

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday October 3, 2023, at 3:30p.m. at the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Michael Fallek Gabriel Kamel Jesse Ozuna Reza Badiozzamani	Chairperson Vice Chairperson Member Member
Absent:	Marco Suarez Emilio Santos Jr. Jose Saldana	Member Member Member
Staff Present:	Austin Stevenson Michelle Rivera Edgar Garcia Luis Mora Omar Sotelo Mario Escamilla Kaveh Forghanparast Samuel Nunez Adriana Solis Samantha Trevino Porfirio Hernandez Jacob Salazar Carmen White	Assistant City Attorney III Assistant City Manager Planning Director Deputy Director Senior Planner Planner III Planner III Planner II Planner II Planner I Planner I Planner Technician II Administrative Assistant

CALL TO ORDER – Chairperson Mr. Michael Fallek
PLEDGE OF ALLEGIANCE
INVOCATION-. Mr. Jesse Ozuna

1) MINUTES:

- a) Approval/disapproval of the minutes for the September 19, 2023 meeting.

The minutes for the regular meeting held on September 19, 2023 was approved as submitted by Vice Chairperson Mr. Gabriel Kamel. Seconding the motion was Mr. Jesse Ozuna which carried unanimously with four members present and voting.

2) PUBLIC HEARING:

a) **CONDITIONAL USE PERMITS:**

- 1) Request of Emilio D. Santos Jr., for a Conditional Use Permit, for one year, and adoption of an ordinance for a restaurant/bar at Lot 3, Lone Star National Bank Subdivision, Hidalgo County, Texas, 500 East Nolana Avenue.
(CUP2023-0129)

Planning Director, Mr. Edgar Garcia stated the applicant requested the item be tabled. Mr. Jesse Ozuna motioned to table the item. Vice Chairperson Mr. Gabriel Kamel second the motion to table with four members present and voting.

- 2) Request of Pedro A. Rodriguez, for a Conditional Use Permit, for one year, and adoption of an ordinance, for an Event Space with mixed use - BYOB at Lot 10 and N 10' of Lot 11, Block 13, North McAllen Subdivision, Hidalgo County, Texas; 610 North Main Street, Suite B & C (**CUP2023-0107**)

Ms. Samantha Trevino stated that the property is located on the east side of North Main Street and North of Fir Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 to the North, West, and South and R-3A to the East. An event center is allowed in a C-3 district with a conditional use permit subject to conditions.

This is the initial conditional use permit for an event center with mixed use at this location.

The applicant is proposing to operate an event center with a mixed use and BYOB. The applicant stated that "Tropicasa is a vegan convenient store, vintage shop, gallery and DJ hub." They will be using the space for indoor/outdoor events, markets and social events. Outdoor events on the side patio will be until 11:00 P.M. only, and the indoor events in the gallery will be open until 2:00 A.M. The applicant stated that there will be no alcohol sold. The proposed hours of operation are Monday-Friday from 4:00 P.M. to 2:00 A.M and Saturday-Sunday from 12:00 P.M. to 2:00 A.M.

A police activity report is attached for service calls from September 2022 to present, as well at Code Enforcement noise complaint. Code Enforcement had received multiple calls regarding noise, byob, outdoor events, use of porta pottys and running a business without a permit. The Fire Department is still pending inspection at this time. The Planning Department has received a few complaints regarding this use with concerns of noise and a letter of opposition from neighbors. The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 ft. of the residential zone/use to the northeast;
- 2) The abovementioned businesses must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has direct access to Main Street;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Approximately 11 parking spaces are required and 5 are provided as per site plan.
- 4) The abovementioned businesses must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties

including, when necessary, the installation of fences and hedges, and the reorientation of entrances.

- 5) The abovementioned businesses should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street.
- 6) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
- 7) The abovementioned business shall restrict the number of persons within the building to those allowed by the Chief Building Official and Fire Marshal. The occupancy load will be established by the Building Inspections Department as part of the building permit review process

Staff is recommending disapproval of the request based on noncompliance with requirements # 1 (distance), and #3 (parking) of the zoning ordinance.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There was none.

Applicant, Mr. Pedro Rodriguez, 2709 North 7th Street, stated his background experience with bars and other businesses he has upheld in the past. He also explained what he plans to do with this location. Mr. Rodriguez stated he was open to suggestions on how to fix the issues of the noise that citizens have complained about in the past. Vice Chairperson Mr. Gabriel Kamel questioned Mr. Rodriguez about the parking spaces. Mr. Jesse Ozuna also had questions about the parking. Chairperson Mr. Michael Fallek stated that he can have a parking agreement with the surrounding businesses and that would have to be presented to the board.

After a short discussion, Vice Chairperson Mr. Gabriel Kamel moved to disapprove. Mr. Jesse Ozuna seconded the motion, which was disapproved with four members present, three voting nay and 1 voting for the motion.

- 3) Request of Maria I. Salazar, for a Conditional Use Permit, for two years, and adoption of an ordinance for a Home Occupation (beauty salon), at .55 acres out of Lot 327, John H. Shary Subdivision, Hidalgo County, Texas; 5009 Buddy Owens Boulevard. **(CUP2023-0122)**

Mr. Porfirio Hernandez stated that the property is located on the south side of Buddy Owens Boulevard, approximately 460 ft. east of North Taylor Road and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the east, south, and west, with R-1 (single family residential) District to the north. Surrounding land uses include commercial and single-family residential. A home occupation is permitted in the C-3 district with a Conditional Use Permit and in compliance with requirements.

According to the Hidalgo County Appraisal District, the home was built in 1987. The City of McAllen annexed the property in 1999 with an existing residential structure. The original conditional use permit

application for a home occupation was submitted on June 10, 2022, and approved August 3, 2022.

The applicant is proposing to continue to operate a beauty salon from an approximately 528 sq. ft. area within the existing residence. The proposed hours of operation will be 9:00 A.M. to 5:00 P.M., Monday through Friday and 9:00 A.M. to 1:00 P.M. Saturdays; the beauty salon will be closed on Sundays.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The home occupation may not be operational until the issuance of the certificate. The Fire Department has inspected the building, and approved to continue with the conditional use permit. The business must comply with requirements set forth in Section 138-118(a)(1) of the Zoning Ordinance and the specific requirements are as follows:

- 1) The home occupation must be clearly secondary to the residential use;
- 2) No signs are permitted. No sign is proposed or installed;
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. There will be no additional unrelated employees residing on the premises.
- 5) There shall be no outside storage of materials or products. The applicant does not propose any outside storage;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer.
- 7) No retail sales (items can be delivered). The applicant did not propose any retail sales from home;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business.
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location for which the permit was issued.

Staff recommends approval of the request, for two years, subject to compliance with the requirements in Section 138-118(a)(1) of the Zoning Ordinance and Fire Department requirements.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There was none.

Being no discussion, Vice Chairperson, Mr. Gabriel Kamel moved to approve. Mr. Reza Badiozzamani seconded the motion, which was approved with four members present and voting.

