 (2½" x 0.131" x 0.281" head) nails.

Attachment II – Changes from the existing codes

Fuel Gas Ch. 24

G2407.1 Combustion, ventilation and Dilution Air The section on corrosive and flammable products is rewritten to require a mechanical room or direct vented appliances.

E3704.2 Feeder Loads ✦

The feeder load calculation table adds EV cars and other vehicles to the calculation procedure

EV supply equipment (EVSE) load shall be 7200 watts or the nameplate rating of the equipment, whichever is greater.

E3901.4 Countertop and Work Surface Receptacles Islands and countertops may no longer have receptacle outlets below the counter.

- Receptacles must be on or above countertops
- Receptacles **prohibited below** countertops
- Receptacles **prohibited flat** on countertops

E3902.12 Appliance Outlets – GFCI Protected

1. Drinking water coolers and bottle fill stations 2. High pressure spray washing machines 3. Sump pumps 4. Dishwashers 5. Electric ranges 6. Wall-mounted ovens 7. Counter-mounted cooking units 8. Clothes dryers 9. Microwave ovens.

E3902.14 Outdoor Outlets

Outdoor outlets must be GFCI protected with a few exceptions

Exceptions: Lighting outlets, Not readily-accessible receptacles dedicated to electric snow melting or deicing, HVAC equipment (expires 9-1-2026)

E3905.13 Fastener Penetration

A new section is added limiting screw fastener penetration into boxes.

ORDINANCE NO. 25_

AN ORDINANCE REPEALING ORDINANCE 2020-21 OF THE CITY OF HARLINGEN, AND ADOPTING THE 2024 EDITION INTERNATIONAL CODES, BY THE INTERNATIONAL CODE COUNCIL, INC. TO INCLUDE;

INTERNATIONAL BUILDING CODE,

INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO-FAMILY DWELLINGS,

INTERNATIONAL FIRE CODE,

INTERNATIONAL WILDLAND URBAN INTERFACE CODE,

INTERNATIONAL ENERGY CONSERVATION CODE,

INTERNATIONAL MECHANICAL CODE,

INTERNATIONAL PLUMBING CODE,

INTERNATIONAL FUEL GAS CODE,

INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE,

INTERNATIONAL EXISTING BUILDING CODE,

INTERNATIONAL SWIMMING POOL AND SPA CODE,

INTERNATIONAL PROPERTY MAINTENANCE CODE,

ICC PERFORMANCE CODE FOR BUILDINGS AND FACILITIES, INTERNATIONAL GREEN CONSTRUCTION CODE,

AND ADOPTING THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101 LIFE SAFETY CODE, INCLUDING THE ANNEX CHAPTERS,

AND ADOPTING THE 2023 EDITION OF THE NATIONAL ELECTRIC CODE (NFPA 70), INCLUDING THE ANNEX CHAPTERS,

AND REPEALING ALL CITY ORDINANCES IN CONFLICT HERewith AND ORDAINING OTHER MATTERS RELATING TO THE FOREGOING.

BE IT ORDAINED BYTHE CITY COMMISSION OF THE CITY OF HARLINGEN THAT;

SECTION 1: Ordinance 14-9 be repealed by adopting the 2024 Edition International Codes including the Appendix Chapters by the International Code Council, Inc., to include;

International Building Code,

International Residential Code for One and Two Family Dwellings,

International Fire Code,

International Wildland Urban Interface Code,

International Energy Conservation Code,

International Mechanical Code,

International Plumbing Code,

International Fuel Gas Code,

International Private Sewage Disposal Code,

International Existing Building Code,

International Swimming Pool and Spa Code,

International Property Maintenance Code,

ICC Performance Code for Building and Facilities,

International Green Construction Code,

And adopting the National Fire Protection Association (NFPA) 101 Life Safety Code, including the Annex Chapters,

And adopting the 2023 Edition of the National Electric Code (NFPA 70), including the Annex Chapters.

SECTION 2: Any person, individual corporation, partnership, or entity of any type violating the provisions of these codes shall be guilty of a misdemeanor and shall be fined not less than \$1.00 or not to exceed \$2,000.00. Each day that a violation occurs or continues to exist, it shall be considered a separate offense.

SECTION 3: All ordinances or part of ordinances in conflict herewith are hereby repealed.

SECTION 4: If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The City of Harlingen hereby declares that it would have passed this ordinance, and each section, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 5: Nothing in this ordinance or the Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any actor ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this ordinance.

SECTION 6: The City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true and correct copy of the caption of this ordinance to be published in a newspaper having circulation in the City of Harlingen, Cameron County, Texas.

SECTION 7: The rules, regulations, provisions, requirements, orders and matters established and adopted in this ordinance hereby shall take effect after the six-month anniversary of the passage of this ordinance.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Harlingen, Texas that said City Commission wishes to comply with said Ordinance and to provide for enforcement of the requirements set out in the International Codes by the International Code Council, Inc. to safeguard life, health, public welfare and the protection of property within the City of Harlingen, the aforementioned requirements are hereby adopted and shall become effective after the six-month anniversary of the passage of this ordinance.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Hermelinda Gonzalez, Interim City Secretary

AGENDA ITEM
EXECUTIVE SUMMARY

10(h)

Meeting Date: April 7, 2025

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances, Chapter 103, Buildings and Building Regulations, Article 1, In General, authorizing the waiver of city building permit fees for residences and businesses affected by the recent storm (flooding). Applicant: City of Harlingen Attachment (*Planning & Development*)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No* amount for this purpose?

