

AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING WEDNESDAY, JANUARY 4, 2023 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR

At any time during the course of this meeting, the Planning & Zoning Board may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Planning & Zoning Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the Planning and Zoning Commission may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code -

CALL TO ORDER -

PLEDGE OF ALLEGIANCE -

INVOCATION -

1) MINUTES:

- a) Approval of minutes for the December 20, 2022 meeting:

2) PUBLIC HEARING

a) CONDITIONAL USE PERMITS:

1. Request of Jesus Dasael Gonzalez for a Conditional Use Permit, for the life of the use, and adoption of an ordinance, for an automotive service and repair (Eurostar Auto Werks Auto Repair) at Lot 9, Block 2, Poorbaugh's Subdivision, Hidalgo County, Texas; 304 North 3rd Street. **(CUP2022-0186)**
2. Request of the City of McAllen for a Conditional Use Permit, for the life of the use, and adoption of an ordinance, for an Institutional Use (Fire Station) at the 2.290 acres out of Section 227 and 232, Texas-Mexican Railway Company's Survey (Proposed Fire Station No. 8 Subdivision), Hidalgo County, Texas; 14300 North Shary Road. **(CUP2022-0189)**
3. Request of the City of McAllen for a Conditional Use Permit, for the life of the use, and adoption of an ordinance, for an Institutional Use (Fire Fighter Training Facility) at the south 15 acres out of Lot 19, La Lomita Irrigation & Construction Company's Subdivision (Proposed Fire Fighter Training Facility Subdivision), Hidalgo County, Texas; 10700 North La Lomita Road. **(CUP2022-0190)**
4. Request of Miguel A. Martinez for a Conditional Use Permit, for one year, for a home occupation for swimming lessons, at Lot 1, Duarte Subdivision, Hidalgo County, Texas; 4724 Buddy Owens Boulevard. **(CUP2022-0185)**

5. Request of Eugene T. Hague III on behalf of VCCMA, LLC for a Conditional Use Permit, for life of the use, for an Institutional Use (cosmetology academy) at Lot 1, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3420 North 10th Street, Suite 200. **(CUP2022-0187)**
6. Request of Daisy Gonzalez and Karina Gonzalez for a Conditional Use Permit, for one year, for an event center at Lot 1, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3420 North 10th Street, Suite 240,245, and 250. **(CUP2022-0188)**

b) REZONING:

1. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartment) District: 0.75 acres being all of Lot 1A and 2A, La Villita Subdivision, and the East 31 feet of the abandoned 6th Street right-of-way, Hidalgo County, Texas; 520 Jackson Avenue. **(REZ2022-0053)**
2. Rezone from R-1 (single-family residential) District to C-3 (general business) District: 0.97 acres out of Lot 11, Section 12, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 1009 Jay Avenue. **(REZ2022-0046)(TABLED SINCE 12/6/2022)**

3) SITE PLAN:

- a) Site plan approval for Lot 1, Plaza On Ridge Road Subdivision; 1101 East Ridge Road. **(SPR2022-0045)**

4) CONSENT:

- a) Kamary Subdivision, 4000 State Highway 107, Kamary Investments, Ltd. **(SUB2022-0139)(FINAL)SA**
- b) Kamary II Subdivision, 4200 State Highway 107, Kamary Investments, Ltd. **(SUB2022-0138)(FINAL)SA**

5) SUBDIVISIONS:

- a) Dove Meadows Subdivision, 5517 North Bentsen Road, Riverside Development Services, LLC **(SUB2022-0079) (FINAL)JEH**

ADJOURNMENT:

IF ANY ACCOMMODATIONS FOR A DISABILITY ARE REQUIRED, PLEASE NOTIFY THE PLANNING DEPARTMENT (681-1250) 72 HOURS BEFORE THE MEETING DATE. WITH REGARD TO ANY ITEM, THE PLANNING & ZONING COMMISSION MAY TAKE VARIOUS ACTIONS, INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR PARTICULAR ACTION AT A FUTURE DATE.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, December 20, 2022, at 3:30p.m. in the McAllen City Hall, 3rd Floor Commission Chambers Room, 1300 Houston Avenue, McAllen, Texas.

Present:	Michael Fallek Gabriel Kamel Emilio Santos Jr. Erica De la Garza Aaron D. Rivera	Chairperson Vice Chairperson Member Member Member
Absent:	Jose Saldana Marco Suarez	Member Member
Staff Present:	Benito Alonzo Michelle Rivera Edgar Garcia Beto De la Garza Omar Sotelo Rod Sanchez Liliana Garza Mario Escamilla Samuel Nunez Kaveh Forghanparast Jacob Salazar Magda Ramirez	Assistant City Attorney I Assistant City Manager Planning Director Development Coordinator Senior Planner Senior Planner Planner III Planner III Planner II Planner II Planner Technician I Administrative Assistant

CALL TO ORDER – Chairperson Mr. Michael Fallek
PLEDGE OF ALLEGIANCE
INVOCATION- Mr. Emilio Santos Jr.

1) MINUTES:

- a) Minutes for the Regular meeting held on December 6, 2022.

The minutes for the regular meeting held in December 6, 2022 was approved as submitted by Mr. Emilio Santos Jr. Seconding the motion was Ms. Erica De la Garza which carried unanimously with 5 members present and voting.

2) PUBLIC HEARING:

- a) **CONDITIONAL USE PERMIT:**

- 1) Request of David J. Raymond, Jr. for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Home Occupation (gunsmith shop) at Lot 112, Falcon's Crossing Subdivision Phase II, Hidalgo County, Texas; 10604 North 25th Street. **(CUP2022-0179)**

Mr. Samuel Nunez stated that the subject property is located along the south side of North 25th

Street, south of Sprague Road. The property is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land use is single-family residential in all directions. A Home Occupation is permitted in an R-1 District with a Conditional Use Permit and in compliance with all requirements.

The application for the Conditional Use Permit Home Occupation request was submitted on October 31, 2022. This is the initial request for a Home Occupation of any kind at this location.

The applicant is proposing to operate a gunsmith shop from his three-car garage. The gunsmith shop will offer a variety of services that will range from simple cleanings to the building of fully function rifles or handguns from a bare receiver or frame. The applicant has provided a detailed description of the gunsmith shop's services and operations (see attached email and price list).

The proposed hours of operation will be by appointment only from 10 AM to 7 PM on Fridays and Saturdays. According to the submitted floor plan, the gunsmith shop will include two workbenches, one lathe, one mill, one belt sander/grinder, multiple shelves, and three safes. The applicant has stated that he would leave room for one parking space in order to comply with the current one parking space requirement beyond the front yard setback.

The applicant has stated that firearms would be stored overnight in safes since certain work projects could take more than one day to complete. Moreover, the applicant has informed staff that no ammunition for the firearms would be handled or stored on site. Finally, most of the customers, according to the applicant, will be shipping their firearms to the subject property and receiving them back via mail by the applicant.

The Fire Department has conducted their inspection of the site and no violations were found. 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 occupation may not be operational until issuance of the certificate. The business must comply with requirements set forth in Section 138-118(a)(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. As per the applicant, the applicant lives at the residence;
- 2) One nameplate attached to the building not larger than two square feet is permitted in all districts except R-1 single-family residential district;
- 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. The applicant does not propose any alteration;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises;
- 5) There shall be no outside storage of materials or products;
- 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. The applicant stated that classes are by appointment only;
- 7) No retail sales (items can be delivered). The proposed use does not involve retail sales;
- 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 within the residence's built in three-car garage; and
10) The activity must take place at the location of which the permit was issued.

A gunsmith shop where firearms would be repaired, disassembled, and or re-assembled, would be a more appropriate use in a C-3 (general business) District or higher.

Staff received one phone call and one letter in opposition to this request. Please reference provided letter.

Staff recommends disapproval of this Conditional Use Permit request since the proposed use is more appropriate and permitted in a C-3 District or higher.

Chairperson Mr. Michael Fallek asked if there was anyone present in opposition of the proposed conditional use permit request. There was one:

Citizen Mr. Harlita Puttagunta(10513 North 24th Street) stated his concerns are that the type of business the applicant is requesting is not allowed in the HOA. He stated no business are allowed according to the HOA. He is also concerned with vandalism and theft.

Applicant, David Raymond (10604 North 25th Street) stated he will not have signs, will not have added traffic(orders will be taken online and shipped). Mr. Raymond stated it will be more costly to open a shop in a commercial area.

After a lengthy discussion, Vice Chairperson Mr. Gabriel Kamel moved to disapprove. Ms. Erica De la Garza seconded the motion, which was disapproved with five members present and voting.

- 2) Request of Leonel Pedraza for a Conditional Use Permit, for Life of the Use, and adoption of an ordinance, for a Guest House at Lot 1, Block 4, Altamira Subdivision, Hidalgo County, Texas; 2601 Austin Avenue. **(CUP2022-0180)**

Mr. Samuel Nunez stated that the subject property is located at the southwest corner of Austin Avenue and South 26th Street. The property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District to the west and south, with R-2 (duplex-fourplex residential) District to the north and east. The surrounding land uses are single-family residences in all directions. The applicant is proposing to enclose an existing garage and repurpose it for a "man cave" recreational room and guest house. A guest house is permitted in an R-1 District with a Conditional Use Permit and in compliance with all other requirements.

The plat for Altamira Subdivision was recorded on September 14, 1926. According to Hidalgo County Appraisal District records, the existing residence and detached garage were built in 1976. A building permit application was submitted for the enclosure of the garage for a guest house on October 24, 2022. The application for a Conditional Use Permit for a guest house was submitted on November 10, 2022.

The proposed one-story guest house would have a size of 466.9 square feet once it is completed. According to the submitted floor plan, the proposed guest house will include one bedroom, one bathroom, a laundry room, a kitchen, and a living room.

The remodeling of the existing garage is being proposed for use as a recreational room for the

property owners and a guest house for visiting relatives. This proposed use is permitted within an R-1 District with an approved Conditional Use Permit and in compliance with all other requirements.

The Fire Department has conducted their inspection of the subject property and no violations were found. The guest house development must comply with requirements for guest houses set forth in Section 138-118(a)(5) of the Zoning Ordinance and specific requirements as follows:

- 1) Only one guest house shall be permitted on the property;
- 2) The proposed use shall comply with setback requirements. The proposed structure's setbacks are in compliance;
- 3) The proposed use shall be connected to the same utilities as the primary residence;
- 4) Lot size must be a minimum 8,000 square feet. According to the subdivision plat, the Lot size where the guest house will be built is 8,618 square feet;
- 5) Separate driveways or garages for the proposed use shall not be permitted. Applicant is not proposing an independent driveway for the proposed guesthouse;
- 6) The proposed use shall not be rented;
- 7) The permit shall be revoked if money is ever paid for rent or utility expenses are shared with the proposed use.

If approval is granted to this request, the applicant must still comply with all other Zoning Ordinance and Building Code requirements that will be requested during the building permitting process.

Staff did not receive any phone calls, letters, or emails in opposition to this request.

Staff recommends approval of this request, for life of the use, subject to compliance with requirements set forth in Section 138-118(a)(5) of the Zoning Ordinance, and all other Zoning Ordinance, Building Department, 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. Aaron Rivera seconded the motion, which was approved with five members present and voting.

- 3) Request of Antonia Cardona for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Food Truck Park at Lot 1, Community Center at Tres Lagos Subdivision; Hidalgo County, Texas; 4900 Tres Lagos Boulevard. **(CUP2022-0181)**

Mr. Samuel Nunez stated that the subject property is located along the north side of Tres Lagos Boulevard. The subject property is zoned R-1 (sing-family residential) District and C-4 (commercial-industrial) District. The adjacent zoning to this property is R-1 District in all directions. A Food Truck Park is permitted in a C-4 District with a Conditional Use Permit, and in compliance with all other requirements. The Food Truck Park is proposed to be located and operating out of the R-1 District portion of the lot.

The applicant is proposing to operate a Food Truck Park on the subject property. According to the applicant, the location can accommodate up to 5 food trucks. Based on the total number of food trucks that can be accommodated, 20 parking spaces would be required. A total of 71 parking

spaces, including 7 accessible spaces, are available on site. The Food Truck Park's proposed days and hours of operation would be 3:00 PM to 10:00 PM Thursday through Sunday.

The plat for Community Center at Tres Lagos Subdivision was recorded on June 8, 2017. An Associated Recreation Conditional Use Permit, for the life of the use, was approved for this Subdivision by City Commission on October 10, 2016. The Conditional Use Permit for an Associated Recreation was originally requested to allow recreation areas that would include a community center, two parks, and a pool area. The Associated Recreation will remain in effect as it was originally approved in October 10, 2016, unless an amendment is requested.

This is the initial Conditional Use Permit request for a Food Truck Park at this location. The Conditional Use Permit application was submitted on November 11, 2022.

The Fire and Health Departments has 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; the location of the Food Truck Park is proposed to be within the R-1 District portion of the Lot and adjacent to other residentially zoned properties.
- 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; applicant has provided their contact information
- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM; proposed hours of operation are between 3:00 PM and 10:00 PM
- 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;
- 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.

The proposed location for the Food Truck Park would be within the R-1 District portion of the subject property. Two existing food trucks have been in operation at this location before the Food Truck Park Ordinance was adopted. This in essence creates a non-conformance to the Ordinance and

Zoning District. The applicant or owner of the property can possibly consider rezoning the R-1 District portion of the subject property to a C-4 District in order to bring the proposed use closer to compliance.

This Conditional Use Permit for a Food Truck Park does not grant approval for the current or future food trucks that will be on site. Each food truck is required to obtain an approved permit through the Mobile Food Vendors application process with the City's Environmental Health and Code Enforcement Department.

The Planning Department has not received any phone calls, emails, or letters in opposition of the Conditional Use Permit request.

Staff recommends disapproval of the Conditional Use Permit request based on requirement #1 (distance from residentially zoned property) of Section 54-51 of the Zoning Ordinance for mobile food vendors.

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 disapprove with favorable recommendation. Mr. Emilio Santos Jr. seconded the motion, which was disapproved with five members present and voting.

b) REZONING:

- 1) Rezone from R-3A (multifamily residential apartment) District to R-2 (duplex-fourplex residential) District: 10 acres being all of Lot 4, Resubdivision of Lots 164-171 Inc. of Pride O'Texas, Hidalgo County, Texas; 3300 La Lomita Road
(REZ2022-0049)

Mr. Kaveh Forghanparast stated that the property is located at the northwest corner of North 33rd Street and La Lomita Road, also known as Mile 6 ½ Road. The tract has 330 ft. of frontage along La Lomita Road and a depth of 1,320 ft. for a lot size of 10 acres.

The applicant is requesting R-2 (duplex-fourplex residential) District in order to construct duplexes. The subject property will be part of a larger development which includes the adjacent lot to the west. A proposed subdivision under the name of Northwest Creek Subdivision was approved in revised preliminary form for the subject property by the Planning and Zoning Commission on October 13, 2022.

The adjacent zoning is R-1 (single-family residential) District to the east and south, R-3A (multifamily residential apartment) District to the west, and A-O (agricultural and open space) District to the north.

The property is currently vacant. Surrounding land uses include single-family residences, agricultural land, McAllen Fire Department Training Field, and vacant land.

Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family, which is comparable to R-1 District.

The development trend for this area along La Lomita Road is single-family residential.

The property was annexed to the City and initially zoned R-1 District on November 27, 2017. A rezoning request to R-3A District for the subject property was approved on August 8, 2022. Proposed Northwest Creek Subdivision was approved in revised preliminary form, for this property and the adjacent property to the west, by the Planning and Zoning Commission on October 13, 2022. A revised plat layout depicting lots smaller than 7,000 sq. ft. was submitted on October 5, 2022. Section 138-356 of the Zoning Ordinance requires a minimum lot size of 7,000 sq. ft. for R-3A District. A rezoning request to R-2 District for the subject property and the adjacent property to the west side was submitted in November 2022.

The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it is a downzoning request which provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles. Approval of the rezoning request permits continuation of the subdivision process and develop the property.

A recorded subdivision plat is required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

Staff has not received any calls or emails in opposition to the rezoning request.

Staff recommends approval of the rezoning request to R-2 (duplex-fourplex residential) District since it is a downzoning request which provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles.

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. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

- 2) Rezone from R-3A (multifamily residential apartment) District to R-2 (duplex-fourplex residential) District: 10 acres being all of Lot 3, Resubdivision of Lots 164-171 Inc. of Pride o' Texas, Hidalgo County, Texas; 3420 La Lomita Road.
(REZ2022-0050)

Mr. Kaveh Forghanparast stated that the property is located on the north side of La Lomita Road, also known as Mile 6 ½ Road, approximately 330 ft. west of North 33rd Street. The tract has 330 ft. of frontage along La Lomita Road and a depth of 1,320 ft. for a lot size of 10 acres.

The applicant is requesting R-2 (duplex-fourplex residential) District in order to construct duplexes. The subject property will be part of a larger development which includes the adjacent lot to the east. A proposed subdivision under the name of Northwest Creek Subdivision was approved in revised preliminary form for the subject property by the Planning and Zoning Commission on October 13, 2022.

The adjacent zoning is R-1 (single-family residential) District to the west and south, R-3A

(multifamily residential apartment) District to the east and A-O (agricultural and open space) District to the north.

There is a storage building on the subject property, which was built in 2017 according to the Hidalgo County Appraisal District records, proposed to be demolished. Surrounding land uses include single-family residences, agricultural land, McAllen Fire Department Training Field, and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family, which is comparable to R-1 District.

The development trend for this area along La Lomita Road is single-family residential.

The tract has been in the City's Extra-Territorial Jurisdiction (ETJ) since October 1, 1981. In September 2017, when the City was annexing the properties in that area, the property owner signed a development agreement with the City requesting non-annexation until they subdivide. The agreement stated that submission of a subdivision application would be considered a voluntary annexation request. A subdivision and initial zoning requests to R-1 District for the subject property was submitted on April 7, 2022, but were withdrawn on April 29, 2022. A subdivision and initial zoning requests to R-3A District for the subject property was submitted on May 2, 2022. Submission of the subdivision application initiated the annexation process which was heard and approved by the City Commission on May 23, 2022. Proposed Northwest Creek Subdivision was approved in revised preliminary form, for this property and the adjacent property to the east, by the Planning and Zoning Commission on October 13, 2022. A revised plat layout depicting lots smaller than 7,000 sq. ft. was submitted on October 5, 2022. Section 138-356 of the Zoning Ordinance requires a minimum lot size of 7,000 sq. ft. for R-3A District. A rezoning request to R-2 District for the subject property and the adjacent property to the east side was submitted in November, 2022.

The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it is a downzoning request which provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles. Approval of the rezoning request permits continuation of the subdivision process and develop the property.

A recorded subdivision plat is required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

Staff has not received any calls or emails in opposition to the rezoning request.

Staff recommends approval of the rezoning request to R-2 (duplex-fourplex residential) District since it is a downzoning request which provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles.

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

Being no discussion, Ms. Erica De la Garza moved to approve. Vice Chairperson Mr. Gabriel Kamel seconded the motion, which was approved with five members present and voting.

- 3) Rezone from R-1 (single-family residential) District to R-3C (multifamily residential condominium) District: The East One acre of the North Five acres of Lot 308, John H. Shary Subdivision, Hidalgo County, Texas; 3925 North Bentsen Road. **(REZ2022-0045)(TABLED SINCE 12/6/2022)WITHDRAWN**

Mr. Kaveh Forghanparast stated that the applicant has withdrawn their request. No action required from board members, none taken. Item has been withdrawn.

- 4) Rezone from R-1 (single-family residential) District to C-3 (general business) District: 0.97 acres out of Lot 11, Section 12, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 1009 Jay Avenue. **(REZ2022-0046)(TABLED SINCE 12/6/2022).**

Mr. Kaveh Forghanparast stated that the applicant requested the item to remain tabled. No action required from board members, none taken. Item remained tabled.

c) HISTORIC LANDMARK:

- 1) Request of Omar and Mari Liza Van Wagoner for a designation of a McAllen City Landmark out of a 0.73-acre tract of land out of the South 3.15 acres of out of the Southwest quarter of the Northeast quarter of the southwest quarter of section 9, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1206 North Main Street. **(HIS2022-0002)**

Ms. Liliana Garza stated that the subject property is located at the east side of North Main Street and approximately 135 ft. north of Kendlewood Avenue. The zoning designation for this tract is R-1 (single family residential) District and there is currently a residence located on the subject property. The architectural classification for the building is Craftsman Ranch Style.

Mr. George Frank Wheelberger moved to McAllen with his brother Granville and sister Esta in 1912 from Illinois and the following year they purchased 22 acres from John W. Ewing, where the residence currently sits. Mr. Wheelberger joined the orchardist community and began construction of his home and farming his acreage with citrus. The property was deeded to Esta; however, when she married M. J. Bowe and moved into his home in 1918, Mr. G.F. Wheelberger purchased the property from her. In 1920, Mr. Wheelberger married Clara Emerick and a year later their daughter Coylie Elizabeth Wheelberger was born in the home on Main Street.

Mr. G.F. Wheelberger purchased several tracts of lands in the Hidalgo Canal Co.'s and McAllen Townsite; however, he slowly began to sell them off until he was left with the $\frac{3}{4}$ acre where the home currently resides.

Agricultural development, especially citrus, was and remains integral to the Rio Grande Valley. In September 1936, The Monitor made an announcement: "Early Pink Show Excellent Blush; Fruit on Display." The article described Mr. Frank Wheelberger as "McAllen's Pioneer fruit-grower" who displayed a couple of his pink grapefruit at the McAllen Chamber of Commerce. He owned 10 acres of pink grapefruit and harvested bumper crops from his orchard each year. It was also stated in another article that same month that when northerners would visit the valley, they would beg for clusters of fruit to take back with them. They said "When we go back and TELL them what we saw

it's so good they don't believe us. They have to see it themselves." Mr. Wheelberger donated the necessary exhibit of citrus.

In 1940, the City of McAllen commission and school board got together and named a joint board of equalization to fix tax values of the two political subdivisions. Mr. Wheelberger was one of the 3 members chosen to serve. An article from The Monitor described the three members of the joint board, as "Old-Timers" of McAllen.

Following Mr. Wheelberger passing in June of 1948, an entry from The Monitor stated that "Mr. George Franklin Wheelberger, pioneer McAllen citrus grower, died on June 29, 1948 at 80 years old. Mr. Wheelberger came to McAllen a long time ago, only a few years after McAllen became an incorporated town. He had lived out on North Main Street in the same trim white home all that time. When it was in the farm area just beyond the north city limits. But McAllen grew so rapidly that he became surrounded by residential areas. To his last days, Mr. Wheelberger prided himself on the neatness of his home, his lawns and his trees. He kept them that way for more than a quarter of a century."

Coylie Elizabeth Wheelberger was the daughter of George Frank and Clara Wheelberger. She graduated from McAllen High School in 1938 and McAllen Business College the following year. C.K. Koelle was born in 1920 in Mission, Texas, to a family of Sharyland pioneers who came to the area in 1916 from Watertown, South Dakota on one of John H. Shary's, the district's namesake, land tours. C.K. graduated from Sharyland High School in 1939 and began farming, ranching and working in the community. Both Coylie and C.K. married on August 8, 1955 and worked together in C.K.'s farming operations.

C.K.'s love of land earned him recognition as Outstanding Conservation Farmer in two different South Texas Soil Conservation Districts. From 1968 to 1973 he received the annual award at the Texas Citrus Fiesta in Mission, Texas for raising over 50 varieties of citrus. In October 2000, the Hidalgo County Farm Bureau honored him for outstanding service to agriculture. On the last weekend of February for over 20 years, he hosted a 2-day show affiliated with the Rio Grande Valley Old Farm Equipment Club at their farm on North Shary Road. One of his greatest pleasures was his collection of antique two-cylinder John Deere tractors from the smallest to the largest in the alphabet series, the "Two Banger Museum." The show was nationally advertised and farmers from all over would attend. The show offered more than antique tractors and engines, but also spotlighted old military vehicles and classic cars, with demonstrations by woodcarvers, wood turners, spinners, horse shoeing and many other crafts – all to the happy music of the City of McAllen's calliope.

Coylie was a longtime member of St. John Episcopal church in McAllen and was active in the Altar Guild and as a Charter member of St. John's Chapter of the Order of the Daughters of the King. She served with the Easter Seals Rio Grande Valley in McAllen and was a member of the Telephone Pioneers of McAllen, The McAllen Old timers' club and the Hidalgo County Historical Society. C.K. was a lifelong member of St. Paul Lutheran Church in McAllen and helped level and prepare the land for the present church when it was built in 1957. During World War II, C.K. served his county in the 785th Tank Battalion, Company "C," stationed at Fort Knox, KY. The 785th Tank Battalion was assigned to check tanks as they were developed before they were used in combat. During the Pacific phase of the War, the 785th Battalion was to be in the spearhead of the invasion of Japan. C.K. was in the first wave of soldiers who had already been told they would not survive to return home. They were on the high seas when the atomic bomb was dropped and immediately

returned to the Philippine Islands to the devastated City of Manila where they guarded prisoners of war until they were finally returned to the States to be discharged. In 1958, C.K. and two of his Company "C" buddies organized annual style reunions of the Company. In June 1983 C.K. hosted the reunion in McAllen and made sure the men and their families from New York to California would always remember the Texas hospitality of the Lower Rio Grande Valley of Texas.

In their later years, C.K. and Coylie moved into Coylie's childhood home at 1206 N. Main Street, McAllen, Texas. She and her husband decided to make their 80 acre-tract along Shary Road available to the Sharyland district as a lasting contribution to the community. "He loved the land so much" Coylie said in a 2012 interview by Andrew Kreighbaum. "He wanted so much to improve things and leave it better than he found it." The new high school campus in the Sharyland school district was named Pioneer High School at the request of the Koelles to recognize two of the first families, the Wheelbergers and themselves, to settle the area from McAllen and Sharyland.

The home was originally built by carpenter, Chris Longoria, as per a board over the front door signed by him and dated May 10, 1913. On May 22, 1927 the McAllen Daily Press made an announcement: "Remodeling Home." The article mentioned Mr. Wheelberger was remodeling his home by adding several sleeping rooms to the upper story and described the homes as "one of the many beautiful suburban homes adjoining McAllen." The residence remained in the Wheelberger family since it was built in 1913 until it was gifted to St. John Episcopal on July 9, 2013 and was left vacant up until the current owners, Mari Liza and Omar Van Wagoner, purchased it on April 25, 2017.

The new owners were able to meticulously remove, clean, refinish, and reuse almost all the original walls, flooring, doors, hardware, windows, staircase, and mouldings/casings. The home has a pier and beam foundation and the skirting that was originally on it was a type of metal siding. However, the Wagoners, decided to replace the metal siding with brick and were able to find a company out of North Carolina. Old Carolina brick is created by hand and used on historical restorations. The brick was used to skirt the home and bases for the column supports on the front porch.

The home's windows were original single pane wood windows with weights; however, some of the glass was damaged or missing. The Van Wagoner's were able to find a company, Architectural Glass, out of Houston, Texas that manufactures "old" glass. The glass line called Circa 1900 matched the window's glass perfectly because it has a slight distortion or imperfection when looking at the glass from angles. The roof of the home was a basic composition shingle; however, when removing it, the original cedar shakes were found underneath. They were able to replace the roof with GAF Glenwood Lifetime Wood Shake-Look Shingle, bringing back the look of the original cedar shake.

The Van Wagoner's added a concrete foundation addition to the rear of the home, which consists of a kitchen/dining space, butler's pantry, laundry room, ½ bath, office and part of the master bath and closet, as well as the breezeway and detached garage on the south side. The Old Carolina brick was also used to skirt the new addition, the flooring for the back porch and breezeway, and used the thin brick on the wall in the kitchen and butler's pantry. The vinyl siding around the home was covering the original wood siding, which was cleaned and painted, and the Van Wagoner's were able to match the wood siding perfectly and use it on all the additions. After locating a company out of San Antonio, who had a contact that was removing the long-leaf pine floors from the courthouse in Yorktown, Texas, the flooring of the addition was able to match the original home's long-leaf pine flooring.

All beadboard was reused where possible for the ceilings in the master bath, kitchen, and exterior porches. Removing the old ceiling tiles exposed tongue and groove wood planks, which were cleaned and stained. The ceiling wood planks were left exposed in the master bedroom on the first floor and both bedrooms on the second floor. Every original door was reused and any new door was a replica the old. The hinges and doorknobs were removed, cleaned, and reinstalled. The original kitchen cabinets were reused for the laundry room and the old back door was converted into a swinging door for the butler's pantry.

The original garage near the back of the property was rehabilitated with original leftover materials from the home.

The house features hallmarks of the craftsman ranch style such as low-pitched roof, gabled roof with wide, unenclosed eave overhang, exposed roof rafter, decorative beams/braces added under roof gable, and porch with roof supported by tapered square columns. The Wheelberger-Koelle house is in excellent condition and retains all seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association.

The Wheelberger-Koelle House is an outstanding example of a custom-designed Craftsman farmhouse built during a period of phenomenal growth in South Texas in the mid-1910s. The house is also significant in the area of agricultural development for the pivotal role G.K. Wheelberger played as McAllen's pioneer fruit-grower and C.K. Koelle's outstanding service to agriculture in Hidalgo County.

The building meets the requirements established under Section 38-413 Sub-section (b) (1) (a) of the Historic Preservation Ordinance for a City of McAllen Landmark Designation by way of the following:

1. Possesses significance in history, architecture, archeology, and culture;
2. Is more than 50 years old and embodies the distinctive characteristics of a type, period, or method of historical construction or architecture;
3. Is associated with the lives of persons significant to our past;
4. Is associated with events that have made a significant contribution to the broad patterns of the city's history.
5. Embodies the distinctive characteristics of a type, period, or method of construction;
6. Represents the work of a renowned master designer, builder or craftsman;
7. Represents an established and familiar visual feature of the neighborhood

The Historic Preservation Council recommended approval of the city landmark designation during their November 30, 2022.

Staff recommends approval of the city landmark designation.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve. Mr. Emilio Santos Jr. seconded the motion, which was approved with four members present and voting and one member abstained from voting.

3) SITE PLAN:

- a) Revised site plan approval for Block - 4A , Blocks 3A, 4A and 5A Lakes Business Park Phase 2 Subdivision, Hidalgo County, Texas; 900 East Redbud Avenue. **(SPR2022-0048)**

Mr. Kaveh Forghanparast stated that the property is located on the south side of East Redbud Avenue, 271 ft. east of North McColl Road. The irregularly shaped tract consist of 215,618.65 sq. ft. as per the submitted site plan. The property is zoned C-1 (office building) and R-3C (multifamily residential condominium) Districts and the adjacent zoning is C-3 (general business) District to the west, C-1 District to north and southwest, R-3C District to the north, and R-3A (multifamily residential apartment) District to the east and south.

There are currently 5 office buildings on the subject property. The parking lot is built and paved as well. The applicant is proposing to construct five new 7,865.01 sq. ft. eight-plex buildings in two stories for a total of 40 condominium units.

Based on 20 two-bedroom and 20 one-bedroom units, and 20,600 sq. ft. of existing office use, 176 parking spaces are required; 226 parking spaces are provided. Five of the proposed parking spaces must be accessible, one of which must also be van accessible with an 8 ft. wide aisle. Access to the site is from East Redbud Avenue via the existing curb cuts. Required landscaping for the lot is 21,562 sq. ft., 78,039 sq. ft. is provided (58,909 sq. ft. existing and 19,130 sq. ft. new landscape area). The tree requirement is as follows: 41 – 2 ½” caliper trees, or 21 – 4” caliper trees, or 11 – 6” caliper trees, or 16 palm trees and 33 – 2 ½” caliper trees. Credit will be given to existing trees that remain onsite. The existing landscape areas must be maintained. Any dead grass, trees, or plants must be replaced as well as any non-working irrigation system. Fifty percent of the required landscaping must be visible from the street, and each parking space must be within 100 ft. of a landscaped area with a tree, as required by ordinance. A 6 ft. buffer is required around dumpsters/compactors if visible from the street. No structures are permitted over easements. The plat was recorded on January 6, 2003, with front setback of 30 ft. along Redbud Avenue or greater for approved site plan or easements. Although a portion of the subject property has been given to Vida Buena Subdivision on the south side, a replat process is not required, as per management.

The Building Permit Site Plan must comply with requirements noted on the Development Team Review sheet including Public Works and Utilities Departments requirements. The Engineering Department will require grading and drainage plans to be reviewed at the time of building permit.

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

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 site plan request subject to conditions noted. Mr. Aaron Rivera seconded the motion, which was approved with five members present and voting.

4) CONSENT:

- a) Sharybak 1 Subdivision, 5001 Expressway 83, Francisco A. and Martha Ramirez, Co-Trustees of the Ramirez Joint Revocable Trust **(SUB2022-0149) (FINAL)HA**
- b) North Via Cantera Subdivision, 7321 Mile 7 ½ Road, North Via Cantera, LLC **(SUB2022-0147)(FINAL)M&H**

Being no discussion, Ms. Erica De la Garza moved to approve subdivisions in consent form Items 4a-b. Vice Chairperson Mr. Gabriel Kamel seconded the motion, which was approved with five members present and voting.