- 4) Request of Jorge L. Martinez for a Conditional Use Permit, for one year, and adoption of an ordinance for a food truck park at 1 tract of land North of Railroad Right of Way between 10th & 11th Streets South of Block 49, North McAllen Addition, Hidalgo County, Texas; 1001 Ash Avenue. **(CUP2023-0123)**

Mr. Samuel Nunez stated that the subject property is located north of US Business 83 between 10th and 11th Streets. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 in all directions. A food truck park is permitted in a C-3 District, subject to compliance with Conditional Use Permit requirements.

The applicant is proposing to continue to operate a food truck park on the subject property with 5 food trucks. The initial food truck park Conditional Use Permit was approved by City Commission on September 12, 2022. Based on the submitted site plan, 46 parking spaces will be available on the subject property. The food truck park's proposed days and hours of operation would be 7:00 AM to 2:00 AM Monday through Sunday.

Since the initial approval of the food truck park, non-permitted structures used for seating have been built by food truck owners on the property. Staff has been in communication with the property owner working to obtain building permits for the constructions. However, the areas that the structures were built over are part of the required landscape area for the property; areas that must remain free of any structures for compliance purposes. Relocation of some of these structures has been proposed within the parking lot of the property, however due to parking requirements for the exiting uses on the property, relocation was not considered feasible. Moreover, the property owner has proposed additional parking from a nearby lot at 1110 Ash Avenue, but this parking lot has no surplus parking to offer since it is tied to an existing commercial use located south across Ash Avenue.

Under the original parking agreement, the food truck park lot was originally designated for an existing medical office building under the same address. The parking lot at 1110 Ash Avenue was made available for the medical office building to free the existing food truck park lot to be used by the existing tenants. Staff has observed that this lot is being used for storage of ambulances and medical equipment. Parking lot cannot be used for storage of this kind since it must remain available for general customer and or employee parking only.

The Fire and Health Departments have completed their inspections and found no violations with the proposed site. The food truck park and its vendors must comply with the requirements set forth in Section 54-51 of the Zoning Ordinance for mobile food vendors and the following specific requirements:

- 1) The property line of the lot must be at least 200 feet from the nearest residence or residentially zoned property;
- 2) The name, address, phone number and email address of a contact person who shall be available 24 hours per day, 7 days per week for the purposes of responding to complaints regarding the operation of the mobile food vendor court;

- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM;
- 4) Each mobile food vendor court shall provide access to a restroom on or within 600 feet of the property lines of the track of land on which it is situated;
- 5) Mobile food vendor courts must provide one (1) garbage receptacle, to hold a minimum of thirteen (13) gallons, per each vendor located on premises for public use. This requirement is in addition to the receptacles required of each individual vendor;
- 6) Mobile food vendors may not be placed or parking on unimproved surfaces. Food truck owners on site have built non-permitted structures for seating over unimproved surfaces;
- 7) Adequate lighting, as determined by the Health Director, to enable clear and unobstructed visibility of mobile food vendors and patrons shall be provided at all entrances and exits of the mobile food vendor court;
- 8) Mobile food vendor courts shall provide on-premise parking areas sufficient to accommodate staffing needs and seating areas.

Staff has not received any phone calls, emails, or letters in opposition to this request.

Staff recommends disapproval of the Conditional Use Permit request due to non-compliance with requirements #6 (construction over unimproved surfaces) and non-compliance with parking agreement for food truck park.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There was none.

Applicant, Mr. Jorge L Martinez, 1505 Woods Drive, Mission, Texas, stated that he is in compliance with what the city is requesting and explained what the past issues have been and the reasons behind the concerns.

After a lengthy discussion regarding parking and other concerns, Mr. Reza Badiozzamani moved to table the item. Vice Chairperson Mr. Gabriel Kamel seconded the motion, which was tabled with four members present and voting

b) REZONING:

- 1) Rezone from to R-1 (single-family residential) District to R-3C (condominiums) District: 0.845 acre (36,821.51 sq. ft.) tract being called 0.30 acre tract of land, more or less, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 7809 North Ware Road 7801 North Ware Road.
(REZ2023-0047)

Ms. Adriana Solis stated that the property is located south of Auburn Avenue and west of North Ware Road. This particular tract is comprised of .845 acres (36,821.51 sq. ft.) with existing structures.

The applicant is proposing to rezone the property to R-3C (condominiums) District in order to develop the tract of land for an existing home and condominiums to the rear. No feasibility plan or site plan have been submitted for the proposal. The subdivision process will be required prior to building permit issuance.

The subject property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District in all directions. The subject property to the north is C-3 (general business) District.

The property currently has an existing home with existing condominiums to the rear. Surrounding land uses are mostly vacant land.

The Envision McAllen Future Land Use Plan designates the future land use for this property as Mixed-Use Nodes. The most appropriate type of development includes townhomes, triplex/quadplex, small/large multifamily, as well as mixed-use urban on a neighborhood and community scale. Mixed-Use Nodes uses are considered most appropriate for this property.

The development trend for this area along North Ware Road is mixed with single-family, agricultural open spaces and commercial properties.

El Rancho Deluxe Condominiums Declaration was recorded in 1982, as per the Hidalgo County Clerk's Office records, and the condominium units were built in 1983, as per the Hidalgo County Appraisal District records. The property was annexed and initially zoned R-1 District in 1989, which resulted in a non-conforming use and structure.

The requested zoning does conform to mixed-use nodes use designation on the Envision McAllen Future Land Use Plan.

Based on the submitted survey, the subject property consists of three structures. The existing structure along North Ware Road is proposed by the applicant as the main house/office. There two existing structures to the rear to be considered as the condominiums. The north building contains two floors; each floor consists of two units. The south building has one floor and consists of three units, in total making six units.

The applicant at this time has not proposed additional units; however, the following are the permitted number of dwelling units for R-3 multifamily exclusive of townhomes:

One-bedroom units allows for 37 units, two-bedroom units allows for 30 and three-bedroom units allows for 25 units.

Staff has not received any phone calls, emails, or letters in opposition to the initial zoning request.

Staff recommends approval of the rezoning request from R-1 (single-family residential) District to R-3C (condominiums).

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed rezoning request. There was none.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve. Mr. Jesse Ozuna seconded the motion which was approved with four members present and voting.

3) SITE PLAN:

- a) Site plan approval for LOT 1B, La Plaza Phase 1A Subdivision, Hidalgo County, Texas; 2200 South 10th Street. **(SPR2023-0038)**

Mr. Samuel Nunez stated that the subject property is located on South 11th Street and Toronto Avenue. The subject property is zoned C-3 (general business) District. Adjacent properties are zoned C-3 District in all directions. Surrounding land uses include commercial retail and office uses.

The applicant is proposing to construct a 49,536 square-foot building for a Primark retail store and improvements to Macy's north parking lot. The site plan requires approval by Planning and Zoning Commission prior to building permit issuance.

