

## AGENDA

### PLANNING & ZONING COMMISSION REGULAR MEETING

TUESDAY, JULY 21, 2020 - 3:30 PM

MCALLEN CITY HALL, 1300 HOUSTON AVENUE

CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

Web: <https://zoom.us/join> or phone: (346) 248-7799

Meeting ID: [672-423-1883](https://zoom.us/join) Meeting Password: [549821](https://zoom.us/join)

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) Minutes for Regular Meeting held on July 7, 2020

##### 2) CONSENT:

- a) Primrose Terrace, Unit 11 Lot 12A thru 12D Subdivision; 5001 North Main Street- Linda Emmons Gale **(Revised Final) (SUB2017-0040) BDE**

##### 3) SUBDIVISIONS:

- a) North Via Cantera Subdivision; 7321 Mile 7 1/2 Road- Falcon International Bank **(Revised Preliminary) (SUB2018-0052) SEA**
- b) Olvera Subdivision; 4509 Buddy Owens Boulevard- Jose Tellez Olvera **(Revised Preliminary) (SUB2020-0022) (Tabled: 06/02/2020) ( Remained Tabled: 06/16/2020) (Remained Tabled: 07/07/2020) SEA**

##### 4) PUBLIC HEARING

###### a) REZONING:

- 1. Rezone from R-1 (single-family residential) District to R-3T (multifamily residential townhouse) District: 1.23-acre tract of land out of Lot 1, Section 11, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 201 Dove Avenue. **(REZ2020-0016)**

###### b) CONDITIONAL USE PERMITS:

- 1. Request of Joaquin E. Zamudio, for a Conditional Use Permit, for one year, for a Home Occupation (hair salon), at Lot 15 and the North 12½ ft. of Lot 16, Block 3, Louise Addition, Hidalgo County, Texas; 313 North 8th Street. **(CUP2020-0070)**
- 2. Request of Miguel A. Rivera on behalf of Casa de Oracion Rey de Reyes, for a Conditional Use Permit, for one year, for an Institutional Use (church), at Lots 1-8 and Lots 9-16, Block 6, Bonnie- View Subdivision, Hidalgo County, Texas; 2100 Fir Avenue. **(CUP2020-0064)**

3. Request of Benjamin Hill, for a Conditional Use Permit, for one year, for a Home Occupation (stringed instrument repair), at the South ½ of the West 89 ft. of Lot 11 and the West 89 ft. of Lot 12, Block 17, North McAllen Addition, Hidalgo County, Texas; 502 North 11th Street. **(CUP2020-0062)**
4. Request of Miguel A. Vargas Jr. for a Conditional Use Permit, for one year, for a bar and lounge at Lots 1 and 2, Mejia Subdivision Unit No. I, Hidalgo County, Texas, 2000 Nolana Avenue. **(CUP2020-0065)**
5. Request of Guillermo A. Tijerina Jr. for a Conditional Use Permit, for one year, for an automotive service and repair shop, Lots 5 through 8, South 23rd Business Park, Hidalgo County, Texas, 4910 South 23rd Street. **(CUP2020-0019)**
6. Request of Jared W. Doxey, on behalf of the Church of Jesus Christ of Latter-Day Saints for a Conditional Use Permit, for Life of the Use, for an Institutional Use (Church) at a 10.615-Acre tract of land out of lot 16, section 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 7301 North 2nd Street. **(CUP2020-0057) (Tabled: 06/16/2020) (Remained: 07/07/2020)**

## **5) INFORMATION ONLY:**

- a) City Commission Actions July 13, 2020

## **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 & Public Hearing on Tuesday, July 7, 2020 at 3:30 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

<b>Present:</b>	<b>Daniel Santos</b>	<b>Vice-Chairperson</b>
	<b>Michael Hovar</b>	<b>Member</b>
	<b>Rogelio Cervantes</b>	<b>Member</b>
	<b>Gabriel Kamel</b>	<b>Member</b>
	<b>Michael Fallek</b>	<b>Member</b>
	<b>Jose Saldana</b>	<b>Member</b>
<b>Absent:</b>	<b>Pepe Cabeza de Vaca</b>	<b>Chairperson</b>
<b>Staff Present:</b>	<b>Evaristo Garcia</b>	<b>Assistant City Attorney</b>
	<b>Michelle Rivera</b>	<b>Assistant City Manager</b>
	<b>Edgar Garcia</b>	<b>Director</b>
	<b>Luis Mora</b>	<b>Deputy Director</b>
	<b>Berenice Gonzalez</b>	<b>Planner III</b>
	<b>Jose De La Garza Jr.</b>	<b>Planner III</b>
	<b>Lilliana Garza</b>	<b>Planner II</b>
	<b>Hebert Camacho</b>	<b>Planner I</b>
	<b>Juan Martinez</b>	<b>Development Coordinator</b>
	<b>Bilkis Olazaran Martinez</b>	<b>Engineering Department (Virtual)</b>
	<b>Martina Mejia</b>	<b>Traffic Department</b>
	<b>Jose Ortega</b>	<b>Planning Technician II</b>
	<b>Claudia Mariscal</b>	<b>Administrative Secretary</b>

**CALL TO ORDER- Daniel Santos, Vice Chairperson**

**Meeting held via Teleconference and Video Conference.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION- Mr. Rogelio Cervantes**

**1) MINUTES:**

- a)** Minutes for Regular Meeting held on June 16, 2020.

The minutes for the regular meeting held on June 16, 2020 were approved as submitted. The motion to approve was made by Mr. Michael Fallek. Mr. Jose Saldana seconded the motion, which carried unanimously with five members present and voting.

**2) SITE PLAN:**

- a)** Revised Site Plan approval for Lot 3-A, Plaza Del Norte Phase I-A Subdivision, 7501 North 10th Street. (SPR2020-0015)

Ms. Garza stated that the property is located on the west side of North 10th Street, approximately ¼ mile north of Trenton Road. The property is zoned C-3 (general business) District and the

adjacent zoning is C-3 in all directions. Surrounding land uses include Red Lobster, Bar-B-Cutie restaurant, Sam's Club, and Bank of America.

The property is part of Plaza Del Norte Phase I-A Subdivision, which was recorded on December 11, 2009. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.

The applicant is proposing to add a drive-thru on the south side of the existing building for a future restaurant. Based on 4,689 sq. ft. of restaurant use (47 parking spaces are required); based on 3,600 sq. ft. of retail use (12 parking spaces are required), and based on 3,700 sq. ft. of office use (22 parking spaces are required) for a combined total of 78 parking spaces required; 78 parking spaces are provided. Traffic department and Fire department are requiring for 6 of the original parking spaces on the southwest corner to be removed for a proper maneuvering of the fire truck. If any adjustments need to be made to the fire lane, the Fire department will advise at the time of inspection. A Pavement Marking is required by the Traffic department for the curb-cut between menu board and building to leave access clear between the menu board and building. The required landscaping for the site is 6,852 sq. ft. with trees required as follows: 20 - 2 ½" caliper trees, or 10 - 4" caliper trees, or 5 - 6" caliper trees, or 40 palm trees. The applicant is proposing to relocate three of the existing trees. A tree removal application has been submitted. A minimum 10 ft. wide landscaped strip is located inside the property line along 10th Street. Fifty percent of landscape must be visible in front areas, and each parking space must be within 50 ft. of a landscape area with tree, as required by ordinance. All setbacks will be in compliance with the plat note requirements and the zoning ordinance.

Staff recommends approval of the site plan subject to the conditions noted, Traffic Department and Fire Department requirements, paving and building permit requirements, and the subdivision and zoning ordinances.

**Mr. Gabriel Kamel joined the meeting.**

Being no discussion, Mr. Jose Saldana moved to approve with conditions noted. Mr. Michael Hovar seconded the motion, which was approved with six members present and voting.

### **3) CONSENT:**

- a) B.B.E. Ranch Subdivision; 909 East Whalen- Cynthia Molina (Revised Final) (SUB2019-0058) SEA**

E. Whalen Road: Revised plat shows 40 ft. existing ROW with no additional dedication proposed. Paving: min. 32 ft. Curb & gutter: both sides. Previous approval had a 10 ft. dedication for 50 ft. ROW 800 ft. Block Length Front: E. Whalen Road: 45 ft. or greater for easements. If the plat is revised to include other street, setbacks will be revised to establish requirements. Rear: In accordance with the Zoning Ordinance or greater for easements. If the plat is revised to include other streets, requirements will be established accordingly. Sides: In accordance with the Zoning Ordinance, or greater for easements. Garage: 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. Revised plat submitted March 8, 2018 does not extend to the location of E. Military Highway. The new plat area is approximately 170 south of the roadway. If the plat is revised to include other streets, requirements will be established accordingly. 4 ft. wide minimum sidewalk required on E.

Whalen Road. Sidewalks subject to increase to 5 ft. wide as may be required by Engineering, prior to recording. Revised plat submitted March 8, 2018 does not extend to the location of E. Military Highway. The new plat area is approximately 170 south of the roadway. If the plat is revised to include other streets, requirements will be established accordingly. 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. Revised plat submitted March 8, 2018 does not extend to the location of E. Military Highway. The new plat area is approximately 170 south of the roadway. If the plat is revised to include other streets, requirements will be established accordingly. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along: Revised plat submitted March 8, 2018 does not extend to the location of E. Military Highway. The new plat area is approximately 170 south of the roadway Lots fronting public streets: Revised plat submitted March 8, 2018 does not extend to the location of E. Military Highway. The new plat area is approximately 170 south of the roadway. If the plat is revised to include other streets, requirements will be established accordingly. Minimum lot width and lot area: Revised plat submitted March 8, 2018 does not extend to the location of E. Military Highway. The new plat area is approximately 170 south of the roadway. Lot must meet minimum size requirements as required by McAllen Public Utility. If the plat is revised to include other streets, requirements will be established accordingly. If the plat is revised to include other streets, requirements will be established accordingly. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, Trip Generation waived for 1 single family residence. Must comply with City's Access Management Policy. Need to address street requirements, including any RMA road that affects this property. Revised plat submitted March 8, 2018 does not extend to the location of E. Military Highway. The new plat area is approximately 170 south of the roadway. Lot must meet minimum size requirements as required by McAllen Public Utility. P&Z approved the plat in preliminary form at the meeting of November 6, 2018. P&Z approved the subdivision in revised preliminary form, with conditions, at the meeting of April 16, 2019. P&Z approved the subdivision in final form, with conditions, at the meeting of August 20, 2019. If the plat is revised to include other streets, requirements will be established accordingly. Subdivision was approved in final form at the P&Z meeting held January 21, 2020 under B.B.E. Ranchette. Engineer indicated via email on June 16, 2020 the owner wanted to change the subdivision name to B.B.E. Ranch instead of B.B.E. Ranchette.

Staff recommends approval of the subdivision in revised final form subject to the conditions noted.

Being no discussion, Mr. Gabriel Kamel **moved** to approve with conditions noted. Mr. Jose Saldana seconded the motion, which was approved with six members present and voting.