5) SUBDIVISION:

- a) Hildas Ropa Usada Subdivision, 2512 Beaumont Avenue, Hilda O. Juarez **(SUB2021-0007)(REVISED PRELIMINARY WITH 6-MONTH EXTENSION) AEC**

Mr. Mario Escamilla stated Beaumont Avenue: 25 ft. from centerline for 50 ft. ROW Paving: 40 ft. Curb & gutter: Both sides. Monies must be escrowed if improvements are not built prior To recording. City Commission approved a variance at the meeting of June 25, 2018 for the subdivision to not provide the 5 ft. dedication and pavement widening on Beaumont Avenue. Variance will be applied to this subdivision. Subdivision Ordinance: Section 134-105. Paving, curb and gutter. 1,200 ft. Block Length. Subdivision Ordinance: Section 134-118. Front: 20 ft. or greater for easements or in line with average setback, whichever is greater applies. Revisions Needed: Revise note as shown above and or clarify proposed setback, prior to final. Proposing: 25 ft. or greater for approved site plan or easements. Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Revisions Needed: Revise note as shown above prior to final. Proposing Rear: 10 ft. or greater for approved site plan or easements. Zoning Ordinance: Section 138-356. Interior Sides: 6 ft. or greater for easements. Revisions Needed: Revise note as shown above prior to final. Proposing Side: As per Zoning Ordinance or greater for easement. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Revisions Needed: Add 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 Beaumont Avenue. Revisions Needed: Revise note as shown above 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. 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 Must comply with City Access Management Policy Applied. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. As per conversation and exhibit presented by engineer on December 13th, 2022, there will be a total of 4 units per lot. Common Areas, private drives/streets must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Zoning Ordinance: 138-1. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Existing: R-2 (Duplex-Fourplex) Residential District Proposed: R-2 (Duplex-Fourplex) Residential District. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Engineer a total of 8 units (4 units per lot) proposed park fees total to \$5,600 (\$700 X 8 per

lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly. As per Traffic Department, Trip Generation waived for multifamily use. Must comply with City's Access Management Policy. Please submit ownership map to verify if any landlocked properties exist, prior to final. Engineer must clarify if proposed subdivision is within appropriate zoning as it may prompt changes to plat and or rezoning process, review and finalize prior to final. Subdivision approved in Preliminary form at the P&Z meeting of March 2, 2021. Subdivision must comply with Public Works Department requirements.

Staff recommends approval of the subdivision in revised preliminary form with 6 month extension subject to conditions noted, utilities and drainage approvals.

Being no discussion, Mr. Emilio Santos Jr. moved to approve subdivision in revised preliminary form with a 6 month extension subject to conditions noted and Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

- b) Turin Estates Phase I Subdivision, 5200 North Ware Road, Troyo Construction, LLC **(SUB2022-0109) (REVISED PRELIMINARY) QHAI**

Mr. Mario Escamilla stated North Ware Road: Dedication as needed for 75 ft. from centerline for 150 total ROW. Paving: By the State Curb & gutter: By the State. Revisions Needed: Label centerline to determine ROW dedication requirements prior to final. Label existing ROW dedications, from centerline, total, etc. Include document numbers on plat and provide any documents as applicable regarding any existing ROW dedications for North Ware Road. 40.00' ROW Easement and 60.00 ft. ROW measurement do not match ,clarify prior to final. Provide document for existing 40.00 ft. ROW Easement granted to Hidalgo County. Add "North" to all Ware Road references, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Zinnia Avenue: 60 ft. of total ROW dedication. Paving: 40 ft. Curb & gutter: Both Sides. Revisions Needed: Current subdivision layout proposes 55 ft. of ROW dedication for Zinnia Avenue. Current subdivision layout does not comply with required ROW dedication requirements, please revise accordingly prior to final. If no changes please submit variance request for ROW dedication for Zinnia Avenue. Engineer submitted a variance application on December 1, 2022 requesting to dedicate 55 ft. of ROW with a 5 ft. Utility Easement instead of the required 60ft. Provide centerline for proposed Zinnia Avenue and existing across North Ware Road to verify street alignment. Engineer submitted a variance application on December 1, 2022 requesting a offset of 46.50ft. instead of the required 125 ft. from centerline to centerline for street jogs.(134-105(d)) ROW requirements must finalized, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. North 34th Street: 60 ft. of total ROW dedication. Paving: 40 ft. Curb & gutter: Both Sides. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. Paving, curb and gutter. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final. COM Thoroughfare Plan. 900 ft. Block Length for R-3 Zone Districts. 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 900 ft. maximum block length requirement. Engineer submitted a variance application on December 1,2022,requesting a variance to the 900ft. Block Length requirement. Under the authority and review of the Planning Director the Variance request to the block length was approved administratively. Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac. Subdivision Ordinance: Section 134-105 ROW: 20 ft. Paving: 16 ft. Revisions Needed: As per

Public Works Department service drive required, provide for alley/service drive easement on plat prior to final. Engineer submitted a variance application on December 1, 2022 requesting to not provide a service drive for this development. Alley/service drive easement required for commercial and multi-family properties. Subdivision Ordinance: Section 134-106. Front: In accordance with the Zoning Ordinance or greater for easements. Revisions Needed: Revise note as shown above prior to final. Proposing 10.00 ft. or greater for easements. Zoning Ordinance: Section 138-35. Rear: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for easements. Zoning Ordinance: Section 138-356. Corner: Not Applicable. Current subdivision layout does not propose any buildable lots abutting a street, if layout changes and buildable lot abuts a street intersection, the corner setback note will be required. 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. 5 ft. wide minimum sidewalk required along North Ware Road and 4 ft. wide minimum sidewalk required on Zinnia Avenue and North 34th Street. Revisions Needed: Revise note#9 as shown above prior to final. Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements. Please finalize plat 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 along North Ware Road. Revisions Needed: Add 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: Add note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Ware Road. Revisions Needed: Revise Note #11 as shown above 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. Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development, submit a site plan for staff review prior to final. Zoning Ordinance: Section 138-210. Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. 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. 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. Pending Items: Property on the East side of N.34th Street along plat boundary not included as part of subdivision layout, clarify development status prior to final. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing : R3-T(townhouse residential) District Proposed : R3-T(townhouse residential). District. Rezoning to R3-T approved by Planning and Zoning Board at their P&Z meeting of November 16, 2021 and by City commission on December 13, 2021. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning to R3-T approved by Planning and Zoning Board at their P&Z meeting of November 16, 2021 and by City commission

on December 13, 2021. Zoning Ordinance: Article V. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per application submitted on September 09, 2022 a total of 32 lots proposed park fees total to \$22,400 (\$700 X 32 per lot/dwelling unit) payable prior to plat recording. If the number of lots/dwelling units changes fees will be adjusted accordingly. 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. Property on the East side of N. 34th Street along plat boundary not included as part of subdivision layout, clarify development status prior to final. Any owner, builder or developer of a multiple-family, condominium or townhouse dwelling complex of five units or more on a single lot or parcel, or five single-family attached units, shall submit to the planning department for review a site and building plan for the proposed development, submit a site plan for staff review prior to final. All setbacks are subject to increase for easements or approved site plan, once site plan has been submitted for staff review. Subdivision approved for a in Preliminary form subject to conditions noted in Planning review, drainage and utilities approvals at the Planning and Zoning Commission meeting of September 20, 2022.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve subdivision in revised preliminary form and recommended items 1 & 3 and no action taken on item #4. Item #2 was administratively approved by Planning Director Mr. Edgar Garcia. Ms. Erica De la Garza seconded the motion, which was approved with five members present and voting.

c) **AFG Plaza Subdivision, 5520 North McColl Road, Suzie An (SUB2022-0146)(PRELIMINARY)SA**

Mr. Mario Escamilla stated 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 Revisions needed: Label centerline, prior to final. Include any document numbers regarding existing dedication of N. McColl Road, as applicable and provide copies for staff review, prior to final. Subdivision Ordinance: Section 134-105. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. E. Dove Avenue: Dedication as needed for 75 ft. from centerline for 150 ft. total ROW. Paving: 65 ft. to 105 ft. Curb & gutter: Both Sides Revisions needed: Label centerline, prior to final. 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. Monies must be escrowed if improvements are required prior to final COM Thoroughfare Plan. 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: Provide for alley or service drive easement on the plat prior to final. Alley or service drive easement cannot dead-end. Subdivision Ordinance: Section 134-106. Front: McColl Road (F.M. 2061)/ E. Dove Avenue: In accordance with zoning ordinance, or greater for easements or approved site plan, or in line with average setback, whichever is greater applies. Revisions Needed: Revise plat note as

shown above, prior to final. Proposing: Front: In accordance with zoning ordinance, or greater for easements. Zoning Ordinance: Section 138-356. Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above, prior to final. Proposing: In accordance with the zoning ordinance, or greater for easements. Zoning Ordinance: Section 138-356. Sides In accordance with Zoning Ordinance or greater for easements or approved site plan, whichever is greater applies. Revisions needed: Revise note as shown above, prior to final. Proposing: In accordance with the zoning ordinance, or greater for easements. 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. Revisions needed: Revise note as shown above prior to final. Proposing 4 ft. wide sidewalk is required on McColl Road and E. Dove Ave. 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. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Required. 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 and Development Departments prior to building permit issuance. Required Common Areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen. Note requirements will be established 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 subdivision is proposed to be public. 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. 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.

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

Being no discussion, Ms. Erica De la Garza moved to approve subdivision in preliminary form and Mr. Aaron Rivera seconded the motion, which was approved with five members present and voting.

- d) Clearwater Express Car Wash 10th Street Subdivision, 1100 South 10th Street, Cross Development **(SUB2022-0144) (PRELIMINARY)M&H**

Ms. Liliana Garza stated S. 10th Street: Dedication for 50 ft. from centerline for 100 ft. Total ROW Paving: 65 ft. Curb & gutter: both sides Revisions needed: Label the centerline to determine if any additional dedication is required 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. ROW: 20 ft. Paving: 16 ft. Revisions needed: Provide alley/service drive easement on plat prior to final. Clarify plat note #16 prior to final. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-106. Front: In accordance with the zoning ordinance, or in line with existing structures, or greater for easements, or approved site plan, whichever is greater applies. Revisions needed: Revise plat note #3 as shown above prior to final. Proposing: 50 ft. or greater for approved site plan or easements. Please clarify proposed setback prior to final. Zoning Ordinance: Section 138-356. Rear: In accordance with the zoning ordinance, or greater for easements, whichever is greater applies. Revisions needed: Revise plat note #3 as shown above prior to final. Zoning Ordinance: Section 138-356. Sides: In accordance with the zoning ordinance, or greater for easements, whichever is greater applies. Revisions needed: Revise plat note #3 as shown above prior to final. Zoning Ordinance: Section 138-356. Corner: In accordance with the zoning ordinance, or greater for easements, whichever is greater applies. Revision needed: Revise plat note #3 as shown above prior to final.**Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. ft. wide minimum sidewalk required on S.10th Street Revisions needed: - Revise plat note #8 as shown above prior to final. Sidewalk requirements may increase to 5 ft. prior to final 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. 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. Revisions needed: Please remove plat note #11 prior to final; it is required but not needed as a plat. No curb cut, access, or lot frontage permitted along. Must comply with City Access Management Policy. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common areas, any private drives, etc. must be maintained by the lot owners and not the City of McAllen. Revisions Needed: Revise plat note #14 as shown above prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Revisions Needed: Remove plat note #15, as it is a requirement not a required plat note, prior to final. Lots fronting public streets Revisions needed: Remaining portion of Lot B of La Quinta Subdivision not included in the replat appears to front a nondedicated street, which could create a landlock parcel. Subdivision Ordinance: Section 134-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: C-3 Proposed: C-3. 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. Comments/Revisions needed: Revise name of subdivision on plat and all corresponding documents as applicable to "La Quinta Lot 1B Subdivision" since plat is a resubdivision prior to final. Revise Metes and Bound and Legal Description prior to final, since survey shows it is a resubdivision of a portion of Lot B of La Quinta Subdivision. Clarify status of remaining portion of Lot B of La Quinta Subdivision. It appears that the remaining portion of Lot B of La Quinta Subdivision is fronting a nondedicated street. Please clarify since landlock parcels are not allowed and provide any documentation accordingly prior to final. Lot area and west lot line does not match plat on Location Map, please revise accordingly prior to final. Must comply with City's Access

Management Policy.

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

Being no discussion, Vice Chairperson Mr. Gabriel Kamel moved to approve subdivision in preliminary form and Mr. Emilio Santos Jr. seconded the motion, which was approved with five members present and voting.

- e) QQ 10th & Jay Subdivision, 6101 North 10th Street, QQRGV Investments, LLC **(SUB2021-0136)(PRELIMINARY 6-MONTH EXTENSION)M&H**

Ms. Liliana Garza stated N. 10th Street: 10 ft. dedication for 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by state Revisions needed: Label centerline to determine if any additional dedication is required prior to final. Subdivision Ordinance: Section 134-118 COM Thoroughfare Plan. Jay Avenue: min. 8 ft. dedication for 30 ft. from centerline for 60 ft. ROW Paving: 40 ft.. Curb & gutter: both sides Revisions needed: Label centerline to determine if any additional dedication is required 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. ROW: 20 ft. Paving: 16 ft. Revisions needed: Alley/service drive easement is not shown on plat, revise plat accordingly prior to final. Alley requirement must be resolved prior to final. Alley/service drive easement required for commercial properties. Subdivision Ordinance: Section 134-105. Front: In accordance with the Zoning Ordinance or greater for approved site plan or easements or inline with existing structures, greater setback applies. Revisions needed: Revise plat note as shown above prior to final Proposing: Front - 10th Street: 60 ft. or greater for approved site plan or easement. Clarify proposed setback prior to final. Setback required for North 10th Street and Jay Avenue will be reviewed prior to final. Zoning Ordinance: Section 138-356. Rear: In accordance with the Zoning Ordinance or greater for approved site plan or easements, greater setback applies. Revisions needed: Revise plat note as shown above. Zoning Ordinance: Section 138-356. Sides: In accordance with the Zoning Ordinance or greater for approved site plan or easements, greater setback applies. Revisions needed: Revise plat note as shown above. Zoning Ordinance: Section 138-356. Corner: In accordance with the Zoning Ordinance or greater for approved site plan or easements, greater setback applies. Revisions needed: Revise plat note as shown above prior to final. Proposing: Corner - 75 ft. or greater for easements or approved site. Clarify proposed setback prior to final. Setback required for North 10th Street and Jay Avenue will be reviewed 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. 10th Street and Jay Avenue Revisions needed: Revise plat note #8 as shown above prior to final. 5 ft. sidewalk might be required prior to final as per Engineering Department. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. Revisions needed: Required but not needed as a plat note, please remove wording from plat note #8 prior to final. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revisions needed: Remove reference of subdivision improvement on plat note #9 prior to final. Landscaping Ordinance: Section 134-120. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Revisions needed: Remove reference of subdivision improvement on plat note #10 prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Revisions needed: Required but not needed as a plat note, please remove wording from plat note #9 and #10 prior to final. No curb cut, access, or lot frontage permitted along. Verify

compliance with Access Management Policy prior to final. Site plan must be approved by the Planning and Development Department prior to building permit issuance. Revisions needed: Remove plat note #7 prior to final since site plan will be reviewed internally by staff prior to building permit issuance and plat note is not needed on plat. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, any private drives, etc. must be maintained by the lot owners and not the City of McAllen. Revisions needed: Provide plat note as shown above and once finalized prior to final. Lots fronting public streets. Zoning Ordinance: Section. 138-1. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Lot 1: Existing: R-1 Proposed: C-3. Rezoning Case was tabled at the PZ meeting of 12/06/22 and will be presented again on 12/20/22. Will also require City Commission action. Lot 2: Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. Lot 1: Existing: R-1 Proposed: C-3 Rezoning Needed Before Final Approval. Rezoning Case was tabled at the PZ meeting of 12/06/22 and will be presented again on 12/20/22. Will also require City Commission action. Lot 2: Existing: C-3 Proposed: C-3. 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. Site plan will be reviewed internally by staff prior to building permit issuance.

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

Being no discussion, Ms. Erica De la Garza moved to approve, in preliminary form, six months extension. Mr. Emilio Santos Jr. seconded the motion, which was approved with four members present and voting and one member abstaining his vote.

f) **Fullerton Place Subdivision, 2717 Fullerton Avenue, Jose & Glendy Esquivel
(SUB2021-0129)(REVISED FINAL WITH 6-MONTH EXTENSION)SEC**

Ms. Liliana Garza stated Fullerton Avenue: ROW dedication as shown on plat for 50 ft. total ROW Paving: 32 ft. Curb & gutter: both sides. Money must be escrowed if improvements are not built prior to recording. City of McAllen Thoroughfare. Paving, curb & gutter. Front: 25 ft. or greater for easements Zoning Ordinance: Section 138-356. Rear: 10 ft. or greater for easements. Proposing 10 ft. or greater for easements, setback requirement will be finalized prior to recording. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner: 10 ft. or greater for easements. Setback requirement only applies to corner lots. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Fullerton Avenue. 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. 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. Common Areas, private drives must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets Compliance. Minimum lot width and lot area Compliance. Existing: R-1 Proposed: R-1. Zoning Ordinance: Section 138-176. 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; they are dependent on the amount of units/lots, Must comply with Parkland dedication ordinance

requirement prior to recording. Trip Generation for one single family house has been waived, per Traffic Department no TIA required. As per engineer, the canal ROW abandonment is not being pursued and the plat will recognize the existing canal ROW. Must comply with City's Access Management Policy. Money must be escrowed if improvements are not built prior to recording.

Staff recommends approval of the subdivision in revised final form with the 6-month extension subject to conditions noted.

Being no discussion, Ms. Erica De la Garza moved to approve in revised final form with 6 months extension. Mr. Aaron Rivera seconded the motion, which was approved with five members present and voting.

6) INFORMATION ONLY:

- a) City Commission Actions: December 12, 2022.

Planning Director, Mr. Edgar Garcia presented information to the board.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Emilio Santos Jr. adjourned the meeting at 4:04p.m. with Ms. Erica De La Garza seconding the motion and with five members present and voting.

Chairperson Michael Fallek

ATTEST: _____
Magda Ramirez, Administrative Assistant

Memo

TO: Planning and Zoning Commission

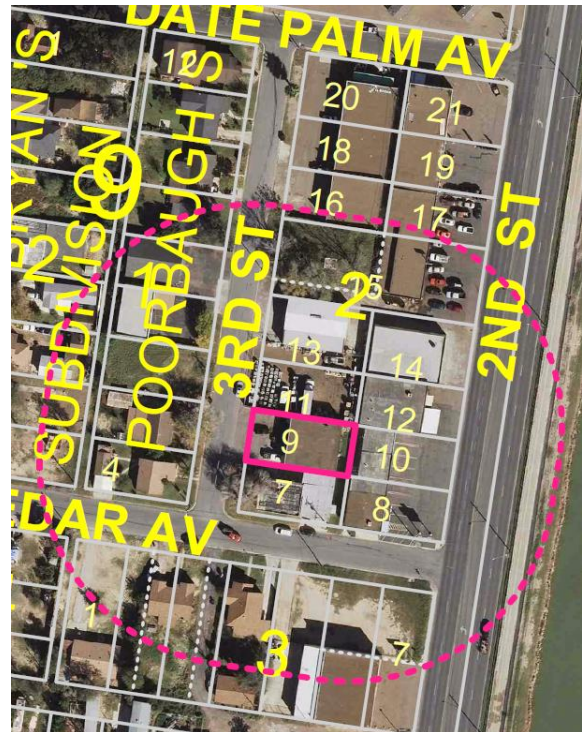
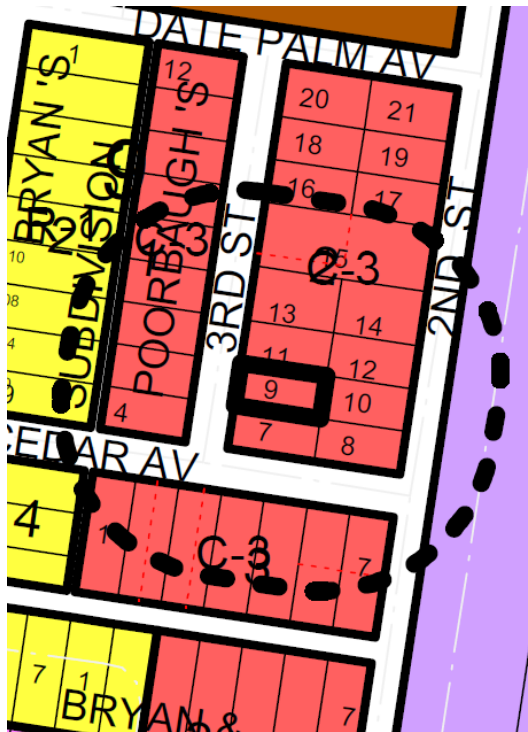
FROM: Planning Staff

DATE: December 21, 2022

SUBJECT: REQUEST OF JESUS DASAEEL GONZALEZ FOR A CONDITIONAL USE PERMIT, FOR THE LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR AN AUTOMOTIVE SERVICE AND REPAIR (EUROSTAR AUTO WERKS AUTO REPAIR) AT LOT 9, BLOCK 2, POORBAUGH'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 304 NORTH 3RD STREET. (CUP2022-0186)

BRIEF DESCRIPTION:

The property is located on the east side of North 3rd Street, approximately 50 ft. north of Cedar Avenue. The subject property is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. Surrounding land uses include single family residential and commercial uses. An automotive service and repair shop is permitted in a C-3 District with a Conditional Use Permit and in compliance with all other requirements.



HISTORY:

A commercial permit application was submitted for a proposed change of use from a vacant warehouse to an office/car repair shop on November 28, 2022. This is the initial Conditional Use Permit request for an auto service and repair for this applicant at this location. The Conditional Use Permit application was submitted on December 5, 2022.

REQUEST/ANALYSIS:

The applicant is proposing to use the existing vacant warehouse space for an auto repair shop. According to the submitted floor plan, the shop will include one car shop working area, two restrooms, a storage area, a reception desk, and one office. The proposed hours of operation for the business are Monday to Friday between 8:00 AM and 6:00 PM by appointment only. Based on the total square footage of the existing building (2,500 square feet), 9 parking spaces are required; 8 parking spaces are provided on site (excluding bay area).

The Fire Department has completed their inspections of the property and no violations were found.

The business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. According to the submitted site plan and Hidalgo County Appraisal District records, the subject property's total lot size is 5,000 square feet.
- 2) All service, repair, maintenance, painting, and other work shall take place within an enclosed area. The work will be performed in an enclosed workshop area;
- 3) Outside storage of materials is prohibited. Storage area is proposed to be inside workshop as per the floor plan
- 4) The building where the proposed work is to take place shall be at least 100 feet from the nearest residence. There are at least two single-family residential uses within 100 feet. There are other single-family residential uses along North 3rd Street.
- 5) A 6-foot opaque fence to buffer the proposed use from any residential use or residentially zoned area is required (if applicable).
- 6) New buildings and all conversions of existing buildings to such uses shall meet current building code and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.

If approval is granted to this request, the applicant must still comply with all other Zoning Ordinance and Building Code requirements that will be requested during the building permitting process.

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

RECOMMENDATION:

Staff recommends disapproval of the request based on noncompliance with requirements #1 (minimum lot size) and #4 (distance from nearest residence) of Section 138-281 of the Zoning Ordinance.

PZ
1/4/2023
cc: 1/23/2023



CITY OF McALLEN, TEXAS
311 NORTH 15TH STREET, McALLEN, TX 78501
P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

Permit No. Cy 2022-0186

AUTOMOTIVE SERVICE AND REPAIR

..... CONDITIONAL USE PERMIT APPLICATION.....
(Please print or type)

New

Application Date 12/5/2021

Applicant (first) (initial) (last) Jesus Dasael Gonzalez

PHONE NO.: 956-207-7464

Mailing Address (city) (state) (zip) 224 N. McCall RD Ste 0 McAllen, TX 78501

EMAIL: dasael@icloud.com

Property Owner (first) (initial) (last) Supernova Industrial Supply, LLC

PHONE NO.: 956-207-7464

Mailing Address (city) (state) (zip) 224 N. McCall RD Ste 0 McAllen, TX 78501

EMAIL: sals@supernovasupply.com

Property Location (street address) 304 N. 3rd street McAllen, TX 78501

Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot) Poorbaugh's 2 9

Current use of property VACANT WAREHOUSE

Proposed use of property Funston Auto Works Auto Repair

TERM OF PERMIT: 1 YEAR

☒ MORE THAN 1 YEAR (requires City Commission approval)

By Appointment ONLY.
OFFICE OPEN:
M-F 8-6 PM
AM

SITE PLAN (attach a drawing of the property showing the following)

____ Scale, north arrow, legal description of property
____ Location and height of all structures
____ Setback from property lines and between structures
____ Proposed changes and uses

____ Landscaping and fencing of yard
____ Off-street parking and loading
____ Driveway location & design
____ Location, type, height and lighting of all signs

(Applicant signature)

12/5/2021
(date)

(Property owner signature)

PLEASE SEE
ATTACHED
EMAIL
DOCUMENT.

12/5/2021
(date)

GENERAL INFORMATION

NOTIFICATION AND PUBLIC HEARING: Property owners within 200' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

APPEALS PROCEDURE: Any decision of the Planning and Zoning Commission may be appealed to the City Commission by presenting a petition to the City Commission within 10 days after the decision of the Planning and Zoning Commission and specifying the grounds for the appeal. A vote of 3/4 of the City Commission is required to overrule a vote of the Planning and Zoning Commission denying a conditional use permit.

CANCELLATION: A conditional use permit is automatically cancelled if not used within 6 months.

REVOCATION: A conditional use permit may be revoked by the Planning and Zoning Commission at a public hearing upon failure of the applicant to remedy a violation of the conditions of the permit within a specified time period (10 to 30 days) as specified in a written notice to the applicant by the Code Enforcement Officer or Building Inspector.

RENEWAL PERIOD: A conditional use permit shall expire within 1 year unless otherwise specified by the Planning and Zoning Commission. Application for renewal of a permit shall be made prior to 20 days before permit expiration. A permit for more than 1 year shall be approved by the City Commission.

COMMENT

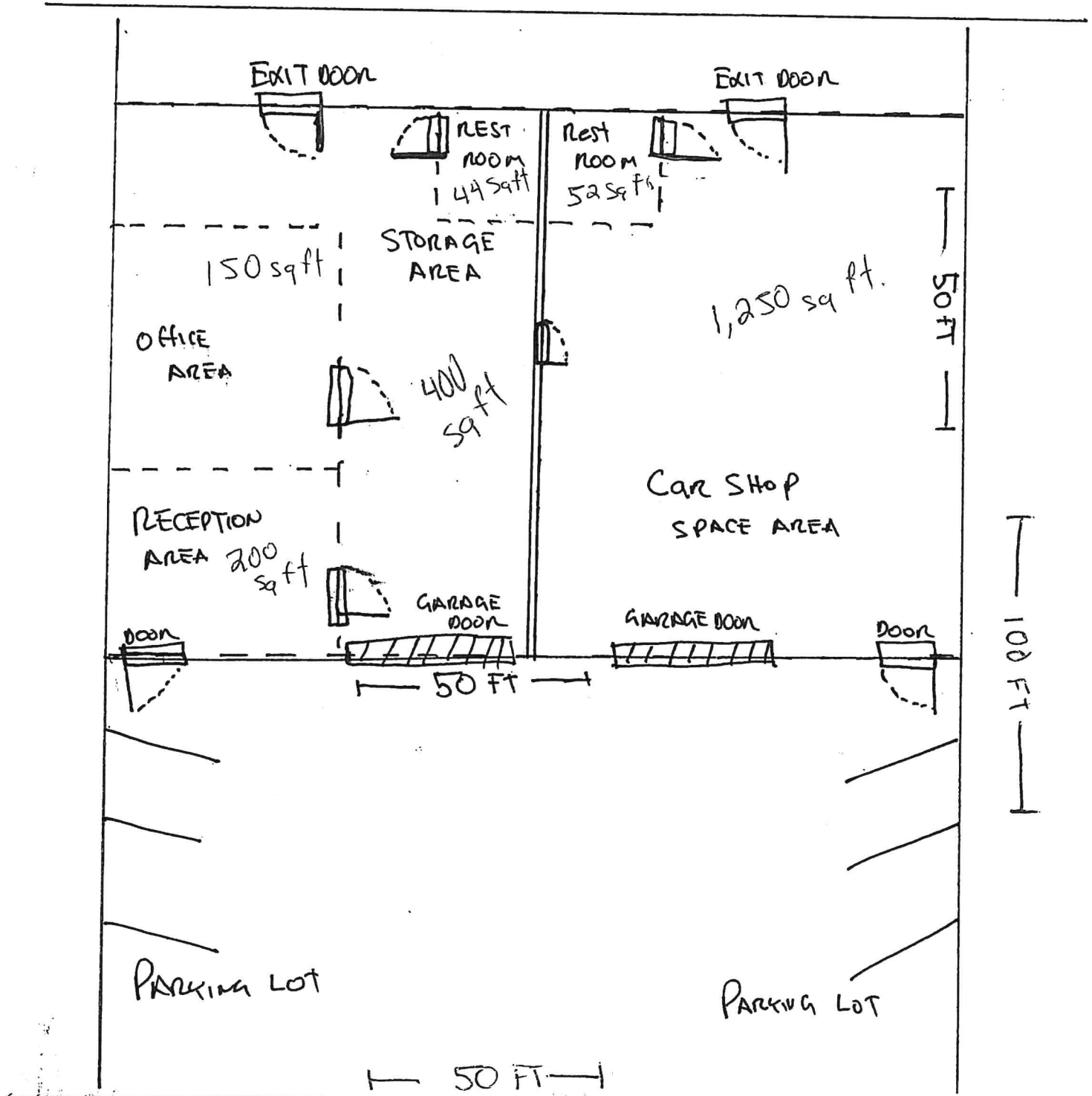
Automotive repair as an accessory use to a permitted retail use, such as retail sale of automobiles or automotive parts is a permitted use in C-3 districts.
Automotive repair as a primary use is a permitted use in C-4 to I-2 districts.

Automotive Service & Repair - Pg. 1 - REVISED 10/16

BY: CW

AKS
K5

SITE PLAN Eurostar Auto Works



Lot Size 5,000.00 FT²

North 3rd STREET.



Jesus Dasael Gonzalez

Sent from my iPhone

**NOTICE
AUTO REPAIR
FOR
THIS PROPERTY
CUP 2022-0186**

CITY OF RICHMOND PLANNING DEPT.
10000 1000
WWW.RICHMOND.NET



Memo

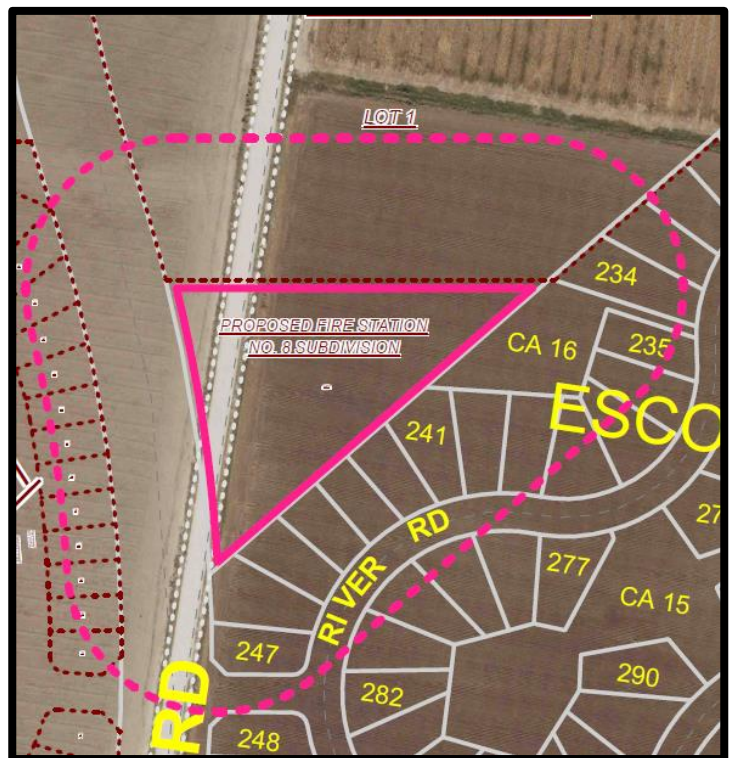
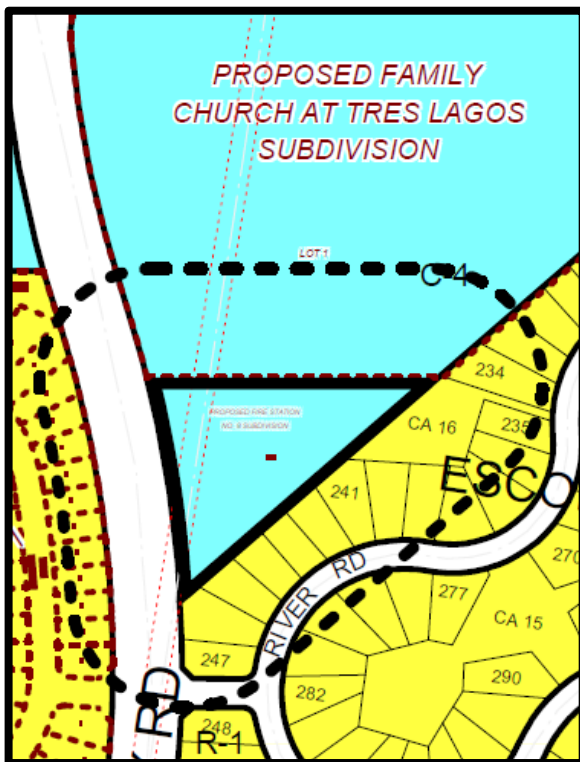
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: December 21, 2022

SUBJECT: REQUEST OF THE CITY OF MCALLEN FOR A CONDITIONAL USE PERMIT, FOR THE LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR AN INSTITUTIONAL USE (FIRE STATION) AT THE 2.290 ACRES OUT OF SECTION 227 AND 232, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY (PROPOSED FIRE STATION NO. 8 SUBDIVISION), HIDALGO COUNTY, TEXAS; 14300 NORTH SHARY ROAD. (CUP2022-0189)

BRIEF DESCRIPTION: The vacant property is located on the east side of North Shary Road, approximately 800 feet south of Tres Lagos Boulevard. The subject property is zoned C-4 (commercial-industrial) District. The adjacent zoning is C-4 District to the north, and R-1 (single family residential) District in all other directions. Surrounding land uses include single-family residential and vacant land. An institutional use (Fire Station) is permitted in the C-4 District with a Conditional Use Permit and in compliance with requirements.