Access to the site is from existing curb cuts on U.S. Expressway 83, South 11th Street, South Main Street, Toronto Avenue, Wichita Avenue, and Uvalde Avenue. Based on 49,536 square feet that will be used for retail use, 127 parking spaces are required for the site. The total mall square footage is 1,316,277 square feet, which requires 3,294 parking spaces and 6,087 parking spaces are provided. 70 of the provided parking spaces must be accessible, nine of which must be van accessible with an eight-foot wide aisle. The applicant is meeting parking requirements for the new development. The applicant is meeting landscaping requirements for green area and trees. The development will have a total of 114,765 square feet of landscaping of which 23,184 square feet will be proposed improvements for the proposed project. A minimum ten feet wide landscaped strip is required inside the front property line. Fifty percent of the required green area for the existing development must be visible from the street or front property line, and each parking space must be within 100 feet of a landscaped area with a tree. A six-foot buffer is required around dumpsters/compactors if visible from the street.

No structures are permitted to be built over any easements. The new development setbacks comply with plat note and zoning ordinance requirements.

The required sidewalks are already in place as well as exterior landscaping and trees.

The Building Permit Site Plan must comply with requirements noted on the Development Team Review sheet.

Staff recommends approval of the site plan subject to the conditions noted, Building Permit requirements and the subdivision and zoning ordinances.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve the site plan subject to conditions noted. Mr. Jesse Ozuna seconded which was approved with four members present and voting.

4) SUBDIVISIONS:

- a) AFG Plaza Subdivision, 5520 North McColl Road, Suzie An. **(SUB2022-0146)**

(REVISED PRELIMINARY) (TABLED ON 09/19/2023) SEA

Mr. Mario Escamilla requested the item be removed from table. Vice Chairperson Mr. Gabriel Kamel motioned to remove. Mr. Jesse Ozuna second the motion with four members present and voting. Item was removed from table.

McColl Road (F.M. 2061): 20 ft. of additional dedication for 60 ft. from centerline for 120 ft. total ROW. Paving 65 ft.-85 ft. Curb & gutter: Both Sides. Subdivision Ordinance: Section 134-105 and/or COM thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording, if not done by the state. E. Dove Avenue: Dedication as needed for 60 ft. from centerline for 120ft. total ROW. Paving: 65 ft. to 85 ft. Curb & gutter: Both Sides Revisions needed: City of McAllen thoroughfare plan designates E. Dove Avenue, as a Principle arterial with 120 ft. of ROW. Current subdivision layout does not comply with required ROW dedication requirements. Engineer submitted a variance request to allow existing 100 ft. ROW as depicted on plat with no additional dedication. If approved dedication requirements to maintain existing 100 ft. of ROW throughout the plat boundary would apply.(Ex . NE Corner of plat that was not included in conveyance to the City of McAllen.) Label ROW being dedicated by this plat along Dove Avenue please see requirements above, prior to final. Clarify NE corner of plat not included in conveyance to the City of McAllen, prior to final. Clarify area conveyed to the City Of McAllen, submit copy of referenced documents for staff review prior to final. Include any document numbers regarding existing dedication of Dove Avenue, as applicable and provide copies for staff review, prior to final. A new corner clip will be required after dedication, review and revise as applicable, finalize prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Revisions Needed: As per plat submitted on August 14th, 2023, plat proposes a 20 ft. service drive , if proposing Private Service Drive Easement, Easement must be private with 24 ft. of dedication with 24 ft. of paving in compliance with Public Works and Fire Department requirements. Alley or service drive easement cannot dead-end, provide for extension or looping of alley or service drive easement on the plat prior to recording. Finalize alley/ service drive requirements prior to recording. Subdivision Ordinance: Section 134-106. Front: McColl Road (F.M. 2061)/ E. Dove Avenue: In accordance with the zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356. Sides In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Zoning Ordinance: Section 138-356 Corner: See front setback note. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required along N. McColl Road and 4 ft. wide minimum sidewalk required along E. Dove Avenue. 5 ft. Sidewalk requirements as per Engineering Department requirements. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions Needed: Revise note as shown above, prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions Needed: Include note as shown

above, prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. As per McAllen's Access Management Policy, spacing requirement along both McColl Road at 55 MPH and Dove Avenue is 425 ft. between any entrances/streets. Site plan must be approved by the Planning Development prior to building permit issuance. Common Areas; any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Note subject to change once subdivision requirements have been finalized. Finalize wording for note prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Compliance. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Include original subdivision boundary. Original subdivision boundary should be a bold solid line and new lot lines should be solid lines but not as bold as original subdivision boundary line, finalize prior to final. Zoning Ordinance: Section 138-356. Existing : A-O(Agricultural and Open-Space) District and C-4 (Commercial Industrial) District Proposed: C-4 (Commercial Industrial) District. At the City Commission meeting of December 12th, 2022, a rezoning request at the subject property was approved to complete the entire tract zoning C-4 District. Zoning Ordinance: Article V Rezoning Needed Before Final Approval. At the City Commission meeting of December 12th, 2022, a rezoning request at the subject property was approved to complete the entire tract zoning C-4 District. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat, any abandonments by separate instrument must be finalized prior to recording. Subdivision boundaries may need to be adjusted as needed due to existing dedications as needed, prior to final. Including bold boundary lines as applicable.

Staff recommends approval of the subdivision in revised preliminary form subject to conditions noted, drainage and utilities approvals and clarification of the requested variance for e. Dove avenue.

After a short discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve subject to conditions noted, drainage and utilities approvals and clarification of the requested variance for E. Dove Avenue. Mr. Reza Badiozzamani second the motion, which was approved with four members present and voting.

- b) **Salinas Brothers Subdivision, 13401 North Los Ebanos Road, Juan Luis Salinas (SUB2022-0034) (PRELIMINARY 6-MONTH EXTENSION) Trevino Engineering**

Mr. Mario Escamilla stated the applicant is requesting a preliminary six months extension.

North Los Ebanos Road: Proposing 30ft. dedication or as needed for 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both Sides Revisions Needed: Remove "Prop" from ROW labeling as applicable, prior to final. Label ROW dimension after accounting for dedication, to existing property line across North Los Ebanos Road as "total", prior to final. Include document numbers on plat and provide any documents as applicable regarding any existing ROW dedications for North Los Ebanos Road, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. Non-compliance N/S Collector Street (West Side): Dedication as needed for 60 ft.- 70 ft. total ROW. Paving 40 ft.-44 ft. Curb & gutter: Both Sides. Pending Items: Please provide