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval: *GG* ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval: *MS* ☒ Yes ☐ No ☐ N/A

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES, CHAPTER 103, BUILDINGS AND BUILDING REGULATIONS, ARTICLE 1, IN GENERAL, AUTHORIZING THE WAIVER OF CITY BUILDING PERMIT FEES FOR RESIDENCES AND BUSINESSES AFFECTED BY THE RECENT STORM (FLOODING); PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS, The City of Harlingen is a home-rule municipality possessing the full power of local self-government pursuant to Article XI, Section 5 of the Texas Constitution; and

WHEREAS, Pursuant to the laws of the State of Texas, including Section 51.001 of the Texas Local Government Code, the Commission has the authority to adopt an ordinance that, among other things, is for good government peace, or order of Harlingen; and

WHEREAS, The City of Harlingen is determined to provide development incentives to non-profit organizations whose mission is to provide more options for affordable housing, alleviate and improve the living conditions of low to moderate income residents, and further improve surrounding economic development; and

WHEREAS, The amendments are also consistent with the goals of the One Vision One Harlingen Comprehensive Plan, of streamlining the development policies to promote Harlingen as an attractive and development option; and

WHEREAS, The City Commission of the City of Harlingen finds that it is in the best interests of the citizens of Harlingen to amend the Code of Ordinances as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF HARLINGEN, TEXAS, THAT:

SECTION I: That the City of Harlingen Code of Ordinances, Chapter 103, Buildings and Building Regulations, Article I, In General is hereby amended by adding the language underlined (added) to read in full as follows.

The following fees are hereby waived for qualifying applicants:

- a. Residential & Commercial Building Permit Fees; and
- b. Plumbing, Electrical, and Mechanical Permit Fees;

To be eligible for a waiver, applicants must meet the following:

- a. Must provide documentation, such as photos, of any damages sustained to the property.

SECTION II: That the City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true copy of the caption of this ordinance to be published in a newspaper having general circulations in the City of Harlingen, Cameron County, Texas.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this _____ day of _____, 2025, at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

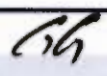
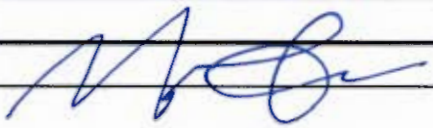
ATTEST:

Hermelinda Gonzales, Interim City Secretary

106i)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:	
Consideration and possible action to approve the Harlingen Main Street Contract for 2025. Attachment (<i>Downtown Improvement District</i>)	
Prepared By: Alexis Riojas, Downtown Director	
Brief Summary:	
Since 1989, the Harlingen Main Street Program has played a critical role in driving economic development, historic preservation, and community revitalization in our downtown area. The program supports local businesses, enhances cultural heritage, and fosters a vibrant community atmosphere, aligning with the city's strategic goals.	
Funding (if applicable):	
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:	
Finance Director's approval (Yes/No/NA):	
Staff Recommendation:	
City Manager approval:	
Comments:	
City Attorney's approval:	

TEXAS HISTORICAL COMMISSION

**Texas Main Street Locally Designated Program
2025 Contract**

I. PARTIES TO THE CONTRACT

This contract and agreement concerning Harlingen Main Street Program (“Agreement”) is entered into between the City of Harlingen, (hereinafter referred to as “Participant”) and the Texas Historical Commission (hereinafter referred to as “THC”). Harlingen Main Street Program (hereinafter referred to as “Local Program”) is part of a larger program within the Texas Main Street Program (hereinafter referred to as “TMSP”), as defined in 13 TAC sec. 19.3(1), wherein the Participant qualifies as a Texas Main Street Urban City, as defined in 13 TAC sec. 19.3. The purpose of the Local Program is to assist Participant with the development, revitalization, restoration, and preservation of its historic downtown or commercial neighborhood districts in accordance with the national Main Street Approach. This Agreement shall be governed by Texas Government Code, Section 442.014, and Texas Administrative Code, Title 13, Part 2, Chapter 19.

II. NATIONAL MAIN STREET CENTER BRAND AND NETWORK

This Agreement constitutes a designation of Participant as an official Texas Main Street City (as defined in 13 TAC sec. 19.3(2)) and allows the use of the National Main Street Center, Inc. brand, including MAIN STREET AMERICA™ controlled by National Main Street Center, Inc. 53 West Jackson Blvd., Suite 350 Chicago IL 60604. If Participant’s participation in the TMSP ceases, Participant may no longer use the term ‘Main Street’ to describe its local development, restoration, and preservation program; nor utilize or display the trademarks or branding of the National Main Street Center, Inc. The designation as a Texas Main Street City allows for full participation in the TMSP network, which includes eligibility to receive Texas Main Street publications and participate in Texas Main Street networking opportunities. Designated Texas Main Street Cities, such as Participant, shall execute and submit to the TMSP office the National Main Street Center’s Trademark Sublicense Agreement (“TM Sublicense Agreement”), which grants the right to use the registered trademark, logos and brand of National Main Street Center’s membership program - MAIN STREET AMERICA™. Participant hereby agrees to, and shall comply with, all terms and conditions of the TM Sublicense Agreement, which is attached hereto as Exhibit A, and incorporated herein by reference. Additionally, Participant acknowledges and agrees that in the event National Main Street Center develops and/or releases an updated TM Sublicense Agreement (“Updated TM Sublicense Agreement”) during the Term of this Agreement, Participant shall be required to execute, and comply with, the Updated TM Sublicense Agreement or otherwise be subjected to termination pursuant to the terms of VII. (B) below. In the event National Main Street Center develops and/or releases an Updated TM Sublicense Agreement, THC will provide Participant with sixty (60) days’ notice for Participant to consider, prepare and execute an updated Sublicense Agreement. Furthermore, the parties acknowledge and agree that the execution of such Updated TM Sublicense Agreement shall not require amendment of this Agreement and shall become part of this Agreement upon its execution. In the event of conflict between multiple TM Sublicense Agreements, the most recently executed version shall control.

III. RESPONSIBILITIES OF THE PARTICIPANT AND LOCAL PROGRAM

A. Local Program Staffing and Leadership.

In operation of the Local Program, Participant shall employ a full-time paid program manager who will attend at least two professional development segments annually as outlined in subsection B below. A Texas Main Street Urban City (as defined by 13 TAC 19.3(4)) shall additionally employ a full-time assistant program manager who shall also participate in the professional development under subsection B below.

If necessary and subject to TMSP approval, a Texas Main Street Small City may, after the first three years of participating in the TMSP, permit the program manager position to also perform specific economic development, tourism, and other relevant duties while remaining as a full-time paid program manager.