HISTORY: This is the initial Conditional Use Permit request of any kind for this property. This Institutional Use request for a Fire Station was submitted on December 8, 2022. A proposed subdivision plat review application for “Fire Station Number 8 Subdivision” was submitted on September 23, 2022 and received approval in preliminary form at the Planning and Zoning Commission meeting of October 18, 2022.

REQUEST/ANALYSIS: The property consists of 2.290 acres and the applicant is proposing to construct a Fire Station and parking area. The Fire Station will include a dispatch office, a dayroom and kitchen area, an apparatus bay, an exercise/gym room, and 8 dorm rooms. Based on the proposed number of dorm rooms, 8 parking spaces will be required. According to the provided site plan, 19 total parking spaces will be provided on site.

The Fire and Health Departments will be conducting the necessary inspections prior to building permit issuance. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions noted of the permit.

The proposed use must comply with requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follow:

1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts and has access to North Shary Road, a principal arterial.
2. The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of parking along street, especially in residential areas. According to the provided site plan, 19 parking spaces (not including the Fire Station’s bay area) will be provided along the south side of the proposed Fire Station.
3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
6. The number of persons within the main building shall be determined by the Building Inspections Department and shall maintain the existing seating capacity for the main sanctuary; and
7. Sides adjacent to residential zones or uses shall be screened by a 6-foot opaque fence. An 8- foot high masonry wall is proposed along the south side property line, which is adjacent to an R-1 District and single-family residential uses.

If this request is granted approval, the applicant must still comply with all other Zoning Ordinance and Building Code requirements that will be requested during the building permitting process.

Staff did not receive any phone calls, emails, or letters in opposition to this request.

RECOMMENDATION: Staff recommends approval of the request, for the life of the use, subject to compliance with requirements in Section 138-118 of the Zoning Ordinance, and all other Zoning Ordinance, Building Department, and Fire Department requirements.

P&Z- 1/4/22
C.C- 1/23/23

CITY OF McALLEN, TEXAS
311 NORTH 15TH STREET, McALLEN, TX 78501
P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

Permit No. **CLP2022-0189**
New

INSTITUTIONAL USES

..... CONDITIONAL USE PERMIT APPLICATION.....

(Please print or type)

Application Date 12 / 7 / 22

City of McAllen Michelle Rivera

PHONE NO.: _____

Applicant (first) (initial) (last)

1300 Houston Ave McAllen TX 78501

EMAIL: _____

Mailing Address (city) (state) (zip)

City of McAllen

PHONE NO.: 956-681-1006

Property Owner (first) (initial) (last)

1300 Houston Ave McAllen TX 78501

EMAIL: _____

Mailing Address (city) (state) (zip)

14300 N Shary Rd

Property Location (street address)

Fire Station Number 8

1

Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot)

Vacant

Fire Station

Current use of property

Proposed use of property

TERM OF PERMIT: 1 YEAR X MORE THAN 1 YEAR (requires City Commission approval)

SITE PLAN & FLOOR PLAN (attach a drawing of the property & buildings showing the following)

_____ Scale, north arrow, legal description of property	_____ Landscaping and fencing of yard
_____ Location and height of all structures	_____ Off-street parking and loading
_____ Setback from property lines and between structures	_____ Driveway location & design
_____ Proposed changes and uses	_____ Location, type, height and lighting of all signs

(Applicant signature)

(date)

Michelle Rivera
(Property owner signature)

12/13/2022
(date)

GENERAL INFORMATION

NOTIFICATION AND PUBLIC HEARING: Property owners within 200' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

APPEALS PROCEDURE: Any decision of the Planning and Zoning Commission may be appealed to the City Commission by presenting a petition to the City Commission within 10 days after the decision of the Planning and Zoning Commission and specifying the grounds for the appeal. A vote of 3/4 of the City Commission is required to overrule a vote of the Planning and Zoning Commission denying a conditional use permit.

CANCELLATION: A conditional use permit is automatically cancelled if not used within 6 months.

REVOCATION: A conditional use permit may be revoked by the Planning and Zoning Commission at a public hearing upon failure of the applicant to remedy a violation of the conditions of the permit within a specified time period (10 to 30 days) as specified in a written notice to the applicant by the Code Enforcement Officer or Building Inspector.

RENEWAL PERIOD: A conditional use permit shall expire within 1 year unless otherwise specified by the Planning and Zoning Commission. Application for renewal of a permit shall be made prior to 20 days before permit expiration. A permit for more than 1 year shall be approved by the City Commission.

DEFINITIONS

Institutional - A nonprofit organization or building, public or private, for the benefit of the public; or educational facilities, churches, temples, hospitals, clubs, fire stations, police stations, libraries, museums, city offices, etc.

Institutional Use - Pg. 1 - REVISED 10/16



FOR OFFICIAL USE ONLY

APPLICATION FILING FEE:

☐ \$300.00 One Year

☐ \$150.00 APPEAL

☐ \$500.00 Life of the Use

cash/check # _____

Amount paid _____

ZONING DISTRICT REQUIREMENTS

REQUIRED ZONING DISTRICT: A-O TO I-2

CURRENT ZONING DISTRICT:

REZONING REQUIRED: _____ NO

_____ YES, attach rezoning application

SETBACKS: FRONT _____ SIDE _____ REAR _____

MAXIMUM HEIGHT: _____

MINIMUM LOT SIZE: _____

CONDITIONAL USE REQUIREMENTS

The proposed use meets all the minimum standards established in applicable city ordinances; and will not be detrimental to the health, welfare and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring properties.

GENERAL REQUIREMENTS:

1. No form of pollution shall emanate beyond the immediate property line of the permitted use.
2. Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

SPECIFIC REQUIREMENTS:

1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial.
2. The proposed use shall comply with the Off-street Parking and Loading Ordinance and make provisions to prevent the use of street parking especially in residential areas.
3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits.
4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities.
5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.
6. The number of persons within the building shall be restricted to _____.
7. Sides adjacent to a residentially zoned or used property shall be screened by a 6' opaque fence.

DEPARTMENTAL REQUIREMENTS

REQUIRED CONDITIONS	DEPARTMENT	MONTH/DAY
Complies with regulations	Health Inspection	/
Meet standard requirements	Fire Inspection	/
Subject to:	Planning	/
Permit #	Building/Electrical/Plumbing	/
	Other	/

CITY BOARD REQUIREMENTS

PLANNING & ZONING COMMISSION DATE ____/____/____ APPROVED _____ DISAPPROVED _____ 1 YEAR _____ OTHER _____

REQUIRED CONDITIONS:

CITY COMMISSION DATE ____/____/____ APPROVED _____ DISAPPROVED _____ 1 YEAR _____ OTHER _____

REQUIRED CONDITIONS:

ACKNOWLEDGEMENT AND AGREEMENT TO CONDITIONS

Note: Approval of this permit does not constitute approval to construct, alter or repair. Appropriate building permits must be obtained. The foregoing is a true and correct description of the existing conditions and contemplated action and I will have full authority over the operation and/or construction of same, and hereby agree to comply with all ordinances of the City and applicable Deed Restrictions and assume all responsibility for such compliance. I further agree to discontinue any violations of the conditions of the permit upon notice given to me or anyone in charge of the above property by the Code Enforcement Officer. If the permit is revoked I agree to cease operation of the use upon notification of revocation. I understand that any violation of this ordinance is subject to a Five Hundred Dollar (\$500.00) fine for each day of violation. Please note that approval of this permit may result in a higher sanitation rate on your utility bill.

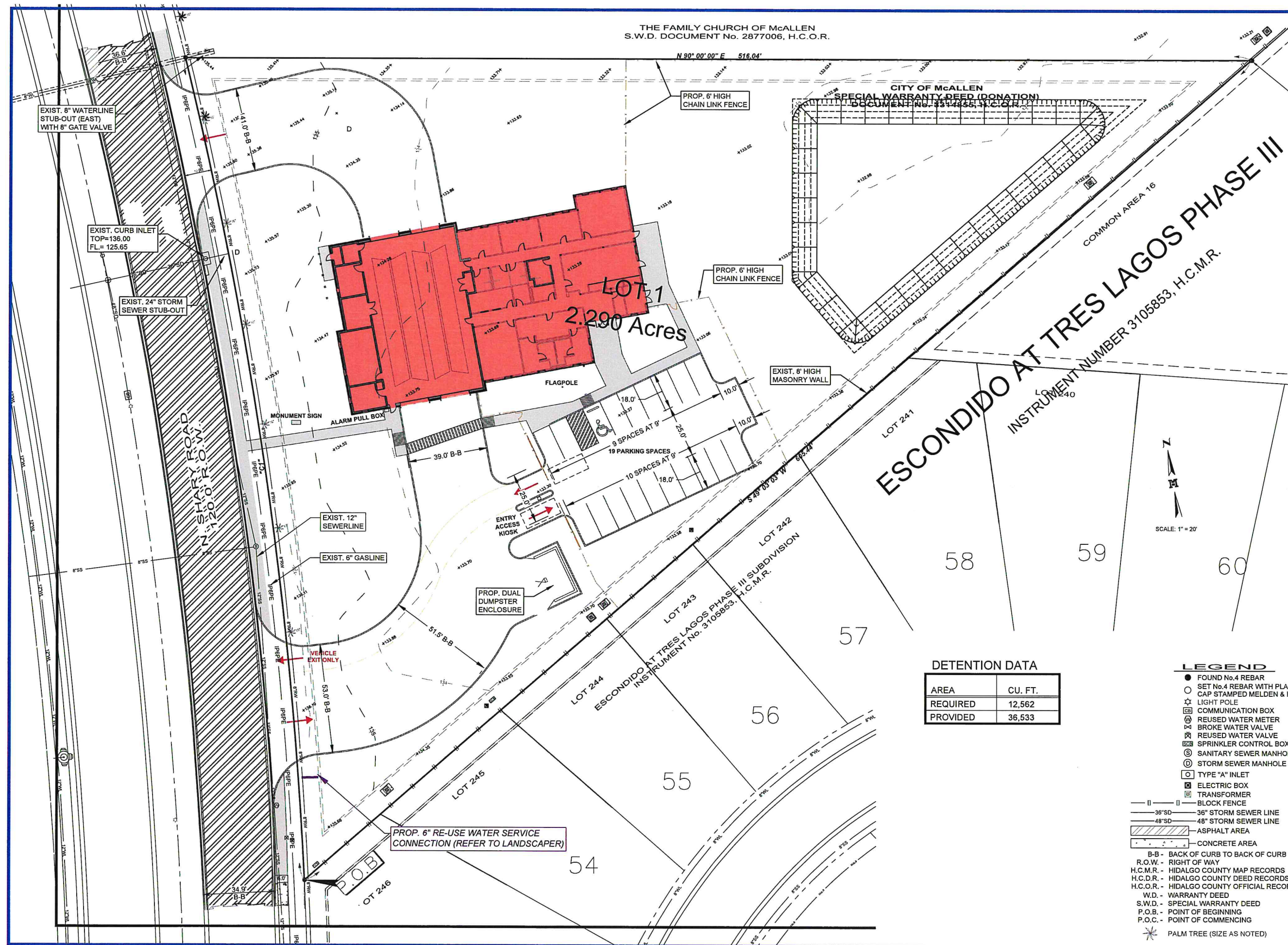
(Applicant signature)

(date)

In consideration of the above application, a permit is hereby granted for the above action conditioned upon the terms and specifications set forth above, and the faithful observance of all provisions of the City Building Code, Zoning Ordinance, and all other ordinances applicable to the same.

City Manager (or Agent)

(date)



GIGNAC
ARCHITECTS
ARCHITECTURE | CONSTRUCTION MANAGEMENT

416 STARR STREET
CORPUS CHRISTI, TEXS 78401
T 361.884.2661
F 361.884.4232

222 E. VAN BUREN, SUITE 102
HARLINGEN, TEXAS 78550
T 956.365.4820
F 956.365.4822

3700 N. 10TH, SUITE 205
McALLEN, TEXAS 78501
T 956.686.0100
F 956.622.7313

CONSULTANTS

**100% DD
REVIEW
SET**

**NOT FOR
CONSTRUCTION**



2022 NEW
FIRE STATION

McALLEN,
TEXAS

Project Number: 22.01
Drawing Date: NOV. 4, 2022

Drawn:

Checked:

Scale:

ACAD File

Revisions:

Sheet Title

PROPOSED SITE PLAN WITH WATER, SEWER AND DRAINAGE

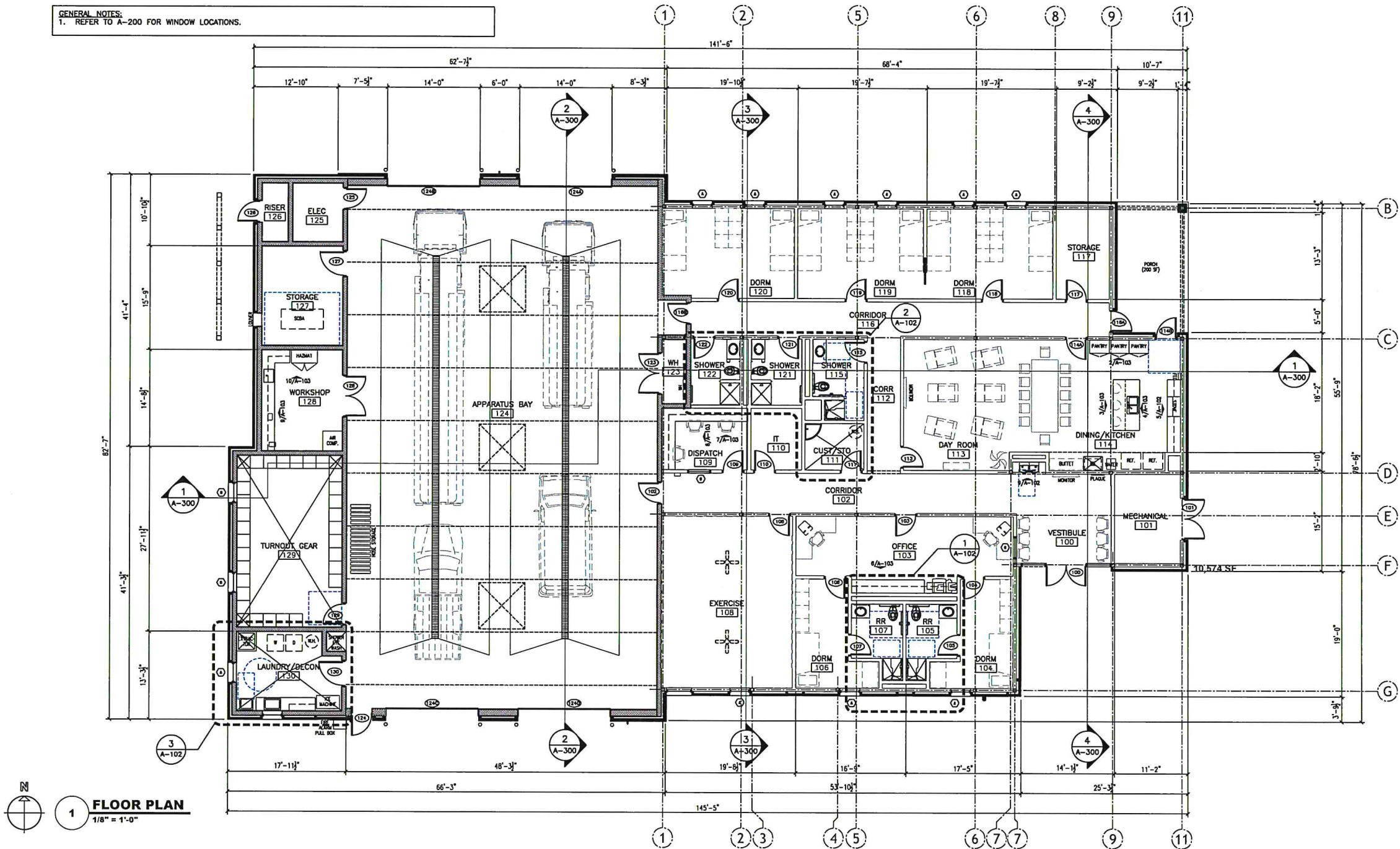
C102

DOOR SCHEDULE								
DOOR SCHEDULE	AT ROOM	DOOR				FRAME		NOTES
		WIDTH	HEIGHT	TYPE	MTL	TYPE	MTL	
100	VESTIBULE	6'-0"	7'-0"	STD	ALUM	C	ALUM	
101	MECHANICAL	6'-0"	7'-0"	FL	HM	A	HM	
102	CORRIDOR	3'-0"	7'-0"	SNL	HM	A	HM	
103	OFFICE	3'-0"	7'-0"	SNL	WOOD	B	HM	
104	DORM	3'-0"	7'-0"	FL	WOOD	B	HM	
105	RR	3'-0"	7'-0"	FL	WOOD	B	HM	
106	DORM	3'-0"	7'-0"	FL	WOOD	B	HM	
107	RR	3'-0"	7'-0"	FL	WOOD	B	HM	
108	EXERCISE	3'-0"	7'-0"	SNL	WOOD	B	HM	
109	DISPATCH	3'-0"	7'-0"	SNL	WOOD	B	HM	
110	IT	3'-0"	7'-0"	SNL	WOOD	B	HM	
111	CUSTODIAN	3'-0"	7'-0"	FL	WOOD	B	HM	

DOOR SCHEDULE								
DOOR SCHEDULE	AT ROOM	DOOR				FRAME		NOTES
		WIDTH	HEIGHT	TYPE	MTL	TYPE	MTL	
113	DAY ROOM	3'-0"	7'-0"	SNL	WOOD	B	HM	
114A	DINING	3'-0"	7'-0"	SNL	WOOD	B	HM	
114B	DINING	3'-0"	7'-0"	SNL	HM	A	HM	
115	SHOWER	3'-0"	7'-0"	FL	HM	A	HM	
116A	CORRIDOR	3'-0"	7'-0"	SNL	HM	A	HM	
116B	CORRIDOR	3'-0"	7'-0"	SNL	HM	A	HM	
117	STORAGE	3'-0"	7'-0"	FL	WOOD	B	HM	
118	DORM	3'-0"	7'-0"	FL	WOOD	B	HM	
119	DORM	3'-0"	7'-0"	FL	WOOD	B	HM	
120	DORM	3'-0"	7'-0"	FL	WOOD	B	HM	
121	SHOWER	3'-0"	7'-0"	FL	WOOD	B	HM	
122	SHOWER	3'-0"	7'-0"	FL	WOOD	B	HM	

DOOR SCHEDULE								
DOOR SCHEDULE	AT ROOM	DOOR				FRAME		NOTES
		WIDTH	HEIGHT	TYPE	MTL	TYPE	MTL	
123	WH.	6'-0"	7'-0"	FL	HM	A	HM	
124	APPARATUS BAY	3'-0"	7'-0"	FL	HM	A	HM	
124A	APPARATUS BAY	14'-0"	14'-0"	CHD	-	-	-	
124B	APPARATUS BAY	14'-0"	14'-0"	CHD	-	-	-	
124C	APPARATUS BAY	14'-0"	14'-0"	CHD	-	-	-	
124D	APPARATUS BAY	14'-0"	14'-0"	CHD	-	-	-	
125	ELECTRICAL	3'-0"	7'-0"	FL	HM	A	HM	
126	RISER	3'-0"	7'-0"	FL	HM	A	HM	
127	STORAGE	4'-0"	7'-0"	FL	HM	A	HM	
128	WORKSHOP	6'-0"	7'-0"	SNL	HM	A	HM	
129	TURNOUT GEAR	3'-0"	7'-0"	FL	HM	A	HM	
130	LAUNDRY	4'-0"	7'-0"	SNL	HM	A	HM	

GENERAL NOTES:
1. REFER TO A-200 FOR WINDOW LOCATIONS.



GIGNAC
ARCHITECTS

414 STARR STREET
CORPUS CHRISTI, TEXAS 78401
T 361.884.2641
F 361.884.4232

222 E. VAN BUREN, SUITE 102
HARLINGEN, TEXAS 78550
T 956.365.4820
F 956.365.4822

3700 N. 10TH, SUITE 205
MCALLEN, TEXAS 78501
T 956.686.0100
F 956.622.7313

CONSULTANTS

CIVIL: Melden & Hunt

STRUCTURAL:
Chanin Engineering

MEP:
DBR Inc.

LANDSCAPE & IRRIGATION:
Heffner Design Team

100% DD
REVIEW
SET

NOT FOR
CONSTRUCTION



2022 NEW
FIRE STATION

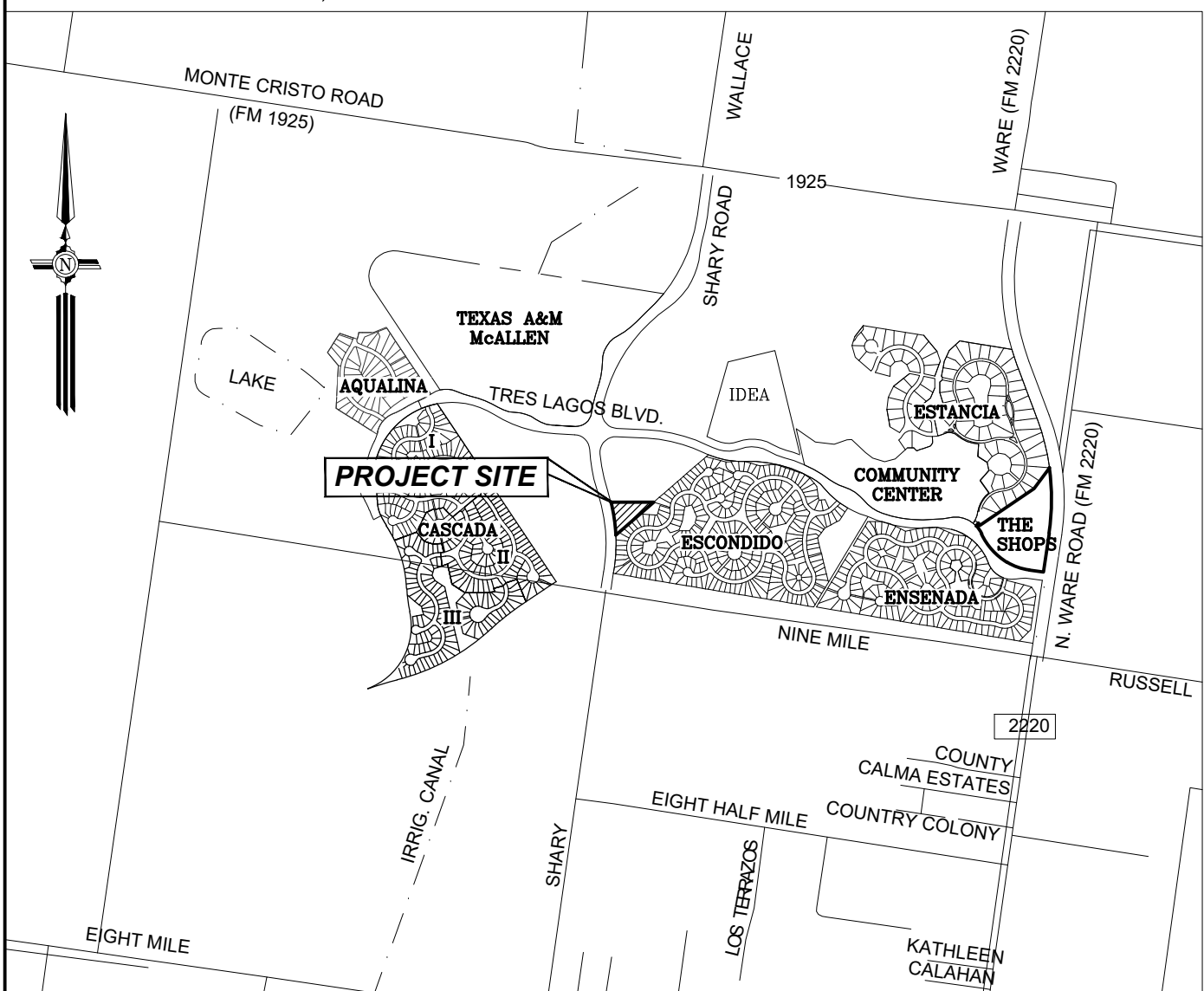
MCALLEN,
TEXAS

Project Number: 22.01
Drawing Date: DEC. 12, 2022
Drawn: AL
Checked: JM
Scale: 1/8" = 1'-0"
ACAD File: A-100

Revisions:

Sheet Title:
FLOOR PLAN
DOOR SCHEDULE

A-100



BY: _____ DEPUTY _____

**NOTICE
INSTITUTIONAL
USE
FOR
THIS PROPERTY
CUP 2022-0189**

CITY OF MCALLEN PLANNING DEPT.
356-681-1250
WWW.MCALLE.NET



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: December 21, 2022

SUBJECT: REQUEST OF THE CITY OF MCALLEN FOR A CONDITIONAL USE PERMIT, FOR THE LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR AN INSTITUTIONAL USE (FIRE FIGHTER TRAINING FACILITY) AT THE SOUTH 15 ACRES OUT OF LOT 19, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION (PROPOSED FIRE FIGHTER TRAINING FACILITY SUBDIVISION), HIDALGO COUNTY, TEXAS; 10700 NORTH LA LOMITA ROAD. (CUP2022-0190)

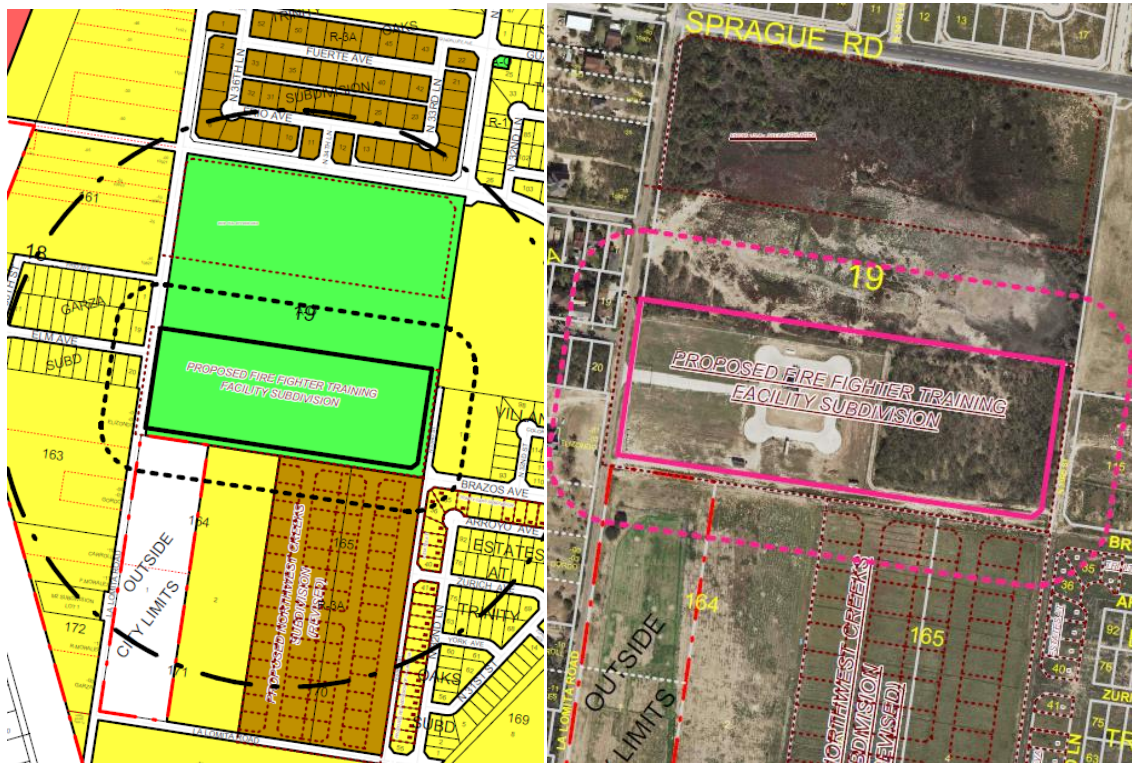
BRIEF DESCRIPTION:

The property is located along the east side of North La Lomita Road, approximately 810 feet south of Sprague Road. The subject property is zoned A-O (agricultural and open space) District. The adjacent zoning is A-O District to the north, R-1 (single family residential) District to the east, west and south, and R-3A (multi-family residential apartment) District also to the south. The surrounding land uses include single family residential and vacant land. An institutional use is permitted in an A-O District with a Conditional Use Permit and in compliance with requirements.

HISTORY:

A Conditional Use Permit application for an Institutional Use (Training Facility) was submitted and approved for the life of the use at the City Commission meeting of May 29, 2012. A subdivision application for a "Fire Fighter Training Facility Subdivision" was submitted for the tract of land on September 23, 2022, and approved in preliminary form at the City Commission meeting of October 18, 2022.

An application for Conditional Use Permit for an Institutional Use (Fire Fighter Training Facility) was submitted on December 8, 2022 as an amendment to the original Conditional Use Permit approved by City Commission on May 29, 2012. This amendment was made necessary due to the change of placement and restructuring of the training facility within the lot.



SUMMARY/ANALYSIS:

The property consists of 15 acres and is primarily vacant except for an existing mobile home structure located along the south property line which is used for storage. Other existing structures and improvements include a “burn tower” and a paved area used for field training. The applicant is now proposing to construct a Fire Fighter Training Facility and a parking area. The proposed training facility will include administrative offices, a conference room, and several classrooms. Based on the total number of proposed administrative offices and classrooms, 30 parking spaces will be required; 57 total parking spaces are proposed for the site.

The proposed use must comply with the following requirements:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property has direct access through La Lomita Road;
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. A paved parking area is proposed within the Fire Fighter Training Facility with 57 total parking spaces proposed;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;

- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

If this request is granted approval, the applicant must still comply with all other Zoning Ordinance and Building Code requirements that will be requested during the building permitting process.

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

RECOMMENDATION:

Staff recommends approval of the request for the life of the use, subject to compliance with the relevant Conditional Use Permit requirements and all other requirements set forth by the Zoning Ordinance, Building Department, and Fire Department.

P#7- 1/4/22
C.C- 1/23/23



CITY OF McALLEN, TEXAS
311 NORTH 15TH STREET, McALLEN, TX 78501
P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

Permit No. **CUP2022-0190**
New

INSTITUTIONAL USES

..... CONDITIONAL USE PERMIT APPLICATION.....

(Please print or type)

Application Date 12 / 7 / 22

City of McAllen Michelle Rivera

PHONE NO.: _____

Applicant (first) (initial) (last)

1300 Houston Ave McAllen TX 78501

EMAIL: _____

Mailing Address (city) (state) (zip)

City of McAllen

PHONE NO.: 956-681-1006

Property Owner (first) (initial) (last)

1300 Houston Ave McAllen TX 78501

EMAIL: _____

Mailing Address (city) (state) (zip)

10700 N La Lomita Rd

Property Location (street address)

Fire Fighter Training Facility

1

Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot)

Vacant

Fire fighter training facility

Current use of property

Proposed use of property

TERM OF PERMIT: _____ 1 YEAR X MORE THAN 1 YEAR (requires City Commission approval)

SITE PLAN & FLOOR PLAN (attach a drawing of the property & buildings showing the following)

_____ Scale, north arrow, legal description of property

_____ Landscaping and fencing of yard

_____ Location and height of all structures

_____ Off-street parking and loading

_____ Setback from property lines and between structures

_____ Driveway location & design

_____ Proposed changes and uses

_____ Location, type, height and lighting of all signs

_____ (Applicant signature)

_____ (date)

Michelle Rivera
(Property owner signature)

12/13/2022
(date)

GENERAL INFORMATION

NOTIFICATION AND PUBLIC HEARING: Property owners within 200' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

APPEALS PROCEDURE: Any decision of the Planning and Zoning Commission may be appealed to the City Commission by presenting a petition to the City Commission within 10 days after the decision of the Planning and Zoning Commission and specifying the grounds for the appeal. A vote of 3/4 of the City Commission is required to overrule a vote of the Planning and Zoning Commission denying a conditional use permit.

CANCELLATION: A conditional use permit is automatically cancelled if not used within 6 months.

REVOCATION: A conditional use permit may be revoked by the Planning and Zoning Commission at a public hearing upon failure of the applicant to remedy a violation of the conditions of the permit within a specified time period (10 to 30 days) as specified in a written notice to the applicant by the Code Enforcement Officer or Building Inspector.

RENEWAL PERIOD: A conditional use permit shall expire within 1 year unless otherwise specified by the Planning and Zoning Commission. Application for renewal of a permit shall be made prior to 20 days before permit expiration. A permit for more than 1 year shall be approved by the City Commission.

DEFINITIONS

Institutional - A nonprofit organization or building, public or private, for the benefit of the public; or educational facilities, churches, temples, hospitals, clubs, fire stations, police stations, libraries, museums, city offices, etc.

Institutional Use - Pg. 1 - REVISED 10/16



.....FOR OFFICIAL USE ONLY

APPLICATION FILING FEE: ☐ \$300.00 One Year ☐ \$150.00 APPEAL ☐ \$500.00 Life of the Use
cash/check # _____ Amount paid _____

ZONING DISTRICT REQUIREMENTS

REQUIRED ZONING DISTRICT: A-O TO I-2
REZONING REQUIRED: _____ NO
SETBACKS: FRONT _____ SIDE _____ REAR _____
MINIMUM LOT SIZE: _____

CURRENT ZONING DISTRICT:
_____ YES, attach rezoning application
MAXIMUM HEIGHT: _____

CONDITIONAL USE REQUIREMENTS

The proposed use meets all the minimum standards established in applicable city ordinances; and will not be detrimental to the health, welfare and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring properties.