ownership map to verify that no landlocked properties exist or will be created, prior to final. Clarification needed on the 50 ft. Dedication to H.C.W.C.I.D No.7, and provide a copy of any referenced document for staff review prior to final. Street alignment, transitions and R.O.W being reviewed by staff once status of 50 ft. Dedication to H.C.W.C.I.D No.7 is clarified and plat would need to be revised accordingly as applicable prior to final. ROW subject to increase as applicable to accommodate transitions and street alignment, finalize prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties and multi-family properties. Subdivision is proposed to be single-family residential use in ETJ. Alley/Service street requirements subject to change, if property is annexed, clarify annexation status prior to final. Subdivision Ordinance: Section 134-106. Front: Proposing 50 ft. or in line with average setback of existing structures, or easement, whichever is greater Pending Items: Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final. Subdivision Ordinance: Section 134-106. Zoning Ordinance: Section 138-356. Non-compliance. Proposing: Rear: 15 ft. or easement, whichever is greater. Pending Items: Clarify proposed setback and ensure compliance with minimum setback requirements for City and County, finalize wording prior to final. N/S collector street along west side will be finalized prior to final. Clarification needed on the 50 ft. Dedication to H.C.W.C.I.D No.7, and provide a copy of any referenced document for staff review prior to final. Zoning Ordinance: Section 138-356 Non-compliance. Proposing: Sides: 6 ft. or easement, whichever is greater. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setbacks are required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along North Los Ebanos Road and other street as applicable, prior to final. Revisions needed: Finalize wording for note once ROW requirements have been finalized, prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and other street as applicable Revisions needed: Finalize wording for note once Lot Frontage/ROW requirements have been finalized, prior to final. Landscaping Ordinance: Section 110-46 Non-compliance. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions needed: Add note as shown above prior to final. Landscaping Ordinance: Section 110-46 Non-compliance. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Revisions needed: Finalize wording for note once Lot Frontage/ROW requirements have been finalized, prior to final. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Existing: ETJ Proposed: Residential Pending items: Engineer must clarify annexation status prior to final. If annexation is proposed, process must be finalized prior to final along with initial zoning process. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval Pending items: Engineer must clarify annexation status prior to final. If annexation is proposed, process must be finalized prior to final along with initial zoning process. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, properties in ETJ are not subject to Parks Department requirements. Engineer must clarify annexation status prior to final, park fee will be required if property is annexed. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, properties in ETJ are not subject to Parks Department requirements. Engineer must clarify annexation status prior to final, park fee will be

required if property is annexed. Pending review by the City Manager Office. As per Parks Department, properties in ETJ are not subject to Parks Department requirements. Engineer must clarify annexation status prior to final, park fee will be required if property is annexed. As per Traffic Department, Trip Generation waived for two single-family residences, no TIA required. As per Traffic Department, Trip Generation waived for two single-family residences, no TIA required. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Engineer must clarify annexation status prior to final. If annexation is proposed, process must be finalized prior to final along with initial zoning process. If any variance request is proposed, original application with fee must be submitted to the Planning Department. Please provide ownership map to verify that no landlocked properties exist or will be created, prior to final. Clarification needed on the 50 ft. Dedication to H.C.W.C.I.D No.7, and provide a copy of any referenced document for staff review prior to final. The subdivision was approved in Preliminary form at the Planning and Zoning Commission meeting of April 5th, 2022.

Staff recommends approval of the preliminary 6-month extension subject to conditions noted, drainage, and utility approvals.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve a 6-month extension subject to conditions noted, drainage, and utility approvals. Mr. Reza Badiozzamani second the motion, which was approved with four members present and voting.

c) **Victoria's Oaks Subdivision, 2700 North Taylor Road, Victoria Alvarez (SUB2023-0101) (PRELIMINARY) JHE**

Mr. Mario Escamilla stated North Taylor Road: Dedication as needed for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: both sides. Plat proposes 20 ft. additional dedication by this plat. Revisions needed Include "Existing" labeling for existing ROW prior to final. Include "Total" labeling for ROW dimension from new property line to existing across North Taylor Road, prior final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. E/W collector(Southern Boundary, 1/4 Mile Location): Dedication as needed for 60 ft. total R.O.W. Paving 40 ft. Curb & gutter: Both Sides. Pending Items: Please provide ownership map to verify that no landlocked properties exist or will be created, prior to final. Clarify status of remnant tract along southern plat boundary, finalize prior to final. Street alignment, transitions and R.O.W being reviewed by staff and plat would need to be revised accordingly as applicable prior to final once ROW requirements have been established. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Service Street: In residential subdivisions which have lots abutting major or minor arterials or major collectors, the residences on such lots shall not face the major or minor arterial or major collector, unless: There shall be provided, in addition to any front setback, a 20-foot planting area (as defined in chapter 110, article II, Landscaping) between such lot and the major or minor arterial or major collector; If rear garbage pickup and/or rear access are not available to such lot, there shall be placed a service street, in addition to the planting area described in subsection (d)a.1., between the front lot line of such lot, and such planting area. Such service street shall also be at least 20 feet wide, and built to city plans and specifications by the developer, finalize service street requirements prior to final. Subdivision Ordinance: Section 134-106. Front/North Taylor Road: 45 ft. or in line with average setbacks of existing structures or greater for easements, whichever is greater applies. Revisions Needed: Revise note as shown above, prior to final. Proposing: 45 ft. or in line with existing

structure, whichever is greater applies. Subdivision Ordinance: Section 134-106. Zoning Ordinance: Section 138-356 Non-compliance. Rear: Proposing: In accordance with the zoning ordinance, or greater for easement. Zoning Ordinance: Section 138-356. Sides: Proposing: In accordance with the zoning ordinance, or greater for easement. Zoning Ordinance: Section 138-356. Corner: Interior Lot. Current subdivision layout does not propose any buildable lots abutting a street. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along North Taylor Road and other street as applicable, prior to final. Revisions needed: Finalize wording for note once ROW requirements have been finalized, prior to final. Proposing: A 4 foot wide sidewalk required on east side of N. Taylor Road. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final. Subdivision Ordinance: Section 134-120 Non-compliance. Perimeter sidewalks must be built or money escrowed if not built at this time. Required. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and other street as applicable. Revisions needed: Finalize wording for note once ROW requirements have been finalized, prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions Needed: Revise note #14 as shown above prior to final. Landscaping Ordinance: Section 110-46 non-compliance. Perimeter buffers must be built at time of Subdivision Improvements. Required. No curb cut, access, or lot frontage permitted along Revisions needed: Finalize wording for note once Lot Frontage/ROW requirements have been finalized, prior to final. Must comply with City Access Management Policy. As per Traffic Department, Only one driveway would be permitted along N. Taylor Road. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Revisions Needed: Clarify status of remnant tract along southern plat boundary and ensure compliance with minimum lot frontage requirements, finalize prior to final. Subdivision Ordinance: Section 134-1. Non-compliance. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential. Zoning Ordinance: Article V. Park Fee of \$700 (\$700 X 1 lot/dwelling unit) to be paid prior to recording. Fees are payable prior to recording and can go up or down; as they are dependent on the amount of lots/dwelling units. Must comply with Parkland dedication ordinance requirements prior to recording. As per Traffic Department, Trip Generation for one-single family lot subdivision is waived. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Notes regarding sidewalks, buffers, and lot frontage subject to change once E/W collector ROW requirements are established, finalize prior to final. Please provide ownership map to verify that no landlocked properties exist or will be created, prior to final. Clarify status of remnant tract along southern plat boundary and ensure compliance with minimum lot frontage requirements, finalize prior to final. Subdivision requirement subject to change once clarified.