#### **4) SUBDIVISIONS:**

- a) The Villas on Freddy Phase II Subdivision; 1500 Freddy Gonzalez Road- The Villas on Freddy, LLC (Final) (SUB2020-0039) M&H

Ms. Gonzalez stated that the property is located on Freddy Gonzalez Road - 20 ft. ROW dedication, for 50 ft. from center line for 100 ft. ROW Paving:65 ft. Curb & gutter: both sides. Must escrow monies if improvements are not constructed prior to recording N. 17th Street (Private), Xavier Ave. (Private), Zurich Ave. (Private) and N. 13th St. (Private): 30 ft. ROW Paving 30 ft. Curb & gutter both sides Variance request for 30 ft. ROW width, and 30 ft. paving back to back approved by City

Commission on May 13, 2019. Fire Lanes and HOA enforcement of no parking on the streets per Fire Department requirements. Bicentennial Boulevard - Proposed 25 ft. additional ROW for 150.50-150.87 ft. total ROW Paving: By the state Curb & gutter: Both sides 800 ft. Block Length Variance request to the 800 ft. block length requirement approved by City Commission at the May 13, 2019 meeting. Front: LOTS 96-100 SHALL BE 23 FEET (FRONTING WEST) LOTS 101-120 SHALL BE 23 FEET (FRONTING SOUTH) LOTS 121-138 SHALL BE 10 FEET (FRONTING SOUTH) LOTS 139-162 SHALL BE 10 FEET (FRONTING EAST) LOTS 163-192 SHALL BE 23 FEET (FRONTING EAST) Rear: LOTS 96-100 SHALL BE 10 FEET (EAST) LOTS 101-120 SHALL BE 10 FEET (EAST) LOTS 121-138 SHALL BE 23 FEET (GARAGE NORTH) LOTS 139-162 SHALL BE 23 FEET (GARAGE WEST) LOTS 163-192 SHALL BE 10 FEET (WEST) Interior Sides: LOTS 96-100 SHALL BE 3 FEET NORTH SIDE AND 7 FEET SOUTH SIDE LOTS 101-120 SHALL BE 3 FEET EAST SIDE AND 7 FEET WEST SIDE LOTS 121-138 SHALL BE 3 FEET WEST SIDE AND 7 FEET EAST SIDE LOTS 139-162 SHALL BE 7 FEET SOUTH SIDE AND 3 FEET NORTH SIDE LOTS 163-192 SHALL BE 3 FEET NORTH SIDE AND 7 FEET SOUTH SIDE Side Corner: 5 FEET, OR GREATER FOR EASEMENTS. Garage: 23 ft. except where greater setback is required, greater setbacks applies. Garage setback proposed so vehicles do not overlap over the sidewalks. Based on meetings engineer/developer and staff, garage setbacks provided to increase to assure vehicles do not overhang over the sidewalks, prior to recording. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Freddy Gonzalez Rd., Bicentennial Blvd. and both sides of all interior streets; however, Engineer submitted a Walking Trails plan for the interior street, which provides for sidewalks along the front of each unit. Sidewalks are located along some streets, while others are within common areas. Variance request for sidewalk requirement approved by City Commission on May 13, 2019 as per Walking Trails Plan for the interior streets, etc. 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 Freddy Gonzalez Rd. and Bicentennial Blvd. Revise street name Freddy Gonzalez Rd. instead of Dr. now shown. 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Freddy Gonzalez Rd. and/or Bicentennial Blvd. Revise Note #10 on plat to reflect Freddy Gonzalez Rd. Common Areas, Private Streets 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. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets. Minimum lot width and lot area - All lots must be minimum 20 ft. wide and corner lot must be minimum 24 ft. wide in R-3T district. Land dedication in lieu of fee. Park Land Dedication Advisory Board approved a variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Park Land Dedication Advisory Board approved a variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Pending review by the Parkland Dedication Advisory Board and CC. Land dedication in lieu of fee. Park Land Dedication Advisory Board approved a variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department Trip generation has been approved. Must comply

with City's Access Management Policy. Engineers to clarify required ROW for Bicentennial Blvd. and along the north side. Gate detail must be submitted and approved, prior to recording.

Staff recommends approval of the subdivision in final form, subject to conditions noted.

Being no discussion, Mr. Michael Fallek moved to approve based on the conditions noted. Mr. Jose Saldana seconded the motion, which was approved with six members present and voting.

**b) The Tree Apartments Subdivision; 1001 South Taylor Road- Majima, LLC (Final)  
(SUB2020-0040) TE**

Ms. Gonzalez stated that the property was located on S. Taylor Road: 10 ft. dedicated for 40 ft. from centerline for an 80 ft. ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides Owner must escrow monies for improvements not built prior to plat recording. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Southwest drive is proposed to be used for City Services\* Front: S. Taylor Road - 40 ft. or greater for easements or approved site plan Revise plat as noted above Rear: In accordance with the Zoning Ordinance, or greater for easements Sides: Lot 1: North side: In accordance with the Zoning Ordinance, or greater for easements or approved site plan. South side: 0 ft. or greater for easements or approved site plan, and in compliance with Building and Fire Codes. Lot 2: North side: 0 ft. for garages or greater for easements or approved site plan. South side: 0 ft. or greater for easements or approved site plan, and in compliance with Building and Fire Codes. Revise plat as noted above, prior to final. Project engineer, on behalf of the developer is requesting a 0 ft. side yard setback along the north property line for the enclosed garages. However, the site plan shows a 10 ft. utility easement on the north boundary; project engineer to clarify with McAllen Public Utility and revise accordingly. Revised Preliminary plat removed from the table and approved with 0 ft. building setback on the north side only by the Planning and Zoning Commission on October 17, 2017. Engineer submitted a letter on June 2, 2020 requesting the following variances: Lot 1: 0 ft. setback along the south side for garages, instead of the required 6 ft. On June 16, 2020, P&Z Board approved the 2-Lot subdivision with 0 ft. setbacks on the south side of Lot 1 and north side of Lot 2 for garages, and 0 ft. setback on the south side of Lot 2 as shown on the site plan, subject to compliance with Building and Fire Code. Site plan shows a 13'-6" separation between buildings on both lots. Garage: 18 ft. except where greater setback is required; greater setback applies Revise Note #3 to include garage setbacks as noted above. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on S. Taylor Road. 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. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common Areas, private service drives must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets Minimum lot width and lot area. Park Fee of \$700 per dwelling unit will be required to be paid as per City Commission approval/requirements as agreed on January 13, 2020, January 27, 2020 and February 10, 2020. Per City Commission action on February 10, 2020: Developer to pay \$106,400 within 30 days of closing for Phase I, and the remaining \$106,400 as building permits for Phase I begin to be issued Considered on December 18, 2019 by the Parkland Dedication Advisory Board and City Commission on January 13, 2020, January 27, 2020, and February 10, 2020. Per City Commission action on February 10, 2020: Developer to pay \$106,400 within 30 days of closing for Phase I, and the remaining \$106,400 as building permits for Phase I begin to be issued. Trip Generation to determine if TIA is required,

prior to final plat. Per Traffic Department engineer submitted a TIA in lieu of a Trip Generation. Traffic Impact Analysis (TIA) required prior to final plat. Per Traffic Department TIA has been approved. Preliminary plat approved by the Planning and Zoning Commission on September 5, 2017. Revised Preliminary plat removed from the table and approved with 0 ft. building setback on the north side only by the Planning and Zoning Commission on October 17, 2017. City Commission granted the variance to not require S. 49th Street (collector road) at their meeting on September 25, 2017. Per Traffic, the plat must comply with the City's Access Management Policy. Project engineer to coordinate the alignment of driveways with existing drives on the west side of S. Taylor Road. Driveways/Access for S. Taylor Road must be at a spacing of 425 ft. and 200 ft. spacing on future S. 49th Street. Subdivision layout has been revised as 2-lot subdivision instead of the 1-lot originally submitted. On June 16, 2020, P&Z Board approved the 2-Lot subdivision with 0 ft. setbacks on the south side of Lot 1 and north side of Lot 2 for garages, and 0 ft. setback on the south side of Lot 2 as shown on the site plan, subject to compliance with Building and Fire Code. Site plan shows a 13'-6" separation between buildings on both lots

Staff recommends approval in final form, subject to conditions noted.

Being no discussion, Mr. Jose Saldana moved to approve based on the conditions. Mr. Gabriel Kamel seconded the motion, which was approved with six members present and voting.

**c) Santoy Subdivision; 3321 U.S. Highway 83- Juan Santoy (Preliminary) (SUB2020-0041) SEC**

Ms. Gonzalez stated that this property is located on U.S. Highway 83 (Loop 374): Proposing additional 7.5 ft. (subject to increase to 10 ft. for 95 ft. ROW) for 67.5 ft. from centerline for a total of 92.5 ft. ROW. Paving: By the state Curb & gutter: By the state Need to revise street name as noted above. Show centerline and ROW on both sides and total ROW after accounting for ROW dedication. 800 ft. Block Length 600 ft. Maximum Cul-de-Sac ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Plat shows 15 ft. alley on the rear side of the property. Need to revise prior to final as needed to comply with requirements for City services. Front: 50 ft. or greater for approved site plan or easement Rear: In accordance with the Zoning Ordinance or greater for approved site plan, or easements. Revise plat and label rear setback accordingly Sides: In accordance with the Zoning Ordinance or greater for approved site plan, or easements. Revise plat to identify side setbacks accordingly. All setbacks are subject to increase for easements or approved site plan. 5 ft. wide minimum sidewalk required on West Business Highway 83 Revise Note #5 on plat to reflect West Business Highway 83 as street name 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 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common Areas, Private Streets, services drives, etc. must be maintained by the lot owners and not the City of McAllen Note required on plat regarding maintenance of service drives to be done by owner and not City of McAllen Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets Minimum lot width and lot area\* Existing: C-3 & R-4 Proposed: C-3 Rezoning needs to be completed prior to final approval. Rezoning Needed Before Final Approval\* Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, need to submit a Trip Generation to determine if a TIA will be required. Traffic Impact Analysis (TIA) required prior to final

plat. Must comply with City's Access Management Policy Provide site plan for review Property will need to be rezoned before final approval Show centerline along West Business Highway 83 and show total ROW after accounting for dedication Service drive required for commercial properties, revise plat as needed prior to final. Show legal description for triangular property located adjacent to southwest corner of subdivision, clarify/revise as needed.

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

Being no discussion, Mr. Michael Fallek moved to approve subject to the conditions noted. Mr. Jose Saldana seconded the motion, which was approved with six members present and voting.