GENERAL REQUIREMENTS:

1. No form of pollution shall emanate beyond the immediate property line of the permitted use.
2. Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

SPECIFIC REQUIREMENTS:

1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial.
2. The proposed use shall comply with the Off-street Parking and Loading Ordinance and make provisions to prevent the use of street parking especially in residential areas.
3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges, or reorientation of entrances and exits.
4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities.
5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.
6. The number of persons within the building shall be restricted to _____.
7. Sides adjacent to a residentially zoned or used property shall be screened by a 6' opaque fence.

DEPARTMENTAL REQUIREMENTS

REQUIRED CONDITIONS	DEPARTMENT	MONTH/DAY
Complies with regulations	Health Inspection	/
Meet standard requirements	Fire Inspection	/
Subject to:	Planning	/
Permit #	Building/Electrical/Plumbing	/
	Other	/

CITY BOARD REQUIREMENTS

PLANNING & ZONING COMMISSION DATE _____ / _____ / _____ APPROVED _____ DISAPPROVED _____ 1 YEAR _____ OTHER _____
REQUIRED CONDITIONS: _____

CITY COMMISSION DATE _____ / _____ / _____ APPROVED _____ DISAPPROVED _____ 1 YEAR _____ OTHER _____
REQUIRED CONDITIONS: _____

ACKNOWLEDGEMENT AND AGREEMENT TO CONDITIONS

Note: Approval of this permit does not constitute approval to construct, alter or repair. Appropriate building permits must be obtained. The foregoing is a true and correct description of the existing conditions and contemplated action and I will have full authority over the operation and/or construction of same, and hereby agree to comply with all ordinances of the City and applicable Deed Restrictions and assume all responsibility for such compliance. I further agree to discontinue any violations of the conditions of the permit upon notice given to me or anyone in charge of the above property by the Code Enforcement Officer. If the permit is revoked I agree to cease operation of the use upon notification of revocation. I understand that any violation of this ordinance is subject to a Five Hundred Dollar (\$500.00) fine for each day of violation. **Please note that approval of this permit may result in a higher sanitation rate on your utility bill.**

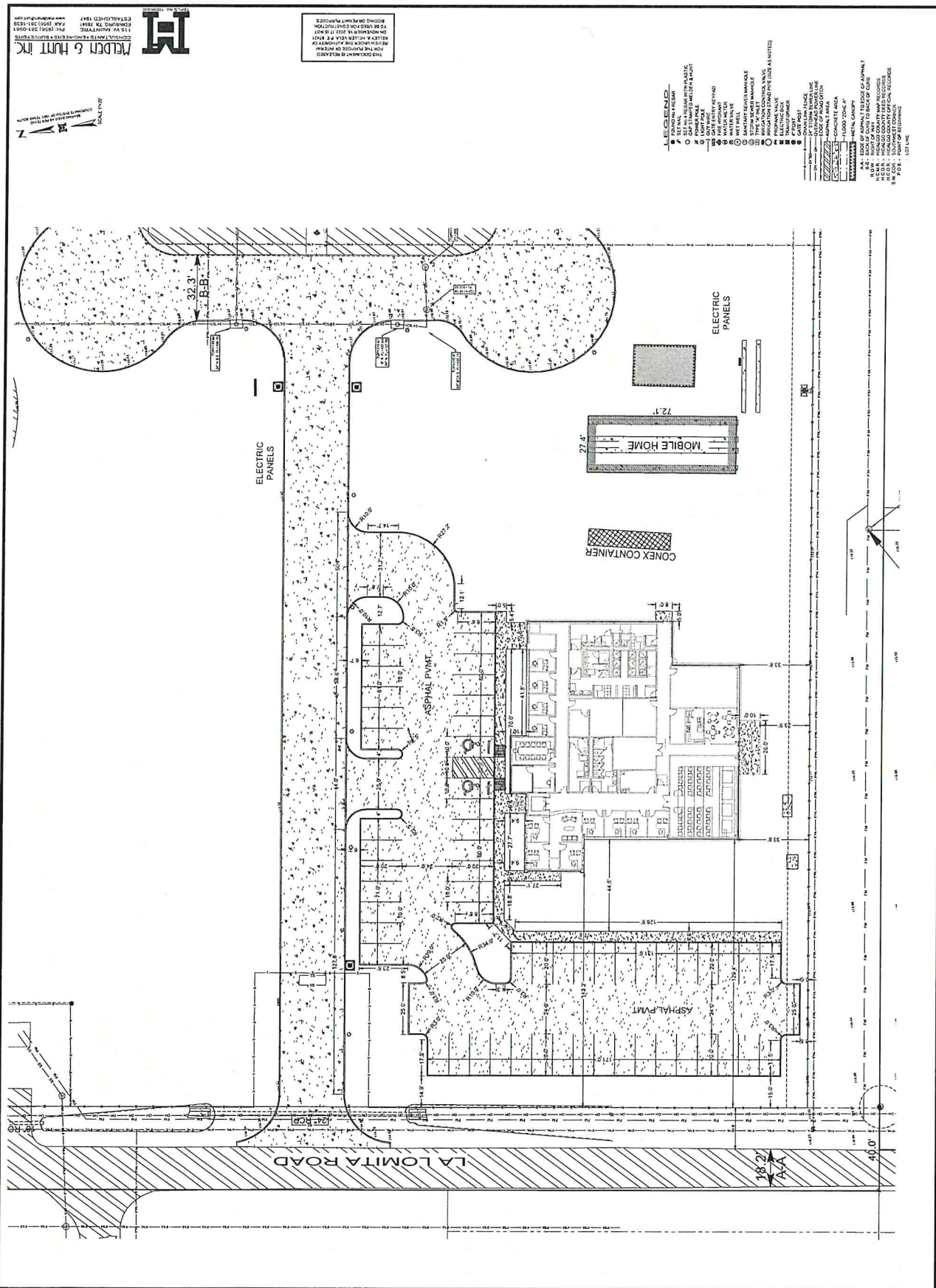
(Applicant signature)

(date)

In consideration of the above application, a permit is hereby granted for the above action conditioned upon the terms and specifications set forth above, and the faithful observance of all provisions of the City Building Code, Zoning Ordinance, and all other ordinances applicable to the same.

City Manager (or Agent)

(date)





CENTRAL
FIRE DEPARTMENT
1000 W. 10TH ST.
MCALLEN, TX 78501

NOTICE
INSTITUTIONAL
USE
FOR
THIS PROPERTY
CUP2022-0190
CITY OF MCALLEN, TEXAS
WWW.MCALLENTX.GOV

McALLEN
FIRE DEPARTMENT
TRAINING FIELD
1000 W. 10TH ST.

Planning Department

Memo

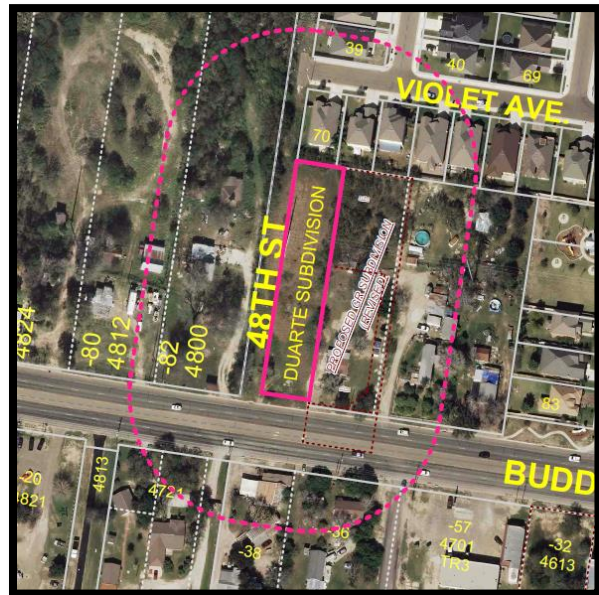
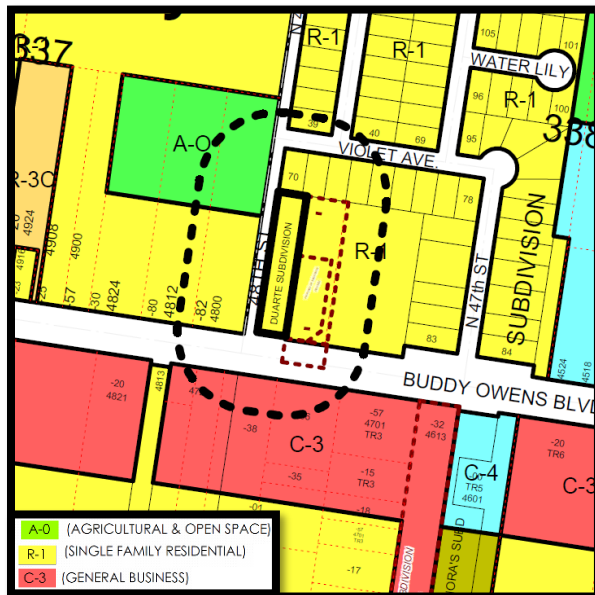
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: December 21, 2022

SUBJECT: Request of Miguel A. Martinez for a Conditional Use Permit, for one year, for a home occupation for swimming lessons, at Lot 1, Duarte Subdivision, Hidalgo County, Texas; 4724 Buddy Owens Boulevard. (CUP2022-0185)

DESCRIPTION: The subject property is located along the north side of Buddy Owens Boulevard, east of 48th Street. The property is zoned R-1 (single family residential) District. Adjacent Zoning is R-1 District to the north, east, and west. It is C-3 (general commercial) District to the south. To the east, there is A-O (agricultural-open space) District. A home occupation for swimming lessons is permitted in an R-1 District with a conditional use permit and in compliance with all requirements.



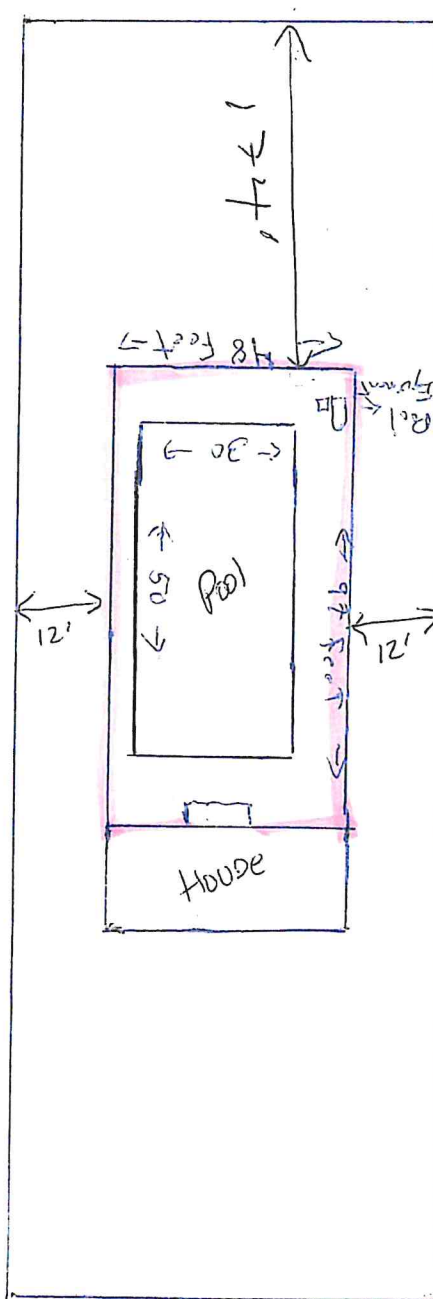
HISTORY: An application for a Home Occupation Conditional Use Permit request was submitted on November 29, 2022. This is the second request for a home occupation at that location within the past two months. On November 16, 2022, the Planning and Zoning Commission unanimously voted to approve the initial home occupation request at 4724 Buddy Owens Boulevard. Since the approved site plan for the swimming pool did not coincide with the actual dimension of the swimming pool and covered structure over entire pool, an amended Conditional Use Permit for a home occupation for swimming lessons was required.

REQUEST/ANALYSIS: The applicant is proposing to operate swimming lessons located at his residence. The proposed hours of operation will be from 9 AM to 8 PM Monday through Saturday. According to the submitted site plan, the swimming pool is located at the rear of the property. The dimensions of the swimming pool are as follows: 30 feet by 50 feet.

The fire inspection conducted by the Fire Department was satisfactory. 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 occupation may not be operational until issuance of the certificate. The business must comply with requirements set forth in Section 138-118(a)(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. As per the applicant, the applicant lives at the residence;
- 2) One nameplate attached to the building not larger than two square feet is permitted in all districts except R-1 single-family residential district;
- 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. The applicant does not propose any alteration;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises;
- 5) There shall be no outside storage of materials or products;
- 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. The applicant stated that classes are by appointment only;
- 7) No retail sales (items can be delivered). The proposed use does not involve retail sales;
- 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 of which the permit was issued.

RECOMMENDATION: Staff recommends approval of the Conditional Use Permit request, since home occupations are permitted in an R-1 District with a Conditional Use Permit. Any approval is subject to compliance with the Zoning Ordinance and Building Permit requirements.



— patio

11/29/2022
 M. H. M.



Planning Department

Memo

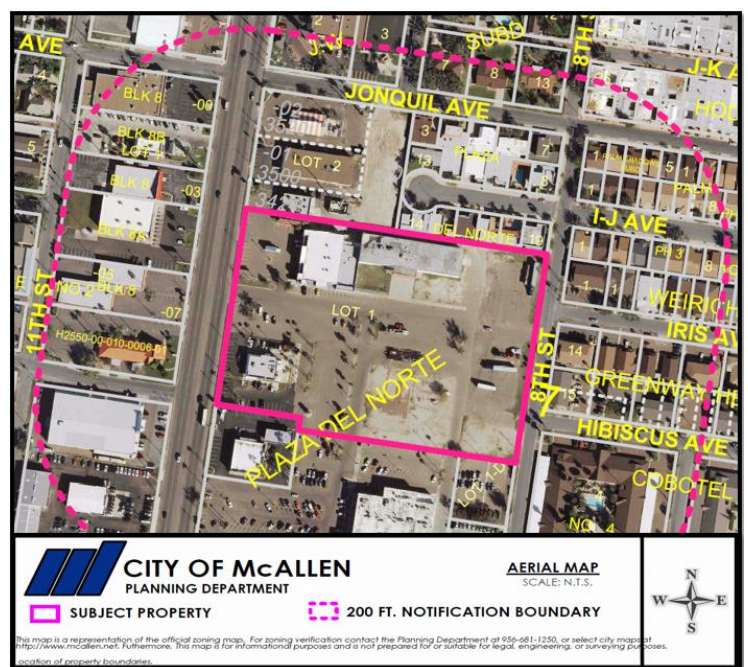
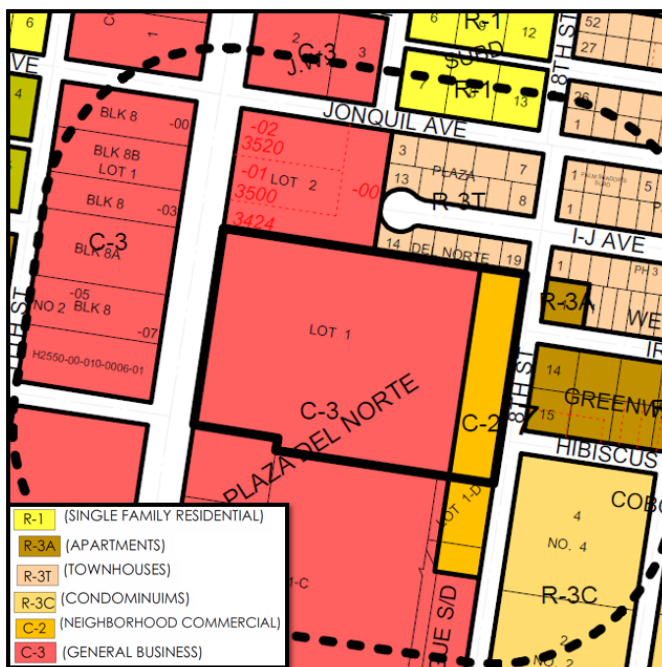
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: December 28, 2022

SUBJECT: Request of Eugene T. Hague III on behalf of VCCMA, LLC for a Conditional Use Permit, for life of the use, for an Institutional Use (cosmetology academy) at Lot 1, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3420 North 10th Street, Suite 200. (CUP2022-0187)

BRIEF DESCRIPTION: The property is located on the east side of North 10th Street, approximately 300 feet south of Jonquil Avenue. The adjacent zoning is C-2 (neighborhood commercial) District and C-3 (general business) District. The contiguous zoning is C-3 district to the north, south, and west. To the north, the zoning is R-3T (multi-family townhouse residential) District. The zoning district to the east is R-3A (multi-family residential apartment) and R-3C (multi-family residential condominiums). Surrounding land uses are HEB, Delias Tamales, and Country Omelette. An institutional use (beauty school) is permitted in the C-3 District with a Conditional Use Permit.



HISTORY: Plaza Del Norte Subdivision was recorded on June 03, 1986. The applicant submitted an application for a Conditional Use Permit for the proposed cosmetology school on December 09, 2022.

SUMMARY/ANALYSIS: The applicant is proposing to operate a cosmetology school from the 3,862.14 square feet lease space. The proposed days and hours of operation are from

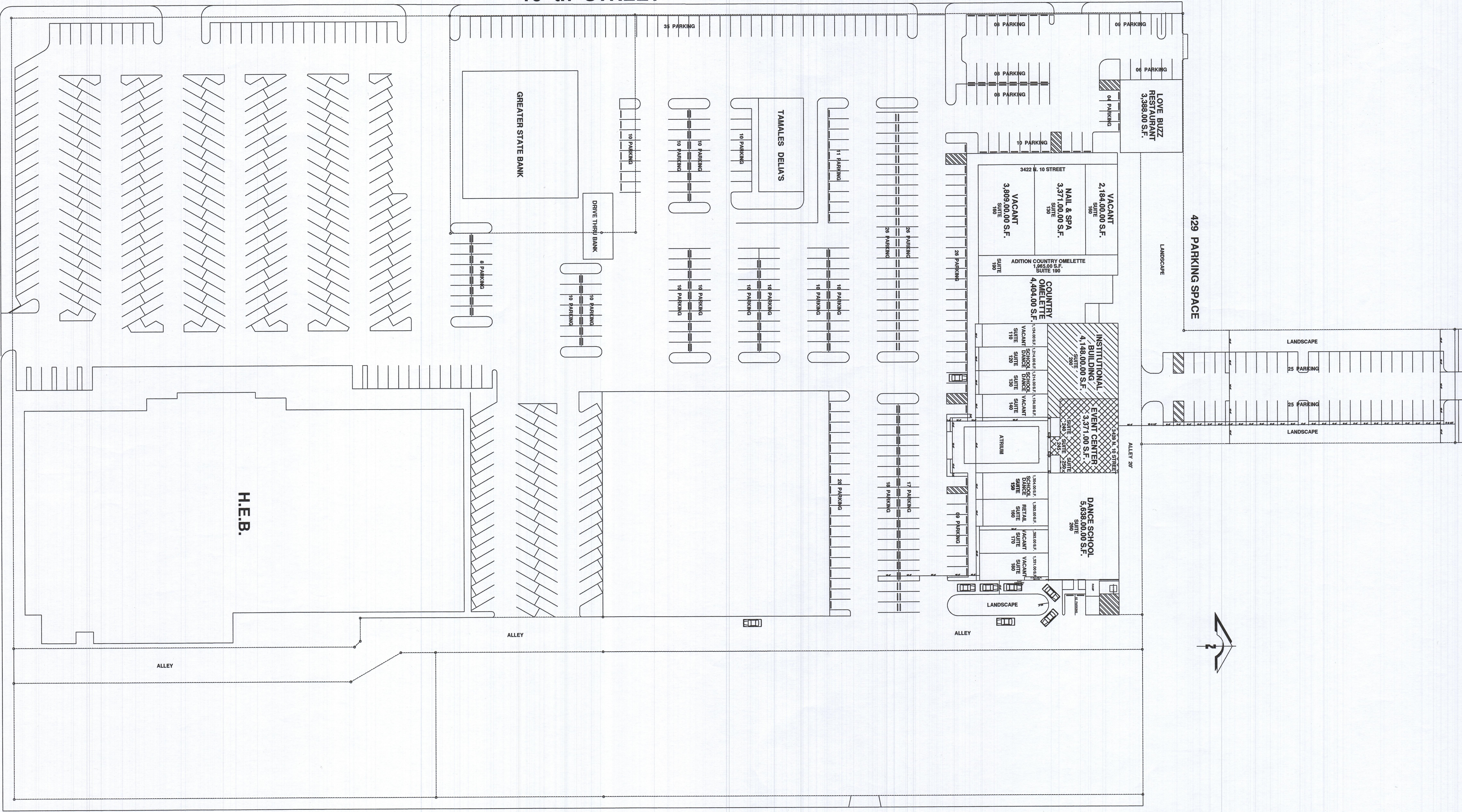
Monday through Thursday 8:00 a.m. to 9:30 p.m., and Friday through Saturday 8:00 a.m. to 5:00 p.m. There will be 3 classrooms, 1 break room, 1 storage room, and 1 office. Based on (5) parking spaces per classroom area and (1.5) parking spaces for space use as an administration office, 17 parking spaces are required; as per submitted site plan there are 429 parking spaces are provided on site. The parking spaces are provided as part of shared parking with the existing commercial development. The parking requirement for the proposed business is in compliance based on the hours of operation for other businesses.

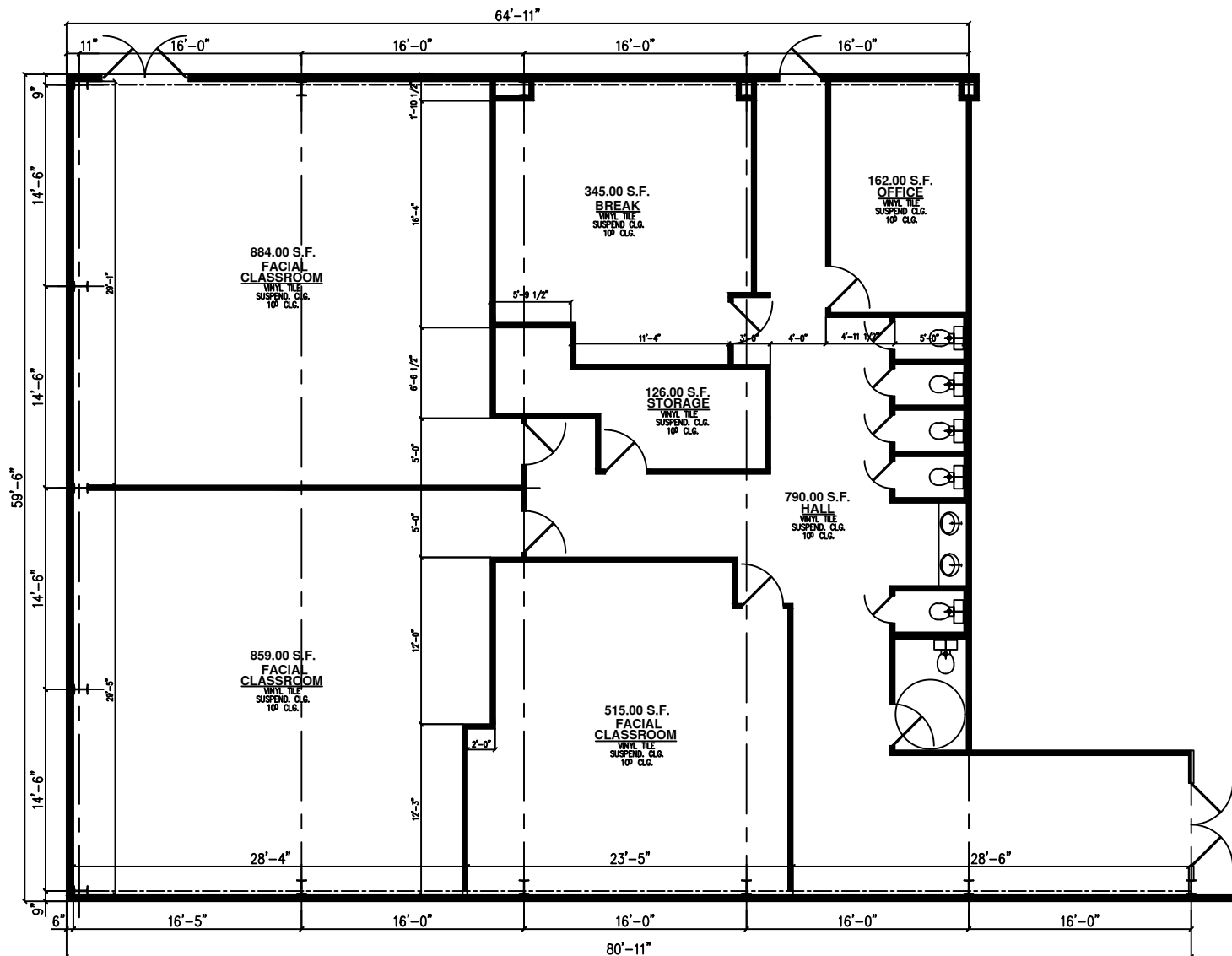
The Fire Department conducted an inspection and the result was satisfactory. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The proposed use must meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial;
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas; 17 parking spaces are required. Based on (5) parking spaces per classroom area and (1.5) parking spaces for space use as an administration office, 17 parking spaces are required. The parking spaces are provided as part of the existing commercial development. The parking spaces for the proposed business is in compliance based on the staggered hours of operation for the majority of the businesses;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance.

RECOMMENDATION: Staff recommends approval of the request, for life of the use; subject to compliance with the conditions noted, Zoning Ordinance, Fire Department and building permit requirements.

JONQUIL AVE.







Planning Department

Memo

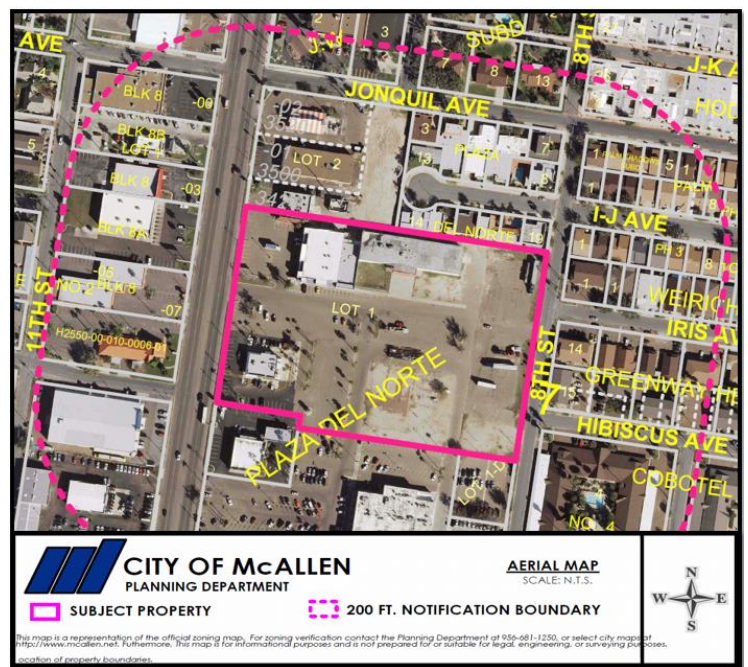
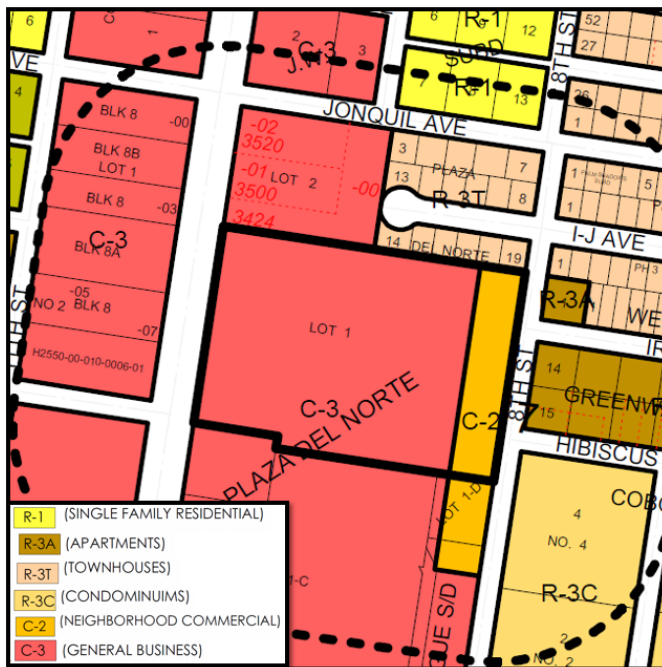
TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: December 28, 2022

SUBJECT: Request of Daisy Gonzalez and Karina Gonzalez for a Conditional Use Permit, for one year, for an event center at Lot 1, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3420 North 10th Street, Suites 240, 245, and 250. (CUP2022-0188)

BRIEF DESCRIPTION: The property is located on the east side of North 10th Street, approximately 300 feet south of Jonquil Avenue. The adjacent zoning is C-2 (neighborhood commercial) District and C-3 (general business) District. The contiguous zoning is C-3 district to the north, south, and west. To the north, the zoning is R-3T (multi-family townhouse residential) District. The zoning district to the east is R-3A (multi-family residential apartment) and R-3C (multi-family residential condominiums). Surrounding land uses are HEB, Delias Tamales, and Country Omelette. An institutional use (beauty school) is permitted in the C-3 District with a Conditional Use Permit.



HISTORY: Plaza Del Norte Subdivision was recorded on June 03, 1986. The applicant submitted an application for a Conditional Use Permit for the proposed cosmetology school on December 09, 2022.

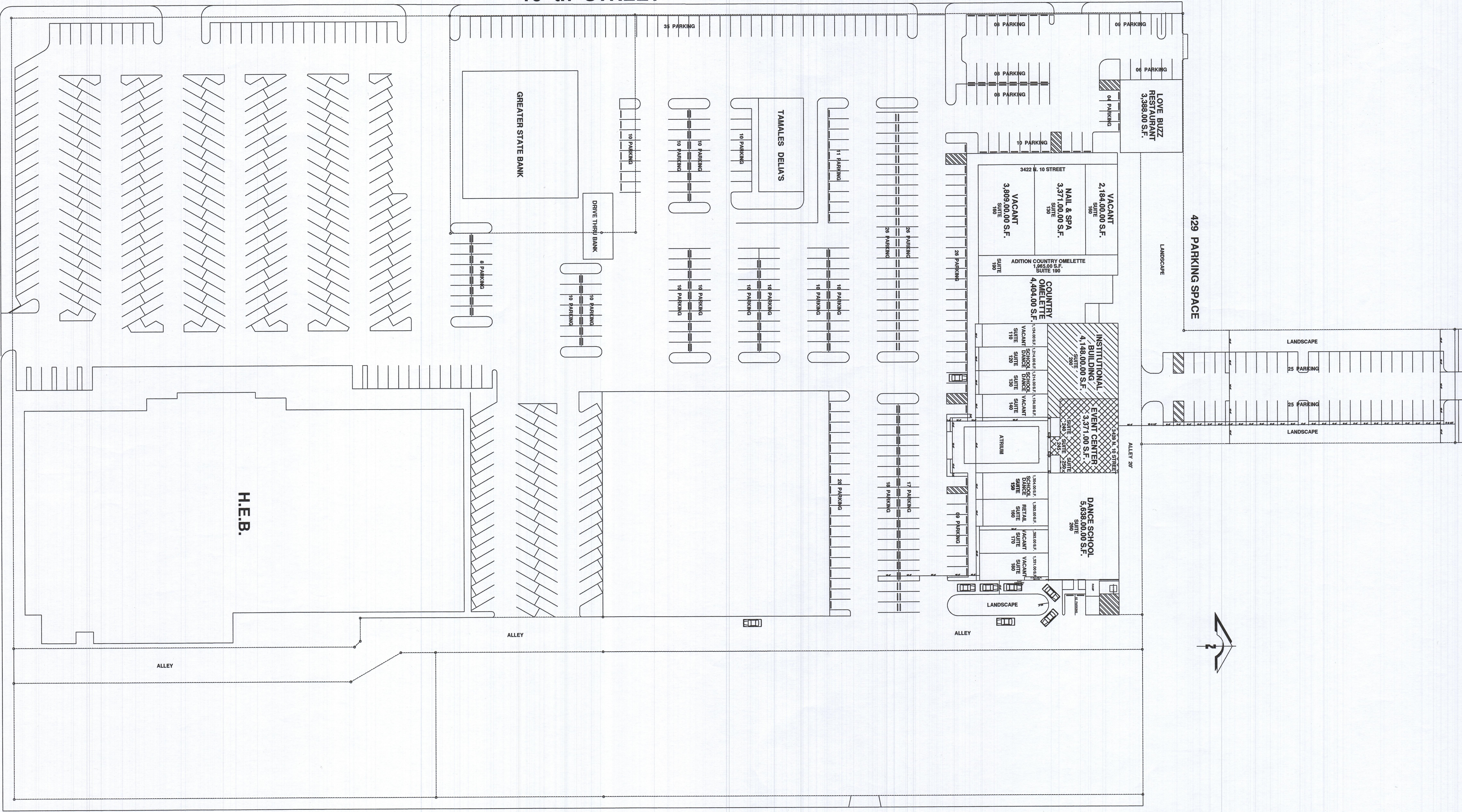
SUMMARY/ANALYSIS: The applicant is proposing to operate an event center from the 3,371 square feet lease space. The proposed days and hours of operation are from Monday through Sunday 8:00 a.m. to 12 a.m. There will be a reception area, the main area, restrooms, and a preparation area.