Staff recommends approval of the subdivision in preliminary form, subject to conditions noted, drainage, & utility approvals.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in preliminary form, subject to conditions noted, drainage, & utility approvals. Mr. Jesse Ozuna seconded the motion, which was approved with four members present and voting.

d) Harvest Cove Subdivision, 2501 North Ware Road, Erickson Construction
(SUB2023-0104) (PRELIMINARY) M&H

Mr. Mario Escamilla stated North Ware Road: 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both Sides Revisions needed: Label centerline prior to final. Label existing ROW from both sides of centerline to determine if any ROW dedication is required prior to final. Identify existing ROW by plat or instrument and label total ROW prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. Non-compliance Internal Streets for R-1 (single-family residential): 50 ft. Total ROW Paving: 32 ft. Curb & gutter: both sides Revisions needed: Clarify connection to existing recorded subdivision under Arrow Head Subdivision Phase I, prior to final. Street names will be assigned prior to final. Provide Cul-de-Sac details on plat, prior to final. As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. Provide distance from main interior street ROW to the back of Cul-De-Sac's to verify compliance with 600 ft. block length requirements for Cul-de-Sacs, finalize prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. N/S 1/4 mile collector: Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: Provide for N/S 1/4 mile collector dedication, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. E/W 1/4 mile collector(Northern Boundary): Dedication as needed for 60 ft. total ROW. Paving 40 ft. Curb & gutter: Both Sides Revisions Needed: Provide for E/W 1/4 mile collector dedication, prior to final. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are required prior to recording. 1,200 ft. Block Length. Revisions Needed: Subdivision layout does not comply with block length requirement, please revise accordingly prior to final. If no changes please submit variance request for 1200 ft. maximum block length requirement. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Revisions needed: Provide Cul-de-Sac details on plat, prior to final. As per Fire Department requirements, 96 ft. of paving face-to face required, and 10 ft. of ROW back of curb around Cul-de-Sac required. Provide distance from main interior street ROW to the back of Cul-De-Sac's to verify compliance with 600 ft. block length requirements for Cul-de-Sacs, finalize prior to final. Subdivision Ordinance: Section 134-105. Front: 25 feet or greater for easement. Revisions needed: Revise note as shown above prior to final. Proposing: 20 feet or greater for easement. Zoning Ordinance: Section 138-356 Non-compliance. Rear: Proposing: 10 feet or greater for easement. Zoning Ordinance: Section 138-356. Sides: Proposing: 6 feet or greater for easement. Zoning Ordinance: Section 138-356. Corner: Proposing: 10 feet or greater for easement. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along N. Ware Road both sides of all interior streets and N/S Collector street as applicable. Revisions needed: Plat note will need to be revised as shown above, and once sidewalk requirements are determined and ROW requirements are finalized, prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements, finalize wording for note prior to final. Subdivision Ordinance: Section 134-120. Non-compliance. Perimeter sidewalks must be built or money escrowed if not built at this time. Required. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along the collector street, if applicable. Revisions Needed: Buffer requirements will be finalized prior to final based on the collector street, if applicable. finalize note wording prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or

multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Required No curb cut, access, or lot frontage permitted along North Ware Road and other streets as applicable. Revisions needed: Finalize wording for note once ROW requirements have been finalized, prior to final. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Revision Needed: Remove plat note #19 prior to final. Proposing: Common or Detention areas, any private streets/alleys or drives, and/ or gates must be maintained by the property owners/HOA and not the City of McAllen. Revisions needed: Finalize wording for note once subdivision requirement's have been finalized prior to final. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Revisions required: Revise note#14 to show the correct section reference, please see below, finalize prior to final. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Homeowner's Association Covenants must be submitted for staff review, prior to recording. Section 134-168 applies if private subdivision is proposed. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Revisions needed: Multiple lots under current subdivision layout do not comply with minimum frontage requirements review and revise lot frontages as applicable prior to final. Minimum lot width and lot area: Lots must comply with the minimum 50 ft. frontage requirement and 54 ft. on corner lots. Multiple lots under current subdivision layout do not comply with minimum lot area requirements review and revise as applicable prior to final. Minimum lot area is 5,000 square feet. Common areas do not comply minimum frontage requirements of 25 ft. review and revise as applicable prior to final. Zoning Ordinance: Section 138-356 Non-compliance. Existing: R-1 (Single-Family) Residential Proposed: R-1 (Single-Family) Residential. Zoning Ordinance: Article V. Land dedication in lieu of fee. Parkland dedication requirements are under review and any exiting approvals may have to be re-assessed, finalize prior to final. Required. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Parkland dedication requirements are under review and any exiting approvals may have to be re-assessed, finalize prior to final. Required. Pending review by the City Manager's Office. Parkland dedication requirements are under review and any exiting approvals may have to be re-assessed, finalize prior to final. Required. As per Traffic Department, please submit a Master Trip Generation required to determine if TIA is required, prior to final plat. Non-compliance Traffic Impact Analysis (TIA) required prior to final plat. Pending Items: As per Traffic Department, please submit a Master Trip Generation required to determine if TIA is required, prior to final plat. Must comply with City's Access Management Policy. Any abandonments must be done by separate process, not by plat. Clarify dashed line running through front of lots, prior to final.-Clarify connection to existing recorded subdivision under Arrow Head Subdivision Phase I, prior to final.

Staff recommends approval of the subdivision in preliminary form, subject to conditions noted, drainage, & utility approvals.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in preliminary form, subject to conditions noted, drainage, & utility approvals. Mr. Reza Badiozzamani seconded the motion, which was approved with four members present and voting.

e) D' Costa Subdivision, 801 North 23rd Street, D. Costa Inc. **(SUB2023-0100)**
(PRELIMINARY) SEA

Mr. Mario Escamilla stated North 23rd Street (FM 1926): Proposed 20ft. dedication for 50 ft. from centerline for 100 ft. total ROW Paving: By the state Curb & gutter: By the state. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. North 24th Street: Proposed 30 ft. dedication from centerline for 60 ft. total ROW Paving: 40 ft. Curb & gutter: Both sides Revisions Needed: Clarify if there are any existing dedications, along plat boundary prior to final. Dedication requirements subject to change once finalized. Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan. Monies must be escrowed if improvements are not constructed prior to recording. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 900 ft. Block Length for R-3 Zone Districts. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties and multi-family properties. Revisions Needed: -Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. Provide for looping or turnaround for existing 20 ft. Alley abutting Northern property line dedicated by Falcon Addition, finalize prior to final. Turnaround and or looping(alley ,service drive easement, etc.)must be in compliance with Fire and Public Works Department requirements. Subdivision Ordinance: Section 134-106. Front: (N.23rd Street/N.24th Street):In accordance with the zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions Needed: Clarify lot frontage and include street reference in setback note, once clarified note subject to change. Clarify proposed setback, prior to final. Proposing:40.0 FT or greater for easements or in line with existing structures, whichever is greater. Zoning Ordinance: Section 138-356,138-367 Non-compliance. Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Revise note as shown above prior to final. Clarify lot frontage, once clarified note subject to change. Clarify proposed setback, prior to final. Proposed: 25.0 FT or greater for easements or in line with existing structures, whichever is greater. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions Needed: Revise note as shown above prior to final. Setback requirements subject to change once alley requirements have been finalized, finalize setback requirements, prior to final. Proposed: As per zoning ordinance or greater for approved site plan or easements. Zoning Ordinance: Section 138-356 Non-compliance. Corner: Interior Lot Pending Items: Corner setback requirements subject to change once alley requirements have been finalized, finalize setback requirements, prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 5 ft. sidewalk along North 23rd Street and 4 ft. wide minimum sidewalk required on North 24th Street. 5 ft. sidewalk requirement as per Engineering Department. Sidewalk requirement for North 24th Street subject to be increased to 5 ft. prior to final by Engineering Department. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along N. 24th Street. Buffer requirement on N. 24th Street will be finalized prior to final. A buffer shall be provided to screen refuse areas (including refuse dumpsters, compactors and contained compactors), outdoor storage areas and loading docks from public streets. Finalize plat note wording for note #8 once buffer requirements have been finalized, prior to final. Landscaping Ordinance: Section 110-46,110-49 Non-compliance. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.

Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Required. No curb cut, access, or lot frontage permitted along. Pending items: Engineer must clarify lot frontage(front and rear), subdivision/note requirements subject to change once clarified finalize prior to final. Must comply with City Access Management Policy. As per Traffic Department, As per Access Management Policy, spacing requirement along S. 23rd Street is 250 ft. between access, a shared access with the norther lot would be preferred in order to avoid entrance across Hackberry Avenue. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Include note as shown above, prior to final. Note subject to change once subdivision requirements have been finalized. Finalize wording prior to final. Non-compliance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Pending items: Engineer must clarify lot frontage(front and rear), subdivision requirements subject to change once clarified finalize prior to final. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing :C-3 (General Business) District Proposed :C-3 (General Business) District. As per application dated September 08,2023 proposed land use is commercial, please review intended use as it may require a conditional use permit. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Non-compliance. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City s Access Management Policy. Any abandonments must be done by separate process, not by plat, any abandonments by separate instrument must be finalized prior to recording. Engineer must clarify lot frontage(front and rear), subdivision requirements subject to change once clarified finalize prior to final. Provide for looping or turnaround for existing 20 ft. Alley abutting Northern property line dedicated by Falcon Addition, finalize prior to final. Turnaround and or looping(alley ,service drive easement, etc.) must be in compliance with Fire and Public Works Department requirements. Engineer must continue to finalized ownership requirements prior to final. Required

Staff recommends approval of the subdivision in preliminary form subject to conditions noted, drainage and utilities approvals.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in preliminary form, subject to conditions noted, drainage, & utility approvals. Mr. Jesse Ozuna seconded the motion, which was approved with four members present and voting.

f) **Northgate Estates Subdivision, 1900 Northgate Lane, Urban City Developers, LLC (SUB2023-0034) (REVSIED PRELIMINARY) Turbo Engineers**

Mr. Kaveh Forghanparast stated Northgate Lane: Dedication as needed for 35 ft. from centerline for 70 ft. total ROW Paving: 44 ft. Curb & gutter: both sides Revisions needed: Reference the document number on the plat for the existing ROW, and provide a copy of the document for staff review prior to final. Remove any reference to "Centergrove Ave." from the Plat. Instead of variable ROW, please show existing ROW at multiple points to show how it varies, prior to final. Provide total ROW width and the ROW to the centerline after the dedication on the plat. All ROW requirements must be addressed prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Hobbs Drive: Dedication as needed for 40 ft. for 80 ft. total ROW. Proposed: 20 ft. ROW dedication for 60 ft. total ROW. Paving: 52 ft. Curb & gutter: Both Sides Revisions as needed: Provide a copy of the document for existing ROW for staff review prior to final. All ROW requirements must be addressed

prior to final approval. A variance request for 20 ft. dedication for total 60 ft. ROW was submitted by the project engineer. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. Interior Street: 50 ft. for single-family residential development Paving: 32 ft. Curb & gutter: both sides Revisions as needed: The submitted plat exceeds the 600 ft. maximum cul-de-sac length. Revise the plat to comply with the requirement prior to final; if a variance is requested, paving width of the interior street would be 40 ft. and sidewalk easement might be required on both sides. Show the ROW diameter at the Cul-de-Sacs and provide a paving layout to show compliance with minimum 96 ft. paving face to face according to Fire Department requirement and 10ft. ROW back of curb prior to final. Remove "Proposed" label from street names prior to final. Coordinate with staff for names of the interior streets prior to final. Clarify if the subdivision is proposed to be private or public and submit gate details if it will be private prior to final. Additional ROW may be required at the gate area. Submit revised paving layout to finalized the ROW requirement prior to final. A variance to 600 ft. maximum Cul-de-Sac length was submitted, proposing a paving width of 40 ft. for the interior street. If the variance is approved, it should be subject to sidewalk easement on both sides. Subdivision Ordinance: Section 134-105 Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. The submitted plat exceeds the 600 ft. maximum cul-de-sac length. Revise the plat to comply with the requirement prior to final; if a variance is requested, paving width of the interior street would be 40 ft. A variance to 600 ft. maximum Cul-de-Sac length was submitted, proposing a paving width of 40 ft. for the interior street. If the variance is approved, it should be subject to sidewalk easement on both sides. Subdivision Ordinance: Section 134-105. Front: 25 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Northgate Lane, Hobbs Drive, and both sides of all interior and entrance streets. Revise the plat note as shown above prior to final Minimum sidewalk width is subject to increase as per the Engineering Department. Revise the proposed plat note for 4 ft. minimum sidewalk on "Frontera Lane", since the property does not front it. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Hobbs Drive. Other buffers as may be applicable prior to final. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Hobbs Drive. Others as may be applicable prior to final. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Please clarify if the subdivision is proposed to be public or private. If private, add a plat note as shown above prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 134-168 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Clarify if the

subdivision is proposed to be private or public and add the plat note referencing the correct ordinance. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Clarify if the subdivision is proposed to be private or public. Submit a copy of the draft HOA covenant referencing the correct ordinance. A plat note to reference the HOA document is required prior to recording. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Zoning Ordinance: Article V. Land dedication in lieu of fee. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to final. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to final. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. Pending review by the City Management's Office. Based on the application submitted on 4/13/2023, 13 single-family residential lots are proposed. a revise plat submitted on 6/16/2023, shows 14 residential lots. Clarify and revise the application prior to final. A park fee of \$700 per dwelling unit (\$9,800 total) is required prior to recording. The park fee is subject to change, if the number of dwelling units changes. As per Traffic Department, Trip Generation is waived. There seem to be some discrepancies between the property dimensions as shown on the two submitted surveys and the plat. Please submit a new survey showing the boundaries of the subdivision and clarify any discrepancies prior to final. The owner's signature block follows public street template. Clarify if the subdivision is public or private and provide a gate detail if it is private. If the subdivision is proposed to be private, label "(Private Subdivision)" in smaller font under the name of the subdivision prior to final. If the subdivision is proposed to be private, "(Private Street)" will be needed after the name of the street prior to final. If the subdivision is proposed to be private, proper wording for owner's signature block is required. Label Detention area as Common Lot A prior to final. A plat note to reference the common lot might be required as well. Clarify point on west side of Lot 11 prior to final. Use a call out for L1 between lots 1 and 14 to be legible prior to final. Show how many feet of the 20 ft. U.E. is on Lot 7 and how many feet on detention lot prior to final. Show and label the width of the U.E. on east side of Lot 8 & 12, and west side of Lot 11. Submit revised paving layout and gate details to finalized the ROW requirement prior to final. Must comply with City's Access Management Policy. The project engineer submitted a variance application (VAR2023-0026) including the following variances: 1. A variance to the maximum 600 ft. Cul-de-Sac Length, proposing to provide 40 ft. of paving back to back for the interior street. 2. A variance to dedicate 20 ft. ROW for total 60 ft. ROW for Hobbs Drive, instead of 40 ft. dedication for total 80 ft. ROW. If the variance is approved, it should be subject to providing sidewalk easement on both sides.