**d) Flores Estates Subdivision; 5121 State Highway 107- Juan and Antonia Flores (Preliminary) (SUB2020-0042) Altex**

Ms. Gonzalez stated that this property is located on S.H. 107: Existing 86 ft. from centerline for 172 ft. total ROW. Paving: By the state Curb & gutter: by the state Need to show centerline along S.H. 107 Need to show ROW on both sides of centerline to determine dedication prior to final Remove pavement details from plat N. Taylor Road: 20 ft. ROW dedication for 50 ft. from centerline for 100 ft. total ROW Paving: 65 ft. Curb & gutter: Both sides Revise street name on plat to N. Taylor Rd. Need to show centerline along Taylor Rd. and label ROW on both sides of centerline to determine dedication requirements, prior to final Remove pavement details from plat Front: S.H. 107: 75 ft. Taylor Rd.: 75 ft. Rear: 15 ft. or greater for easements Sides: 15 ft. or greater for easements Garage: 18 ft., except where greater setback is required, greater setback applies. Include note on plat regarding garage setback All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Taylor Rd. and 5 ft. wide minimum sidewalk required along S.H. 107. Revise Note #11 as shown above. 5 ft. wide minimum sidewalk required on S.H. 107, per Engineering Department. 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 Revise plat to include note as shown above. 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Revise plat to include note as shown above. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Common Areas, Private Streets, service drives, 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. Lots fronting public streets Minimum lot width and lot area Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Based on plat submitted June 18, 2020 2 residential lots are proposed. Park fees will apply at a rate of \$700 x 2 lots = \$1,400 due prior to recording Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, need to submit a Trip Generation to determine if a TIA will be required prior to final. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy Submit site plan for review location of dumpsters for City services Rezoning needed prior to final approval Show centerline along S.H. 107 and Taylor Rd. Also, show ROW on both sides of centerline and show total ROW after accounting for additional dedication Label easement shown along north side of Lot 2

Staff recommends approval of the subdivision in preliminary form, subject to conditions noted, utility

and drainage approvals.

After no discussion, Mr. Jose Saldana **moved** to approve in preliminary form based on the conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with six members present and voting.

**e) La Contessa Subdivision; 609 South Bentsen Road- Gabriel Sosa and Blanca L. Garza (Preliminary) (SUB2020-0043) SEA**

Mr. De La Garza stated that this property is located on South Bentsen Road: 50 ft. from centerline for 100 ft. ROW Paving: 65 ft. Curb & gutter: Both sides Galveston Avenue: Existing 28.45 ft. from centerline for 56.89 ft ROW Paving: Approximately 36 ft. existing Curb & gutter: Both sides Front (Galveston Avenue): 25 ft. or greater for easements. Please revise plat note as shown above. Rear: 10 ft. or greater for easements. Sides: 6 ft. or greater for easements or in accordance with the Zoning Ordinance. Please revise plat note as shown above. Corner (South Bentsen Road): 10 ft. or greater for easements. Please revise plat note as shown above. Garage: 18 ft. or 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 South Bentsen Road and Galveston Avenue. 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 South Bentsen Road. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Applied No curb cut, access, or lot frontage permitted along South Bentsen Road. Please add plat note as shown above. 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 for a public subdivision. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording Park Fee of \$700 per dwelling unit to be paid prior to recording. As per plat submitted on June 22, 2020, 4 lots are proposed. (4 x \$700= \$2,800). Amount to be paid might vary depending on the amount of lots/dwelling units proposed. As per Traffic Department, must submit a Trip Generation to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Pending review by the Parkland Dedication Advisory Board and CC. Must comply with City's Access Management Policy. As per Traffic and Fire Dept., please submit site plan for review prior to final as may be required.

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

Being discussion, Mr. Gabriel Kamel **moved** to approve in preliminary form subject to conditions noted, utility and drainage approvals. Mr. Jose Saldana seconded the motion, which was approved with six members present and voting.

**f) Olvera Subdivision; 4509 Buddy Owens Boulevard – Jose Tellez Olvera (Revised Preliminary) (Tabled: 06/02/2020) (06/16/2020) (SUB2020-0033) SEA**

Mr. De La Garza advised the board that the applicant requested the item to remain tabled. No actions needed.



## **5) PUBLIC HEARING**

### **b) CONDITIONAL USE PERMITS:**

1. Request of Jared W. Doxey, on behalf of The Church of Jesus Christ of Latter-Day Saints for a Conditional Use Permit, for the life of the use, for an Institutional Use (church) at a 10.615-acre tract of land out of Lot 16, Section 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 7301 North 2nd Street. (CUP2020-0057) (Tabled: 06/16/20)

Director Edgar Garcia advised the board that the applicant requested the item to remain tabled. No Actions required.

## **7) INFORMATION ONLY**

### **a) City Commission Actions: June 22, 2020**

Mr. Edgar Garcia stated that at the City Commission Meeting on June 22, 2020 the rezoning at Tres Lagos C-3 to R-3A had been approved as recommended. The rezoning on Ware Road south of The Vineyards Subdivision remained tabled. All Conditional Use Permits were approved except the AEP case was tabled because the company wanted to conduct a neighborhood meeting. Last, the dog kennel at 6820 North Taylor was overturned and approved for six months.

## **ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Mr. Gabriel Kamel adjourned the meeting at 3:59 p.m., and Mr. Jose Saldana seconded the motion, which carried unanimously with five members present and voting.

---

Vice Chairperson, Daniel Santos

ATTEST: \_\_\_\_\_  
Claudia Mariscal, Secretary

SUB2017-0040



City of McAllen  
Planning Department  
**APPLICATION FOR  
SUBDIVISION PLAT REVIEW**

311 North 15<sup>th</sup> Street  
McAllen, TX 78501  
P. O. Box 220  
McAllen, TX 78505-0220  
(956) 681-1250  
(956) 681-1279 (fax)

Project Description	<p>Subdivision Name <u>Lots 12A, 12B, 12C and 12D #</u> <u>Re-Plat of Lot 12, Primrose Terrace # 11</u></p> <p>Location <u>N. Main &amp; Xanthisma Ave.</u></p> <p>City Address or Block Number <u>4900 Block N. Main Ave.</u></p> <p>Number of lots <u>3</u> Gross acres <u>18,027 Sq. Ft.</u> Net acres <u>.4235</u></p> <p>Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>open</u> Proposed Land Use <u>R-1 Resid.</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>0</u></p> <p>Legal Description <u>Primrose Terrace UT NO. 11, Lot 12</u></p>
Owner	<p>Name <u>Linda Emmons Gale</u> Phone <u>956. 821. 5528</u></p> <p>Address _____</p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>emmonsgale@aol.com</u></p>
Architect/Engineer/Developer	<p>Name <u>J. Tom Ashley III, FAIA</u> Phone <u>956. 369. 1976</u></p> <p>Address <u>1209 Xanthisma Ave.</u></p> <p>City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u></p> <p>Contact Person <u>Tom</u></p> <p>E-mail <u>ar. jtomashley@yahoo.com</u></p>
Engineer	<p>Name <u>Big D Engineering</u> Phone <u>✓ 342 1372</u></p> <p>Address <u>PO Box 721025</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78504</u></p> <p>Contact Person <u>Dario Guerra</u></p> <p>E-mail <u>Bigdengme@aol.com</u></p>
Surveyor	<p>Name <u>Michael Fabian Surveying Inc.</u> Phone <u>630. 1432</u></p> <p>Address <u>1283 E. Hackberry Ave.</u></p> <p>City <u>McAllen, TX</u> State <u>TX</u> Zip <u>78501</u></p>

