



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

**WEDNESDAY, SEPTEMBER 11, 2024, AT 5:30 P.M.
CITY HALL TOWN HALL, 118 E. TYLER AVENUE, HARLINGEN, TEXAS 78550**

This is not a Meeting of the Harlingen Elective Commission; however, a quorum of the City Commission may be present. Other City Board members may also be present.

AGENDA

PLEDGE OF ALLEGIANCE / WELCOME

CONFLICT OF INTEREST

Under State Law a conflict of interest exists if an advisory board 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?

CITIZEN COMMUNICATION

1. Approval of Minutes: Regular Meeting of August 28, 2024
2. Consent Agenda
All items listed below in the consent agenda considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately:
 - a. Consideration and possible action to approve the preliminary construction plans and final plat with conditions of the proposed Harlingen Lakes Subdivision, bearing a legal description of 55.90-acre tract of land out of Survey 295 Stuart Place Subdivision located along the south side of Garrett Road, approximately 650 feet east of Altas Palmas Road. Applicant: Javier Hinojosa Engineering c/o Zarate Homes and Design, LLC
3. Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at 202 N. Ed Carey Drive, bearing a legal description of Lot 1, Block 1, Camino Real Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven, Inc.
 - a. Public Hearing
 - b. Consider and take action to recommend the Special Use Permit ("SUP") to the City Commission.

4. Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at 1250 N. 77 Sunshine Strip, bearing a legal description of Lot 11 and the West ½ of Lot 12, Block 1, N Crown Heights Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven, Inc.
 - a. Public Hearing
 - b. Consider and take action to recommend the Special Use Permit ("SUP") to the City Commission.
5. Public hearing and take action to consider a request for a Special Use Permit ("SUP") to allow a battery storage energy facility in a General Retail ("GR") District located at a property along the north side of East Harrison Avenue, approximately 485 east of Loop 499, bearing a legal description of 2.00 acres out of the West 6.88 acres of Block 49, Palmetal Company Subdivision.
 - a. Public Hearing
 - b. Consider and take action to recommend the Special Use Permit ("SUP") to the City Commission.
6. Public hearing and take action to consider a request for a Special Use Permit ("SUP") to allow an adult business (tattoo studio) in a General Retail ("GR") District located at 117 E. Porte Court, Suite #1, bearing a legal description of Lot 5, Block 1, East Porte Center Subdivision. Applicant: Gabriel Vargas
 - a. Public Hearing
 - b. Consider and take action to recommend the Special Use Permit ("SUP") to the City Commission.
7. Public hearing and take action to consider a request to rezone from Residential, Single – Family ("R-1") District to Neighborhood Services ("NS") District for 1.73 acres of land out of Block 6, Section 297, Stuart Place Resubdivision, located at the southeast corner of Stuart Place and Brennaman Roads. Applicant: Moore Land Surveying, LLC c/o Zarate Home Designs, LLC
 - a. Public Hearing
 - b. Consider and take action to recommend the rezoning to the City Commission.
8. Public hearing and take action to consider an ordinance amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article VII, Section 111-173, Nonresidential Height Restrictions, by removing this section in its entirety from the Zoning Chapter of the Code of Ordinances. Applicant: City of Harlingen
 - a. Public Hearing
 - b. Consider and take action to recommend the Zoning Ordinance amendment to the City Commission.
9. Public hearing and take action to consider an ordinance amending the City of Harlingen Code of Ordinances Chapter 34, Offenses and Miscellaneous Provision, Article V, Section 34-114, Noise Disturbances, by adding a provision which exempts properties located within an industrial zone or industrial land uses from the noise regulations. Applicant: City of Harlingen
 - a. Public Hearing

- b. Consider and take action to recommend the Noise Ordinance amendment to the City Commission.

10. Assistant Planning and Development Director's report by Joel Olivo, Assistant Planning and Development Director.

- a. Report on status of items considered at the August 28, 2024, P&Z Commission Meeting:
 - i. Request to approve the preliminary construction plans and final plat of the proposed Corsif Acres Subdivision, bearing a legal description of 3.73 acres of land out of Block Number Two (2), F.Z. Bishop Subdivision of Section No. 39, located along the west side of South Palm Court Drive, approximately 777 feet south of Garrett Road. Applicant: Casa Engineering c/o John Sifford
 - ii. Request to approve the preliminary construction plans and final plat of the proposed Roberto Aguilar Subdivision, bearing a legal description of being a 2.01 acre (87,428 SF) tract of Block 10, Lon C. Hill Subdivision, located along the west side of Rangerville Road approximately 1,200 feet north of Simmons Road. Applicant: Guzman & Muñoz Engineering and Surveying c/o Roberto Aguilar
 - iii. Request for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-premise consumption in a Neighborhood Services ("NS") District, located at the Arroyo Mart Food Store at 1222 S. 1st Street, bearing a legal description of Lots 10, 11, and 12, Block 2, Lillian Bush Addition. Applicant: Edna Martinez
 - iv. Request for a Special Use Permit ("SUP") to allow an adult business (smoke shop) in a General Retail ("GR") District located at 401 S. 77 Sunshine Strip, Suite E, bearing a legal description of the east 10 feet of Lot 1 and all of Lots 2-6, Windsor Place Subdivision. Applicant: Mohamed Alraishani
 - v. Request for a Special Use Permit ("SUP") to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1601 S. 77 Sunshine Strip, Suite D, bearing a legal description of Lots 22 & 23, Block 11, Arroyo Estates Subdivision. Applicant: Mohamed Alraishani
 - vi. Request for the voluntary annexation of a 7.7-acre tract legally described as Lot 1, Block 2, Georgette Subdivision, located at the southwest corner Bass Boulevard and Johnston Lane. Applicant: Georgina Gonzalez and Saul Gonzalez, c/o Grunert Construction
 - vii. Request for the voluntary annexation of a 56.45-acre tract of land out of survey 295, Stuart Place Subdivision, located along the south side of Garrett Road approximately 650 feet east of Altas Palmas Road. Applicant: Javier Hinojosa c/o Carlos Snaveley
 - viii. Request to amend an ordinance amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Article V, Standards and Specifications, Section 109-124(f), Sidewalks, by amending the timeframe utilization of the sidewalk escrow funds to fill sidewalk gaps in residential developments. Applicant: City of Harlingen

The City of Harlingen Planning and Zoning Commission reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item in compliance with the Texas Open Meetings Act, Chapter 551 Government Code.

POSTED the 6th day of September 2024, at 4:00 p.m. and to remain so posted and continuously for at least 72 hours preceding the scheduled time of said meeting.



Xavier Cervantes, AICP, CPM
Planning and Development Director