For the purposes of this Agreement, full-time employment means that the program manager works at least forty (40) hours per week dedicated toward the Local Program and downtown revitalization. Employees of the Participant shall be subject to the sole control and direction of the Participant. Participant shall move forward in an efficient manner to fill a program manager vacancy. Participant shall notify the TMSP immediately upon vacancy, identify an interim Local Program contact, and keep TMSP apprised monthly of progress in filling vacancies. Lengthy periods of staff vacancies may demonstrate a failure to adequately staff the program per Stipulation E Probation.

Participant shall establish and maintain a Main Street local advisory board to direct priorities of the program, provide human and fiscal support to program planning and activities, and advocate for the livelihood of the local program. The board will have a chair who is the primary spokesperson for the board and the primary point of contact for program manager. Make-up and duties of this board are to be defined locally by Participant with consultation from local program stakeholders.

B. Professional development.

The program manager will attend at least two professional development opportunities in their entirety, per year, from the list below:

Preferred Options (at least one training each year must be from these options):

1. TMSP annual professional development retreat for all program managers.
2. National Main Street Now Conference.
3. TMSP New Manager Training, typically held annually on the day before the TMSP annual professional development retreat
4. Real Places: Preserving Texas History Conference of the THC.

Additional Options (request must be made to TMSP in writing explaining why attendance at one of the preferred options is not possible):

5. Certification programs of MAIN STREET AMERICA™.
6. Texas Downtown Conference of the Texas Downtown organization.
7. PastForward Conference of the National Trust for Historic Preservation.

With prior THC approval, program managers with more than two years' experience as a Main Street Manager may request to substitute an equivalent historic preservation, downtown revitalization, or economic development course, for one of the above opportunities.

New program managers shall complete the TMSP new manager training within their first year of employment. If there is an assistant Main Street employee in addition to the program manager/s referenced above, that person should also attend at least one segment of Main Street professional development annually. In addition to the annual TMSP new manager training, new managers will be provided by TMSP with self-paced information and training when onboarding in their new role. The new manager should complete a review of this information and all tasks within the first three (3) months of hire.

If a replacement program manager is hired during this contract period who has not previously attended TMSP basic training or without significant Main Street knowledge and experience as determined by TMSP, the manager is required to complete one TMSP basic training orientation series. A \$500 training fee shall be charged to the Participant for the training series required under these circumstances.

To help ensure an effective Local Program, board members and volunteers are encouraged to attend TMSP educational opportunities or to contact TMSP for on-site training. No training fee is charged for their participation.

Additional abbreviated Professional Development managers are expected to be involved in, but do not count toward the requirements above, include:

- Quarterly Virtual Network Meetings
- Regional Virtual Meetings
- Monthly New Manager Virtual Trainings
- Regional Design Workshops
- Monthly Virtual Design Check-ins
- Biennial Accreditation Site Visit
- Virtual meetings for Managers offered by Main Street America
- Topic based virtual trainings (i.e. – December 2023's Accreditation Platform Training

C. Commitment.

Participant agrees to carry out their Local Program work according to the Main Street Approach as promulgated by the National Main Street Center and displayed at <https://www.mainstreet.org/mainstreetamerica/theapproach>. Participant agrees to incorporate into their Local Program work, the following Main Street Community Accreditation Standards:

1. Broad-based Community Commitment
2. Leadership & Organizational Capacity
3. Diverse and Sustainable Funding
4. Strategy-Driven Programming
5. Preservation-Based Economic Development
6. Demonstrated Impact & Result

D. Reporting.

To measure progress, Participant shall track reinvestment statistics and quarterly activity in an approved format submitted to the TMSP office by the 10th of the month following the end of each calendar quarter. If the 10th falls on a holiday or a weekend, the report will be due the first business day after the holiday or weekend. Even if there has not been reinvestment or activity in a quarter, Participant shall still submit a report noting such.

Dates quarterly reports must be submitted by are:

- April 10th – Quarter 1
- July 10th – Quarter 2
- October 10th – Quarter 3
- January 10th – Quarter 4

Additionally, Participant shall submit an annual accreditation report that includes an evaluation of the Local Program implementation of the Main Street Community Accreditation Standards outlined in Section III. C. above for the previous calendar year.

E. Probation.

Participant agrees that their Local Program may be placed on probation, which may result in the suspension of TMSP services or possible removal from the TMSP, for any of the following reasons:

1. Failure to submit an annual accreditation report pursuant to Section III. D above.
2. Failure to achieve accreditation objectives more than two (2) consecutive years.
3. Failure to submit activity/reinvestment reports for more than two (2) consecutive quarters.
4. Failure to employ a full-time Main Street Manager.
5. Failure to adequately staff, per this contract, or fund the program.
6. Failure to hire for a Main Street Manager vacancy within six (6) months of the previous manager's departure.
7. Adding additional roles or titles beyond Main Street responsibilities to a manager without prior Main Street experience before their two (2) year anniversary in the role.
8. Failure of an experienced Main Street Manager (in the role greater than two (2) years) to spend a minimum of 75% of their time on Main Street Program work.
9. Failure to have an active Board that is solely focused on the TMSP approved Main Street District.
10. Failure of a community to employ Historic Preservation Codes and Ordinances or to actively advocate for them.
11. Failure to abide by this Agreement.

THC shall notify Participant in writing prior to implementing probation in accordance with Texas Administrative Code, Title 13, Part 2, Chapter 19. In the case of probation, Participant will work with the THC's State Coordinator or delegate to overcome any deficiencies. THC may terminate the Local Program's participation in the TMSP if Participant fails to remediate identified deficiencies within a reasonable time. No fees will be refunded in cases of probation and any outstanding fees under this Agreement will

remain due. During probationary status, the stipulations called for in sections III and IV of this Agreement may be temporarily altered or suspended upon THC's discretion.

F. National Main Street America™ membership.

Participant shall budget for and maintain membership in the National Main Street Center.