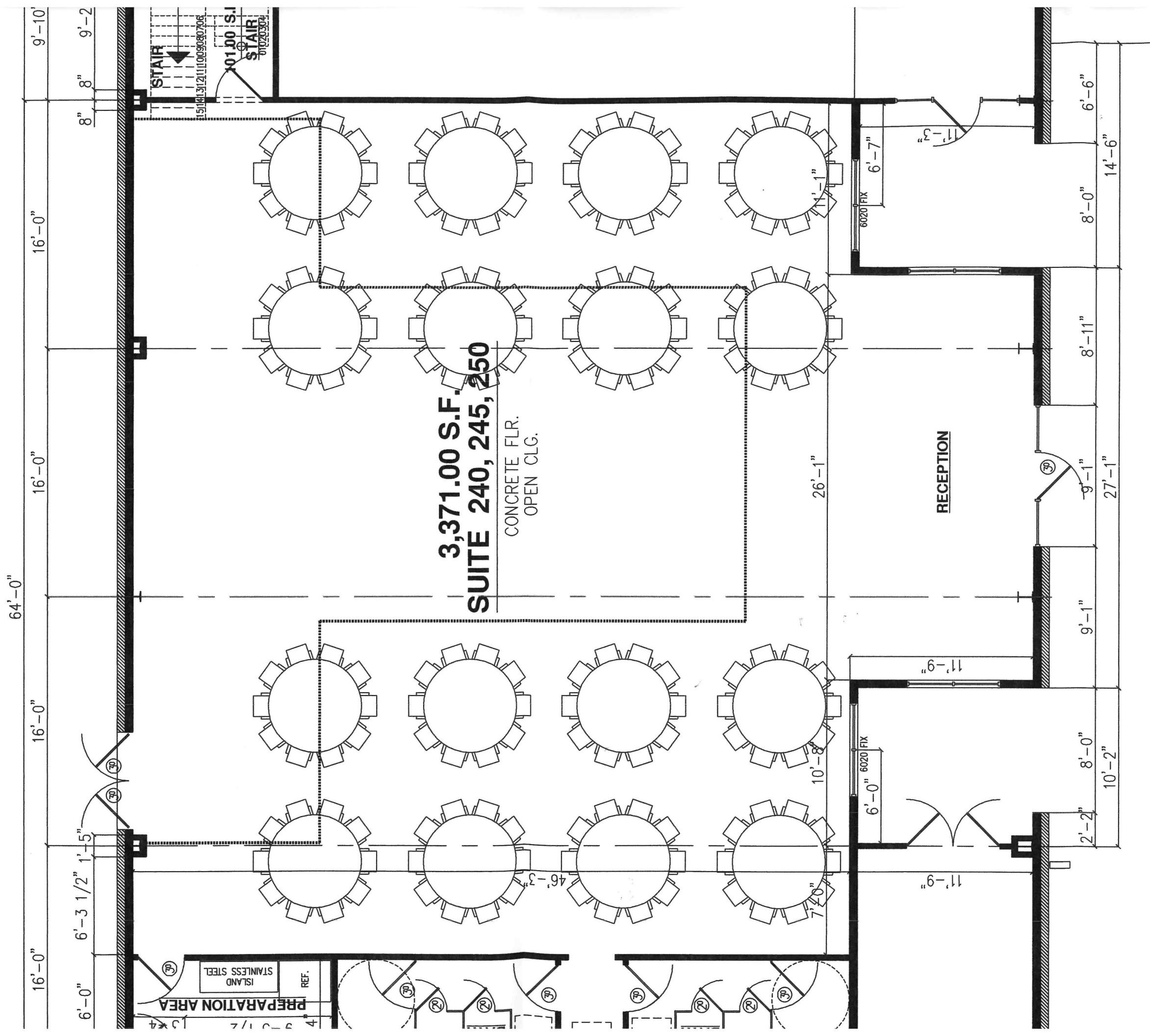
The Fire Department has inspected the proposed event center and allowed the CUP process to continue. The police activity report is still pending. The Planning Department has received no complaints regarding this use. The establishment must also meet the requirements set forth in Section 138-118(4) of 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 above mentioned land uses;
2. The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The establishment has access to North 10th Street and shall not generate traffic into residential areas;
3. The abovementioned business 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. Based on the floor area, 34 parking spaces are required, based on the submitted site plan 429 parking spaces are provided;
4. The abovementioned business 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 business 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 business 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 Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. This number cannot exceed the number provided for in existing city ordinances.

RECOMMENDATION: Staff recommends disapproval of the request based on noncompliance with requirement #1 (distance) of the Zoning Ordinance.

JONQUIL AVE.







Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

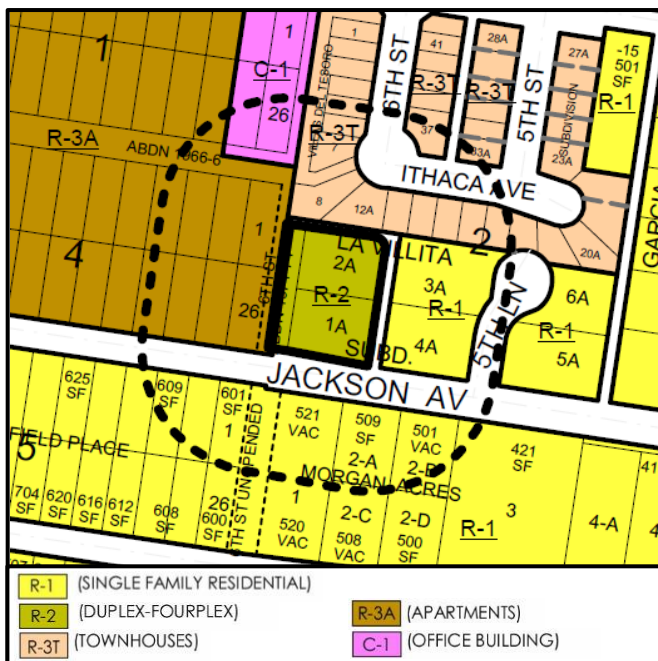
DATE: December 27, 2022

SUBJECT: REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 0.75 ACRES BEING ALL OF LOT 1A AND 2A, LA VILLITA SUBDIVISION, AND THE EAST 31 FEET OF THE ABANDONED 6TH STREET RIGHT-OF-WAY, HIDALGO COUNTY, TEXAS; 520 JACKSON AVENUE. (REZ2022-0053)

LOCATION: The property is located on the north side of Jackson Avenue, 160 ft. west of South 5th Lane. The irregularly shaped tract has 161.29 ft. of frontage along Jackson Avenue with a depth of 199.98 ft. at its deepest point for a lot size of 0.75 acres.

PROPOSAL: The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District in order to build 4 duplexes (8 apartment units). A feasibility plan submitted by the applicant is included in the packet.

ADJACENT ZONING: The adjacent zoning is R-1 (single-family residential) District to the east and south, R-3T (multifamily residential townhouse) District to the north, and R-3A (multifamily residential apartment) District to the west.



LAND USE: The subject property is currently vacant. Surrounding land uses include single-family residences, Jackson Square Apartments, Villas del Tesoro townhouses, office, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Suburban Residential, which is comparable to R-1 District.

DEVELOPMENT TRENDS: The development trend for this area along Jackson Avenue is single-family residences and apartments.

HISTORY: The tract was zoned R-1 District during the comprehensive zoning in 1979. City Commission abandoned South 6th Street between Houston Avenue and Jackson Avenue on December 16, 1974, creating a landlocked parcel, Lot 2-A. Two subdivision plats for creating single-family lots fronting Jackson Avenue was proposed in 1993 and 2009, but were subsequently expired. City Commission disapproved a rezoning request to R-3C (multifamily residential condominium) District for the subject property in 1999 due to oppositions. A City-initiated rezoning to C-1 (office building) District along Jackson Avenue from Colonel Rowe Boulevard to South 8th Street was not recommended by the Planning and Zoning Commission for approval in 2003, due to neighborhood's request to retain the residential character of the area. A rezoning request to R-3C District for the property was withdrawn on May 10, 2005, after being disapproved by the Planning and Zoning Commission. Another rezoning request to R-3C District for the subject property was disapproved and alternatively approved for R-2 (duplex-fourplex residential) District on September 26, 2005. There has been no other rezoning request for the subject property since then.

The adjacent property to the west was zoned R-3A District in 1979. A rezoning request to R-3T District for the adjacent property to the north was approved on December 11, 2006.

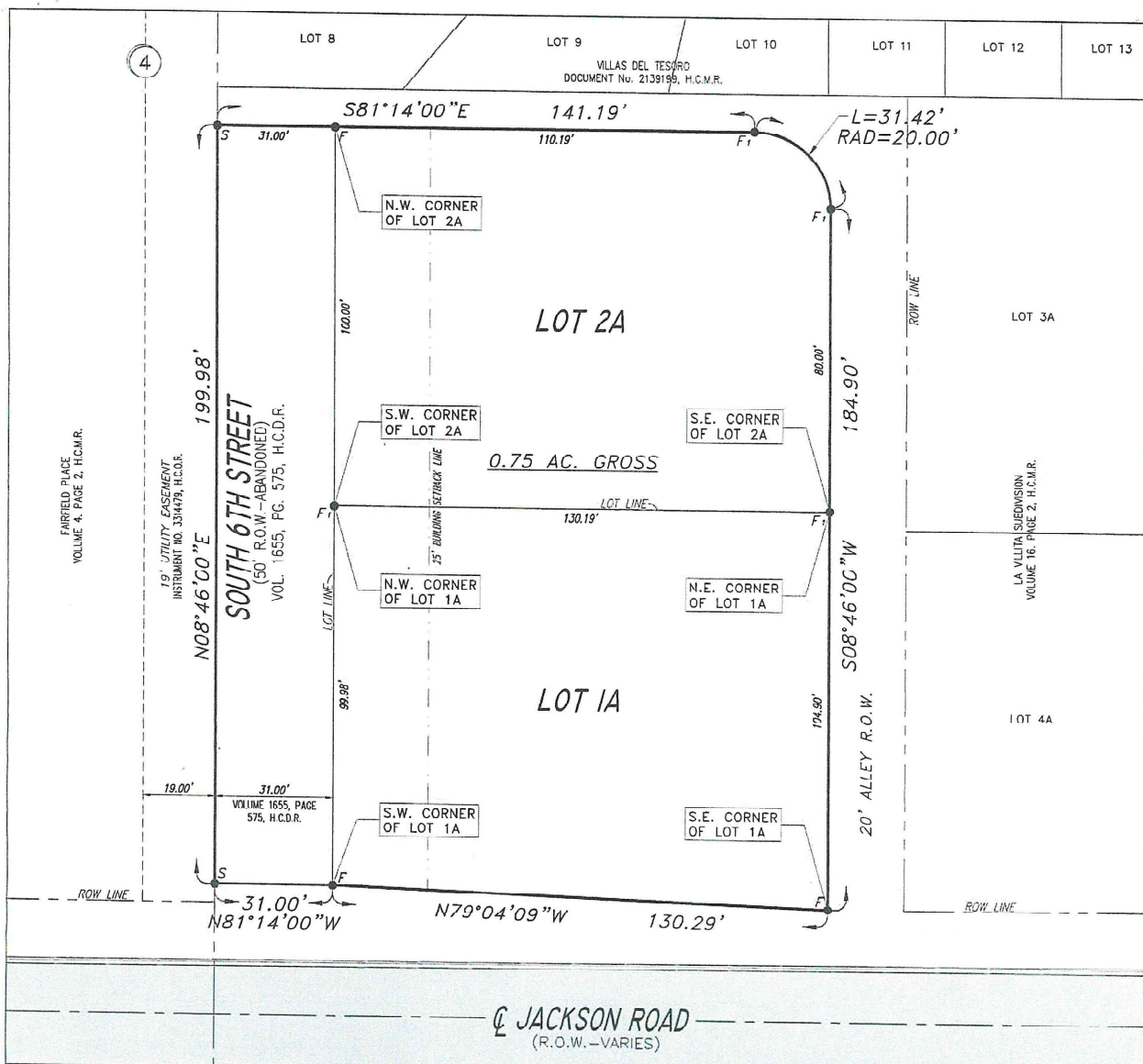
ANALYSIS: The requested zoning does not conform to Suburban Residential land use designation as indicated on Foresight McAllen Comprehensive Plan. However, it is compatible with the surrounding zoning and development trend in this area. Approval of the rezoning request will allow residential development of the vacant lot.

A recorded subdivision plat is required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

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

RECOMMENDATION:

Staff recommends approval of the rezoning request to R-3A (multifamily residential apartment) District, since it is compatible with the surrounding zoning and development trend in this area and will allow residential development of the vacant land.



5

FAIRFIELD PLACE
VOLUME 4, PAGE 2, H.C.M.R.

LOT 1 MORGAN'S ACRES
VOLUME 17, PAGE 25, H.C.M.R.

LOT 2A

PLAT SHOWING

A 0.75 OF AN ACRE TRACT OF LAND BEING ALL OF LOTS 1A AND 2A, AMENDED MAP OF LA VILLITA SUBDIVISION AS RECORDED IN VOLUME 16, PAGE 2, MAP RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING THE EAST 31.00 FEET OF THAT PORTION OF THE SIXTH STREET RIGHT-OF-WAY ABANDONED BY ORDINANCE 1974-74 RECORDED IN VOLUME 1655, PAGE 575, DEED RECORDS, HIDALGO COUNTY, TEXAS, ADJACENT TO AND WEST OF SAID LOTS 1A AND 2A, AMENDED MAP OF LA VILLITA SUBDIVISION AS RECORDED IN VOLUME 16, PAGE 2, MAP RECORDS, HIDALGO COUNTY, TEXAS.

PROPERTY SUBJECT TO:

STATUTORY EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3.

SUBJECT TO RIGHTS OF WAY, EASEMENTS AND CONDITIONS AS MORE FULLY DESCRIBED AND AS REFLECTED BY COMMITMENT FOR TITLE INSURANCE WITH OF NUMBER 948814 ISSUED BY NATIONAL INVESTOR'S TITLE INSURANCE COMPANY, EFFECTIVE DATE: NOVEMBER 10, 2022.

BORROWERS:
CLAUDIA GONZALEZ AND
SAM GIARD, AND/OR ASSIGNS

LEGEND:
F - FOUND 1/2" Ø IRON ROD
F₁ - FOUND 3/4" Ø PIPE

I, RAUL E. GARCIA, REGISTERED PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THE ABOVE IS A TRUE AND ACCURATE PLAT OF THE LANDS AS SURVEYED UNDER MY DIRECTION AND THAT THERE ARE NO VISIBLE DISCREPANCIES, VISIBLE EASEMENTS, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, PROTRUSIONS, EXCEPT AS SHOWN.

SCALE: 1" = 30'

REGISTERED PROFESSIONAL LAND SURVEYOR # 4204

NOTE:
OVERHEAD AND UNDERGROUND FACILITIES ARE NOT SHOWN ON THIS SURVEY.

R.E. Garcia
Associates

R. E. GARCIA & ASSOCIATES
ENGINEERS, SURVEYORS, PLANNERS
ENGINEER (P-5001) & SURVEYOR (10015300)
116 NORTH 12th AVE.
EDINBURG, TEXAS 78541 (958) 381-1061
EMAIL: REGAASSOC@AOL.COM

TITLE:
BOUNDARY SURVEY

DATE: NOVEMBER 29, 2022 REV:
JOB # 2022-233 BOOK T-158/PG.18
SCALE: 1" = 30'
DRAWN BY: E.S.



1 OPTION 3
SCALE: NTS

BREAK-DOWN	
BUILDING A:	1,956 SQ.FT.
2 BED:	990 SQ.FT.
2 BED:	966 SQ.FT.
BUILDING B:	1,956 SQ.FT.
2 BED:	990 SQ.FT.
2 BED:	966 SQ.FT.
TOTAL FLOOR:	3,912 SQ.FT.

BREAK-DOWN	
BUILDING A:	1,956 SQ.FT.
2 BED:	990 SQ.FT.
2 BED:	966 SQ.FT.
BUILDING B:	1,956 SQ.FT.
2 BED:	990 SQ.FT.
2 BED:	966 SQ.FT.
TOTAL FLOOR:	3,912 SQ.FT.

10

SHEET:

ARQCARPA

DESIGN & CONSTRUCTION

214 N. 16TH ST., STE. 101, MCALLEN, TEXAS 78501 TEL: 956.358.3643 FAX: 956.661.9921

THESE DRAWINGS AND SPECIFICATIONS ARE AND SHALL NOT BE USED, REPRODUCED, MODIFIED, OR COPIED IN ANY FORM OR MANNER WITHOUT THE EXPRESS WRITTEN PERMISSION, CONSENT, AND DUE COMPENSATION TO ARQCARPA

CESAR CARDENAS

JACKSON APARTMENTS

PROJECT :
SUBDIVISION :
OWNER :

PROJECT #:
DATE:
DRAWN BY:
N.C. & C.B.

CHECKED BY: C. CARDENAS

REVISIONS:
1: 4:
2: 5:
3: 6:

ARQCARPA

DESIGN & CONSTRUCTION



NOTICE
REZONING
FOR
THIS PROPERTY
REZ 2022-0053

FOR SALE

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

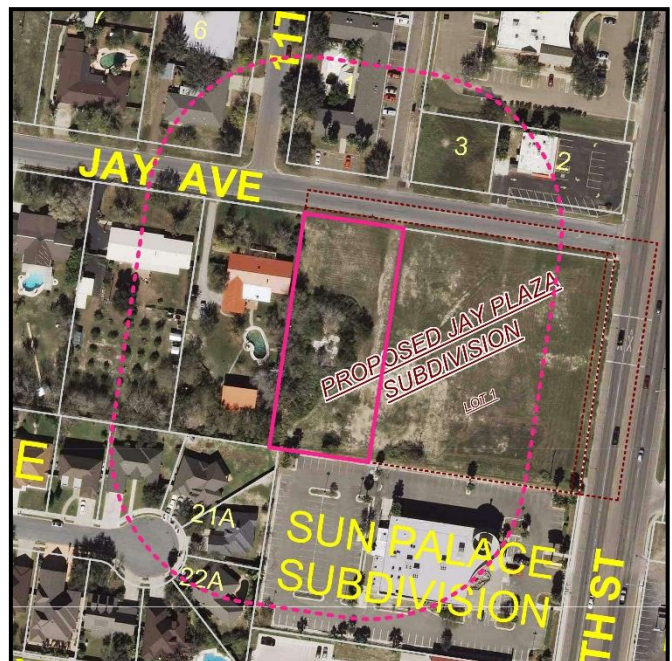
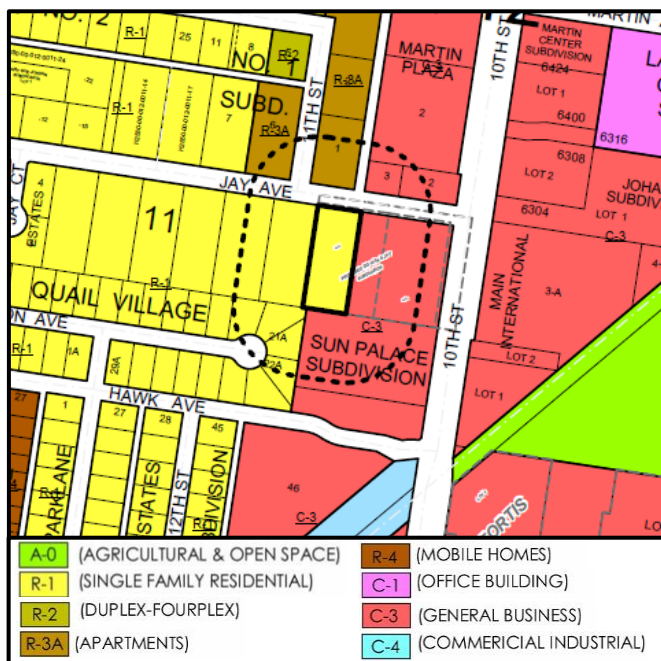
DATE: November 28, 2022

SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 0.97 ACRES OUT OF LOT 11, SECTION 12, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 1009 JAY AVENUE. (REZ2022-0046)(TABLED SINCE 12/06/2022)

LOCATION: The property is located on the south side of Jay Avenue, 319.20 ft. west of North 10th Street. The tract has 128 ft. of frontage along Jay Avenue with a depth of 330 ft., for a lot size of 0.97 acres.

PROPOSAL: The applicant is requesting to rezone the property to C-3 (general business) District for commercial use. A submitted site plan depicts that it will be part of a larger commercial development at the southwest corner of North 10th Street and Jay Avenue. A proposed subdivision under the name of QQ 10th & Jay Subdivision, was approved for the subject property in preliminary form by the Planning and Zoning Commission on December 7, 2021.

ADJACENT ZONING: The adjacent zoning is C-3 (general business) District to the south, east, and northeast, R-3A (multifamily residential) District to the north and northwest, and R-1 (single-family residential) District to the west and southwest.



LAND USE: The property is currently vacant. Surrounding land uses include single-family residences, Valencia Apartments, Breakaway Cycling Boutique, offices, Tenth at Jay Street Shopping Plaza, Top 10 Plaza, Falcon International Bank, Affordable Attic Self Storage, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family which is comparable to R-1 (single-family residential) District.

DEVELOPMENT TRENDS: The development trend for this area along Jay Avenue is residential and commercial.

HISTORY: The subject property was zoned R-1 (single-family residential) District and the eastern portion of the larger tract was zoned C-3 (general business) District upon comprehensive zoning in 1979. Three rezoning requests to C-3 District for the subject property was withdrawn in 2009, 2018, and 2021, after some neighbors appeared in opposition to the rezoning request. There has been no other rezoning request for the subject property since then.

ANALYSIS: The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it is adjacent to properties zoned C-3 District to the east and south. The proposed zone will be part of a larger commercial development that fronts North 10th Street, according to the submitted site plan. The rezoning request is following the development trend in this area along North 10th Street and is in character with the adjacent commercial use to the south side. If the rezoning is approved, the boundary line of C-3 zone would follow about the same lot depth as Sun Place Subdivision.

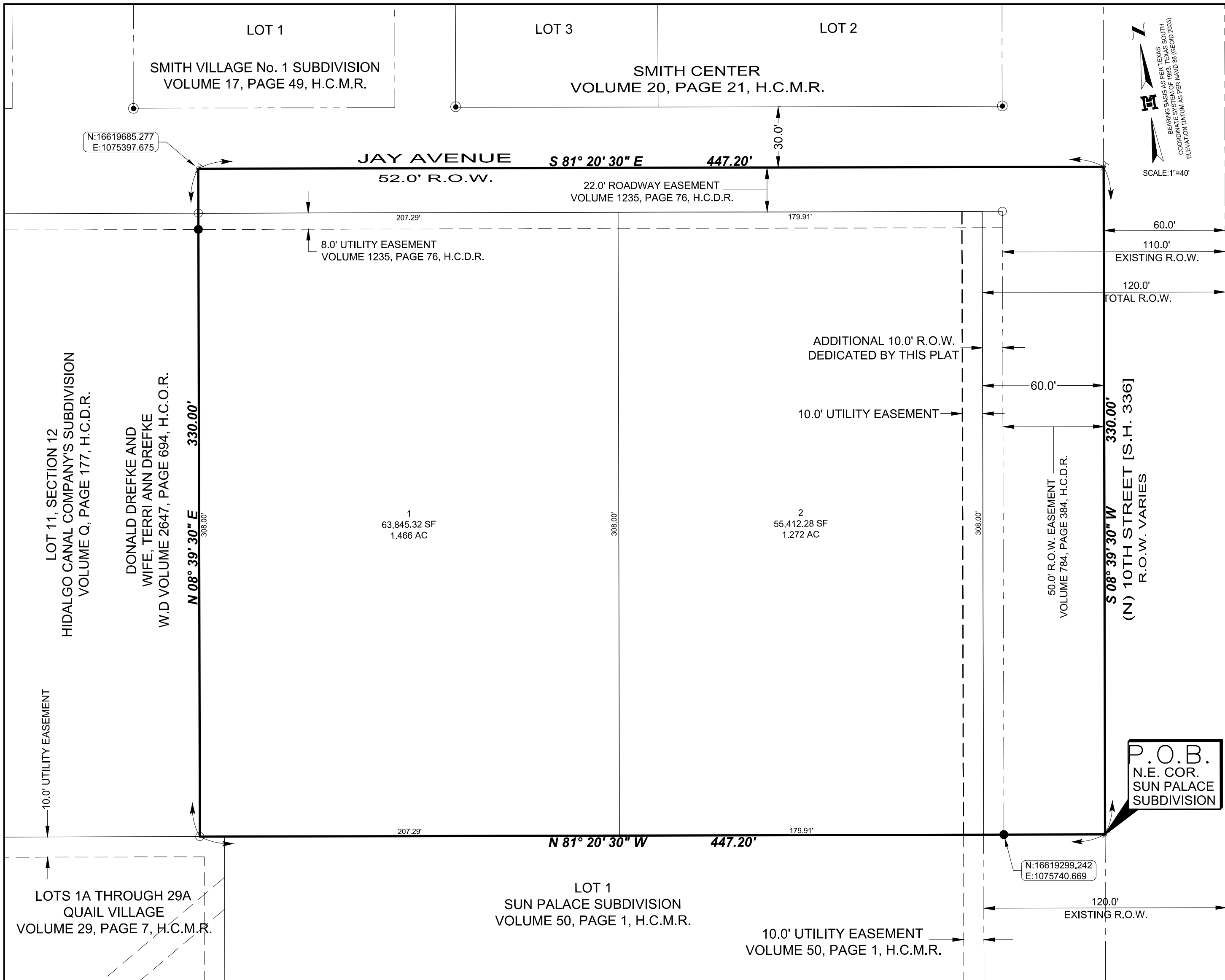
A recorded subdivision plat and approved site plan are required prior to building permit issuance. A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single family use or zone.

Staff has not received any calls or emails in opposition to the rezoning request.

RECOMMENDATION: Staff recommends approval of the rezoning request to C-3 (general business) District since it is compatible with the adjacent zoning and development trend in this area and will be part of a larger commercial development along North 10th Street.

PLANNING AND ZONING COMMISSION MEETING OF DECEMBER 6, 2022:

At the Planning and Zoning Commission meeting of December 6, 2022, two people appeared in opposition to the rezoning request. Steve Widnick, 1105 Jay Avenue, and Don Drefke, 1101 Jay Avenue, spoke in opposition to the proposed rezoning and commercial development on Jay Avenue. Their concerns included increasing noise and traffic on a residential street, impacting the quality of life and property values. Mario Reyna, the engineer and the applicant, spoke in favor of the request. After further discussion, the applicant requested that the item be tabled to speak with the opposition and address their concerns. The Board voted to table the request with five members present, four voting, and one abstaining.



MAP OF
QQ 10th & JAY
SUBDIVISION

BEING 3.388 ACRES
OUT OF LOT 11, SECTION 12
HIDALGO CANAL COMPANY'S SUBDIVISION
VOLUME Q, PAGE 177 H.C.D.R.
HIDALGO COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 3.388 ACRES SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF LOT 11, SECTION 12, HIDALGO CANAL COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME Q, PAGE 177, HIDALGO COUNTY DEED RECORDS, WHICH SAID 3.388-ACRE TRACT WAS CONVEYED TO QORGV INVESTMENTS, LLC A UTAH LIMITED LIABILITY COMPANY, BY VIRTUE OF A SPECIAL WARRANTY DEED RECORDED UNDER DOCUMENT NUMBER 3235776, HIDALGO COUNTY OFFICIAL RECORDS, SAID 3.388 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL SET ON THE NORTHEAST CORNER OF SUN PALACE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 50, PAGE 1, HIDALGO COUNTY MAP RECORDS AND WITHIN THE RIGHT-OF-WAY OF 10TH STREET, FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

1. THENCE, N 81° 20' 30" W ALONG THE NORTH LINE OF SAID SUN PALACE SUBDIVISION AND THE NORTH LINE OF LOTS 1A THROUGH 29A QUAIL VILLAGE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 29, PAGE 7, HIDALGO COUNTY MAP RECORDS, AT A DISTANCE OF 50.00 FEET PASS A NO. 4 REBAR FOUND [NORTHING: 16619299.242, EASTING: 1075740.669] ON THE EXISTING WEST RIGHT-OF-WAY LINE OF 10TH STREET, AT A DISTANCE OF 435.00 FEET PASS THE NORTHWEST CORNER OF SAID SUN PALACE SUBDIVISION AND THE NORTHEAST CORNER OF SAID LOTS 1A THROUGH 29A QUAIL VILLAGE, CONTINUING A TOTAL DISTANCE OF 447.20 FEET TO A NO. 4 REBAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
2. THENCE, N 08° 39' 30" E AT A DISTANCE OF 300.00 FEET PASS A NO. 4 REBAR FOUND IN LINE, AT A DISTANCE OF 300.00 FEET PASS A NO. 4 REBAR SET ON THE EXISTING SOUTH RIGHT-OF-WAY LINE OF JAY AVENUE, CONTINUING A TOTAL DISTANCE OF 330.00 FEET TO A NAIL SET [NORTHING: 16619685.277, EASTING: 1075397.675] WITHIN THE RIGHT-OF-WAY OF JAY AVENUE, FOR THE NORTHWEST CORNER OF THIS TRACT;
3. THENCE, S 81° 20' 30" E WITHIN THE RIGHT-OF-WAY OF JAY AVENUE, A DISTANCE OF 447.20 FEET TO A NAIL SET WITHIN THE RIGHT-OF-WAY OF 10TH STREET, FOR THE NORTHEAST CORNER OF THIS TRACT;
4. THENCE, S 08° 39' 30" W WITHIN THE RIGHT-OF-WAY OF 10TH STREET, A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.388 ACRES, OF WHICH 0.379 OF ONE ACRE LIES WITHIN THE EXISTING RIGHT-OF-WAY OF 10TH STREET AND 0.201 OF ONE ACRE LIES WITHIN THE EXISTING RIGHT-OF-WAY OF JAY AVENUE, LEAVING A NET OF 2.808 ACRES OF LAND, MORE OR LESS.

LEGEND

- FOUND No. 4 REBAR
- FOUND PIPE
- SET NAIL
- SET No. 4 REBAR WITH PLASTIC

GENERAL NOTES :

1. THE SITE LIES IN ZONE "B". ZONE "B" ARE AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
COMMUNITY-PANEL NUMBER: 480343 0005 C, MAP REVISED: NOVEMBER 2, 1982.
2. MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT.
3. MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE:
FRONT - 10th STREET: 60 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
REAR - IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
INTERIOR SIDES - IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
CORNER: 75 FOOT OR GREATER FOR EASEMENTS OR APPROVED SITE PLAN.

THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

5. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF MCALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
6. NO BUILDING ALLOWED OVER ANY EASEMENT.
7. SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.
8. A 4 FOOT WIDE SIDEWALK IS REQUIRED ALONG N. 10TH STREET - SIDEWALK WIDTH MAY INCREASE TO 5 FEET AS PER ENGINEERING DEPARTMENT. SIDEWALK SHALL BE BUILT OR ESCROW FUNDS IF SITE IS NOT BUILT AT THIS TIME.
9. A 6' OPAQUE BUFFER WILL BE REQUIRED FROM ADJACENT BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES AT SUBDIVISION IMPROVEMENTS.
10. AN 8" MASONRY WALL WILL BE REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES AT SUBDIVISION IMPROVEMENTS.
11. THE FOLLOWING BENCHMARK ARE IDENTIFIED ON THE FACE OF THE PLAT AND ON THE ATTACHED ENGINEERING PLANS:
--CITY OF MCALLEN BENCHMARK: "MC 55" FROM THE CITY OF MCALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY GLICK, LINN OFFICE ON OCTOBER 06, 1999, LOCATED 481 FEET WEST OF 10th STREET AND 135 FEET NORTH OF ROBIN AVENUE. 30" ALUM. PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP AT ELEVATION = 108.89 (NAVD88); N: 16619299.242, E: 1075740.669.
BENCH MARK #2: SQUARE CUT SET ON INLET LOCATED ALONG THE WEST RIGHT-OF-WAY OF 10th STREET APPROXIMATELY 486.0 FEET NORTH OF JAY AVENUE. N: 16620108.6370, E: 1075869.7570, ELEV: 109.42.
- 12.

I, THE UNDERSIGNED, MAYOR OF THE CITY OF MCALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

MAYOR, CITY OF MCALLEN

ATTESTED BY:

CITY SECRETARY

DATE

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING COMMISSION

DATE

APPROVED BY DRAINAGE DISTRICT:

HIDALGO COUNTY DRAINAGE DISTRICT NO.1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE §49.211 (C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

RAUL E. SESIN, P.E., C.F.M.
GENERAL MANAGER

DATE

THE STATE OF UTAH
COUNTY OF UTAH

I (WE), THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE QQ 10th & JAY SUBDIVISION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

DALLAS HAKES
QORGV INVESTMENTS, LLC.
A UTAH LIMITED LIABILITY COMPANY
2208 WEST 700 SOUTH
SPRINGVILLE, UTAH 84663

DATE

THE STATE OF UTAH
COUNTY OF UTAH

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DALLAS HAKES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND

SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20 ____.

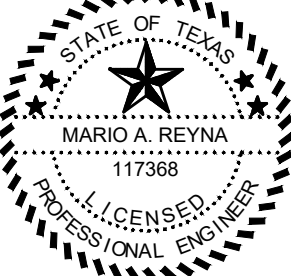
NOTARY PUBLIC, FOR THE STATE OF
MY COMMISSION EXPIRES:

STATE OF TEXAS
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, MARIO A. REYNA, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

MELDEN & HUNT, INC.
TEXAS REGISTRATION F-1435

MARIO A. REYNA, P.E. # 117368
DATE PREPARED: 10-08-2021
ENGINEERING JOB NO. 21132.00



STATE OF TEXAS
COUNTY OF HIDALGO

I, FRED L. KURTH, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO, TEXAS.