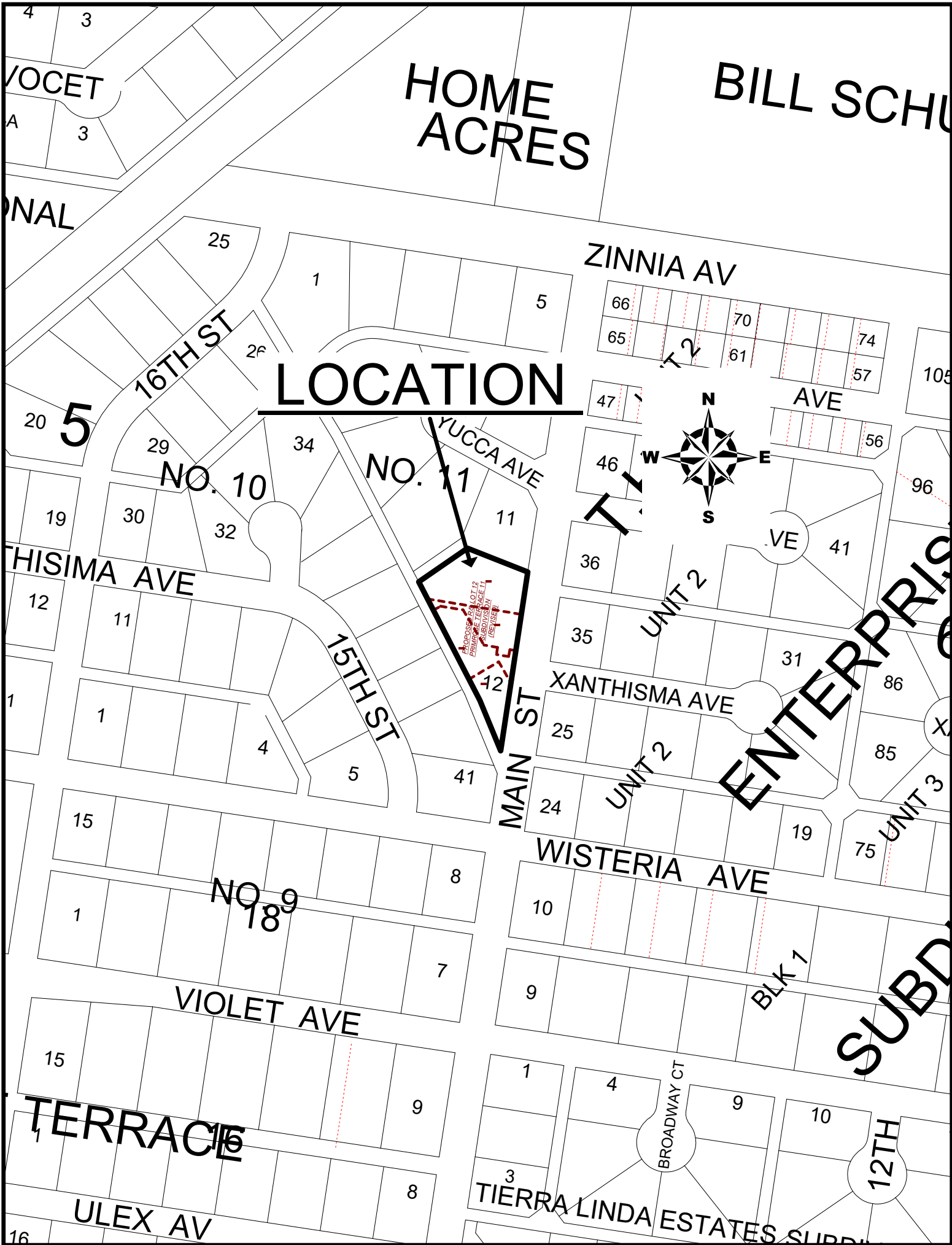
SUB2017-0040

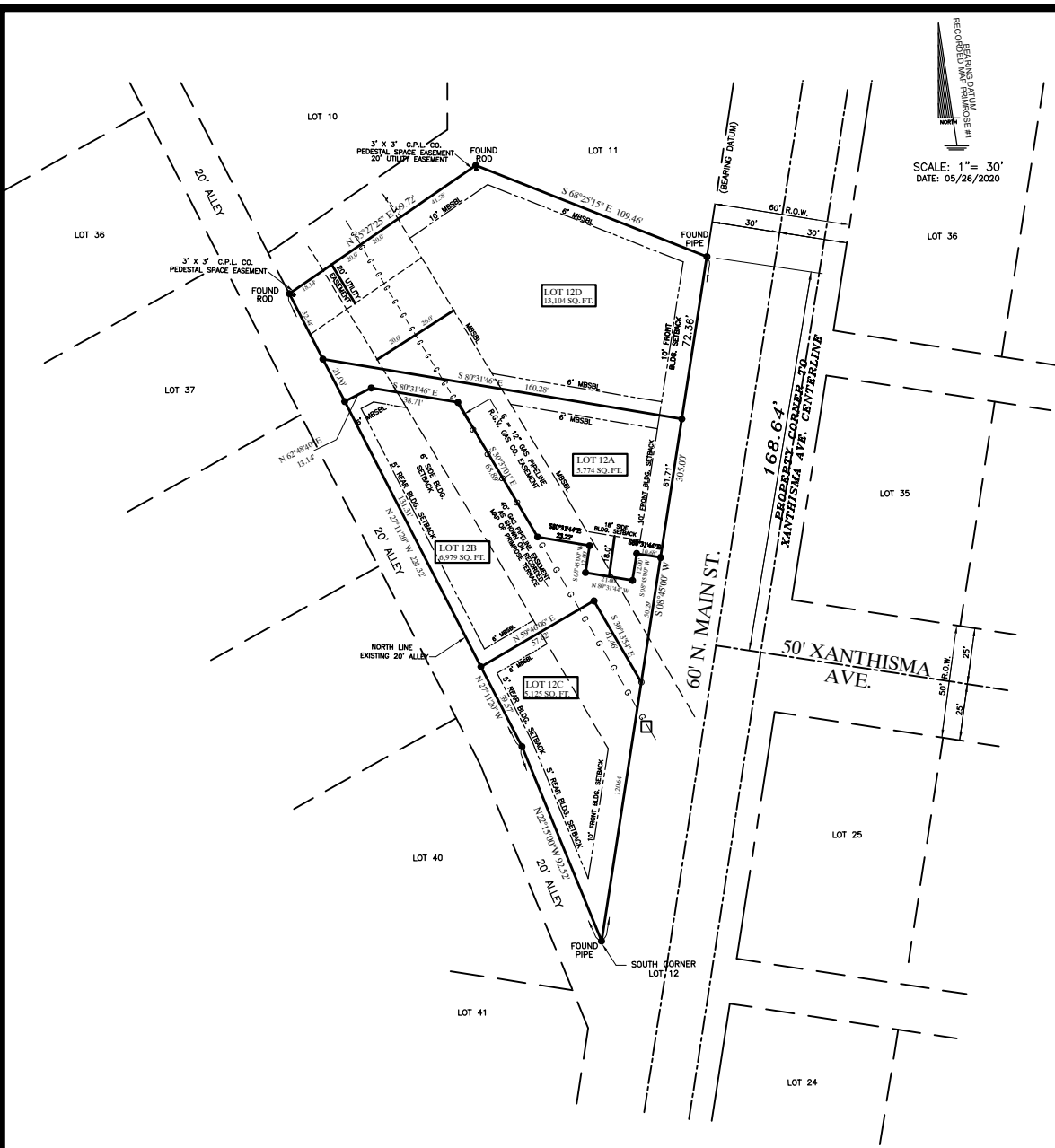
RECEIVED  
JUN 28 2017

BY: DeS:150m

RC#477251

# LOCATION





MAP  
 OF  
 PRIMROSE TERRACE, UNIT #11  
 LOTS 12A THRU 12D  
 CITY OF McALLEN,  
 HIDALGO COUNTY, TEXAS  
 BEING A RESUBDIVISION OF LOT 12  
 PRIMROSE TERRACE, UNIT #11  
 CONTAINING 0.711 ACRES OF LAND  
 RECORDED IN VOL.19, PG. 83 M/R

PREPARED BY <b>MICHAEL FABIAN SURVEYING, INC.</b> 1203 E. HACKBERRY AVE. MCALLEN, TEXAS 78501		
TEL (956) 630-1432	FAX (956) 687-4660	
<b>MICHAEL FABIAN</b> REGISTERED PROFESSIONAL LAND SURVEYOR		
W.O.# 312070PO SCALE: 1" = 30'	CRD: DATE: 07/09/2020	PRINT SIZE: LETTER
EMAIL ADDRESS: SURVEY@MFABIANSURVEYING.COM FIRM # 10193965		



# City of McAllen

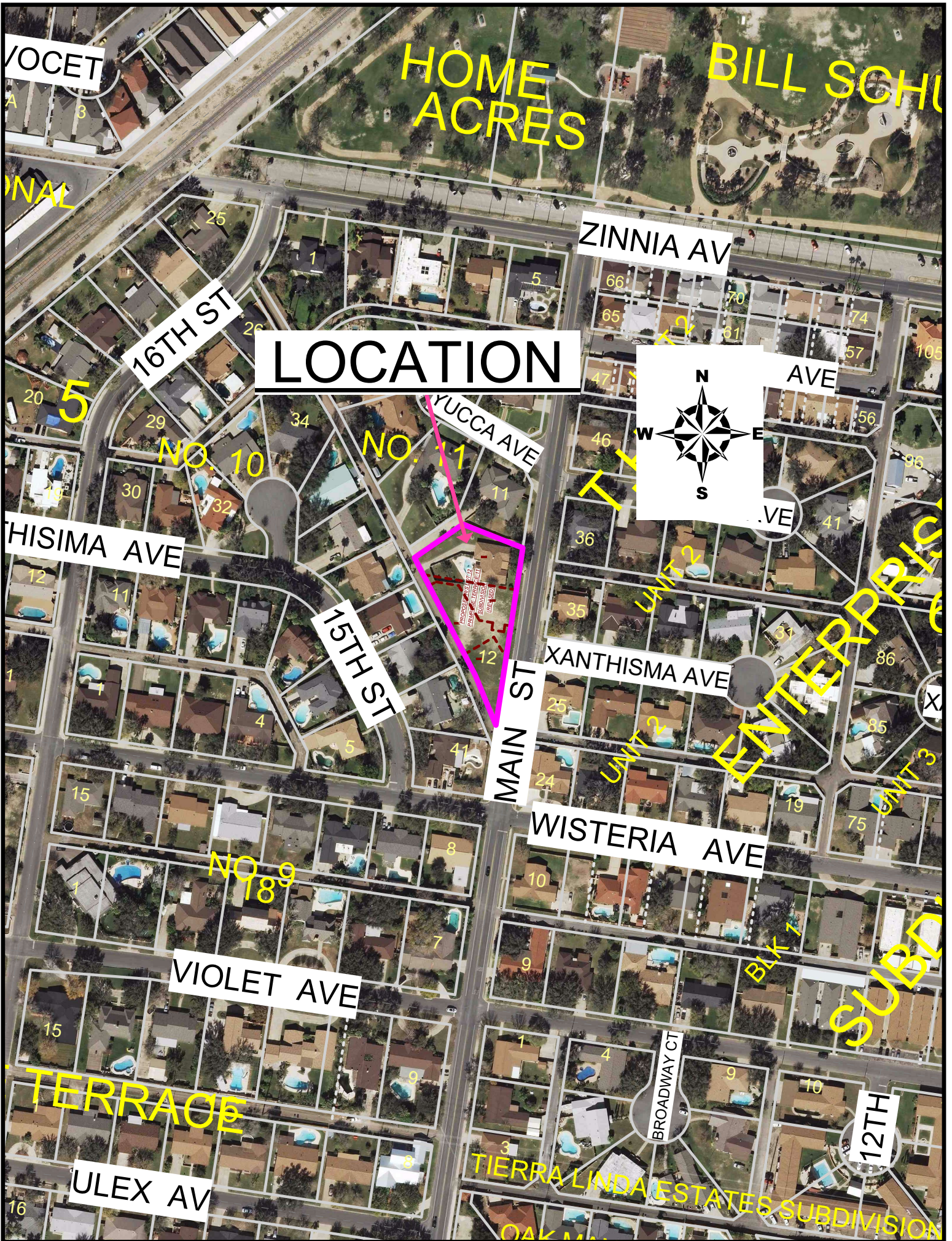
## SUBDIVISION PLAT REVIEW

Reviewed On: 7/16/2020

<b>SUBDIVISION NAME: PRIMROSE TERRACE UNIT NO. 11, LOTS 12A-12D</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
N. Main Street: 30 ft. from centerline for 60 ft. ROW existing Paving: 40 ft. Curb & gutter: both sides	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft.	Compliance
<b>SETBACKS</b>	
* Front: N. Main Street - 10 ft. or greater for easements **Planning and Zoning Board approved a 10 ft. setback or greater for easements along N. Main Street at the meeting of August 16, 2017, as requested by project engineer on behalf of developer.	Applied
* Rear (alley): 5 ft. or greater for easements. **Planning and Zoning Commission approved a 5 ft. rear setback or greater for easements at the meeting of August 16, 2017. ***Revise note as shown above prior to recording.	Required
* Interior Sides: 6 ft. except 5 ft. side along the alley, or greater for easements **Planning and Zoning Commission approved 6 ft. interior side setbacks or greater for easements at the meeting of August 16, 2018. It also included a 5 ft. - 9 ft. side setback or greater for easements along the alley. Please clarify as the plat submitted December 10, 2018, February 12, 2019 and May 24, 2019 does not reflect this. ****Side setbacks are 6 ft. except 5 ft. side along the alley as approved by P&Z Board on August 6, 2019. *****Revise Note #1 prior to recording to reflect setbacks approved at the meeting of August 6, 2019.	Required
* Corner: See side setback reference above as approved by the Planning and Zoning Board on August 16, 2017.	Applied
* Garage: 18 ft. except where greater setback is required; greater setback applies. **Revise Note #1 regarding garage setbacks as noted above, prior to recording.	Required
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS. **Note as needed should existing structure is within required setbacks, prior to recording.	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on N. Main Street. **Planning and Zoning Board recommended approval of the variance on August 16, 2017, and City Commission approved the variance at the meeting of August 28, 2017 to not require sidewalks on N. Main Street.	NA
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. **Clarify Note #6 regarding gates, prior to recording.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Applied

*Perimeter buffers must be built at time of Subdivision Improvements.	NA
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along:	NA
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	NA
* Common Areas/Drives 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.	NA
* 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 110-72 of the Vegetation Ordinance, including but not limited to common areas.	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
<b>ZONING/CUP</b>	
* Existing: R-1 Proposed: R-1	Compliance
* Rezoning Needed Before Final Approval	NA
<b>PARKS</b>	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per lot is required to be paid prior to recording. Per latest plat submitted; 4 lots are proposed but only 3 rates apply due to one lot having an existing house. 3 Lots x \$700 = \$2,100 due prior to recording	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* Trip Generation to determine if TIA is required, prior to final plat.	NA
**Per Traffic, trip generation will be waived for the three single family residences.	
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
<b>COMMENTS</b>	
Comments: *Existing plat notes remain the same for the resubdivision. **Public Hearing with legal notices, for the resubdivision held on August 16, 2017. ***Per Traffic, vehicles shall exit front-first onto N. Main Street. ****Plat must comply with the City's Access Management Policy. *****Project engineer to provide agreement from the respective Gas Company for improvements over the gas easement, prior to recording/permit issuance. *****Common access easement needed between the lots. *****Site Plan for existing home on Lot 12D is needed to ensure the structure complies with setback requirements and is not considered non-conforming as a result of the replat, prior to recording. *****Subdivision was approved in final form at the P&Z meeting held August 6, 2019. *****Engineer submitted a revised plat on July 9, 2020 changing the lot layout approved in August 6, 2019.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED FINAL FORM, SUBJECT TO CONDITIONS NOTED.	Applied