Staff recommends approval of the subdivision in revised preliminary form, subject to the conditions noted, drainage, and utilities approval, and the board's clarification on the requested variances.

After a short discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in revised preliminary form, subject to the conditions noted, drainage, and utilities approval, and recommended approval for the requested variances. Mr. Reza Badiozzamani seconded the motion, which was approved with four members present and voting.

g) Quinta Luz Subdivision, 4300 Pecan Boulevard, Alvarado Iglesias **(SUB2023-0099)**
(PRELIMINARY) SEA

Mr. Kaveh Forghanparast stated Pecan Blvd: Dedication for 60 ft. from centerline for 120 ft. total ROW Paving: by the State Curb & gutter: by the State Revisions needed: Label the centerline and the ROW dedicated by this plat from centerline to establish ROW requirements prior to final. For the existing ROW, show the document number on the plat and provide a copy for staff review prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Interior Street: Dedication for 60 ft. in commercial area and 50 ft. for residential area Paving: 32-40 ft. Curb & gutter: both sides Revisions needed: Clarify the commercial lot(s) and revise the ROW to comply with requirements prior to final. Clarify if the subdivision is public or private prior to final. If proposed to be private, submit gate details. Additional ROW may be required to comply with gate requirements prior to final. Submit the paving layout to show compliance with minimum 96 ft. of paving face to face in Cul-de-Sac and minimum 10 ft. ROW around it prior to final. Revise the ROW to comply prior to final. Revise the plat to comply with 600 ft. maximum Cul-de-Sac length. If a variance is requested and approved, it will be subject to minimum paving width of 40 ft. Interior Street names will be assigned by the City prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Quince Ave (northern boundary): Dedication for total 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides Revisions needed: Project Engineer/Staff will review the possible requirement of ROW dedication for Quince Ave. on the north side prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac Revisions needed: Revise the layout to comply with Cul-de-Sac maximum length requirement prior to final. If a variance is requested instead and approved, it will be subject to 40 ft. minimum of paving for interior streets. Please submit paving detail to show compliance with minimum 96 ft. of paving face to face in the Cul-de-Sac and 10 ft. ROW around it prior to final. Revise the ROW to comply prior to final. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Clarify which lot(s) is/are commercial and provide alley/service drive easement prior to final. Subdivision Ordinance: Section 134-106. Front: Lots 1-12: 25 ft. or greater for easements Lot 13: In accordance with the zoning ordinance or greater for easements, or approved site plan, or in line with existing structures, whichever is greater. Clarify if only lot 13 is commercial and lots 1-12 will be single-family residential prior to final. Revise plat notes 1 and 2 and combine them as shown above prior to final. Proposed: Minimum setback lines = Front: 25 ft. or greater for easement or in line with existing structures. Minimum setback line for Lot 13 only = Front: 75 ft. or greater for easements or in line with existing Structures. Zoning Ordinance: Sections 138-356 & 138-367. Rear: Lots 1-12: 10 ft. or greater for easements Lot 13: In accordance with the zoning ordinance or greater for easements, or approved site plan, whichever is greater. Clarify if only lot 13 is commercial and lots 1-12 will be single-family residential prior to final. Revise plat notes 1 and 2 and combine them as shown above prior to final. Clarify minimum rear setback for Lot 13 prior to final. Proposed: Minimum setback lines = Rear: 10 ft. or greater for easements Minimum setback line for Lot 13 only = Rear: 20 ft. or greater for easements or in line with existing Structures. Zoning Ordinance: Section 138-356. Interior Sides: Lots 1-12: 6 ft. or greater for easements Lot 13: In accordance with the zoning ordinance or greater for easements, or approved site plan, whichever is greater. Clarify if only lot 13 is

commercial and lots 1-12 will be single-family residential prior to final. Revise plat notes 1 and 2 and combine them as shown above prior to final. Proposed: Minimum setback lines = Interior sides: In accordance with the zoning ordinance or greater for easements Minimum setback line for Lot 13 only = East Side: as per zoning ordinance or greater for Easements. Corner Lots 1-12: 10 ft. or greater for easements Lot 13: In accordance with the zoning ordinance or greater for easement, or approved site plan, whichever is greater. Clarify if only lot 13 is commercial and lots 1-12 will be residential prior to final. Revise plat notes 1 and 2 and combine them as shown above prior to final. Proposed: Minimum setback lines Lot 13 only = West Side: zero feet or as per zoning ordinance or greater for easements. Zoning Ordinance: Section 138-356. Garage (Lots 1-12): 18 ft. except where greater setback is required, greater setback applies. Clarify if Lot 13 is the only commercial lot prior to final. Revise setback note as shown above prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Pecan Boulevard and both sides of the interior street. Engineering Department may require 5 ft. sidewalk prior to final. Finalize the sidewalk note prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Required 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments for commercial lots prior to building permit issuance. Required Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Clarify if the subdivision is public or private, gated or not, to finalize the plat note requirement prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if public subdivision is proposed. Clarify if the subdivision is public or private to finalize the note requirement prior to final. Add a plat note as shown above prior to final. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Section 110-72 applies if public subdivision is proposed. Submit the draft HOA for staff review prior to recording. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168 Required. Lots fronting public/private streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Provide the curve table to check compliance prior to final. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1 & C-3. The rezoning must be finalized prior to final. Zoning Ordinance: Article V Non-compliance. Rezoning Needed Before Final Approval. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per the application submitted on September 9, 2023, there are 13 lots in this subdivision which will be single-family and commercial. A clarification is needed on the number of single family lots. As per Park Department, a park fee of \$700 per dwelling unit is required prior to recording. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per the application submitted on September 9, 2023, there are 13 lots in this subdivision which will be single-family and commercial. A clarification is needed on the number of single family lots. As per Park Department, a park fee of \$700 per dwelling unit is required prior to recording, As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat.. Traffic Impact Analysis (TIA) required

prior to final plat. Ownership must be verified and all required signatures must be submitted prior to final. Use a solid line for lot lines including south side of Lot 13 and north side of Detention Pond Area. Show the legal description of all adjacent lots on all sides, including south side of Pecan Blvd. It seems that 16 ft. on the west side of the subdivision is part of the existing 200 ft. HCWD No.1 Canal ROW. Provide the document number on the plat and a copy for staff review prior to final. Use a solid line if that is the not part of the common lot. Dimension of the lots or curves must exclude the portion if it's not part of the lot. Clarify, review, and revise as applicable. If the 16 ft. on the west side is part of the HCWD No.1 Canal ROW, remove the extension of curve line on the north side of Lot 1 into the area prior to final. Review and revise as applicable. Signature blocks must comply with Sec. 134-61 of the Subdivision Ordinance. Provide the curve table prior to final. Use a letter or number for common lot and revise the name, e.g. Common Lot A, prior to final. Use a solid line to show lot lines on the north side of Common Lot. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in preliminary form, subject to the conditions noted, drainage, and utilities approval.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in preliminary form, subject to conditions noted, drainage, & utility approvals. Mr. Jesse Ozuna seconded the motion, which was approved with four members present and voting.