DATED THIS THE ____ DAY OF _____, 20 ____.

FRED L. KURTH, PROFESSIONAL LAND SURVEYOR No. 4750
STATE OF TEXAS

DATE SURVEYED: 10-01-18
T-1067, T-1065, PG. 2
SURVEYING JOB NO. 18953.08



THIS PLAT APPROVED BY THE HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3

ON THIS THE ____ DAY OF _____, 2021.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION TREES, FENCES AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY WATER IMPROVEMENT DISTRICT No. 3 RIGHT-OF-WAY OR EASEMENTS. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A CONVEYANCE, WAIVER OR ABANDONMENT OF ANY PROPERTY INTEREST HELD BY THE DISTRICT IN THE PROPERTY SHOWN ON THE PLAT, OR THE ACCEPTANCE OR APPROVAL OF THE ACCURACY OF ANY STATEMENT, DIMENSION OR DESCRIPTION SHOWN ON THE PLAT.

OTHAL BRAND JR., PRESIDENT

DATE

MARK FREELAND, SECRETARY

DATE



FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUAJARDO, JR.
HIDALGO COUNTY CLERK

ON: _____ AT _____ AM/PM

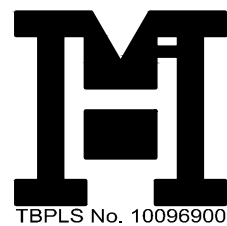
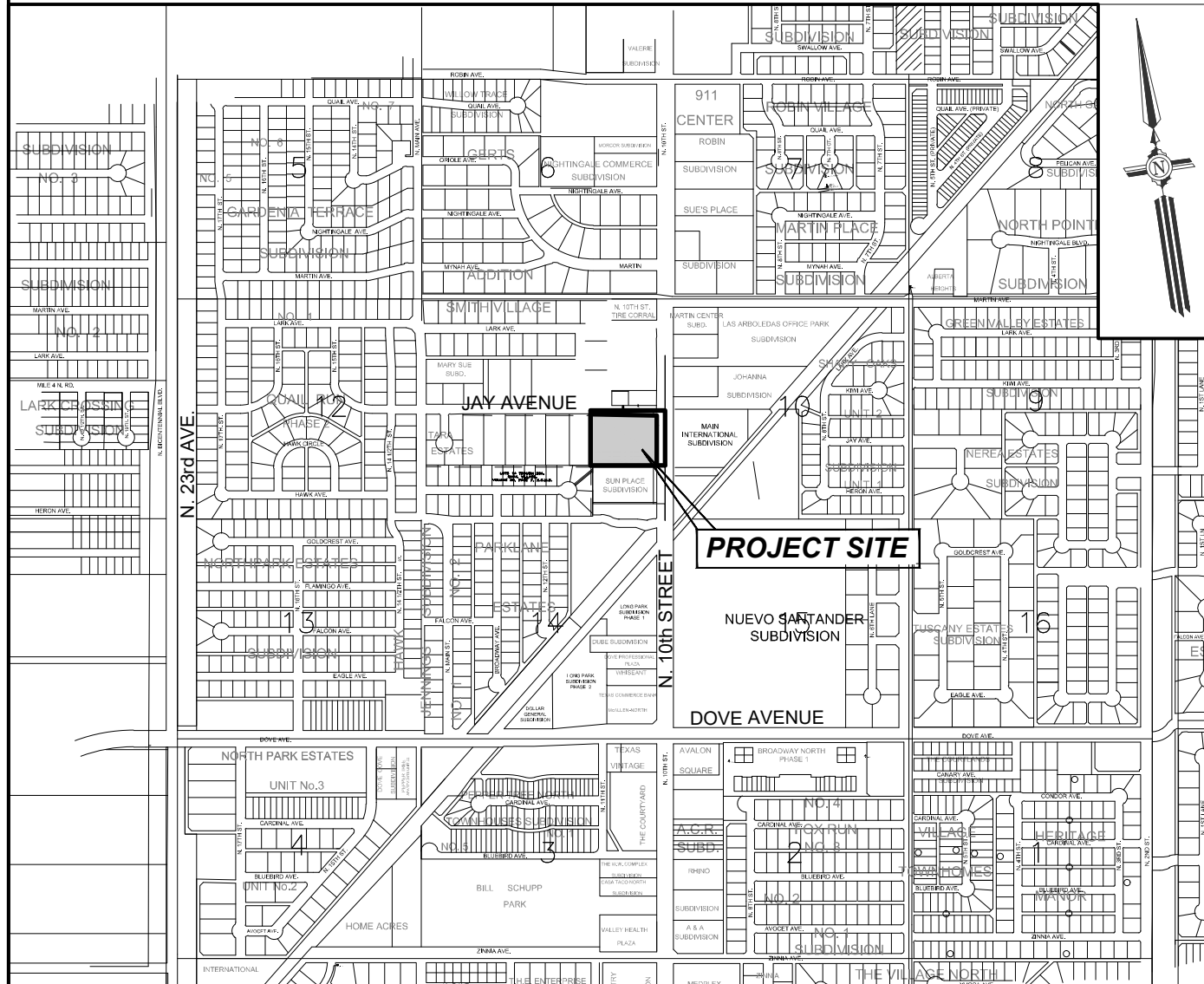
INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

DRAWN BY: Cesar DATE 10-08-21
SURVEYED, CHECKED DATE
FINAL CHECK DATE

LOCATION MAP

SCALE: 1" = 1,000'



MELDEN & HUNT, INC.
CONSULTANTS • ENGINEERS • SURVEYORS

115 W. MCINTYRE - EDINBURG, TX. 78541
PH. (956) 381-0981 - FAX: (956) 381-1839
ESTABLISHED 1947 - www.meldenandhunt.com

**NOTICE
REZONING
FOR
THIS PROPERTY
REZ2022-0046**



CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLE.NET



Memo

TO: Planning and Zoning Commission

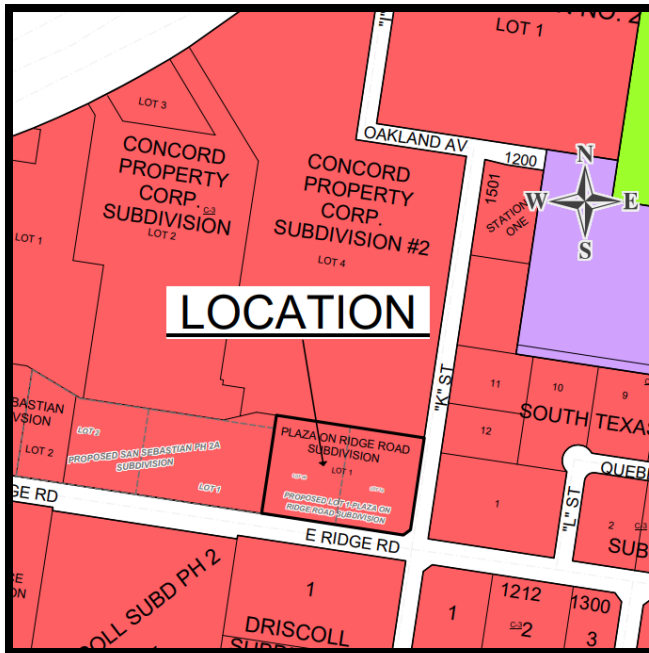
FROM: Planning Staff

DATE: December 28, 2022

**SUBJECT: SITE PLAN APPROVAL FOR LOT 1, PLAZA ON RIDGE ROAD SUBDIVISION;
1101 EAST RIDGE ROAD. (SPR2022-0045)**

LOCATION: The property is located on the north side of George McVay, east of North Shary Road, and South of F.M. 1016 (Military Highway). The property has 559.25 feet of frontage along George McVay and a depth of 695.81 feet for a lot size 383,548 square feet (8.805 acres) according to the recorded subdivision plat. The property is zoned I-1 (light industrial) District and the adjacent zoning is I-1 District on all directions.

PROPOSAL: The applicant is proposing to construct and operate a car wash with the total square footage of 5,154.22 square feet.

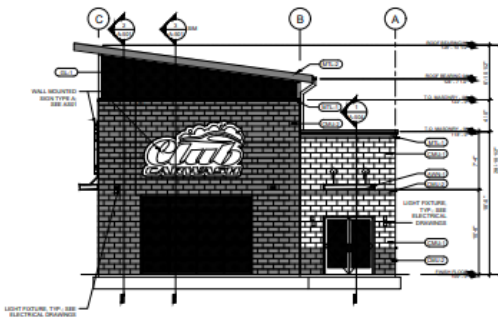


ANALYSIS: Based on 5,154.22 square feet of carwash use, 17 parking spaces are required. Two of the proposed parking spaces must be accessible, which must also be van accessible with an 8 feet wide aisle. Access to the site is from a proposed curb cut along South "K" Center Street and East Ridge Road. Required landscaping for the lot is 6,534 square feet of which 26,829 square feet is provided. The tree requirement is as follows: 19-2 ½" caliper trees, 10-4" caliper trees, 5-6" caliper trees, or eight palm trees. A minimum 10 feet wide landscaped strip is required inside the property line along East Ridge Road and South "K" Center Street. Fifty percent of the landscaping must be visible from the street, and each parking space must be within 100 feet of a landscaped area with a tree, as required by ordinance. A 6 ft. buffer is required around dumpsters/compactors

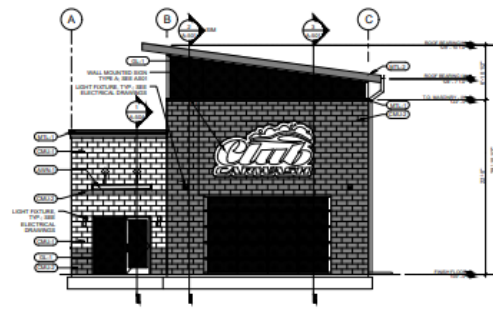
if visible from the street. No structures are permitted over easements. The plat was recorded on September 21, 2007; South "K" Center Street setback is 30 feet, East Ridge Road setback is 50 feet. No structures are permitted over easements nor setbacks.

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

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



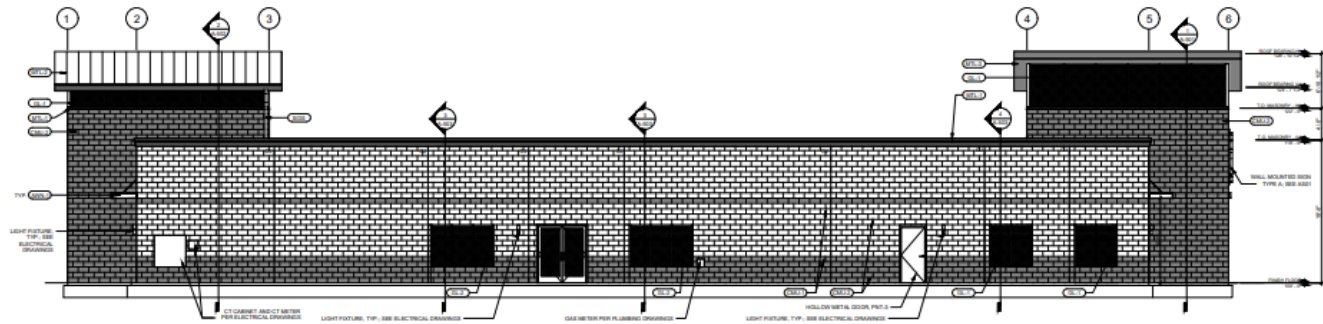
3 EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



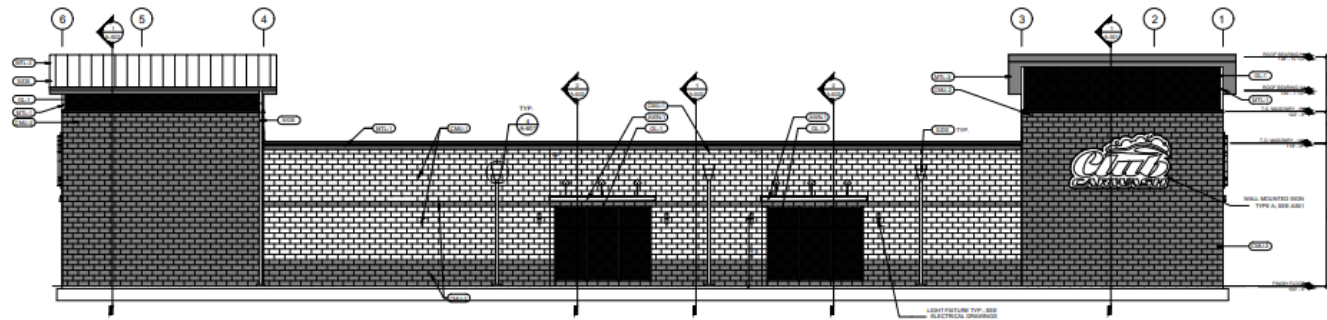
4 EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

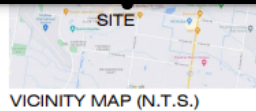
EXTERIOR MATERIALS

- CMU-1 ARCHITECTURAL 8" CMU SMOOTH (COLOR: Ivory)
- CMU-2 ARCHITECTURAL 8" CMU SPLIT FIN (COLOR: Slate)
- GL-1 ALUMINUM STOREFRONT GLAZING Glazed System, Kawneer 451T or App Glazing Unit (Solartech TOLX Solar Co tempered glazing as required per IBC)
- GL-2 ALUMINUM STOREFRONT GLAZING w/ 1" INSULATED LOW-E SPANDREL
- AWN-1 PREFABRICATED FLAT METAL Awn OWNER COLOR: Red
- MTL-1 KYNAR-COATED SHEET METAL GU BASIS OF DESIGN: SAMONA Style 1 size per detail 41A-601 COLOR: Matte Black
- MTL-2 KYNAR COATED METAL COPING COLOR: Matte Black
- HW DOORS FIN-3 SHERWIN WILLI GLOSS LATEX COATING
- MTL-3 STANDING SEAM METAL ROOF BASIS OF DESIGN: Firestone Una-Ci roof w/ 30 year warranty COLOR: Matte Black
- MTL-4 FLUSH LOCK METAL SOFFIT PANELS BASIS OF DESIGN: Firestone UC-900 COLOR: Matte Black

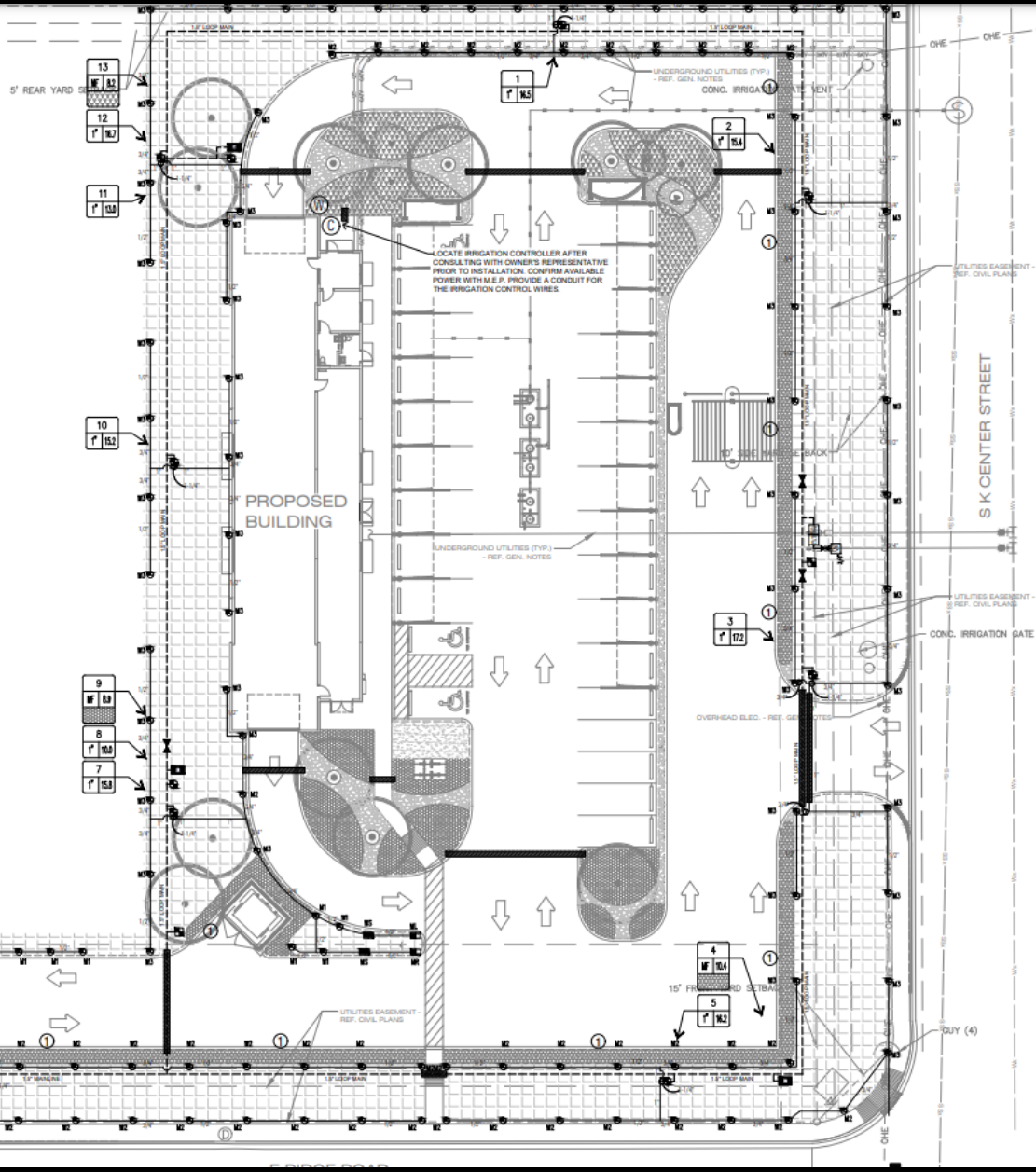


2 EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"





VICINITY MAP (N.T.S.)





City of McAllen

Planning Department

311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)
SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name <u>KAMARY SUBDIVISION</u>	
	Location <u>NWC WARR RD & SH. 107</u>	
	City Address or Block Number <u>4000 SH 107</u>	
	Number of Lots <u>1</u>	Gross Acres <u>1.90</u> Net Acres <u>1.43</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Existing Zoning <u>C-3L</u> Proposed Zoning <u>C-3L</u> Rezoning Applied for <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____	
	Existing Land Use <u>OPEN</u> Proposed Land Use <u>COMM. STORE.</u> Irrigation District # <u>UNITED</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <input checked="" type="checkbox"/> Residential _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>1500⁰⁰</u>	
	Parcel # <u>1015049</u> Tax Dept. Review <u>1015049</u>	
	Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>1.90 A/C o/o LOT 108, PRIDE O TEXAS SUBD. H.C.T</u>		
Owner	Name <u>ADOLFO GUTIERREZ</u>	Phone <u>956-791-2265</u>
	Address <u>811 E. CALTON RD.</u>	E-mail <u>ADOLFO@FALCONBANK.COM</u>
	City <u>LAREDO</u>	State <u>TX</u> Zip <u>78041</u>
Developer	Name <u>SAME AS OWNER</u>	Phone _____
	Address _____	E-mail _____
	City _____	State _____ Zip _____
	Contact Person _____	
Engineer	Name <u>DAVID O. SALINAS</u>	Phone <u>956-682-9081</u>
	Address <u>2221 DAFFODIL AVE</u>	E-mail <u>D.SALINAS@SALINASENGINEERING.COM</u>
	City <u>MCALLEN</u>	State <u>TX</u> Zip <u>78501</u>
	Contact Person _____	
Surveyor	Name _____	Phone _____
	Address _____	E-mail _____
	City _____	State _____ Zip _____

ENTERED

OCT 12 2022

Initial: DM

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blue-line copies 2 Location Maps
- 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blue-line prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

Email Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- Survey
- Location Map
- Plat & Reduced P
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

- Metes and bounds
- Lots numbered with dimensions and area of irregular lots noted Surrounding platted lots and/or lot lines for unsubdivided tracts
- Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
- North arrow, scale and vicinity map
- Name & dimension of adjoining street ROWs (total width & width from centerline)

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission and PDF files can be submitted via email at subdivisions@mcallen.net

Owners Signature

I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____

Date 10-11-22

Print Name _____

DAVID O. SALINAS

Owner ☐

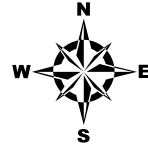
Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application

LOCATION

-20

WARE RD



ESCABA, I
VACANT 109-00
3900

S.H. 107

-10
3921

-00
3901

-00
3817

-10
3805

10

-20
11600

-22
11500

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11421

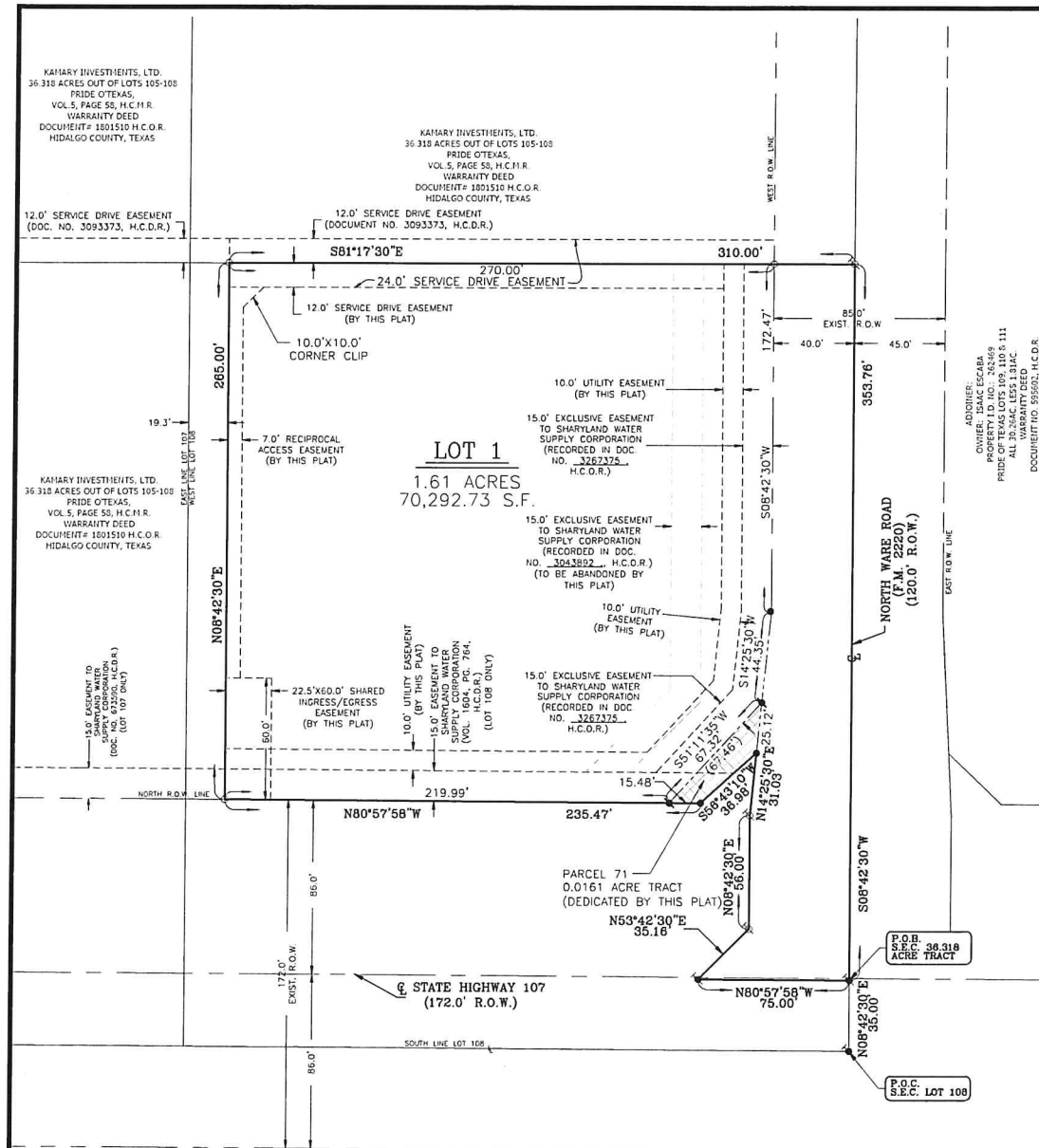
-10
11408

SUBDIVISION

ERICA SUBDIVISION
LOT 1

130

OF TEXAS



SCALE: 1" = 40'

LEGEND

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD WITH YELLOW CAP MARKED "SEA 5782"
- FOUND 5/8" IRON ROD WITH 3 1/4" ALUMINUM DISK
- FOUND NAIL
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT OF WAY
- H.C.D.R. HIDALGO COUNTY DEED RECORDS
- H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS
- H.C.M.R. HIDALGO COUNTY MAP RECORDS

GENERAL PLAT NOTES:

- MINIMUM SETBACK LINE ON STATE HIGHWAY 107= 75.0' OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. MINIMUM SETBACK LINE ON WARE ROAD (F.M. 2220) = 75.0' OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. OTHER SETBACK IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
- LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "X" ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED 06/06/2000, COMMUNITY PANEL NO. 480334 0295 D
- MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE 20.0 INCHES ABOVE THE TOP OF THE CENTER OF THE WEST BOUND LANE OF S.H. 107.
- A 5.0' WIDE MINIMUM SIDEWALK IS REQUIRED ON N. WARE ROAD AND STATE HIGHWAY 107.
- THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF 12,484.15 CUBIC-Feet, OR, 0.29 ACRE-Feet OF DRAINAGE RUNOFF VOLUME.
- THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY EASEMENTS SHALL BE PROHIBITED.
- NO POTABLE DRINKING WATER WELL IS LOCATED WITHIN 150.0 FEET FROM THIS SUBDIVISION.
- 6' BUFFER IS REQUIRED ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/ USES. AN 8' MASONRY BUFFER IS REQUIRED BETWEEN SINGLE-FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/ USES.
- SITE PLAN MUST BE APPROVED BY PLANNING & ZONING COMMISSION PRIOR TO ISSUANCE OF BUILDING PERMIT
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- MCALLEN SURVEY CONTROL POINT NO. 33, LOCATED ON THE EAST BOUND LANE OF WARE ROAD 54 FT EAST OF THE EDGE OF PAVEMENT OF WARE ROAD AND 195 FT NORTH FROM THE CENTER LINE OF THE WATER TREATMENT PLANT DRIVEWAY MC 33 ELEVATION 118.60 FT.
- ALL SHARYLAND WATER SUPPLY CORPORATION EASEMENTS ARE EXCLUSIVE. NO OTHER USE OF THE EASEMENT IS PERMITTED WITHOUT THE EXPRESS WRITTEN APPROVAL OF SHARYLAND WATER SUPPLY CORPORATION.
- SHARED ACCESS IS BEING PROVIDED AT THE SOUTHWEST CORNER OF LOT 1 AS SHOWN BETWEEN LOT 1 AND THE ADJOINING PROPERTY TO THE WEST. ALL ACCESS EASEMENT(S) SHALL BE MAINTAINED BY PROPERTY OWNERS.

SHARYLAND CONDITIONAL APPROVAL:

I, SHERILYN DAHLBERG, HEREBY CONDITIONALLY CERTIFY THAT POTABLE WATER SERVICE IS AVAILABLE FOR THE KAMARY SUBDIVISION LOCATED AT MCALLEN, IN HIDALGO COUNTY, TEXAS, SUBJECT TO THE SUBDIVISION'S POTABLE WATER SYSTEM MEETING THE APPROVAL OF THE DEVELOPER'S DESIGN ENGINEER, ALL APPLICABLE RULES AND REGULATIONS OF SHARYLAND WATER SUPPLY CORPORATION, AND LOCAL, STATE, AND FEDERAL AGENCIES.

DEVELOPER AND ITS DESIGN ENGINEER SHALL BEAR FULL RESPONSIBILITY TO ENSURE THAT THE ABOVE REFERENCED POTABLE WATER SYSTEM IS CONSTRUCTED WITHIN THE DESIGNATED SHARYLAND WATER SUPPLY CORPORATION EXCLUSIVE EASEMENT.

SHERILYN DAHLBERG
GENERAL MANAGER
SHARYLAND WATER SUPPLY CORPORATION

DATE

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS DAY OF A.D. 2022. HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT OF THIS SUBDIVISION. IF DESIRED, THIS WILL NOT BE AT DISTRICTS EXPENSE.

SECRETARY

PRESIDENT

STATE OF TEXAS
COUNTY OF HIDALGO

I (WE) THE UNDERSIGNED OWNER (S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE KAMARY SUBDIVISION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER-COURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

OWNER: KAMARY INVESTMENTS, LTD.
ADOLFO GUTIERREZ, PRESIDENT
7718 McPHERSON RD. BLDG. F
LAREDO, TEXAS 78045

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ADOLFO GUTIERREZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY OF 2022.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES.

STATE OF TEXAS
CITY OF MCALLEN

I THE UNDERSIGNED, MAYOR OF THE CITY MCALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEREIN MY APPROVAL IS REQUIRED.

MAYOR

DATE

STATE OF TEXAS
CITY OF MCALLEN

I, THE UNDERSIGNED CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRPERSON
PLANNING AND ZONING COMMISSION

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

I, DAVID OMAR SALINAS, P.E., A REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, REGISTRATION NUMBER TX 71973, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

DAVID OMAR SALINAS, P.E.
REG. PROFESSIONAL ENGINEER #71973

STATE OF TEXAS
COUNTY OF HIDALGO

I, DAVID O. SALINAS, THE UNDERSIGNED A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND

DAVID O. SALINAS, R.P.L.S.
REG. PROFESSIONAL LAND SURVEYOR #5782

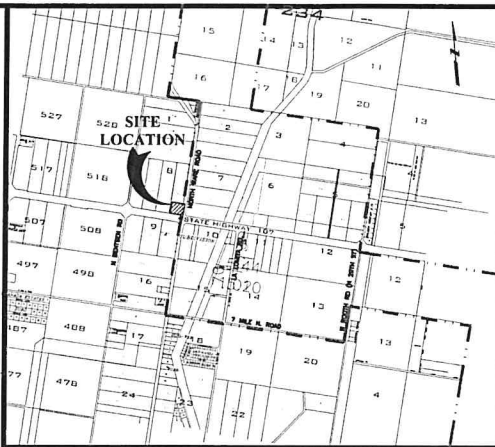
APPROVED BY DRAINAGE DISTRICT:

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

RAUL E. SESIN, P.E., C.F.M.
GENERAL MANAGER

DATE



LOCATION MAP

SCALE: 1" = 2000'

METES AND BOUNDS DESCRIPTION

BEING A 1.99 GROSS ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF THAT CERTAIN 36.318 GROSS ACRE TRACT OUT OF A PORTION OF LOTS 105, 106, 107 AND 108, PRIDE OF TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 05, PAGE 58, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 1.99 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A NAIL FOUND ON THE SOUTHEAST CORNER OF SAID LOT 108 LOCATED WITHIN THE RIGHT-OF-WAY OF STATE HIGHWAY (S.H.) 107; THENCE, AS FOLLOWS:

NORTH 08 DEGREES 42 MINUTES 30 SECONDS EAST, COINCIDENT WITH THE EAST LINE OF SAID LOT 108, A DISTANCE OF 35.0 FEET TO A NAIL FOUND FOR THE SOUTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

(1) THENCE, NORTH 80 DEGREES 57 MINUTES 58 SECONDS WEST, COINCIDENT WITH A SOUTHERN LINE OF SAID 36.318 ACRE TRACT AND BEING ALONG A LINE PARALLEL TO THE NORTH RIGHT-OF-WAY OF SAID S.H. 107, A DISTANCE OF 75.0 FEET TO A NAIL FOUND WITHIN THE RIGHT-OF-WAY OF SAID S.H. 107 FOR AN OUTSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;

(2) THENCE, NORTH 53 DEGREES 42 MINUTES 30 SECONDS EAST, A DISTANCE OF 35.16 FEET TO A NAIL SET FOR AN INSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;

(3) THENCE, NORTH 08 DEGREES 42 MINUTES 30 SECONDS EAST, ALONG A LINE PARALLEL TO THE EAST LINE OF SAID LOT 108, A DISTANCE OF 56.0 FEET TO A NAIL SET FOR AN INSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;

(4) THENCE, NORTH 14 DEGREES 25 MINUTES 30 SECONDS EAST, A DISTANCE OF 31.03 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON THE NORTHEAST CORNER OF A 25.0 FOOT BY 25.0 FOOT CORNER CLIP, LOCATED ON THE WEST RIGHT-OF-WAY LINE OF SAID WARE ROAD FOR AN INSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;

(5) THENCE, SOUTH 56 DEGREES 43 MINUTES 10 SECONDS WEST, COINCIDENT WITH SAID CORNER CLIP BEING WITH THE SOUTH RIGHT-OF-WAY OF SAID S.H. 107, A DISTANCE OF 36.98 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND AT THE END OF SAID CORNER CLIP FOR AN OUTSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;

(6) THENCE, NORTH 80 DEGREES 57 MINUTES 58 SECONDS WEST, COINCIDENT WITH THE NORTH RIGHT-OF-WAY LINE OF SAID S.H. 107, A DISTANCE OF 235.47 FEET TO A 1/2 INCH DIAMETER IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(7) THENCE, NORTH 08 DEGREES 42 MINUTES 30 SECONDS EAST, ALONG A LINE PARALLEL TO THE EAST LINE OF SAID LOT 108, A DISTANCE OF 265.0 FEET TO A 1/2 INCH DIAMETER IRON ROD SET FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;

(8) THENCE, SOUTH 81 DEGREES 17 MINUTES 30 SECONDS EAST, ALONG A LINE LOCATED AT A RIGHT ANGLE TO THE EAST LINE OF SAID LOT 108, A DISTANCE OF 235.0 FEET PASS THE PROPOSED WEST RIGHT-OF-WAY LINE OF SAID WARE ROAD, AT A DISTANCE OF 310.0 FEET IN ALL TO A NAIL SET ON INTERSECTION WITH THE EAST LINE OF SAID LOT 108 LOCATED WITHIN THE RIGHT-OF-WAY OF SAID WARE ROAD FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

(9) THENCE, SOUTH 08 DEGREES 42 MINUTES 30 SECONDS WEST, COINCIDENT WITH THE EAST LINE OF SAID LOT 108, A DISTANCE OF 353.76 FEET TO THE POINT OF BEGINNING, CONTAINING 1.99 GROSS ACRES OF LAND, MORE OR LESS

BEARING SOURCE: RECORDED PLAT OF PRIDE OF TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS.