City of McAllen  
Planning Department  
(956) 972-7050

APPLICATION FOR  
SUBDIVISION PLAT REVIEW

7/5/20  
Dee

Project Description

Subdivision Name Mission Valley Estates NORTH VIA CANTERA  
Location East of Upper Sharyland Subdivision and in between Mile 7 1/2 and SH 107 7321  
City Address or Block Number Lots 491 and 501, John H. Shary Subdivision 1501 Mile  
Number of lots 54 52 AR 10/27/0 Gross acres 33.58 Net acres 33.47 7 1/2 RD  
Existing Zoning A-0 Proposed R-1 Rezoning Applied For Yes ☐ No ☒ Date        20  
Existing Land Use Agriculture Proposed Land Use Single Family Residential  
Residential Replat Yes ☐ No ☒ Commercial Replat Yes ☐ No ☒ ETJ Yes ☒ No ☐  
Agricultural Tax Exemption Yes ☐ No ☒ Estimated Rollback tax due 0  
Legal Description (attached)  
Town of McAllen (NORTH VIA CANTERA)

Owner

Name La Poderosa Development, LTD Telephone (956) 722-5688 LLC  
Address 130 Martin Gale  
City Laredo State TX Zip 78041

Developer

Name La Poderosa Development, LTD Telephone (956) 722-5688  
Address 130 Martin Gale  
City Laredo State TX Zip 78041  
Contact Person Humberto Fasci, President

Engineer

Name Rio Delta Engineering & Surveying Telephone (956) 380-5152  
Address 302 West University Drive, Suite C  
City Edinburg State TX Zip 78539  
Contact Person Gilbert Guerra or Ialo Chapa

Surveyor

Name (same as Engineer) Telephone         
Address         
City        State        Zip         
Contact Person       

FEB 25 2005

Zip

RECEIPT #185299



51-12 AGUIRRE, G

11933

12237  
12233

LOT 3

11915

KOEPKE  
LOT 2

SUBDIVISION

11851

LOT 1

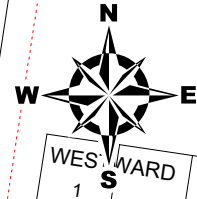
11823

7 1/2 MILE LINE

11800

STEWART ROAD

LOCATION



7 1/2 MILE LINE

50-12

UPPER SHARYLAND SUBD.

PROPOSED NORTH VIA CANTERA  
SUBDIVISION  
(REVISED)

CANTU  
LOT 1  
SUBD.

502

AUDIE E. RAY SUBDIVISION  
LOT 1

7600

7200

STATE HIGHWAY 107

491

492

BOGERT SUBD  
1 2 3 4 5  
9 8 7 6

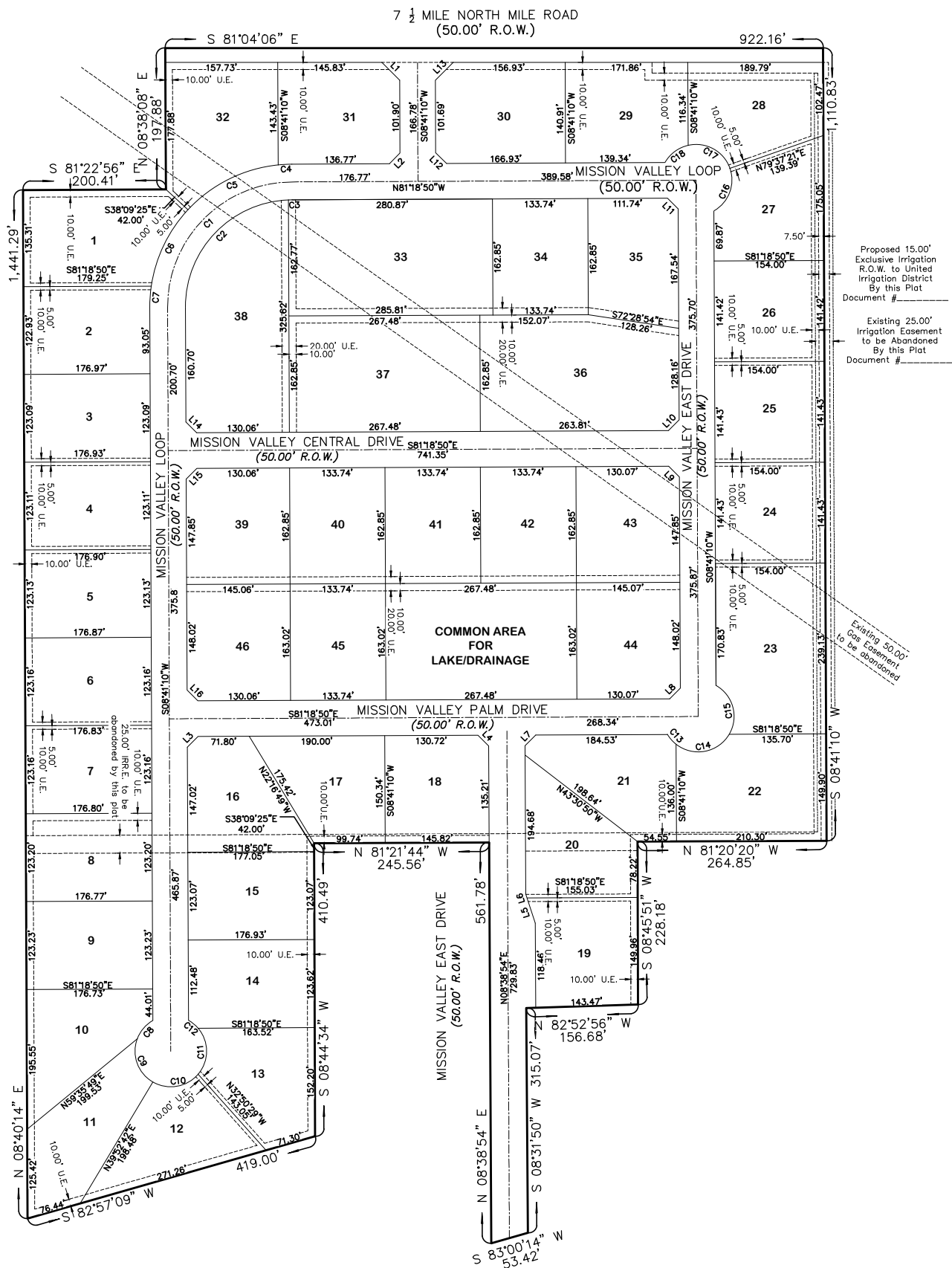
MCALLEN SH 107  
SUBDIVISION  
LOT 1

2 3  
UE SUBD

RUBEN RODRIGUEZ SID  
1 2 3

MORALES SUBD  
1

GLASS COCK



# NORRIS VIA ANTEERA SUBDIVISION

AN ADDITION TO THE CITY OF McALLEN,  
HIDALGO COUNTY, TEXAS

BEING A 33.58 ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF 5.82 ACRES OUT OF LOT 491, AND, 27.76 ACRES OUT OF LOT 501, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 01, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

DISCLAIMER: THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF McALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON JUNE 26, 2020. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

**SE A**  
**SALINAS ENGINEERING & ASSOCIATES**  
(F-6675) (TBPLS-10065700)  
CONSULTING ENGINEERS & SURVEYORS  
2221 DAFODIL - McALLEN, TEXAS 78501  
(956) 882-9081 (956) 888-1489 (FAX)  
TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78753 (512) 239-5263