IV. SERVICES TO BE PERFORMED BY TMSP

A. On-site visits and technical expertise.

TMSP services are available to designated Texas Main Street Cities in good standing and will be delivered in accordance with Texas Administrative Code, Title 13, Part 2, Chapter 19 subject to available THC resources. Issues. Services may include, but are not limited to consultations, training, or site visits to address design, organization, promotion, economic vitality, and historic preservation.

B. Assistance Securing a Main Street Manager.

Should a replacement program manager be needed, the TMSP office can assist with elements of the hiring process, including job description examples, job posting options, and interview questions. Upon Participant's request, the TMSP office may assist in the hiring process; however, the responsibility for selection, salary, employment and employee-related legal matters will remain with Participant. The Participant is responsible for, and shall hold THC and TMSP harmless from, all the acts and omissions of its managers and all of its employees, agents, representatives, contractors and/or subcontractors.

V. GENERAL TERMS AND RESPONSIBILITIES.

A. Confidentiality and Public Information Act.

Notwithstanding any provisions of this Agreement to the contrary, Participant and THC will comply with the Texas Public Information Act, Texas Government Code, Chapter 552, as interpreted by judicial opinions and opinions of the Attorney General of the State of Texas. THC and Participant agree to notify each other in writing within a reasonable time from receipt of a request for information related to Participant's work under this Agreement. Participant and THC will cooperate in the production of documents responsive to the request. Participant will notify THC within twenty-four (24) hours of receipt of any third-party requests for information that was provided by the State of Texas for use in performing the Agreement. This Agreement and all data and other information generated or otherwise obtained in its performance may be subject to the Texas Public Information Act. Subject to the Texas Public Information Act, Participant agrees to maintain the confidentiality of information received from the State of Texas during the performance of this Agreement, including information which discloses confidential personal information.

B. Dispute Resolution.

The dispute resolution process provided for in Texas Government Code, Chapter 2260, shall be used by THC and Participant to resolve any dispute arising under the Agreement.

If Participant's claim for breach of Agreement cannot be resolved in the ordinary course of business, it shall be submitted to the negotiation process provided in Chapter 2260. To initiate the process, Participant shall submit written notice, as required by Chapter 2260, to the individual identified in the Agreement for receipt of notices. Compliance by Participant with Chapter 2260 is a condition precedent to the filing of a contested case proceeding under Chapter 2260.

The contested case process provided in Chapter 2260 is Participant's sole and exclusive process for seeking a remedy for an alleged breach of Agreement by THC if the parties are unable to resolve their disputes as described above.

Compliance with the contested case process provided in Chapter 2260 is a condition precedent to seeking consent to sue from the Legislature under Chapter 107, Civil Practices and Remedies Code. Neither the execution of the Agreement by Participant and THC nor any other conduct of any representative of the Participant or THC relating to the Agreement shall be considered a waiver of sovereign immunity to suit by THC or any governmental immunity to which Participant is otherwise entitled under Texas law.

C. Indemnification.

TO THE EXTENT ALLOWABLE BY LAW, PARTICIPANT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS THE STATE OF TEXAS AND THC, AND/OR THEIR OFFICERS, AGENTS, EMPLOYEES, REPRESENTATIVES, CONTRACTORS, ASSIGNEES, AND/OR DESIGNEES FROM ANY AND ALL LIABILITY, ACTIONS, CLAIMS, DEMANDS, OR SUITS, AND ALL RELATED COSTS, ATTORNEY FEES, AND EXPENSES ARISING OUT OF, OR RESULTING FROM ANY ACTS OR OMISSIONS OF PARTICIPANT OR ITS AGENTS, EMPLOYEES, SUBCONTRACTORS, ORDER FULFILLERS, OR SUPPLIERS OF SUBCONTRACTORS IN THE EXECUTION OR PERFORMANCE OF THE AGREEMENT AND THE TM SUBLICENSE AGREEMENT AND/OR UPDATED TM SUBLICENSE AGREEMENT. THE DEFENSE SHALL BE COORDINATED BY PARTICIPANT WITH THE OFFICE OF THE ATTORNEY GENERAL ("OAG") WHEN TEXAS STATE AGENCIES ARE NAMED DEFENDANTS IN ANY LAWSUIT AND PARTICIPANT MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM OAG. PARTICIPANT AND THC AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM.

TO THE EXTENT ALLOWABLE BY LAW, PARTICIPANT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS THE STATE OF TEXAS, THC AND/OR THEIR EMPLOYEES, AGENTS, REPRESENTATIVES, CONTRACTORS, ASSIGNEES, AND/OR DESIGNEES FROM ANY AND ALL THIRD PARTY CLAIMS INVOLVING INFRINGEMENT OF UNITED STATES PATENTS, COPYRIGHTS, TRADE AND SERVICE MARKS, AND ANY OTHER INTELLECTUAL OR INTANGIBLE PROPERTY RIGHTS IN CONNECTION WITH THE PERFORMANCES OR ACTIONS OF PARTICIPANT PURSUANT TO THIS AGREEMENT AND/OR UPDATED TM SUBLICENSE AGREEMENT. PARTICIPANT AND THC AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM. PARTICIPANT SHALL BE LIABLE TO PAY

ALL COSTS OF DEFENSE INCLUDING ATTORNEYS' FEES. THE DEFENSE SHALL BE COORDINATED BY PARTICIPANT WITH THE OAG WHEN TEXAS STATE AGENCIES ARE NAMED DEFENDANTS IN ANY LAWSUIT AND PARTICIPANT MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM OAG.

D. Independent Contractor.

Participant or Participant's employees, representatives, agents and any subcontractors shall serve as an independent contractor in providing goods or services. Participant or Participant's employees, representatives, agents and any subcontractors shall not be employees of THC. Should Participant subcontract any of the services required in this Agreement, Participant expressly understands and acknowledges that in entering such subcontract(s), THC is in no manner liable to any subcontractor(s) of Participant. In no event shall this provision relieve Participant of the responsibility for ensuring that the services rendered under all subcontracts are rendered in compliance with this Agreement and the TM Sublicense Agreement or Updated TM Sublicense Agreement.