KAMARY SUBDIVISION

PREPARED BY: SALINAS ENGINEERING & ASSOCIATES
DATE OF PREPARATION: JANUARY 17, 2022
JOB NUMBER: SP-12-22591
OWNER: KAMARY INVESTMENTS, LTD.
7718 McPHERSON RD. BLDG. F
LAREDO, TEXAS 78045

SEA

SALINAS ENGINEERING & ASSOCIATES

(P-6675) (TBPLS-10065700)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL AVE. MCALLEN, TEXAS 78501
(956) 682-9081 (956) 688-1489 (FAX)
TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78753 (512) 239-5263

PRINCIPAL CONTACTS

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: KAMARY INVESTMENTS, LTD.	7718 McPHERSON RD. BLDG. F	LAREDO, TEXAS 78045	(956) 723-2265	(956) 723-2265
ENGINEER: DAVID O. SALINAS	2221 DAFFODIL AVE.	MCALLEN, TEXAS 78501	(956) 682-9081	(956) 688-1489
SURVEYOR: DAVID O. SALINAS	2221 DAFFODIL AVE.	MCALLEN, TEXAS 78501	(956) 682-9081	(956) 688-1489



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 12/29/2022

SUBDIVISION NAME: KAMARY SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

S.H. 107: 86 ft. from centerline for 172 ft. ROW existing
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 required prior to recording.

N. Ware Road: 35 ft. ROW dedication required for 75 ft. from centerline for 150 ft. ROW
Paving: by the state Curb & gutter: by the state
Revisions needed:
- Please indicate how existing ROW has been dedicated on plat prior to recording.
**Engineer submitted documentation stating TXDot is not requiring additional dedication on the west side of Ware Road. As per TXDot response, additional ROW to be acquired for the required total 150 ft. widening from the property on the east side.
**Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan
**Monies must be escrowed if improvements are required prior to recording.

Paving _____ Curb & 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

* 900 ft. Block Length for R-3 Zone Districts
**Subdivision Ordinance: Section 134-118

* 600 ft. Maximum Cul-de-Sac
**Subdivision Ordinance: Section 134-105

Applied

Required

Applied

NA

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
Revisions need:
- Provide plat note indicating private service drive easement will be maintained by the lot owners and not the City of McAllen prior to recording.
- Temporary turn around must be provided at the west end of the private service drive easement to prohibit a dead-end prior to recording. Private Service drive easement to continue westward at such time the adjacent property develops.
* 24 ft. private service drive proposed, in lieu of a public alley. 12 ft. of the drive will be by this plat and the balance to be dedicated by separate instrument.
**Subdivision Ordinance: Section 134-106

Required

These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

SETBACKS	
Front: * S.H. 107 - Proposing: 75 ft. or greater for approved site plan or easements * N. Ware Road (FM 2220) - Proposing: 75 ft. or greater for approved site plan or easements **Zoning Ordinance: Section 138-356	Applied
* Rear: In accordance with the Zoning Ordinance, or greater for approved site plan or easements. **Zoning Ordinance: Section 138-356	Applied
* Sides: In accordance with the Zoning Ordinance, or greater for approved site plan or easements. **Zoning Ordinance: Section 138-356	Applied
* Corner **See Front setback above. **Zoning Ordinance: Section 138-356	Applied
* Garage **Zoning Ordinance: Section 138-356	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 5 ft. wide minimum sidewalk required on S. H. 107 and N. Ware Road. ** 5 ft. wide sidewalk required along S. H. 107 and N. Ware Road as per Engineering Department. **Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy	TBD
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **Proposing plat note #9: Site plan must be approved by Planning & Zoning Commission prior to issuance of building permit. **As per Engineer, plat note #9 to remain.	Applied
* Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied

These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

<ul style="list-style-type: none"> * 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 private 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. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	NA
	NA
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets **Subdivision Ordinance: Section 134-1 	Compliance
<ul style="list-style-type: none"> * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: C-3 Proposed: C-3 ***Zoning Ordinance: Article V 	Compliance
<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V 	Compliance
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. 	NA
<ul style="list-style-type: none"> * Park Fee of \$700 per lot/dwelling unit to be paid prior to recording 	NA
<ul style="list-style-type: none"> * Pending review by the Parkland Dedication Advisory Board and CC. 	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation approved, no TIA is required. 	Compliance
<ul style="list-style-type: none"> * Traffic Impact Analysis (TIA) required prior to final plat. 	NA
COMMENTS	
<p>Comments:</p> <ul style="list-style-type: none"> *Must comply with City's Access Management Policy. **Site plan must be approved by staff and PZ prior to building permit issuance. **Must comply with Traffic Department requirements. **Developer/Engineer proposing a 7 ft. Reciprocal Access Easement and 10 ft. by 10 ft. Corner Clip on the northeast corner shown plat. Please revise plat note #13 to include the 7 ft. Reciprocal Access Easement and that it will be maintain by the lot owners and not the city of McAllen. 	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.</p>	Applied

These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

LOCATION

WARE RD



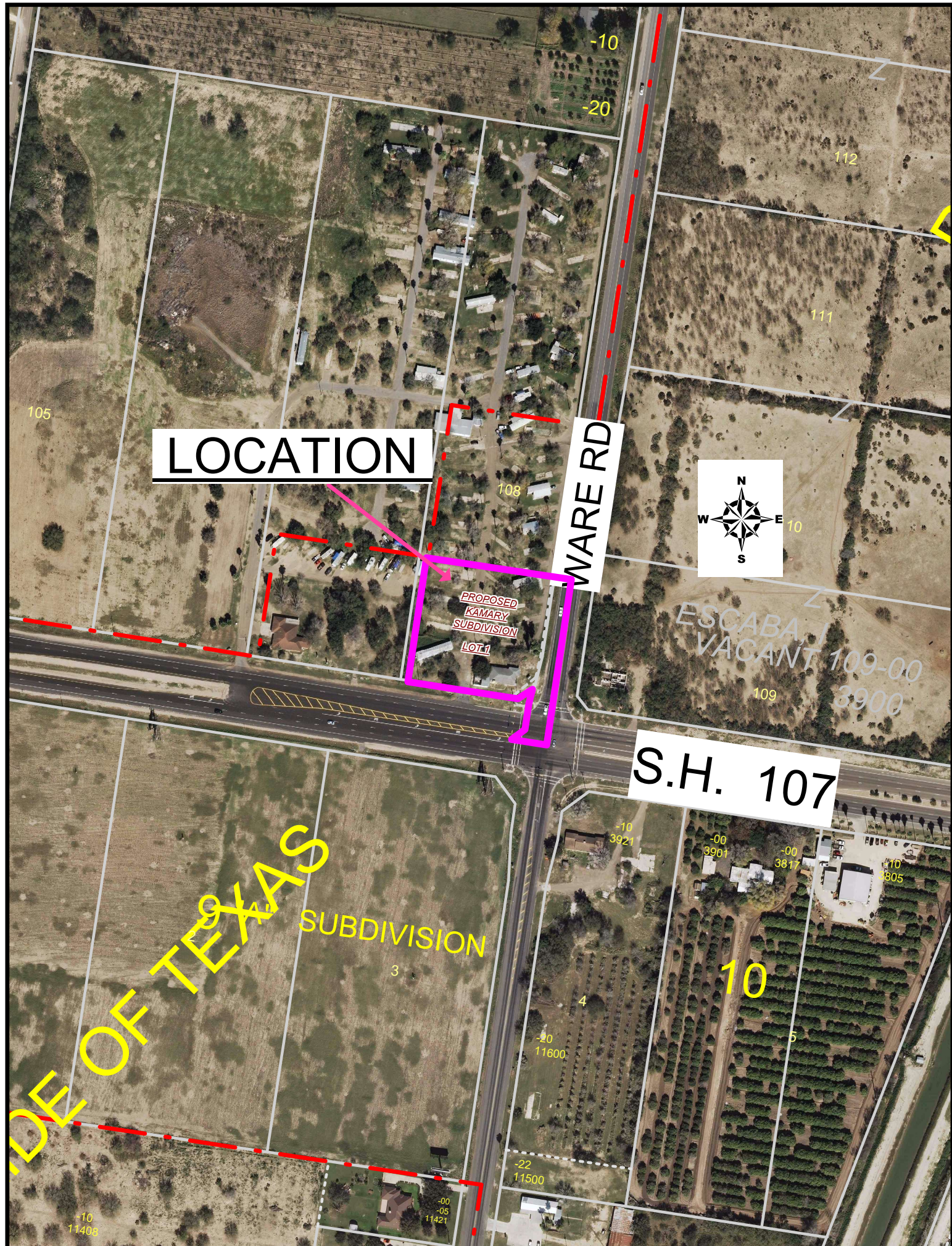
S.H. 107

PROPOSED
KAMARY
SUBDIVISION
LOT 1

ESCABA, J
VACANT 109-00
3900

SUBDIVISION

IDE OF TEXAS



Sub2022-0119



City of McAllen

Planning Department

311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)
SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name <u>KAMARU II SUBDIVISION</u>	
	Location <u>NWC WARE RD. & SH 107</u>	
	City Address or Block Number <u>4200 SH 107</u>	
	Number of Lots <u>1</u> Gross Acres <u>1.06</u> Net Acres <u>1.06</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>C-3L</u> Proposed Zoning <u>C-3L</u> Rezoning Applied for <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____	
	Existing Land Use <u>OPEN</u> Proposed Land Use <u>COMM</u> Irrigation District # <u>UNITED</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <input checked="" type="checkbox"/> Residential _____	
	Agricultural Exemption <input type="checkbox"/> Yes <input type="checkbox"/> No Estimated Rollback Tax Due <u>1500</u> [¢]	
	Parcel # <u>1237266</u> Tax Dept. Review <u>1237266</u>	
	Water CCN <input type="checkbox"/> MPU <input checked="" type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>1.06 AC 0/0 PARTS OF LOTS 107 & 108, PRIDE O' TEXAS</u>		
Owner	Name <u>ADOLFO GUTIERREZ</u>	Phone <u>956-763-1825</u>
	Address <u>811 E CALTON RD</u>	E-mail <u>ADOLFO@FALCONBANK.COM</u>
	City <u>LAREDO</u>	State <u>TX</u> Zip <u>78041</u>
	City _____ State _____ Zip _____	
Developer	Name <u>SAME AS OWNER</u>	Phone _____
	Address _____	E-mail _____
	City _____	State _____ Zip _____
	Contact Person _____	
Engineer	Name <u>DAVID O. SALINAS</u>	Phone <u>956-682-9081</u>
	Address <u>2221 DAFFODIL AVE</u>	E-mail <u>DSALINAS@SALINASENGINEERING.COM</u>
	City <u>MCALLEN</u>	State <u>TX</u> Zip <u>78501</u>
	Contact Person <u>DAVID SALINAS</u>	
Surveyor	Name _____	Phone _____
	Address _____	E-mail _____
	City _____	State _____ Zip _____
	City _____ State _____ Zip _____	

ENTERED

OCT 12 2022

Initial: DM

L.G.

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blue line copies 2 Location Maps
- 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blue line prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

Email Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- Survey
- Location Map
- Plat & Reduced P
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

- Metes and bounds
- Lots numbered with dimensions and area of irregular lots noted Surrounding platted lots and/or lot lines for unsubdivided tracts
- Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
- North arrow, scale and vicinity map
- Name & dimension of adjoining street ROWs (total width & width from centerline)

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission and PDF files can be submitted via email at subdivisions@mcallen.net

Owners Signature

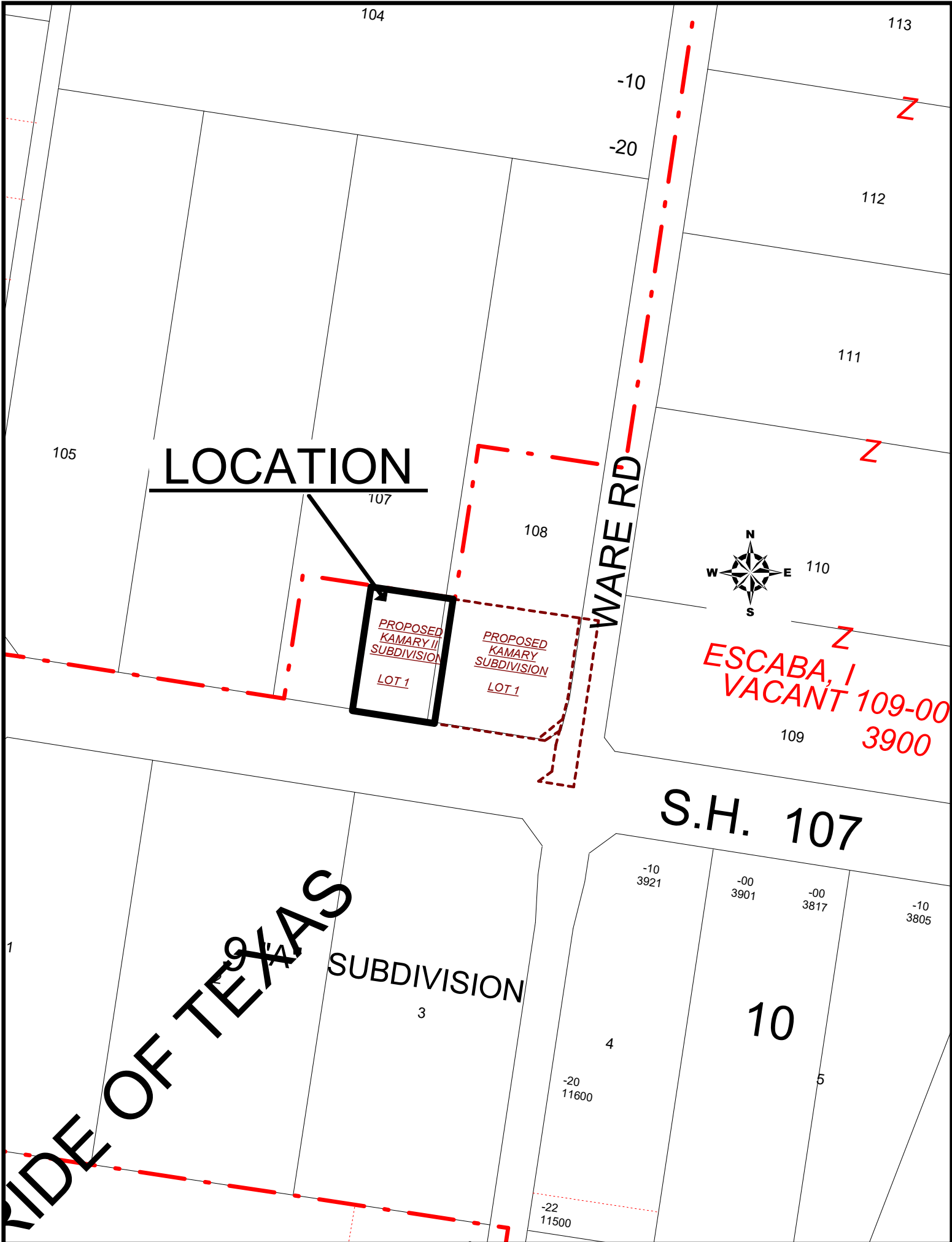
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

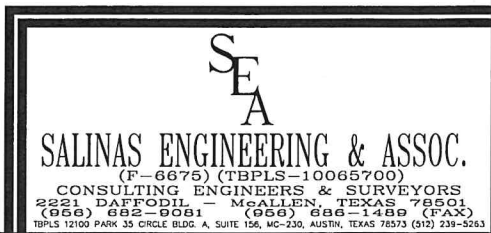
Signature  Date 10-11-22

Print Name DAVID A SKINAS

Owner ☐ Authorized Agent ☒

The Planning Department is now accepting DocuSign signatures on application







City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 12/29/2022

SUBDIVISION NAME: KAMARY II SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

S.H. 107: 86 ft. from centerline for 172 ft. ROW existing
 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 required prior to recording.

Applied

Paving _____ Curb & gutter _____
 **Subdivision Ordinance: Section 134-105
 **Monies must be escrowed if improvements are required prior to recording.
 **COM Thoroughfare Plan

Applied

* 1,200 ft. Block Length
 **Subdivision Ordinance: Section 134-118
 * 900 ft. Block Length for R-3 Zone Districts
 **Subdivision Ordinance: Section 134-118
 * 600 ft. Maximum Cul-de-Sac
 **Subdivision Ordinance: Section 134-105

NA

NA

NA

ALLEYS

ROW: 20 ft. Paving: 16 ft.
 Revisions need:
 - Provide plat note indicating private service drive easement will be maintained by the lot owners and not the City of McAllen prior to recording.
 * 24 ft. private service drive proposed, in lieu of a public alley. 12 ft. of the drive will be by this plat and the balance to be dedicated by separate instrument.
 * Temporary turn around to be provided at the west end of the private service drive easement to prohibit a dead-end. Private Service drive easement to continue westward at such time the adjacent property develops.
 * Alley/service drive easement required for commercial properties
 **Subdivision Ordinance: Section 134-106

Required

SETBACKS

* Front: S. H. 107: Proposing: 75 ft. or greater for easements or site plan.
 **Zoning Ordinance: Section 138-356
 * Rear: In accordance with the Zoning Ordinance, or greater for approved site plan or easements.
 **Zoning Ordinance: Section 138-356
 * Sides: In accordance with the Zoning Ordinance, or greater for approved site plan or easements.
 **Zoning Ordinance: Section 138-356
 * Corner
 **Zoning Ordinance: Section 138-356

Applied

Applied

Applied

NA

These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

* Garage **Zoning Ordinance: Section 138-356 *ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	NA
	Applied
SIDEWALKS	
* 5 ft. wide minimum sidewalk required on S. H. 107. **5 ft. sidewalk required along S. H. 107 as per Engineering Department. **Subdivision Ordinance: Section 134-120 * Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
	Required
BUFFERS	
* 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.	Applied
	Applied
	Required
NOTES	
* No curb cut, access, or lot frontage permitted along **Must comply with City Access Management Policy * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. **Proposing plat note #9: Site plan must be approved by Planning & Zoning Commission prior to issuance of building permit. **As per Engineer, plat note #9 to remain. * Common Areas, any private streets/drives, gate areas, 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. * 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 private 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. **Section 110-72 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	TBD
	Applied
	Applied
	Applied
	Applied
	NA
LOT REQUIREMENTS	NA
* Lots fronting public streets **Subdivision Ordinance: Section 134-1 * Minimum lot width and lot area **Zoning Ordinance: Section 138-356	Compliance
	Compliance

These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

ZONING/CUP	
* Existing: C-3 Proposed: C-3 ***Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval ***Zoning Ordinance: Article V	Compliance
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation approved and no TIA is required.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy. **Site plan must be approved by staff prior to building permit issuance. **Must comply with Traffic Department requirements. **Developer/Engineer proposing a 7 ft. Reciprocal Access Easement and 10 ft. by 10 ft. Corner Clip on the northeast corner shown plat. Please revise plat note #13 to include the 7 ft. Reciprocal Access Easement and that it will be maintain by the lot owners and not the city of McAllen.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

LOCATION

WARE RD

S.H. 107



PROPOSED
KAMARY III
SUBDIVISION
LOT 1

PROPOSED
KAMARY
SUBDIVISION
LOT 1

ESCABA /
VACANT 109-00
3900

SUBDIVISION

IDE OF TEXAS

10

SUB2022-0079



Planning Department

311 NORTH 15TH STREET • (956) 681-1250 • (956) 681-1279 (fax)
SUBDIVISION PLAT REVIEW APPLICATION

Project Information	Subdivision Name <u>Dove Meadows Subdivision</u>	
	Location <u>Southwest corner of Dove Avenue and Bentsen Road</u>	
	City Address or Block Number <u>5317 N. BENTSEN RD</u>	
	Number of Lots <u>45</u> Gross Acres <u>9.95</u> Net Acres <u>9.81</u> ETJ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Existing Zoning <u>C-1/C-2</u> Proposed Zoning <u>R1</u> Rezoning Applied for <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>7/6/22</u> Single	
	Existing Land Use <u>Open</u> Proposed Land Use <u>Family</u> Irrigation District # <u>United</u>	
	Replat <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Commercial <input type="checkbox"/> Residential <input checked="" type="checkbox"/>	
	Agricultural Exemption <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Estimated Rollback Tax Due <u>NO</u> (mc)	
	Parcel # _____ Tax Dept. Review _____	
	Water CCN <input checked="" type="checkbox"/> MPU <input type="checkbox"/> Sharyland Water SC Other _____	
Legal Description <u>9.95 Acres out Lot 348, John H. Shary Subdivision as recorded in Volume 1, Page 17</u> Hidalgo County Map Records.		
Owner	Name <u>Riverside Development Services, LLC</u> Phone <u>(956) 331-8987</u>	
	Address <u>2606 Zinnia Avenue</u> E-mail <u>riversidedevelopmentservices@gmail.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
Developer	Name <u>Riverside Development Services, LLC</u> Phone <u>(956) 331-8987</u>	
	Address <u>2606 Zinnia Avenue</u> E-mail <u>riversidedevelopmentservices@gmail.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
	Contact Person <u>Antonio M. Aguirre, Jr.</u>	
Engineer	Name <u>Javier Hinojosa Engineering</u> Phone <u>(956) 668-1588</u>	
	Address <u>416 E. Dove Avenue</u> E-mail <u>javier@javierhinojosaeng.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>	
	Contact Person <u>Javier Hinojosa, P.E.</u>	
Surveyor	Name <u>CVQ Land Surveyors, LLC</u> Phone <u>(956) 618-1551</u>	
	Address <u>517 Beaumont Avenue</u> E-mail <u>cvq@cvqlandsurvey.com</u>	
	City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>	

JUL 07 2022

BY:

CW

Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

In Person Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- 8 ½" by 11" Original Sealed Survey showing existing structures/easements or 3 blue-line copies 2 Location Maps
- 2 8 ½" by 11" copies/legible copies of plat with name & north arrow
- 6 Folded blue-line prints of the proposed plat
- 2 Warranty Deeds (identifying owner on application)
- AutoCAD 2005 DWG file and PDF of plat
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation (if applicable)

Email Submittal Requirements

- \$225 Preliminary Review Fee and \$75 Final Approval Fee (Both fees can be combined in one payment)
- Title Report
- Survey
- Location Map
- Plat & Reduced P
- Warranty Deed
- DWG File
- Letter of Authorization from the owner (if applicable)
- Proof of authority of person signing application on behalf of partnership/corporation, if applicable

Documents must be submitted in PDF format. No scanned documents

*Please submit documents to subdivisions@mcallen.net

ORIGINAL APPLICATION & FEE MUST BE SUBMITTED IN PERSON

PLAT TO SHOW:

- Metes and bounds
- Lots numbered with dimensions and area of irregular lots noted Surrounding platted lots and/or lot lines for unsubdivided tracts
- Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines
- North arrow, scale and vicinity map
- Name & dimension of adjoining street ROWs (total width & width from centerline)

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission and PDF files can be submitted via email at subdivisions@mcallen.net

Owners Signature

I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature  Date 7-6-2022

Print Name Antonio M. Aguirre, Jr.

Owner ☒ Authorized Agent ☐

The Planning Department is now accepting DocuSign signatures on application

VAR 2022-0031



City of McAllen

Planning Department

VARIANCE TO SUBDIVISION PROCESS APPLICATION

 311 North 15th Street
 McAllen, TX 78501
 P. O. Box 220

 McAllen, TX 78505-0220
 (956) 681-1250
 (956) 681-1279 (fax)

Project	Legal Description <u>9.95 Acres out of Lot 348, John H. shary Subdivision as recorded in Volume 1, Page 17, Hidalgo County Map Records.</u>
	Street Address <u>5517 N. Bentsen Road</u> Number of lots <u>45</u> Gross acres <u>9.95</u> Existing Zoning <u>C-2 & R-1</u> Existing Land Use <u>Open</u> <input type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required
Applicant	Name <u>Riverside Development Services, LLC</u> Phone <u>(956) 331-8987</u> Address <u>2606 Zinnia Avenue</u> E-mail <u>riversidedevelopmentservices@gmail.com</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>
Owner	Name <u>Riverside Development Services, LLC</u> Phone <u>(956) 331-8987</u> Address <u>2606 Zinnia Avenue</u> E-mail <u>riversidedevelopmentservices@gmail.com</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u></u> Date <u>10/24/2022</u> Print Name <u>Antonio M. Aguirre, Jr.</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent
Office	*FOR OFFICE USE ONLY* APPLICATION FILING FEE: <input type="checkbox"/> \$250.00 Accepted by _____ Payment received by _____ Date <u>OCT 25 2022</u> Rev 06/21 BY: <u>CW NM</u>



City of McAllen

Planning Department

REASON FOR APPEAL

Notes: As per McAllen Code of Ordinances Sec. 134-6, financial hardships alone are **not** an eligible standing for a variance. Please submit for consideration and review any combination of the following: *(If necessary, please use an additional page to complete responses)*

**Information provided here by the applicant does not guarantee that the Commission will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

Reason for Appeal

1. Describe the special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

Dove Avenue is currently a 70' R.O.W. (52' b-b) installed approx. 15 years ago along with the Sharyland Junior High School

across the street. The master plan calls for a 150' R.O.W. Having to dedicate additional R.O.W. does not make sense.

The McAllen city limits line lays 1/4 mile to the west. To the east, the existing R.O.W. west of Ware Road is 70 feet.

Dedicating additional R.O.W. lessens the depth of proposed lots and thus makes the lots less desirable.

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.

With the variance of no additional R.O.W., the developer will be able to have more desirable lots along with larger homes.

Larger lots and homes equals a higher tax evaluation for the City.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

Currently, there is 9.9 feet of parkway between the back of curb and the current R.O.W. line. This is an adequate amount

to install a 5-foot sidewalk and therefore should not effect the public health or safety.

4. Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

With the school being across the street, the only land that has not been developed is the 40 acre tract immediate to the

west of this Subdivision. This should not effect that tract of land as Dove Avenue does not show an extension west of

Taylor Road on the Master Thoroughfare Plan.

JAVIER HINOJOSA ENGINEERING/Consulting Engineers

416 E. Dove Avenue • McAllen, Texas 78504

Tel: (956) 668-1588

javier@javierhinojosaeng.com

TBPELS FIRM NO. F-1295

September 1, 2022

Jose Humberto De La Garza, Development Coordinator
City of McAllen
311 N. 15th Street
McAllen, TX 78501

Re: Dove Meadows Subdivision

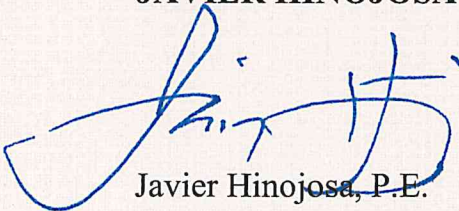
Dear Beto,

Please accept this letter as our request on behalf of the Developer of the Dove Meadows Subdivision for a variance to the City's requested right of way along Dove Avenue. We are requesting that the existing 70 feet of right of way remain in place as the existing roadway cross section of Dove Avenue has been fully completed. This type of right of way exists throughout Dove Avenue extending east within the City. In addition, Dove Avenue currently ends at Taylor Road which is a ¼ mile west of our property and is also McAllen's City limit line. I am attaching the subdivision plat for your use in this matter.

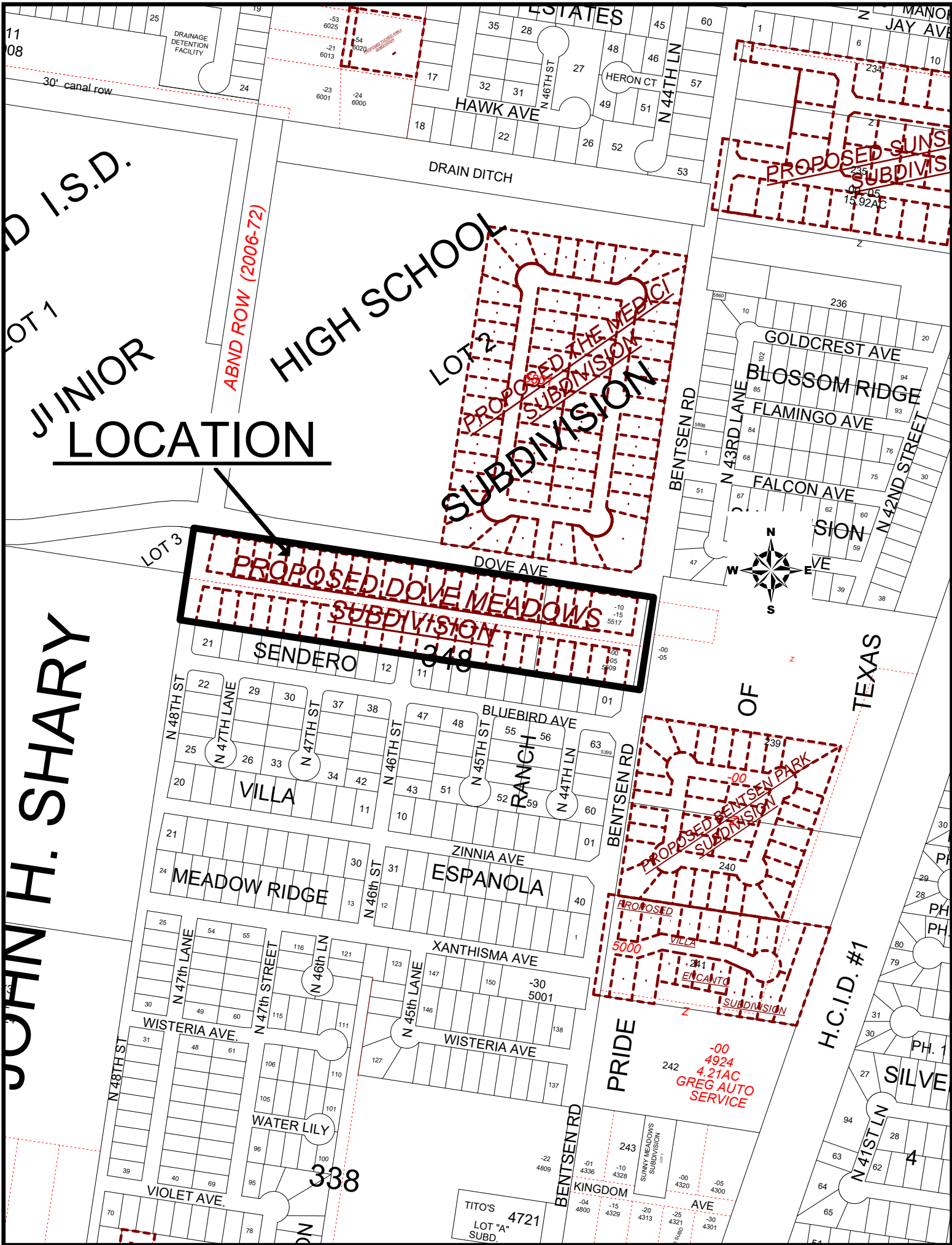
If you have any questions or require further information, please feel free to contact me.

Sincerely,

JAVIER HINOJOSA ENGINEERING



Javier Hinojosa, P.E.



A TRACT OF LAND CONTAINING 9.95 ACRES OF LAND, SITUATED IN HIDALGO COUNTY, TEXAS, BEING PART OR PORTION OF LOT 348, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, MAP REFERENCE: VOLUME 1, PAGE 17, MAP RECORDS.

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS DOVE MEADOWS SUBDIVISION PLAT, AN ADDITION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATED TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, SEWER LINES, WATER COURSES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH WE WILL BE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

STATE OF TEXAS
COUNTY OF HIDALGO

THIS THE _____ DAY OF _____, 2022 A.D.