# City of McAllen

## SUBDIVISION PLAT REVIEW

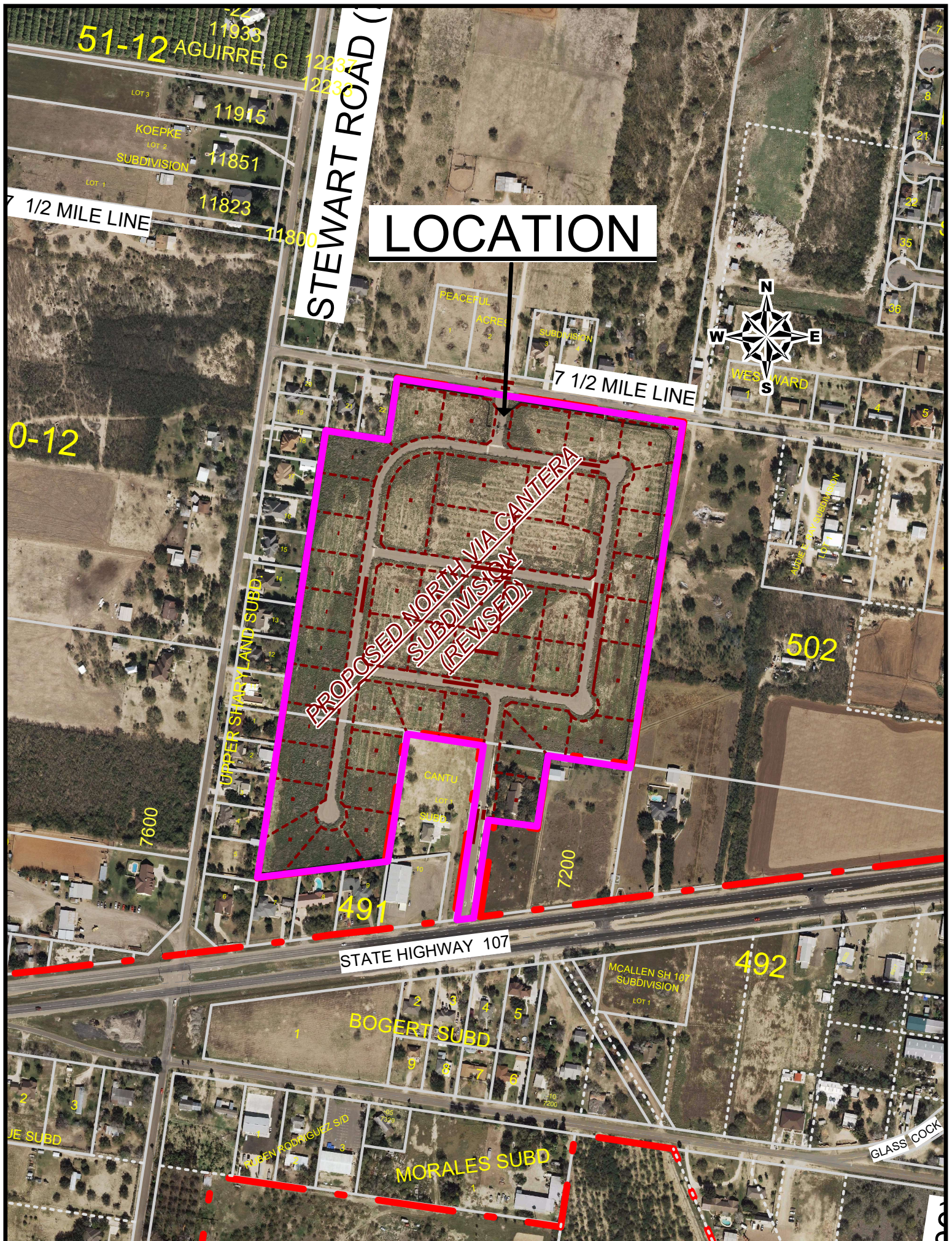
Reviewed On: 7/17/2020

<b>SUBDIVISION NAME: NORTH VIA CANTERA</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
<p>S. H. 107: 172 ft. ROW existing  Paving: by the state Curb &amp; gutter: both sides  **Need to show centerline, and existing ROW on both sides</p>	Non-compliance
<p>Mile 7 1/2 North Road: 15 ft. dedication for 40 ft. from centerline for 80 ft. ROW  Paving: 52 ft. - 65 ft. Curb &amp; gutter: both sides  **Need to show centerline and existing ROW on both sides after accounting for any ROW dedication.</p>	Non-compliance
<p>N. 73rd Street: 58 ft. ROW minimum as previously approved  Paving: 32 ft. Curb &amp; gutter: both sides  **Engineer needs to show/label ROW on the plat. Due to subdivision being private, minimum ROW width previously approved is 58 ft., revise plat accordingly.  ***Revise street name on plat to reflect N. 73rd St.</p>	Non-compliance
<p>N. 73rd Ln.: 73 ft. as previously approved  Paving: 46 ft. Curb &amp; gutter: both sides  **Engineer needs to show/label ROW on the plat. Due to subdivision being private, minimum ROW width previously approved is 73 ft., revise plat accordingly.  ***Revise street name on plat to reflect N. 73rd Lane.</p>	Non-compliance
<p>Lavaca Ave., Kentucky Ave., Johnson Creek Ave., N. 75th St. and N. 72th St.: 50 ft. ROW  Paving: 32 ft. Curb &amp; gutter: both sides.  **Revise plat and replace street names as follows: Lavaca Ave. - instead of Mission Valley Loop, Kentucky Ave. - instead of Mission Valley Central Dr., Johnson Creek Ave. - instead of Mission Valley Palm Dr., N. 75th St. - instead of Mission Valley Loop (north/south), and N. 72th St. - instead of Mission Valley East Dr.</p>	Non-compliance
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac:	Compliance
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties</p>	NA
<b>SETBACKS</b>	
<p>* Front: 25 ft. or greater for easements  **Please revise plat note as shown above prior to final.  ***Remove plat note for "Front Cul-de-sacs" prior to final.</p>	Non-compliance
<p>* Rear: 10 ft. or greater for easements, except 25 ft. for double fronting lots along Mile 7 1/2 North Road.  **Revise Note #1 on plat regarding rear setback as shown above.</p>	Non-compliance
<p>* Sides: 6 ft. or greater for easements.  **Revise plat note as shown above.</p>	Non-compliance
* Corner: 10 ft. or greater for easements.	Compliance
* Garage: 18 ft. except where greater setback is required, greater setback applies	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN.	Applied

<b>SIDEWALKS</b>	
* 5 ft. wide minimum sidewalk required on S.H. 107 and 4 ft. wide Mile 7 1/2 North Road and both sides of all interior streets. ***Revise Note #4 as shown above. ***Sidewalk along Mile 7 1/2 North Road may increase to 5 ft. - per Engineering Department.	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial, or multi-family residential zones/uses, and along Mile 7 1/2 North Road. **Note #7 on plat submitted June 26, 2020 needs to be revised as shown above.	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along Mile 7 1/2 North Road. **Revise Note #11 on plat submitted June 26, 2020 as shown above.	Non-compliance
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	Required
* 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. **Need note on plat as shown above. Indicate subdivision is private by placing including "private" with or without parenthesis,	Non-compliance
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Required
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets **Need to assign a Lot number or letter for Common Area Lake/Drainage	Non-compliance
* Minimum lot width and lot area:	Compliance
<b>ZONING/CUP</b>	
* Existing: R-1 Proposed: R-1	Compliance
* Rezoning Needed Before Final Approval.	NA
<b>PARKS</b>	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per dwelling unit to be paid prior to recording. Park fee of \$32,200 (based on \$700 x 46 dwelling units/lots) to be paid prior to recording. If the number of dwelling units/lots changes, the fees will be adjusted accordingly. Per Parks Department, the park fee is adjusted based on the reduction of lots from 53 to 48 lots. Park fees are subject to change if the number of lots changes again.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, Trip Generation has been approved.	Completed

* Traffic Impact Analysis (TIA) required prior to final plat. Per Traffic Department no TIA required, if number of Lots remain the same.	NA
<b>COMMENTS</b>	
<p>Comments:</p> <p>**Must comply with City's Management Access Policy</p> <p>***Need to identify subdivision as a private development by including "private" reference after the name.</p> <p>***Gate and gate mechanism details must be submitted for review/approval, prior to final.</p> <p>****Minimum 20 ft. pavement on both sides of islands along gate entry required.</p> <p>*****Must escrow monies, prior to recording for improvements if not constructed at this time, including paving, curb &amp; gutter, sidewalks, etc.</p> <p>*****If streets are to be private, must be built in accordance with City standards and maintained by the owners, not the City of McAllen.</p> <p>***** P&amp;Z approved the subdivision in preliminary form, with conditions, at the meeting of August 7, 2018.</p> <p>***** Subdivision was approved in revised preliminary form at the P&amp;Z meeting of February 5, 2020, engineer requested a six month extension.</p> <p>***** Assign a Lot # or letter for Common Area Lake / Drainage</p> <p>***** Update Note #11 on plat to reflect Lots 28-32 in accordance with the revised layout.</p> <p>***** 25 ft. irrigation easement identified on plat will need to be abandoned by separate process, not by plat - prior to recording.</p> <p>***** Subdivision was originally approved under Mission Valley Estates</p>	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED.	Applied





STEWART ROAD (1/2 MILE LINE)

LOCATION



PROPOSED NORTH VIA CANTERA  
SUBDIVISION  
(REVISED)

STATE HIGHWAY 107

BOGERT SUBD

MORALES SUBD

MCALLEN SH 107  
SUBDIVISION  
LOT 1

UPPER SHAW LAND SUBD

51-12 AGUIRRE, G

11933

12237  
12233

11915

11851

11823

11800

1/2 MILE LINE

0-12

7600

491

7200

502

492

GLASS COCK



SUB 2020-0022



City of McAllen  
Planning Department

APPLICATION FOR  
SUBDIVISION PLAT REVIEW

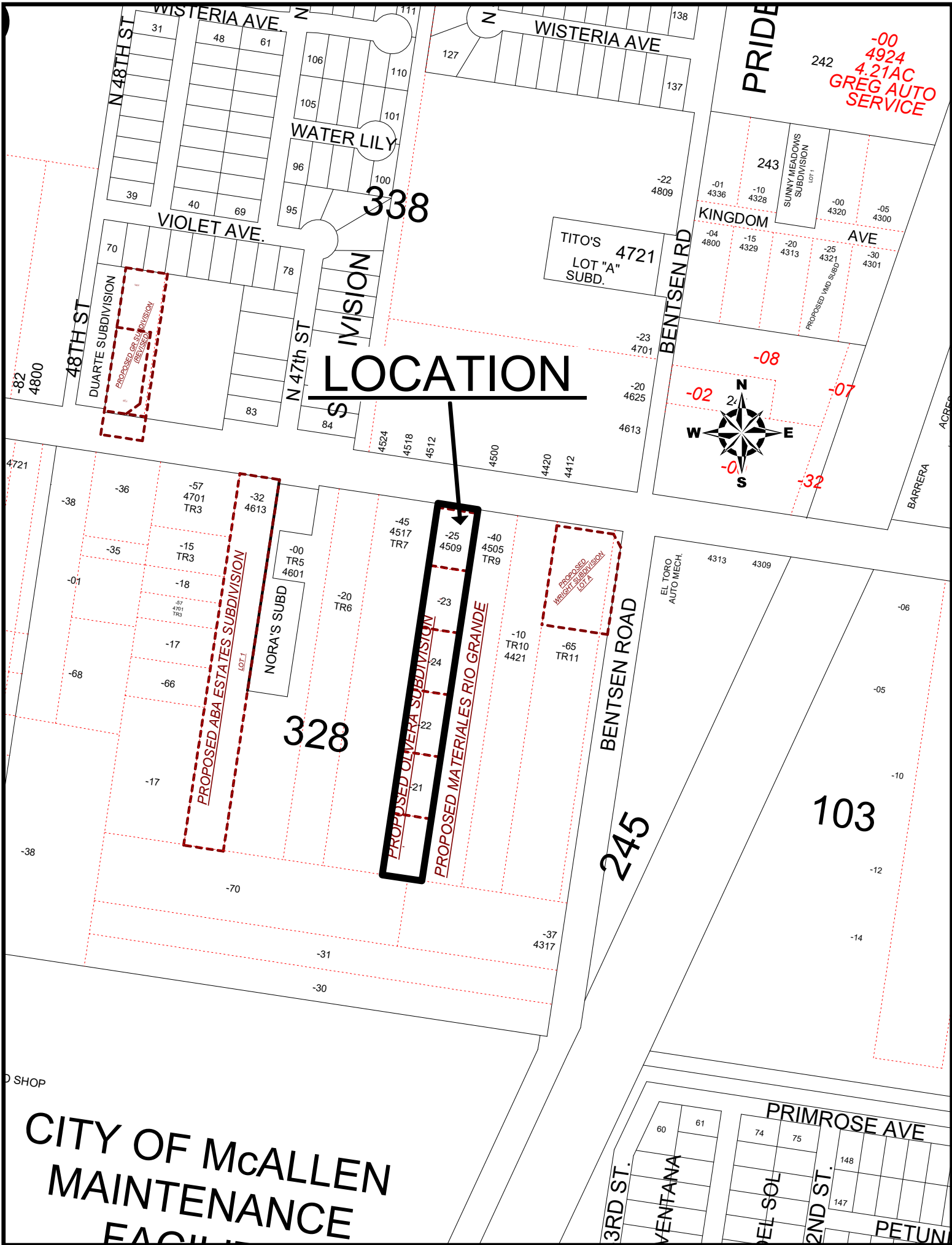
311 North 15<sup>th</sup> Street  
McAllen, TX 78501  
P. O. Box 220  
McAllen, TX 78505-0220  
(956) 681-1250  
(956) 681-1279 (fax)