E. Ownership of Intellectual Property.

For the purposes of this Agreement, the term "Work Product" is defined as all reports, analyses, work papers, work products, materials, approaches, designs, specifications, systems, documentation, methodologies, concepts, knowledge, know-how, ideas, improvements, plans, advice, research, materials, intellectual property or other property developed, produced, or generated in part or in full by THC and/or in cooperation with Participant, in connection with this Agreement. Work Product specifically excludes pre-existing material owned by Participant, or material developed during the Term of this Agreement independently and exclusively by Participant without any THC involvement or contribution, and that does not include or incorporate any Work Product or Work Product components ("Independent Participant Material"). All Work Product generated pursuant to this Agreement is made the exclusive property of THC. All right, title and interest in and to said Work Product shall vest in THC upon creation and shall be deemed to be, and is expressly intended by the parties to be, a work made for hire and made in the course of the services rendered pursuant to this Agreement. To the extent that title to any such Work Product may not, by operation of law, vest in THC, or such Work Product may not be considered a work made for hire, all rights, title and interest therein are hereby irrevocably assigned to THC. THC shall have the right to obtain and to hold in its name any and all patents, copyrights, registrations or such other protection as may be appropriate to the Work Product subject matter, and any extensions and renewals thereof.

Furthermore, if and to the extent THC provides Participant any Work Product and/or other property owned by THC ("THC Property") to assist Participant to further the Local Program and the purpose of this Agreement, THC hereby grants Participant, commencing upon the date that Participant is designated as a Texas Main Street City, a nonexclusive, revocable, worldwide, fully paid, royalty-free, license, for the Term of this Agreement while Participant remains designated as a Texas Main Street City, to reproduce, modify, distribute, publicly perform, publicly display and use the THC Property only to the extent such use is in furtherance of the Local Program. To the extent Participant provides any Independent Participant Material to THC in connection with this Agreement, Participant hereby grants THC, and THC accepts, a nonexclusive, perpetual, irrevocable, worldwide, fully paid,

royalty-free license to use, reproduce, copy, modify distribute, publicly perform, publicly display, store, post on the Internet and creative derivative works of such Independent Participant Material, and to sublicense and transfer such Independent Participant Material to third parties to use in accordance with these license terms for THC purposes.

F. State Auditor.

In addition to and without limitation on the other audit provisions of this Agreement, and to the extent applicable, pursuant to Section 2262.154 of the Texas Government Code, the State Auditor's Office may conduct an audit or investigation of Participant or any other entity or person receiving funds from the State directly under this Agreement or indirectly through a subcontract under this Agreement. The acceptance of funds by Participant or any other entity or person directly under this Agreement or indirectly through a subcontract under this Agreement acts as acceptance of the authority of the State Auditor's Office, under the direction of the Legislative Audit Committee, to conduct an audit or investigation in connection with those funds. Under the direction of the Legislative Audit Committee, Participant or other entity that is the subject of an audit or investigation by the State Auditor's Office must provide the State Auditor's Office with access to any information the State Auditor's Office considers relevant to the investigation or audit. Participant further agrees to cooperate fully with the State Auditor's Office in the conduct of the audit or investigation, including providing all records requested. Participant shall ensure that this paragraph concerning the authority to audit funds received indirectly by subcontractors through Participant and the requirement to cooperate is included in any subcontract it awards. The State Auditor's Office shall at any time have access to and the right to examine, audit, excerpt, and transcribe any pertinent books, documents, working papers, and records of Participant related to this Agreement.

G. Assignment.

Participant may not assign this Agreement, in whole or in part, and may not assign any right or duty required under it, without the prior written consent of THC. Any attempted assignment in violation of this provision is void and without effect.

VI. CONTRACT AMOUNT

In accordance with the Texas Government Code, sec.442.014(d) and 13 TAC sec.19.5(d), Participant shall pay THC a fee in the amount of ** \$2,600.00 to defray cost of staff time and expenses for services provided under the Local Program. THC shall invoice for the fee and Participant shall tender payment within 60 days.

VII. TERM and TERMINATION

A. Term.

This Agreement begins upon the latest date the Agreement becomes fully executed by individuals who have the authority to bind the party on whose behalf he or she is signing (“Effective Date”) and shall expire on December 31, 2025, unless terminated at an earlier date pursuant to subsection B below.

B. Termination.

1. Either party shall have a right to terminate all performances to be rendered under this Agreement by notifying the other party in writing at least ten (10) days in advance of the termination date.
2. In the event Participant refuses or fails to execute any Updated TM Sublicense Agreement pursuant to the terms of Section II. above within sixty (60) days of receipt thereof, THC shall have the right to immediately terminate this Agreement by written notice to the Participant.
3. Upon termination of this Agreement under subsections 1 and 2 above, Participant will no longer be designated as an official Texas Main Street City (as defined in 13 TAC sec. 19.3(2)), and will no longer be allowed the use of any Work Product or THC Property, as defined herein, or the registered trademark, logos and brand of National Main Street Center’s membership program MAIN STREET AMERICA™. In such event, Participant agrees to return to THC any Work Product and THC Property in its possession.
4. No funds paid under Section VI. The above shall be refunded in any case of termination.

VIII. CHANGES AND AMENDMENTS

Any alterations, additions, or deletions to the terms of this Agreement shall be in writing and signed by both parties.

IX. APPLICABLE LAW AND VENUE; NO WAIVER; SEVERABILITY

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. The venue of any suit arising under this Agreement is fixed in any court of competent jurisdiction of Travis County, Texas.

Nothing in this Agreement shall be construed as a waiver of THC’s sovereign immunity or any governmental immunity to which Participant is entitled under Texas law. This Agreement shall not constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies, or immunities available to Participant, THC or the State of Texas. The failure to enforce, or any delay in the enforcement, of any privileges, rights, defenses, remedies, or immunities available to Participant, THC or the State of Texas under this Agreement or under applicable law shall not constitute a waiver of such privileges, rights, defenses, remedies, or immunities or be considered as a basis for estoppel.