h) Huerta Subdivision, 11501 North Bryan Road, Luis Roberto Huerta **(SUB2023-0103)**
(PRELIMINARY) SEA

Mr. Kaveh Forghanparast stated N. Bryan Rd: ROW dedication required for 60 ft. from centerline for 120 ft. total ROW Paving: 65-85 ft. Curb & gutter: both sides Revisions needed: Revise the layout to show compliance with ROW dedication requirement prior to final. Show the total existing ROW and ROW on both sides of the centerline prior to final. Reference the document number on the plat for the existing ROW, and provide a copy for staff review prior to final. Show the total ROW after the ROW dedication and label as "total ROW" prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. COM Thoroughfare Plan. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. If rear garbage pickup and/or rear access are not available, a service street shall be required, in addition to the planting area, between the front lot line of such lot, and such planting area. Such service street shall also be at least 20 feet wide, and built to city plans. Subdivision Ordinance: Section 134-106. Front: 45 ft. or greater for easements or in line with existing structures, whichever is greater. Revise plat note #2 as shown above prior to final. Proposed: 40 ft. Zoning Ordinance: Section 138-356 & 138-367. Subdivision Ordinance: Section 134-106. Rear: 10 ft. or greater for easements. Clarify 15 ft. or revise plat note #2 as shown above prior to final. Proposed: 15 ft. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements. Revise plat note #2 as shown above prior to final. Proposed: 6 ft. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. Add a plat note as shown above prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on N. Bryan Road. Revise plat note #15 as shown above prior to final. Engineering Department may require 5 ft. sidewalk prior to final. Revise the plat note as applicable. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Required. 6 ft. opaque buffer required from adjacent/between multi-family

residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Subdivision Ordinance: Section 134-1 Compliance. Minimum lot width and lot area. Show the remaining frontage of the property to determine compliance with minimum frontage requirement prior to final. Zoning Ordinance: Section 138-356. Existing: ETJ Proposed: ETJ. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation for one lot single-family is waived. Use a solid line for the lot line after the ROW dedication prior to final. Show the legal description of all adjacent lots on all sides, including the east side on N. Bryan Road, prior to final. Show the remaining frontage of the property to determine compliance with minimum frontage requirement prior to final. Correct the location map to match the subdivision boundary prior to final. Adjust the location map to show State Highway 107 (on the south side) prior to final. Signature blocks must comply with Sec. 134-61 of the Ordinance prior to recording. Must comply with City's Access Management Policy.

Staff recommends approval of the subdivision in preliminary form, subject to the conditions noted, drainage, and utilities approval.

Being no discussion, Mr. Jesse Ozuna moved to approve in preliminary form, subject to conditions noted, drainage, & utility approvals. Vice Chairperson Mr. Gabriel Kamel seconded the motion, which was approved with four members present and voting.

i) **Santoy Subdivision, 3321 Highway 83, Juan F. Santoy (SUB2023-0105)**
(PRELIMINARY) SEC

Mr. Kaveh Forghanparast stated U.S. Highway 83: Dedication required for 50 ft. from centerline for total 100 ft. ROW Paving: By the State Curb & gutter: By the State Proposing: 7.5 ft. additional ROW for 52 ft. from "PVMT U.S. HWAY 83" centerline for total 92.5 ft. ROW Revisions needed: Clarify "PVMT" centerline to finalize the ROW dedication requirement prior to final. Show the ROW from centerline after ROW dedication, and total ROW along the property after ROW dedication and label as "Total ROW" prior to final. Any additional ROW dedication requirement must be shown on the plat, if applicable, or a variance request must be submitted and approved prior to final. Submit a copy of the referenced documents shown on the plat prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to recording. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Plat shows 15 ft. alley on the rear side of the property. Revise the plat prior to final as needed to comply with requirements for City services. Alley/service drive easement may not dead-end. Revise as applicable prior to final. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance, or greater for the approved site plan, or easements, or in line with existing structures, whichever is greater. Clarify/revise the plat note as shown above prior to final. Proposing: 50 ft. or greater for approved site plan or easements. Zoning Ordinance: Section 138-356 & 138-367. Rear: In accordance with the Zoning Ordinance, or greater for the approved site plan, or easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance, or greater for the approved site plan, or easements. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Highway

83. Clarify/revise plat note as shown above prior to final. Engineering Department may require 5 ft. wide sidewalk prior to final. Subdivision Ordinance: Section 134-120 Non-compliance. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City Access Management Policy Applied. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas, any private streets/drives, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 & R-4 Proposed: C-3. The rear portion of the property is zoned is R-4. Engineer to verify and submit the rezoning request. Rezoning must be approved prior to final. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. The rear portion of the property is zoned is R-4. Engineer to verify and submit the rezoning request. Rezoning must be approved prior to final. Zoning Ordinance: Article V. As per Traffic Department, confirm Land use to determine if Previous Trip Gen could be honored, if different use is proposed a revised Trip Gen would be needed. Traffic Impact Analysis (TIA) required prior to final plat. The bearing of the south subdivision boundary on the plat does not match the survey. Clarify, review and revise as applicable prior to final. Show the legal description of all adjacent properties on all sides, including the triangular shaped lot on the southwest corner of the lot, and the properties located on the north side of Highway 83. Must comply with City's Access Management Policy. All signature blocks must comply with Sec. 134-61 of the Subdivision Ordinance. An older subdivision for the same property (SUB2020-0041 & SUB2021-0053) with the same name "Santoy Subdivision" was expired. The engineer submitted the new subdivision application on September 19, 2023. Some variances for the expired submittal were approved. A new variance application and approval is required for the new application.

Staff recommends approval of the subdivision in preliminary form, subject to the conditions noted, utilities, and drainage approval.

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve in preliminary form, subject to conditions noted, drainage, & utility approvals. Mr. Reza Badiozzamani seconded the motion, which was approved with four members present and voting.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Jesse Ozuna adjourned the meeting at 4:26p.m. with Vice Chairperson Mr. Gabriel Kamel seconding the motion with four members present and voting.



Chairperson Michael Fallek

ATTEST: 

Magda Ramirez, Administrative Assistant