Project Description	<p>Subdivision Name <u>OLVERA SUBD.</u> <u>OF BUDDY OWENS</u></p> <p>Location <u>1/4 475' WEST OF BENTLEY ROAD ALONG SOUTH SIDE</u></p> <p>City Address or Block Number <u>4509 BUDDY OWENS BLVD.</u></p> <p>Number of lots <u>6</u> Gross acres <u>2.15</u> Net acres <u>2.15</u></p> <p>Existing Zoning <u>C3/R-1</u> Proposed <u>C3/R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>OPEN/RESIDENTIAL</u> Proposed Land Use <u>RESIDENTIAL</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>1500<sup>00</sup></u></p> <p>Parcel No. <u>PROP. I.D. # 281799</u> Tax Dept. Review _____</p> <p>Legal Description <u>2.15 AC. 0/0 LOT 328, JOHN. D. SHARP SUBD., D.C.T.</u></p>
Owner	<p>Name <u>JOSE TALLER OLVERA</u> Phone <u>776-9268</u></p> <p>Address <u>4509 BUDDY OWENS BLVD.</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>None</u></p>
Developer	<p>Name <u>SHURE AS OWNER</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>DAVID O. SALINAS</u> Phone <u>682-9001</u></p> <p>Address <u>2221 DAFFODIL AVE.</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>DAVID</u></p> <p>E-mail <u>dsalinas@salinasengineering.com</u></p>
Surveyor	<p>Name <u>SHURE AS ENGR.</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p>

RECEIVED  
APR 14 2020

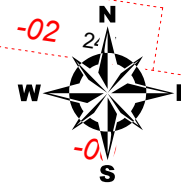
BY: NC 4:00 pm

RC# 712517



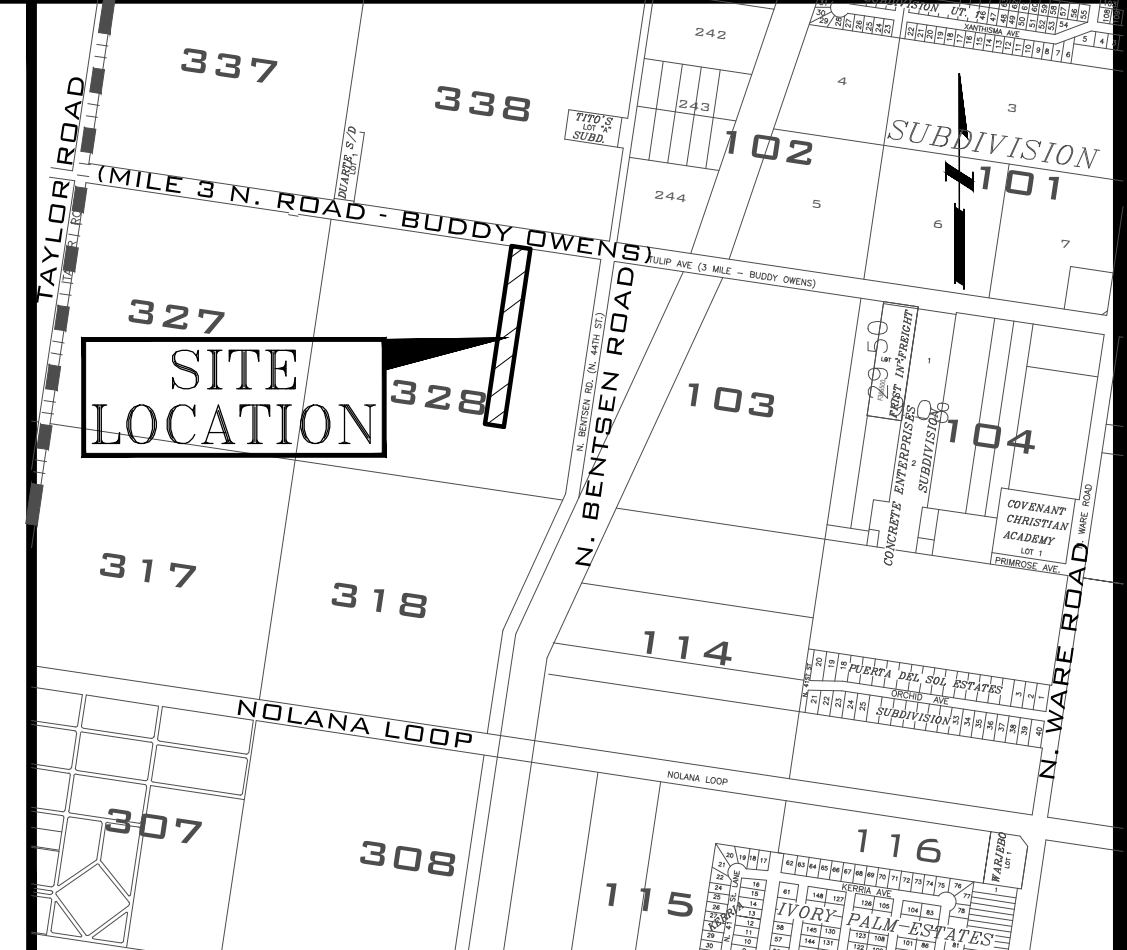
-00  
4924  
4.21AC  
GREG AUTO  
SERVICE

LOCATION



CITY OF McALLEN  
MAINTENANCE  
EACH





PREPARED BY:  
SALINAS ENGINEERING & ASSOC.  
DAVID D. SALINAS, P.E., R.P.L.S.  
2221 DAFFODIL AVE.  
MCALLEN, TEXAS 78501

DATE PREPARED: MAY 12, 2020  
DATE SURVEYED: APRIL 06, 2020

SEA  
SALINAS ENGINEERING & ASSOC.  
(F-6675) (10065700)  
CONSULTING ENGINEERS & SURVEYORS  
2221 DAFFODIL AVE.-MCALLEN, TEXAS 78501  
(956) 682-9081 (956) 686-1489 (FAX)  
TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78753 (512) 239-5261



Reviewed On: 5/29/2020

**SUBDIVISION NAME: OLVERA****REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

Buddy Owens Boulevard: 10 ft. ROW dedication by this plat for 60 ft. from centerline for 120 ft. of ROW

Paving: by the state Curb & gutter: by the state

\*\*Make reference to "10 ft. additional ROW dedicated by this plat" prior to final.

Interior N/S Street: 50 ft. of ROW

Paving: 32 ft. Curb & gutter: Both sides

\*Cul-de-Sac is required at the south end of property with a minimum of 96 ft. paving diameter face to face as per Fire Department.

\*\*As per Public Works, ROW is required to be dedicated in order to provide for necessary pavement improvements and Cul-de-Sac design for residential waste collection services.

\*\*Must escrow monies if improvements are not constructed prior to recording.

\*\*\*\*Engineer submitted a variance letter on May 21, 2020 to not provide the required 50 ft. of ROW, 32 ft. of pavement with curb and gutter on both sides, and to not provide the required cul-de-sac. Instead, the engineer is proposing a 20 ft. caliche access easement with no curb and gutter.

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

Paving \_\_\_\_\_ Curb & gutter \_\_\_\_\_

\* 800 ft. Block Length.

\*Block length proposed is approximately 930 ft. which exceeds the maximum 800 ft. allowed.

\*\*Engineer submitted a variance letter on May 21, 2020 requesting a variance to this requirement.

\* 600 ft. Maximum Cul-de-Sac.

\*\*\*Engineer submitted a variance letter on May 21, 2020 to not provide the required cul-de-sac ROW or 96 ft. paving diameter at the south end of the proposed 20 ft. access easement.

Applied

Non-compliance

Applied

Applied

Applied

Non-compliance

Non-compliance

**ALLEYS**

ROW 20 ft. Paving: 16 ft.

\*Alley/service drive easement required for commercial properties

NA

**SETBACKS**

\* Front: 25 ft. or greater for easements on properties facing interior N/S street.

\*\*Lot 1: 60 ft. or greater for easements on Buddy Owens Boulevard.

\*\*\*Note must be included on plat prior to final.

\*\*\*\*Zoning must be verified by Engineer prior to final to determine required setbacks.

\*\*\*\*\*If Conditional use Permit is required, it must be approved prior to final.

\* Rear: 10 ft. or greater for easements. (If Zoned R-1)

\*\*Note must be included on plat prior to final.

\*\*\*Zoning must be verified by Engineer prior to final to determine required setbacks.

\*\*\*\*\*If Conditional use Permit is required, it must be approved prior to final.

Non-compliance

Non-compliance

<ul style="list-style-type: none"> <li>* Interior Sides: 6 ft or greater for easements. (If Zoned R-1)</li> <li>**Note must be included on plat prior to final.</li> <li>***Zoning must be verified by Engineer prior to final to determine required setbacks.</li> <li>****If Conditional use Permit is required, it must be approved prior to final.</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Corner: 10 ft. or greater for easements. (If Zoned R-1)</li> <li>**Note must be included on plat prior to final.</li> <li>***Zoning must be verified by Engineer prior to final to determine required setbacks.</li> <li>****If Conditional use Permit is required, it must be approved prior to final.</li> </ul>	Non-compliance
<ul style="list-style-type: none"> <li>* Garage: 18 ft. or greater for easements except where greater setback is required, greater setback applies (If Zoned R-1)</li> <li>**Note must be included on plat prior to final.</li> <li>***Zoning must be verified by Engineer prior to final to determine required setbacks.</li> <li>****If Conditional use Permit is required, it must be approved prior to final.</li> </ul>	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on both sides of interior street</li> <li>**5 ft. wide minimum sidewalk along Buddy Owens Blvd. as per Engineering Dept.</li> <li>***Engineer submitted a variance letter on May 21, 2020 to not provide sidewalks along the interior street and Buddy Owens Blvd.</li> </ul>	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along Buddy Owens Blvd.	TBD
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance. (For commercial lots on Buddy Owens Boulevard).	Required
* Common Areas, Private Streets 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.	NA
* 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 110-70 if a public subdivision.	Required
*Engineer must clarify if this will be a private or public subdivision prior to final.	
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
**Engineer must clarify if subdivision will be private or public prior to final.	
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets.</li> <li>**Engineer submitted a variance letter on May 21, 2020 to allow Lots 2-6 to front onto a proposed 20 ft. access easement instead of the required street. Lot 1 has more than 50 ft. of frontage onto Buddy Owens Boulevard.</li> </ul>	Non-compliance



* Minimum lot width and lot area.	Applied
<b>ZONING/CUP</b>	
* Existing: C-3 & R-1 Proposed: R-1 **Zoning must be verified by the engineer. If any rezoning or CUP for residence in a C-3 zone required, it must be done prior to final.	TBD
* Rezoning Needed Before Final Approval	TBD
<b>PARKS</b>	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per dwelling unit to be paid prior to recording. Plat submitted April 14, 2020 shows 6 lots. Engineer must clarify use for the 6 lots prior to final to determine amount of park fees required. Parks fees apply at a rate of \$700 per dwelling unit (6 lots X \$700= \$4,200)	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* As per Traffic Department, Trip Generation to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
<b>COMMENTS</b>	
Comments: *Must comply with City's Access Management Policy **As per Public Works Dept., ROW must be dedicated and provide pavement improvements including a turnaround design for residential waste collection service ***Minimum 96 ft. paving diameter required for Cul-de-Sac as per Fire Dept.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITY AND DRAINAGE APPROVALS, AND CLARIFICATION ON VARIANCE REQUESTS.	Applied






LOCATION

CITY OF McALLEN  
MAINTENANCE



# Memo

**To:** McAllen Planning Department (Via Email on 05/21/20)  
**From:** David Omar Salinas, P.E., R.P.L.S.   
**CC:** n:\subdivisionplats\olvera.sub\humbertodelagarza.001  
**Date:** 5/21/2020  
**Re:** Olvera Subd. – Variances to Street Requirements

---

On behalf of the subdivider of Olvera Subdivision, please find the following requested variances to the street of the proposed plat:

1. Variance for lots not fronting a public street. The only lots that currently fronts a public street is proposed Lot 1 while proposed Lots 2 thru 6 front on a private 20.0 foot roadway access easement;
2. Variance to the block length. Reviewing the details of this tract will show any kind of midway have cul-de-sac will likely makes the affected (lot/lots) un-buildable;
3. Variance to not providing for 50.0 feet of public dedicated ROW, and, not providing a 32' back to back roadway allowing the continued use of a 20.0 foot access easement. Client has agreed to provide for an all-weather road (i.e. caliche) in lieu of a paved section. The provision of any roadway dedication of 50.0 feet will make the lots almost un-buildable or would result in the reduction of the lots, and, would likely create another variance to lot depths;
4. Variance not to provide a cul-de-sac turn-a-round at the end of the ingress/egress roadway as the half cul-de-sac will make Lot 6 unbuildable (See Attachment);
5. Client is requesting a variance to providing sidewalks along the internal roadway easement and Mile 3 North Road.