In the event that any provision of this Agreement is later determined to be invalid, void, or unenforceable, then the remaining terms, provisions, covenants, and conditions of this Agreement shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated.

X. PROHIBITED FOREIGN BUSINESSES

In accordance with Texas Government Code, Chapter 2252, Subchapter F, Participant hereby represents and warrants that it is not a company identified on the lists prepared and maintained under Texas Government Code §§ 806.051 (companies with business operations in Sudan), 807.051 (companies with business operations in Iran), or 2252.153 (companies known to have contracts with or provide supplies or services to a foreign terrorist organization).

Notwithstanding the foregoing, a company that the United States government affirmatively declares to be excluded from its federal sanctions' regime relating to Sudan, Iran, or to a foreign terrorist organization, is not subject to contract prohibition under this clause. A company claiming such exemption must submit the official copy of the declaration.

XI. FORCE MAJEURE

THC shall not be responsible for performance under this Agreement should it be prevented from performance by an act of war, order of legal authority, act of God, or other unavoidable cause not attributable to the fault or negligence of THC.

Participant shall not be liable to THC for non-performance or delay in performance of a requirement under this Agreement if such non-performance or delay is due to one of the following occurrences, which occurrence must not be preventable through the exercise of reasonable diligence, be beyond the control of Participant, cannot be circumvented through the use of alternate sources, work-around plans, or other means and occur without its fault or negligence: fire; flood; lightning strike; weather damage; earthquake; tornado; hurricane; snow or ice storms; equipment break down; acts of war, terrorism, riots, or civil disorder; strikes and disruption or outage of communications, power, or other utility.

In the event of an occurrence under the above paragraph, Participant will be excused from any further performance or observance of the requirements so affected for as long as such circumstances prevail, and Participant continues to use commercially reasonable efforts to recommence performance or observance whenever and to whatever extent possible without delay. Participant shall immediately notify the THC's State Coordinator by telephone (to be confirmed in writing within five (5) calendar days of the inception of such occurrence) and describe at a reasonable level of detail the circumstances causing the non-performance or delay in performance.

XII. NOTICES.

Any notices and/or documents required hereunder shall be deemed to have been duly provided if in writing and delivered personally or by pre-paid guaranteed overnight delivery service, or sent postage prepaid by United States certified mail, return receipt requested. Any such notice shall be effective on the date of delivery if delivered personally, on the next business day following delivery to the guaranteed overnight delivery service if the notice was so delivered and the charges were prepaid, or on the date the recipient signed for the notice if sent by certified mail.

Notices shall be addressed as follows, or at such other address as any party hereto shall notify the other of in writing:

If to THC.:
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711

If to Participant:

THE UNDERSIGNED PARTIES BIND THEMSELVES TO THE FAITHFUL PERFORMANCE OF THIS AGREEMENT.

Authorized Signature
(City Manager, Mayor, or Board Chair)
Date: _____
Signer title: _____
Signer printed name: _____
Signer address: _____
Signer phone: _____

Amy Hammons, State Coordinator
Texas Main Street Program
P.O. Box 12276 Austin, TX 78711
512-463-5758 amy.hammons@thc.texas.gov
Date: _____

Bradford Patterson, Deputy Executive Director for
Preservation Programs
Texas Historical Commission
P.O. Box 12276 Austin, TX 78711
512-463-6100
Date: _____

TEXAS MAIN STREET PROGRAM

Local Main Street Communities as of January 2025

The Texas Main Street Program (TMSP) provides technical expertise, resources, and support to Main Street communities in Texas in accordance with the Main Street America's Four Point Approach® that focuses on organization, economic vitality, design, and promotion. Using a team-centered approach, the TMSP strives to understand the challenges facing Texas' 81 designated programs to help each reach their revitalization and preservation goals. Main Street is a powerful tool for reviving local economies and bringing communities together to forge their future. Local program participants are listed below.

Amarillo	Decatur	Kerrville	Pittsburg
Bastrop	Del Rio	Kingsville	Plainview
Bay City	Denison	La Grange	Rio Grande City
Beaumont	Denton	Laredo	Rockwall
Beeville	Eagle Pass	Levelland	Royse City
Brenham	Elgin	Livingston	San Angelo
Bridgeport	Ennis	Llano	San Augustine
Brownsville	Freeport	Longview	San Marcos
Buda	Georgetown	Luling	Seguin
Caldwell	Goliad	Marshall	Sherman
Canton	Gonzales	McKinney	Stephenville
Canyon	Grand Saline	Mesquite	Taylor
Carthage	Grapevine	Mineola	Texarkana
Celina	Greenville	Mineral Wells	Tyler
Clarksville	Hamilton	Mount Pleasant	Uvalde
Clifton	Harlingen	Mount Vernon	Vernon
Conroe	Henderson	Nacogdoches	Victoria
Corpus Christi	Hillsboro	Palestine	Waco
Corsicana	Houston—Emancipation Ave.	Paris	Waxahachie
Cotulla	Huntsville	Pilot Point	Winnsboro
Cuero			

First Street is the first step to Main Street

The First Street Initiative is an educational effort for communities interested in learning more about downtown revitalization. Participation in First Street is also the first step for communities interested in pursuing entry to the Texas Main Street Program. For more information, contact firststreet@thc.texas.gov.

Funding a Local Program and the Main Street Revitalization Effort in Texas

This document provides an overview of funding mechanisms for local Main Street programs in Texas. This document is for information only and should not be construed as legal advice. Legal advice should always be sought to ensure that uses of funding are appropriate and legal.

Why Stable Program Funding Is Important

A strong organizational structure, ongoing commitment from city leaders, and a suitably-robust budget—this is the formula for a successful downtown revitalization effort. Without these things, a program may chronically struggle or even fail.

A Main Street budget includes monies for basic operations, as well as monies earmarked for special projects and activities under the Four Point framework of economic vitality, design, promotion, and organization.

In Texas, Main Street programs receive most of their funding from local government. Many programs also seek out additional funding to supplement their budget and boost their impact.