I, THE UNDERSIGNED MAYOR OF THE CITY OF MCALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

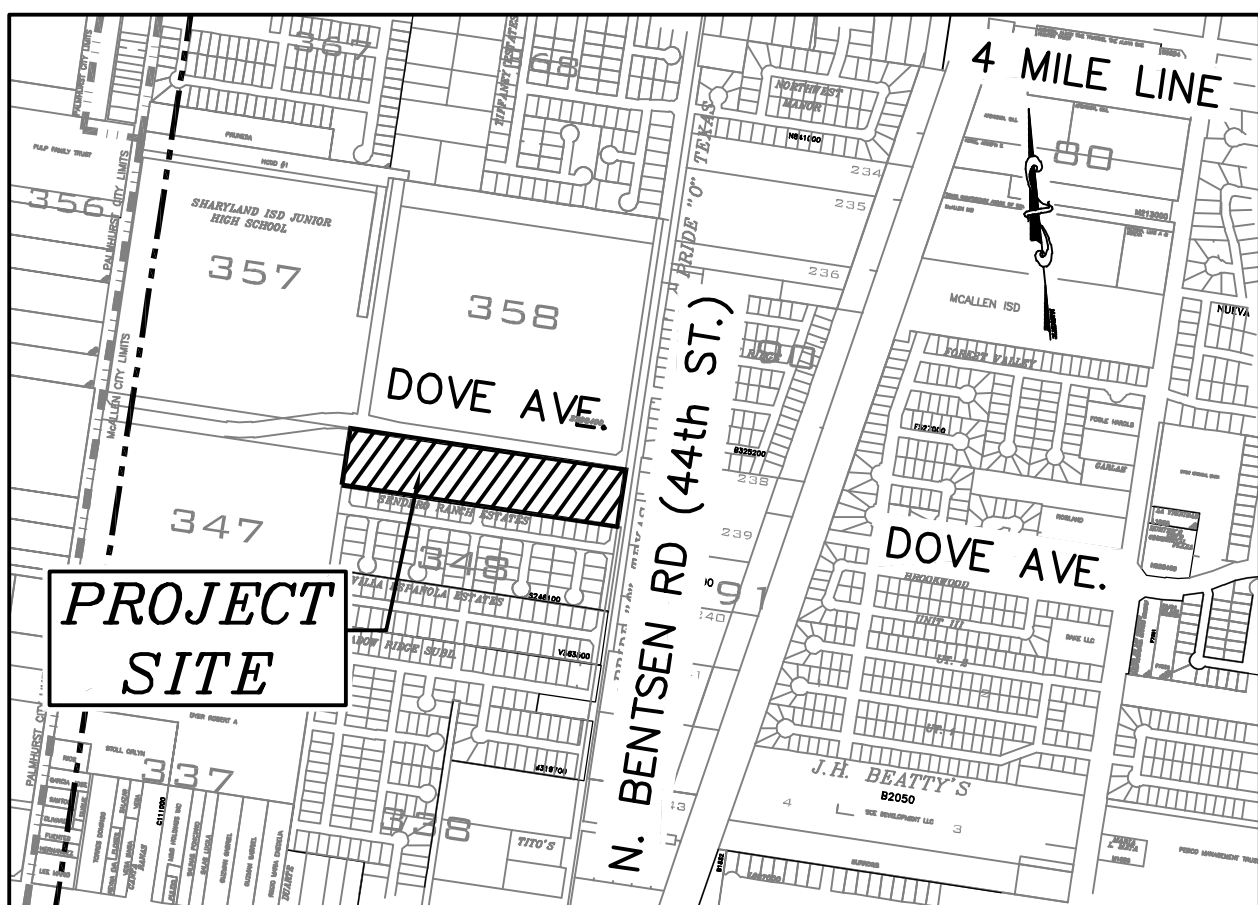
STATE OF TEXAS
COUNTY OF HIDALGO

I, JAVIER HINOJOSA, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

STATE OF TEXAS
COUNTY OF HIDALGO

I, CARLOS VASQUEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

CARLOS VASQUEZ, R.P.L.S.	DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4608	
C.V.Q. LAND SURVEYORS, LLC	
517 BEAUMONT AVE.	
McALLEN, TEXAS 78501	
TEL. (956) 618-1551	DATE SURVEYED:
TBPELS FIRM No. 10119600	03/09/2022



IRREGULAR LOTS		
LOT #	SQ. FT.	ACRES
1	9,271	0.21
11	9,737	0.22
12	7,266	0.17
22	7,310	0.17
33	7,457	0.17
34	6,865	0.16
45	7,621	0.18

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

RAUL E. SESIN, P.E., C.F.M. _____ DATE _____
GENERAL MANAGER

DATE OF PREPARATION: MARCH, 2022

DRAWN BY: P.GONZALEZ

METES AND BOUNDS

A TRACT OF LAND CONTAINING 9.95 ACRES OF LAND, SITUATED IN HIDALGO COUNTY, TEXAS, BEING PART OR PORTION OF LOT 348, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, MAP REFERENCE: VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS, SAID 9.95 ACRES BEING ALL THOSE TRACTS OF LAND DEEDED TO OSAMA B. NAHAS, RECORDED IN DOCUMENT NUMBER 1651186 AND DOCUMENT NUMBER 1966667, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND SAID 9.95 ACRES OF LAND ALSO BEING MORE PARTICULARLY AS FOLLOWS;

BEGINNING ON THE NORTHEAST CORNER OF SAID LOT 348, WITHIN BENTSEN ROAD RIGHT-OF-WAY, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 08° 34' 47" W, ALONG THE EAST LINE OF SAID LOT 348 WITHIN SAID BENTSEN ROAD RIGHT-OF-WAY, A DISTANCE E OF 295.72 (296.12) FEET TO THE NORTHEAST CORNER OF SENDERO RANCH ESTATES, MAP REFERENCE VOLUME 50, PAGE 121, MAP RECORDS, HIDALGO COUNTY, TEXAS, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 81° 20' 31" W, ALONG THE NORTH LINE OF SAID SENDERO RANCH ESTATES, AT A DISTANCE OF 20.00 FEET PASS THE WEST RIGHT-OF-WAY LINE OF SAID BENTSEN ROAD AND CONTINUING A TOTAL DISTANCE OF 1471.00 FEET, TO A ½" IRON ROD WITH A PLASTIC CAP STAMPED "CVO LS" SET ON THE NORTHWEST CORNER OF SAID SENDERO RANCH SUBDIVISION AND THE WEST LINE OF SAID LOT 348, FOR THE SOUTHWEST CORNER OF THIS TRACT

THENCE N 08° 34' 47" E, ALONG THE WEST LINE OF SAID LOR 348, A DISTANCE OF 293.71 (296.12) FEET TO AN IRON PIPE FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF DOVE AVENUE, FOR THE NORTHWEST CORNER HEREOF;

THENCE S 81° 25' 13" E, ALONG THE NORTH LINE OF SAID LOT 348 AND SOUTH RIGHT-OF-WAY LINE OF SAID DOV
AVENUE AT A DISTANCE OF 1126.78 FEET PASS A ½" IRON ROD FOUND, AND CONTINUING A TOTAL DISTANCE OF
1471.00 FEET TO THE POINT OF BEGINNING, CONTAINING 9.95 ACRES OF LAND, MORE OR LESS.

STATE OF TEXAS
COUNTY OF HIDALGO

WE, THE UNDERSIGNED, HOLDERS (OR DULY AUTHORIZED OFFICERS OF THE HOLDERS) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS DOVE MEADOWS SUBDIVISION OF THE CITY OF McALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATING OF THE PROPERTY AS PROVIDED FOR HEREIN.

SECURITY INTEREST HOLDER

SIGNATURE
BY: ADRIAN VILLARREAL, PRESIDENT
INTERNATIONAL BANK OF COMMERCE

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ADRIAN VILLARREAL, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE. THIS THE _____ DAY OF _____, 2022 A.D.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES ON:

FILE FOR RECORD IN
HIDALGO COUNTY
ARTURO GUAJARDO, JR.
HIDALGO COUNTY CLERK

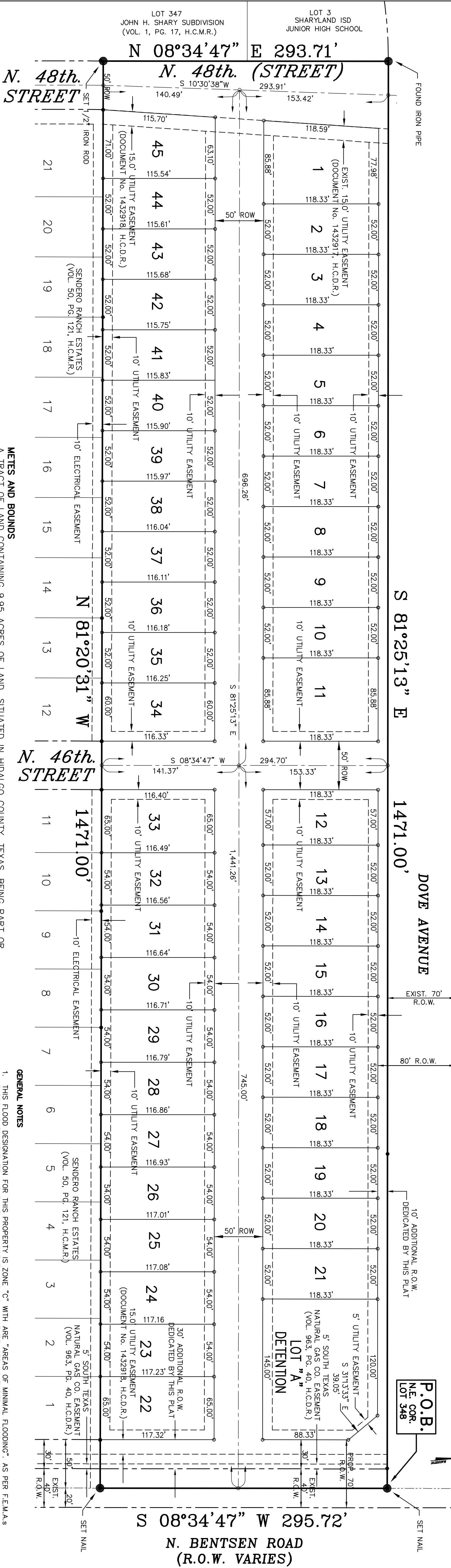
ON: _____ AT _____ AM/PM
INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS
BY: _____ DEPUTY _____

PRINCIPAL CONTACTS:			
NAME	ADDRESS	CITY & ZIP	PHONE #
OWNER: RIVERSIDE DEVELOPMENT SERVICES, LLC.	2606 ZINNIA AVENUE	MCALLEN, TX 78504	(956) 331-8987
ENGINEER: JAVIER HINAJOSA	416 E. DOVE AVENUE	MCALLEN, TX 78504	(956) 668-1588
SURVEYOR: CARLOS VASQUEZ	517 BEAUMONT AVE.	MCALLEN, TX 78501	(956) 618-1551

LOT 1
SHARTLAND ISD
JUNIOR HIGH SCHOOL

LOT 2
SHARYLAND ISD JUNIOR HIGH SCHOOL
(VOL. 48, Pg. 122, H.C.M.R.)

N. 48th STREET



S 81°25'13" E
1471.00'

DOVE AVENUE

10' ADDITIONAL R.O.W.
DEDICATED BY THIS PLAT

P.O.B.
NE COR.
LOT 348

A TRACT OF LAND CONTAINING 9.95 ACRES OF LAND, SITUATED IN HIDALGO COUNTY, TEXAS, BEING PART OR PORTION OF LOT 348, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, MAP REFERENCE: VOLUME 1, PAGE 17, MAP RECORDS.

SUBDIVISION PLAT OF DOVE MEADOWS SUBDIVISION

STATE OF TEXAS COUNTY OF HIDALGO

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS DOVE MEADOWS SUBDIVISION PLAT, AN ADDITION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATED TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, PLACES, WHICH CROSS, STATION OR CROSS, HEREIN, AND ALL PLACES, WHICH CROSS, STATION OR CROSS, HEREIN, WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

RIVERSIDE DEVELOPMENT SERVICES, LLC. DATE:

2606 ZINIA AVENUE
MCALLEN, TEXAS 78504
BY: ANTONIO M. AGUIRRE, JR., MEMBER

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY THE OWNER PERSONALLY APPEARED MR. ANTONIO M. AGUIRRE, JR. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED, ALL GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS THE _____ DAY OF _____, 2022 A.D.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES ON: _____

I, THE UNDERSIGNED MAYOR OF THE CITY OF MCALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

MAYOR, CITY OF MCALLEN DATE

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING COMMISSION DATE

STATE OF TEXAS COUNTY OF HIDALGO

I, JAVIER HINOJOSA, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

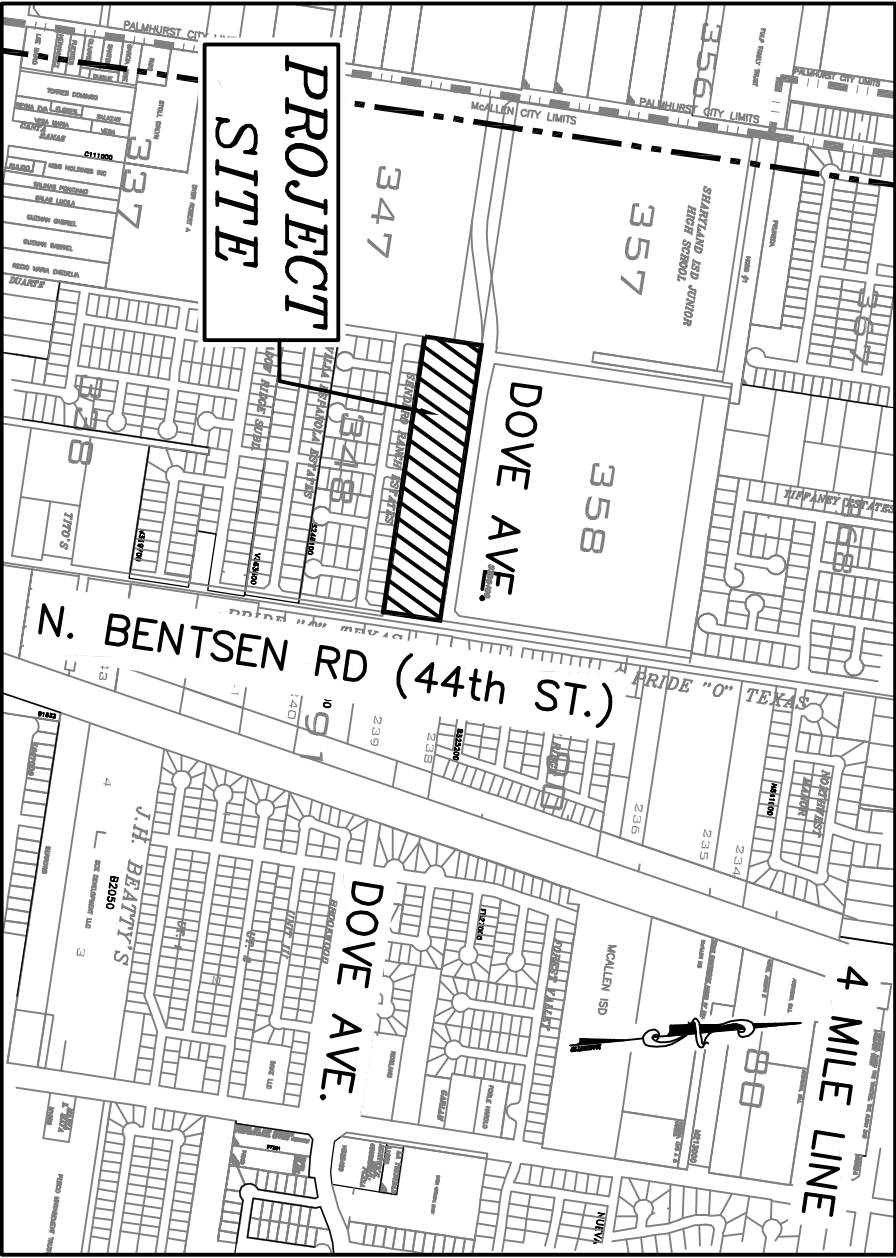
JAVIER HINOJOSA, P.E. DATE
REGISTERED PROFESSIONAL ENGINEER NO. 74808

STATE OF TEXAS COUNTY OF HIDALGO

I, CARLOS VASQUEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

CARLOS VASQUEZ, R.P.L.S. DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4608

C/O. LAND SURVEYORS, LLC
517 BEAUMONT AVE.
MCALLEN, TEXAS 78501
TEL. (956) 618-1551 DATE SURVEYED: 03/09/2022
TBPETS FIRM NO. 10119600



LOCATION MAP 1"=1000'

IRREGULAR LOTS		
LOT #	SQ. FT.	ACRES
1	9,271	0.21
11	9,737	0.22
12	7,266	0.17
22	7,310	0.17
33	7,457	0.17
34	6,865	0.16
45	7,621	0.18
LOT "A"	16,783	0.39

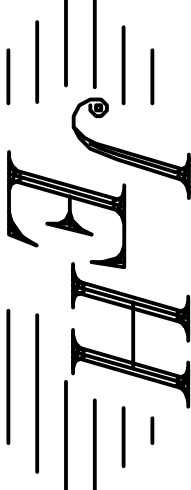
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

RAUL E. SESIN, P.E., C.F.M.
GENERAL MANAGER

DATE

DATE OF PREPARATION: MARCH, 2022

DRAWN BY: P.COONZALEZ



JAVIER HINOJOSA ENGINEERING

CONSULTING ENGINEERS

416 E. DOVE AVENUE MCALLEN, TEXAS 78504

PHONE (956) 688-1388

john@jovienhinojosaeng.com

TBPETS FIRM NUMBER F-1285

PRINCIPAL CONTACTS:		
NAME	ADDRESS	CITY & ZIP
OWNER: RIVERSIDE DEVELOPMENT SERVICES, LLC.	2606 ZINIA AVENUE	MCALLEN, TX 78504
ENGINEER: JAVIER HINOJOSA	416 E. DOVE AVENUE	MCALLEN, TX 78504
SURVEYOR: CARLOS VASQUEZ	517 BEAUMONT AVE.	MCALLEN, TX 78501

FILE FOR RECORD IN HIDALGO COUNTY CLERK		
ON: _____	AT _____	AM/PM
INSTRUMENT NUMBER _____		
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS		
BY: _____ DEPUTY		



FILE FOR RECORD IN
HIDALGO COUNTY CLERK



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 12/29/2022

SUBDIVISION NAME: DOVE MEADOWS SUBDIVISION

REQUIREMENTS

STREETS AND RIGHT-OF-WAYS

N. Bentsen Road: Dedication as needed for 100 ft. total ROW.

Paving: 65 ft. Curb & gutter: both sides

Revisions needed:

-Label centerline along N. Bentsen Road prior to recording.

-Label ROW dedications from centerline to new plat boundary, total, existing, etc., prior to recording.

-Provide Document Numbers on plat for existing ROW dedication and Documents, prior to recording.

-Staff is reviewing street alignment with the subdivisions to the north and south, ROW requirements are subject to change to match existing ROW and paving widths, finalize prior to recording.

-Finalize ROW requirements prior to recording.

*****Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

*****Monies must be escrowed if improvements are required prior to recording.

Dove Avenue: Dedication as needed for 75 ft. from centerline for 150 ft. total ROW.

Paving: 65 ft. min. Curb & gutter. both sides

Revisions needed:

- The Foresight Comprehensive Map called Dove Avenue to be 75 ft. from centerline for 150 ft. total ROW

- Subdivision initially submitted on July 7, 2022, proposed only an additional 10 ft. ROW.; however, on October 25, 2022, engineer submitted plat demonstrating existing 70 ft. ROW with no additional dedication.

- Label centerline along Dove Avenue., prior to recording.

- Provide Document Numbers on plat for existing ROW dedication and Documents, prior to recording.

**Engineer submitted a variance request to allow existing 70 ft. ROW with no additional dedication.

**As per Engineering Department, they are recommending disapproval of variance request to the 150 ft. ROW requirement for Dove Avenue and in lieu they are recommending for the additional 10 ft. ROW dedication to be dedicated. Plat would need to be revised accordingly prior to recording.

*****Subdivision Ordinance: Section 134-105 and/ or COM Thoroughfare Plan

*****Monies must be escrowed if improvements are required prior to recording.

N. 46th Street: Proposing 50 ft. total ROW.

Paving: 32 ft. Curb & gutter: Both Sides

Revisions needed:

-Verify street alignment with the subdivision the south, as ROW requirements are subject to change to match existing ROW and paving widths, finalize prior to recording.

***Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan

****Monies must be escrowed if improvements are required prior to recording.

Required

Required

Required

These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

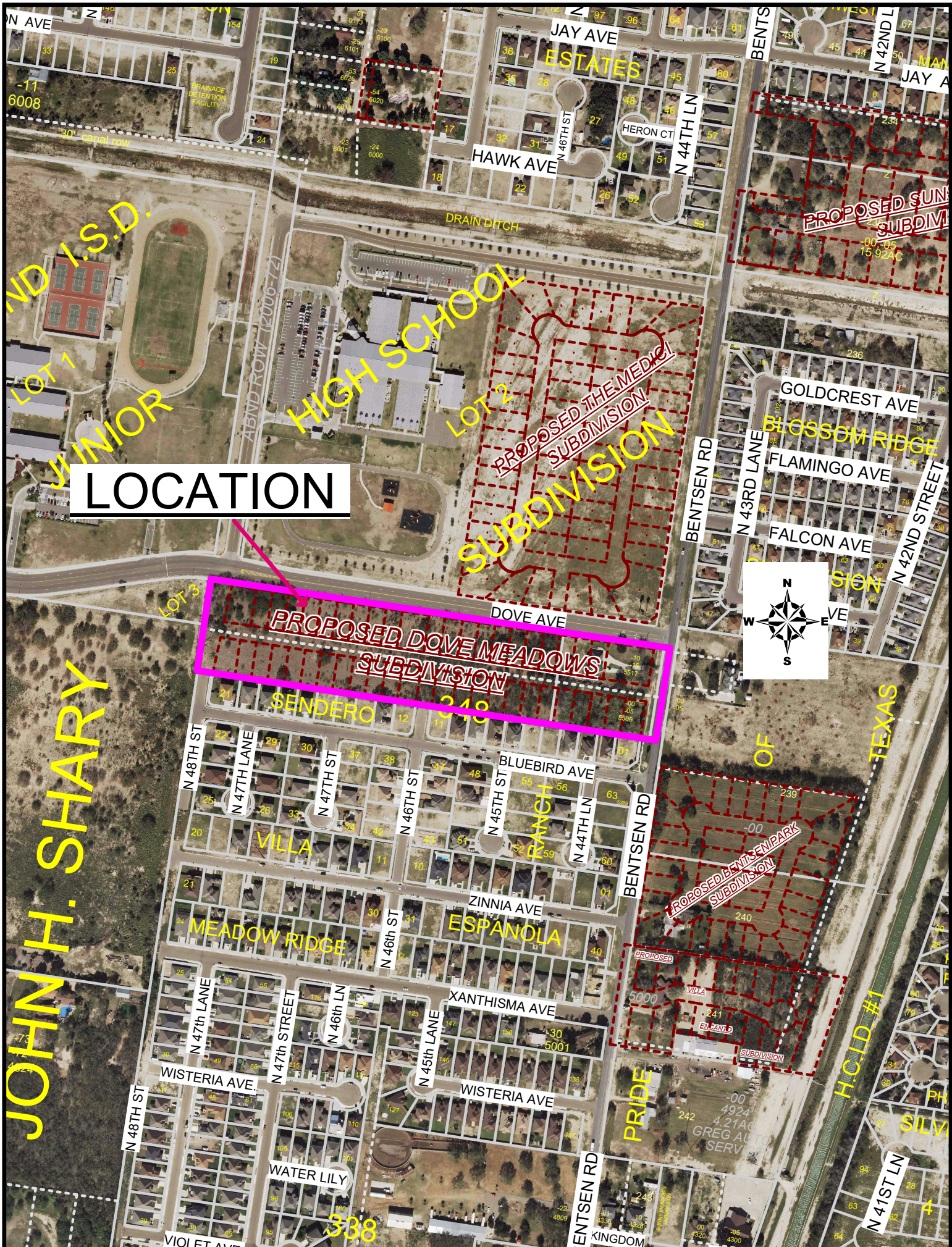
<p>N. 48th Street: Proposing minimum 50 ft. of ROW. Paving: 40 ft. Curb & gutter: both sides *Verify street alignment with the subdivision the south, as ROW requirements are subject to change to match existing ROW and paving widths, finalize prior to recording. - Provide for dedication dimensions as ROW width varies prior to recording. - Finalize and label ROW dedication prior to recording. **10 ft. of additional dedication will be required from adjacent property along the westside for a future 60 ft. of ROW with 40 ft. of paving. ****Subdivision Ordinance: Section 134-105 and/or COM Thoroughfare Plan *****Monies must be escrowed if improvements are required prior to recording.</p> <p>Cardinal Avenue(Interior Street): Proposing 50 ft. total ROW Paving: 32 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.</p> <p>* 1,200 ft. Block Length **Subdivision Ordinance: Section 134-118</p> <p>* 900 ft. Block Length for R-3 Zone Districts **Subdivision Ordinance: Section 134-118</p> <p>* 600 ft. Maximum Cul-de-Sac **Subdivision Ordinance: Section 134-105</p>	Required
	Applied
	Compliance
	NA
	NA
ALLEYS	
<p>ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Subdivision Ordinance: Section 134-106</p>	NA
SETBACKS	
<p>* Front: 25 ft. or greater for easements. **Zoning Ordinance: Section 138-356</p> <p>* Rear: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356</p> <p>* Interior sides: 6 ft. or greater for easements. **Zoning Ordinance: Section 138-356</p> <p>* Corner: 10 ft. or greater for easements **Zoning Ordinance: Section 138-356</p> <p>* Garage: 18 ft. except where greater setback is required, greater setback applies. **Zoning Ordinance: Section 138-356</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	Applied
	Applied
	Applied
	Applied
	Applied
	Applied
SIDEWALKS	
<p>* 4 ft. wide minimum sidewalk required along N. Bentsen Road, Dove Avenue, N.48th Street and Both Sides of all Interior Streets. Revisions needed: - Revise plat note #7 as shown above prior to recording. **Sidewalk requirements may increase to 5 ft. prior to final per Engineering Department requirements. ****Subdivision Ordinance: Section 134-120</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Required
	Required

These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Dove Avenue and N. Bentsen Road. Revisions needed: <ul style="list-style-type: none"> -Revise plat note #9 as shown above prior to recording. **Landscaping Ordinance: Section 110-46 	Required
<ul style="list-style-type: none"> * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Landscaping Ordinance: Section 110-46 	Applied
<ul style="list-style-type: none"> *Perimeter buffers must be built at time of Subdivision Improvements. 	Required
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along N. Bentsen Road, Dove Avenue, and N.48th Street. Revisions needed: <ul style="list-style-type: none"> -Provide plat note as shown above on plat prior to recording. **Must comply with City Access Management Policy 	Required
<ul style="list-style-type: none"> * Site plan must be approved by the Planning and Development Departments prior to building permit issuance. 	NA
<ul style="list-style-type: none"> * Common Areas, any private streets/drives, gate areas, etc. must be maintained by the lot owners and not the City of McAllen. 	Applied
<ul style="list-style-type: none"> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. 	NA
<ul style="list-style-type: none"> * 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 	Applied
<ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **Section 134-168 applies if private subdivision is proposed. **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168 	Required
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets **Subdivision Ordinance: Section 134-1 	Applied
<ul style="list-style-type: none"> * Minimum lot width and lot area **Zoning Ordinance: Section 138-356 	Applied
ZONING/CUP	
<ul style="list-style-type: none"> * Existing:C-2(Neighborhood Commercial) District / R-1(Single-Family Residential) District Proposed:R-1(Single-Family Residential) District **Rezoning for a portion of proposed subdivision currently from C-2(Neighborhood Commercial) District to R-1(Single-Family Residential) District, was approved by the Planning and Zoning Commission board at their meeting of August 2,2022 and by City Commission at their meeting of August 22,2022. ***Zoning Ordinance: Article V 	Compliance

These comments are for subdivision requirements only – additional requirements may apply at time of site plan review

<p>* Rezoning Needed Before Final Approval</p> <p>**Rezoning for a portion of proposed subdivision currently from C-2(Neighborhood Commercial) District to R-1(Single-Family Residential) District, was approved by the Planning and Zoning Commission board at their meeting of August 2,2022 and by City Commission at their meeting of August 22,2022.</p> <p>***Zoning Ordinance: Article V</p>	Compliance
PARKS	
<p>* Land dedication in lieu of fee.</p> <p>* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Park Department fees apply to this subdivision at a rate of \$700 per dwelling unit, this in accordance with McAllen's Park Land Dedication and Park Development Fees Ordinance. Amount comes to \$31,500, based on \$700 for each individual home and payable prior to plat recording. Fees can go up or down, they are dependent on the number of units.</p> <p>* Pending review by City Manager's Office.</p>	TBD
	Required
	TBD
TRAFFIC	
<p>* As per Traffic Department, Trip generation for 45 lot single family is approved and no TIA is required.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat.</p> <p>*** As per Traffic Department, Trip generation for 45 lot single family is approved and no TIA is required.</p>	Completed
	NA
COMMENTS	
<p>Comments:</p> <p>*Verify street alignment with the subdivision the south, as ROW requirements are subject to change to match existing ROW and paving widths, finalize prior to final.</p> <p>**Must comply with City's Access Management Policy.</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED, AND CLARIFICATION OF THE VARIANCE REQUEST TO ROW REQUIREMENT FOR DOVE AVENUE.</p>	Applied



LOCATION

PROPOSED DOVE MEADOWS
SUBDIVISION









PLANNING DEPARTMENT

311 N 15th Street McAllen, TX 78501
Phone: 956-681-1250 Fax: 956-681-1279



2023 CALENDAR

Meetings:





-  City Commission
 -  Planning & Zoning Board
 -  Public Utility Board
 -  Zoning Board of Adjustment
- HPC - Historic Preservation Council

Deadlines:





D- Zoning/CUP Application N - Public Notification

* **Holiday** - Office is closed





JANUARY 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 HOLIDAY	3	4	5 N-1/17 & 1/18 D-2/7 & 2/8	6	7
8	9 	10 	11	12	13	14
15	16 A-2/7 & 2/8	17	18 N-2/7 & 2/8 D-2/21 & 2/22	19	20	21
22	23 	24 	25	26 HPC	27	28
29	30	31				






FEBRUARY 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8 N- 2/21 & 2/22 D- 3/7 & 3/8	9	10	11
12	13 	14 			17	18
19	20 A-3/2 & 3/3	21	22 N-3/7 & 3/8 D-3/15 & 3/16	23 HPC	24	25
26	27 	28 				





MARCH 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6 A-3/15 & 3/16	7	8 N-3/15 & 3/16 D-4/4 & 4/5	9	10	11
12	13 	14 		17	18	
19	20 A-4/4 & 4/5	21	22 N-4/4 & 4/5 D-4/18 & 4/19	23	24	25
26	27 	28 	29 HPC	30	31	





APRIL 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 A-4/18 & 4/19	4	5 N-4/18 & 4/19 D-5/2 & 5/3	6	7 HOLIDAY	8
9	10 	11 	12	13	14	15
16	17 A- 5/2 & 5/3	18 	19 N- 5/2 & 5/3 D-5/16 & 5/17	20	21	22
23	24 	25 	26	27 HPC	28	29
30						

MAY 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 A- 5/16 & 5/17	2	3 D: 6/6 & 6/7 N-5/16 & 5/17	4	5	6
1	8 	9 	10	11	12	13
8	15	16	17 D-6/20 & 6/21		19	20
15	22 	23 	24 N-6/6 & 6/7	25 HPC	26	27
28	29 HOLIDAY	30	31			






JUNE 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 A-6/20 & 6/21	6	7 D-7/12 & 7/13 N-6/20 & 6/21	8	9	10
11	12 	13 	14	15	16	17
18	19	20	21 D-7/26 & 7/27	22	23	24
25	26 	27 	28 N-7/12 & 7/13	29 HPC	30	



Deadlines and Meeting Dates are subject to change at any time. Please contact the Planning Department at (956) 681-1250 if you have any questions.

2023 CALENDAR








Meetings:

-  City Commission
-  Public Utility Board
-  HPC - Historic Pres Council
-  Planning & Zoning Board
-  Zoning Board of Adjustment











Deadlines:

-  D- Zoning/CUP Application
-  N - Public Notification
- * **Holiday** - Office is closed











JULY 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 HOLIDAY	5	6	7	8
9	10 	11 	12  N-7/26 & 7/27 D-8/8 & 8/9	13 	14	15
16	17	18	19	20	21	22
23	24 	25 	26  N-8/8 & 8/9 D-8/22 & 8/23	27 HPC	28	29
30	31					












AUGUST 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7 	8  A- 8/22 & 8/23	9  N- 8/22 & 8/23 D-9/6 & 9/7	10	11	12
13	14 	15 	16	17	18	19
20	21 	22  A- 9/6 & 9/7	23  N- 9/6 & 9/7 D-9/19 & 9/20	24 HPC	25	26
27	28 	29 	30	31		













SEPTEMBER 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 HOLIDAY	5	6  N-9/19 & 9/20 D-10/3 & 10/4	7 	8  A-9/19 & 9/20	9
10	11 	12 	13	14	15	16
17	18 	19  A-10/3 & 10/4	20  D-10/18 & 10/19 N-10/3 & 10/4	21	22	23
24	25 	26 	27	28 HPC	29	30









OCTOBER 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 	4  N-10/17 & 10/18 D-11/1 - 11/7	5	6	7
8	9 	10 	11	12	13	14
15	16 	17  A-11/1 ZBA	18  N- 11/1 ZBA D-11/15 & 11/21	19	20	21
22	23 	24  A- 11/7 PZ	25  N- 11/7 PZ	26 HPC	27	28
29	30 	31				

NOVEMBER 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1  N- 11/15 ZBA D-12/5 & 12/6	2	3	4
5	6 	7  A-11/21 PZ	8  N- 11/21 PZ	9	10	11
12	13 	14 	15  D-12/19 & 12/20	16	17	18
19	20 	21  A-12/5&12/6	22  N-12/5 & 12/6	23 HOLIDAY	24	25
26	27 	28 	29	30		

DECEMBER 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4 	5  A-12/19 & 12/20	6  HPC D-TBA N-12/19 & 12/20	7	8	9
10	11 	12 	13	14	15	16
17	18 	19  A- TBA	20  D- TBA N- TBA	21	22	23
24	25 HOLIDAY	26 HOLIDAY	27	28	29	30