Caution: if the organization spends the bulk of its time raising money just to support operations, it runs the risk of not being able to focus energies on achieving its revitalization goals.

Texas Main Street Structure

In Texas, Main Street programs are generally structured as follows:

- **Small city program** (under 50,000 population): the Main Street manager is an employee of the city usually reporting to the city manager. An Advisory Board and Main Street committees work with the Main Street manager to carry out the goals of the program.
- **Urban Program** (over 50,000 population): operates as a self-governing non-profit downtown revitalization organization or as a city department with an Advisory Board.

The state Main Street program does NOT fund operations of local Main Street programs. Main Street is a grass roots, self-help model: each community must fund its own program.

An Essential Piece: Local Government Support

Regardless of whether it is a small-city or self-governing, non-profit urban program, each local program needs to receive significant financial support from local government (and in some cases, the county government as well). Main Street is an appropriate use of government funds since a strong downtown contributes to the community's overall economic health and quality of life.

Recommended: Multiple Funding Sources

A local Main Street program should also seek funding from other sources. A multi-pronged approach avoids the pitfalls of an all-eggs-in-one-basket syndrome—if one funding source is reduced or goes away, the entire program won't be in jeopardy.

Regardless of the source of the funding, the local program must be accountable to its funders, demonstrating that dollars are used to achieve stated objectives.

Regular reporting is important. Progress reports to city council and city manager; updates on projects to the economic development organization; regular stakeholder meetings; annual reports to the public—all of these reporting practices can be employed to demonstrate accountability and also build excitement about the Main Street program.

Note: all funding must be used under relevant guidelines and policies. Hotel Occupancy Taxes, for example, have strict use guidelines. Legal advice should always be sought to ensure that uses of funding are appropriate and legal.

Whose Job Is It to Raise Funds?

In the non-profit (urban) Main Street programs in Texas, the governing board should take on the bulk of fundraising efforts so staff can tend to the administrative and operational aspects of their position.

In a city-based program, board leadership will not have direct responsibility for or authority over the program's operational budget, but they can still have influence over it in several ways: 1) Board members will serve as advocates for the program, ensuring adequate funding for the program through each budget cycle; and 2)Board members take leadership roles in hosting fundraising events, securing sponsors, and engaging in other fundraising efforts.

The table that follows explains various sources of funding for general operations and special programs.

Funding Sources

The Operations and Funding survey of local programs regularly done by the Texas Main Street office shows that they receive a wide-ranging mix among these sources, regardless of organizational structure. While the local Main Street program or city may not have access to all of these sources of funding, it is still important that the program manager be aware of them as possible resources for the revitalization effort.

Type	Notes
Local government	Most often, the bulk of a city-based program's operational funding will come from its local municipality. In many cases, funding for special projects will also come from these municipal sources. Funding may come solely from the city's general fund or may be combined with other local sources under the municipal umbrella such as Hotel Occupancy or Economic Development sales taxes (explained below).
Economic Development Sales Taxes	Type A and Type B. Promotes the public purpose of economic development as allowed under state law. The use of these funds for Main Street projects and activities, depends on a variety of factors such as the Act itself, the type of tax adopted locally, the ballot language under which it was adopted locally (adoption requires a local election) and the specific economic development expenditures, activities and projects of the Main Street program. Type B EDCs in cities with a population of 20,000 or less can fund projects that promote new or expanded business development that not creating, retaining primary jobs. Texas Local Government Code, chapters 501, 504, 505
Hotel Occupancy Tax (HOT)	The purpose of HOT is to promote tourism and the convention and hotel industry. By showing the ability of their revitalized downtown to attract overnight visitation & hotel stays, many local Main Street programs receive HOT funding. Allowable categories include historic preservation that promotes tourism and the arts. Certain percentages of HOT collections can also be used for marketing materials and marketing operations. Texas Tax Code
Certified Local Government Program (CLG)-Texas Historical Commission and National Park Service	For protection of historic resources by identifying local priorities, meeting recognized historic preservation standards and providing access to financial and technical services to further the identification, evaluation, designation and protection of buildings, sites, districts, structures, and objects. Grants to designated communities or counties + external services to local program.
Main Street Revitalization Grant-Texas Department of Agriculture	Funds major infrastructure improvements in downtown, not local program operations. Since this partnership was created between the Department of Agriculture and the Texas Main Street Program/Texas Historical Commission in 1993, approximately \$20 million from the TCF has been awarded to designated Main Street programs. Eligible applicants are "nonentitlement" communities; these are located primarily in rural areas and are cities with populations less than 50,000. TCF Main Street Improvement Grant
Special districts/actions	Some communities fund downtown capital projects and improvements through locally held bond elections. Special assessment/districts such as a Downtown Management District (DMD), Municipal Management District (MMD), Public Improvement District (PID) or a Tax Increment Financing/Tax Increment Reinvestment Zone (TIRZ). Outlined in various municipal planning chapters of the Local Government Code/370-380 and in the Texas Tax Code, Chapter 311 (TIRZ). Local Government Code, Chapter 380 authorizes a municipality to offer incentives for commercial and retail projects. Property Tax Abatements. Allows property tax exemptions or reductions. Can be available for improvements made to historic buildings if an abatement program has been adopted at the local level. Texas Tax Code, Chapter 312.
Preservation Tax Credits	State and federal tax credit incentives for the owners of historic properties. Texas Historical Commission . Also see National Register of Historic Places and Secretary of the Interior Standards for the Treatment of Historic Properties .
Other important public programs for property redevelopment in the historic downtown	Americans with Disabilities Act (ADA) tax credits Brownfields Site Assessment (BSA) programs- grants for cleanup of contamination that could have occurred in a historic property from a past use. Environment Protection Agency and Texas Commission on Environmental Quality

	Low-Income Housing Tax Credits. Texas Department of Housing and Community Affairs. Lenders/Loan products. Small Business Administration. See Funding Programs and Local Assistance/Small Business Development Centers, SCORE. The state membership organization for local community banks is the Independent Bankers Association of Texas.
Other funding and fundraising resources	The Texas Main Street Program offers local property owners access to a zero-interest revolving loan fund in partnership with MSA and the 1772 Foundation. Anice Read Fund, administered by Texas Downtown. The fund was created in 1999 to honor the legacy of Anice Read, the first coordinator of the Texas Main Street Program and champion of downtown revitalization. Grants have been awarded for small business workshops, public art, streetscape projects, historic resource surveys, and other initiatives. Award amounts range from \$500 to \$5,000. T-Mobile Grant, offered by T-Mobile in partnership Main Street America and Smart Growth America. Launched in 2021, the T-Mobile grant programs is a 5-year initiative to support small towns. Quarterly application process. Up to \$50,000 for community development projects spanning technology, education, environment, and health care. Main Street America, the national partner of Texas Main Street, sometimes offers special-purpose grants general awarded directly to businesses in the district or to local Main Street programs. National Trust for Historic Preservation also has a variety of grant programs for historic properties and projects. <u>Foundation grants</u>: A local Main Street program can also sometimes access grants from local, regional statewide or national private foundations that focus on certain project types such as community development or historic preservation. <u>Memberships/Sponsorships/Donations</u>: Some Main Street Programs create tax-exempt (c)(3) structures under the Internal Revenue Service to accept tax deductible donations or allow for membership dues or sponsorships. To increase the chances of a successful (c)(3) application, a qualified tax attorney should be consulted. <u>Fundraising Events & Sponsorships</u>: Most local Main Street programs put on events to help realize their goals and those of their stakeholders as well as being a means of increasing visitation to downtown. <u>Local Partnering Organizations</u>, such as a chamber of commerce or downtown merchants association, may help raise funds or support activities of the Main Street program as a way of contributing to the revitalization effort.

10(j)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:
Consideration and possible action to approve the Texas Downtown Association Membership Renewal for 2025. Attachment (<i>Downtown Improvement District</i>)
Prepared By: Alexis Riojas, Downtown Director
Brief Summary:
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No):
*If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
City Manager approval: 
Comments:
City Attorney's approval: 

INVOICE

[View invoice online](#)

Texas Downtown
Member renewal
Invoice number: 00535
Issued: Tuesday, March 25, 2025



Bill to:
Alexis Riojas
ariojas@harlingentx.gov
Downtown Harlingen

Item	Amount
Membership renewal. Level: Nonprofit. Renew to Saturday, February 21, 2026	\$350.00

Total: \$350.00
Balance Due: \$350.00

If you need to change your membership level, have questions on renewal, or need more information, please contact the director at tania@texasdowntown.org or the membership coordinator at shelly@texasdowntown.org.

[View invoice online](#)

Need an updated W-9? See attached [W-9 2024.pdf](#)

Please remit checks to:

Tania Moody
Executive Director
Texas Downtown
PO Box 1509
Levelland, TX 79336
512-472-7832
tania@texasdowntown.org
www.texasdowntown.org



Mission-Driven:

Texas Downtown (TXD) provides members with: resources, advocacy, education, and connections to develop vibrant districts.

Membership Perks:

- ✓ Email Listserve
- ✓ Annual Conference
- ✓ Anice Read Grants
- ✓ Regional Roundtables
- ✓ Free Webinars
- ✓ Downtown Assessments
- ✓ Legislative Advocacy
- ✓ Semi-monthly Newsletter with Funding Opportunities
- ✓ Board/Volunteer Training and Strategic Planning
- ✓ President's Awards
- ✓ Banner Program



TexasDowntown.org

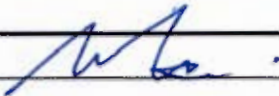
Tania Moody
Executive Director
512-472-7832
tania@texasdowntown.org



10(K)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **April 7, 2025**

Agenda Item:
Consideration and possible action to approve the National Main Street Center Membership for 2025. Attachment (<i>Downtown Improvement District</i>)
Prepared By: Alexis Riojas, Downtown Director
Brief Summary:
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
City Manager approval: 
Comments:
City Attorney's approval: 

I want to renew my membership!

Membership Categories:

___ **Main Street America™ Community Member \$375** - Limited to organizations designated as Affiliate or Accredited Main Street America™ programs by a Coordinating Program or the National Main Street Center.

___ **General Member \$295** - Open to all organizations, municipalities, or individuals interested in commercial district revitalization tools. No requirements - just great resources.

___ **Friend of Main Street \$95** - Individuals passionate about supporting the Main Street movement.

___ **Allied Member \$525** - Consultants, manufacturers, or companies that serve communities and are interested in tapping into our customer base.

It's important to renew at the right level. Contact us if you have any questions!



**MAIN STREET
AMERICA**

Nationally recognized.
Locally powered.™

Contact Information:

Organization Name: _____

Contact Name & Title: _____

Mailing Address: _____

Phone: _____

Email: _____

Website: _____

Payment Information:

___ My check is enclosed, made payable to: National Main Street Center, Inc.

___ Charge my credit card - circle type: Visa MasterCard American Express

Credit Card Number: _____

Exp. Date: _____

Name on Card: _____

Complete this form and send with payment to:

National Main Street Center
Attention: Main Street Membership
53 W. Jackson Blvd., Suite 350
Chicago, IL 60604

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National Trust Preservation Fund

From Ana Hernandez <ahernandez@harlingentx.gov>

Date Wed 2/26/2025 2:16 PM

To Alexis Riojas <ariojas@harlingentx.gov>

Cc Francisco Martinez <FMartinez@harlingentx.gov>

 2 attachments (374 KB)

Harlingen Historic Resources Survey Packet (2).pdf; National Trust Preservation Funds_ Guidelines & Eligibility.pdf;

Hi Alexis,

The grant agreement does not include any language about the Main Street designation, but the grant guidelines and eligibility do state that grantees must have an active membership before the funds are released.

We had to submit verification (see attached) at the time we executed the grant agreement.

Please let me know if you have any questions.

Best,

Ana Hernandez, AICP
Special Projects Director
City of Harlingen
Office: (956) 216-5242
Cell: (956) 202-1979