Please see attachment of plat revisions.

The main purpose of this plat is to secure a building permit on proposed Lot 2 -Lots 1 and 5 already have residential improvements. Please advise if you need any further information. Thank you.

2221 Daffodil Ave., McAllen, Texas 78501  
(956) 682-9081/(956) 686-1489 Facsimile  
(956) 648-8899 Cell  
[dsalinas@salinasengineering.com](mailto:dsalinas@salinasengineering.com)



## Planning Department

### Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** July 16, 2020

**SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 1.23 ACRE TRACT OF LAND OUT OF LOT 1, SECTION 11, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 201 DOVE AVENUE. (REZ2020-0016)**

**LOCATION:** The property is located at the southwest corner of Dove Avenue and North 2<sup>nd</sup> Street. The tract has 184.58 ft. of frontage along 2<sup>nd</sup> Street and 277 ft. of frontage along Dove Avenue for a lot size of 1.23 acres.

**PROPOSAL:** The applicant is requesting to rezone the property to R-3T (multifamily residential townhouse) District in order to construct townhomes. No feasibility plan or subdivision application has been submitted.

**ADJACENT ZONING:** The adjacent zoning is R-1 (single-family residential) District to the north, west, and south and A-O (agricultural and open space) District to the east.



LAND USE: The property is currently vacant. Surrounding land uses are single-family residential and the McAllen Hike and Bike trail.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Suburban Commercial, which is comparable to C-1 (office building) District to C-3L (light commercial) District.

DEVELOPMENT TRENDS: The development trend for this area along Dove Avenue is single-family residential and townhomes.

HISTORY: The property was zoned R-1 (single-family residential) District during comprehensive zoning in May 1979. There have been other rezoning requests on the property since then. An application for R-3C (multifamily residential condominium) District was approved in 1983 subject to platting (Heritage Square Subdivision) within 6 months that subsequently expired. A rezoning request for C-3 (general business) District on the subject property for a proposed gasoline service station was disapproved in 1995. Another rezoning request for C-3 (general business) District on the subject property was disapproved in 1999. A request for C-1 (office building) District was disapproved in 2005. A rezoning request for R-3C (multifamily residential condominium) District to build a seven-story condominium development on the subject property was disapproved in 2009 due to the neighbors' concern of traffic and height.

ANALYSIS: The requested zoning is less intense than Suburban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan.

The maximum density in R-3T (multifamily residential townhouse) District is approximately 21 units per acre. Therefore, the maximum number of units for the subject property is approximately 26 townhouses.

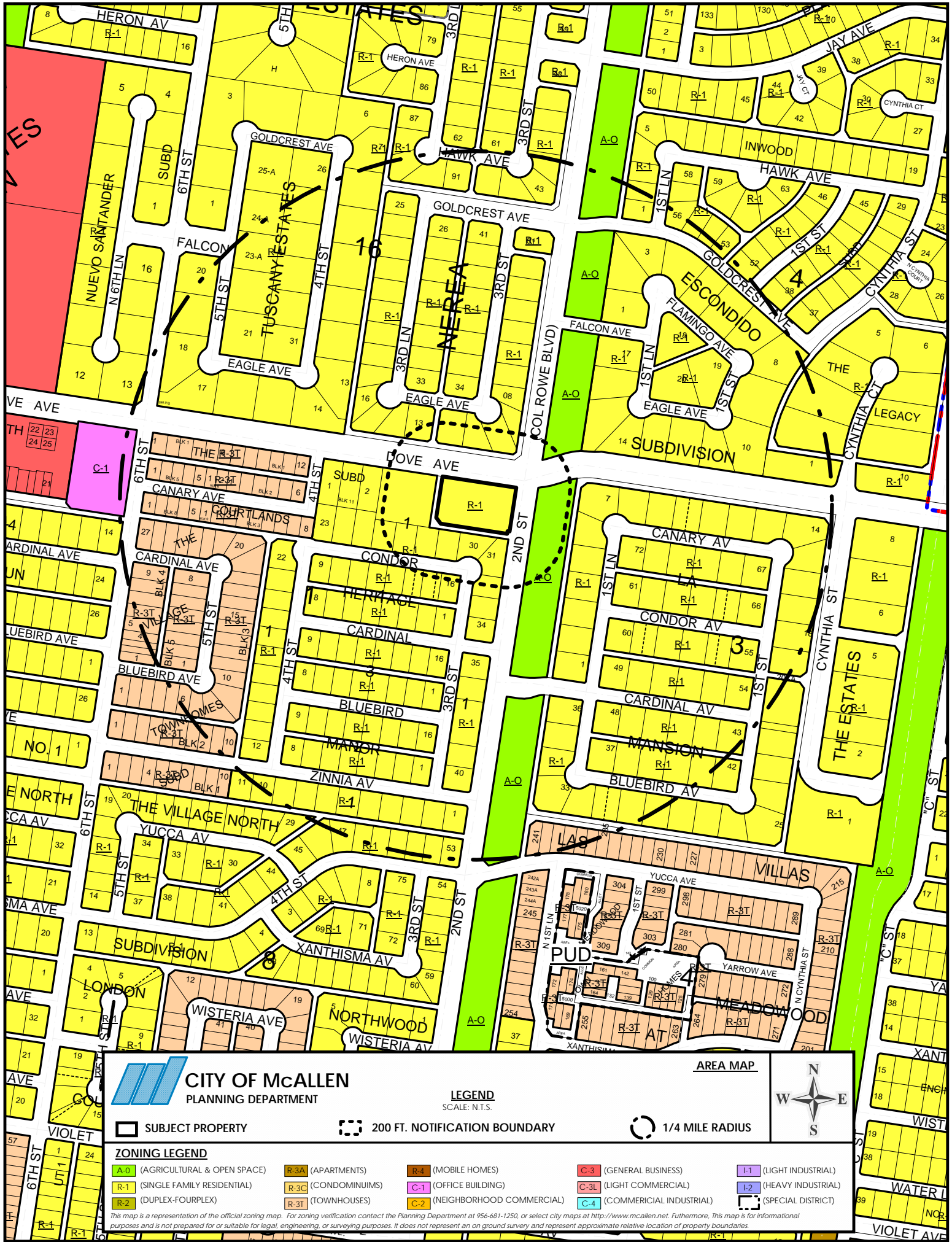
The staff has received two calls in opposition. Mr. Gattis Guffy, 321 Dove Avenue, stated that he was concerned if the existing traffic congestion would worsen with the proposed development and wanted to know the details of the plan. However, the staff mentioned that no feasibility plan had been submitted. Mr. James Bormann, 304 Condor Avenue, was concerned about the traffic issues and the townhouses' height. He had questions about the plans' details, but the staff mentioned that no feasibility plan had been submitted.

A recorded subdivision plat and approved site plan are 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.

The request provides opportunity for residential development of the vacant lot.

RECOMMENDATION: Staff recommends approval of the rezoning request to R-3T (multifamily residential townhouse) District.









**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative location of property boundaries.





Job No.: SUR19.042	FB: 570	Drawn By: RG
Date: 06/24/2019	PG: 76	Checked By: PS







## **Memo**

**TO:** Planning and Zoning Commission

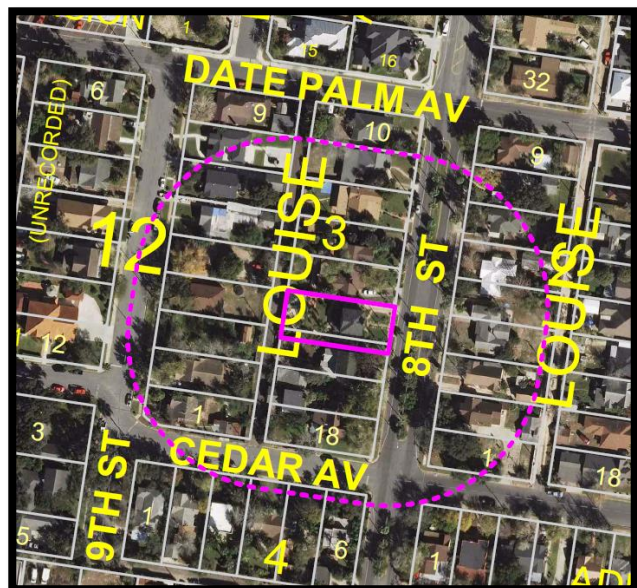
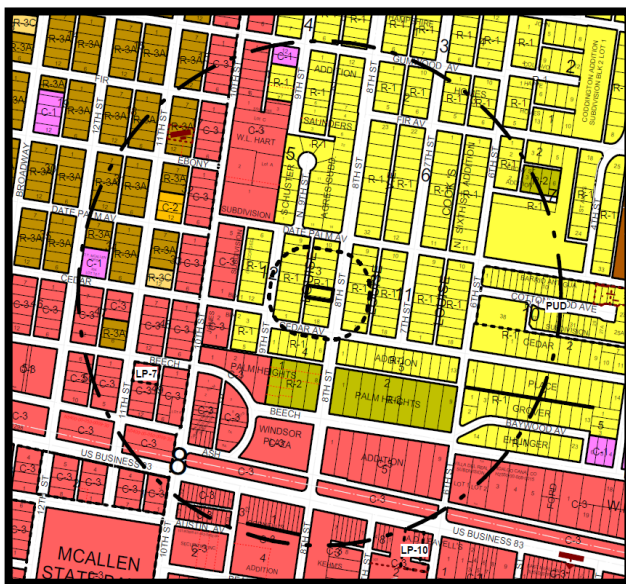
**FROM:** Planning Staff

**DATE:** July 21, 2020

**SUBJECT: REQUEST OF JOAQUIN E. ZAMUDIO, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (HAIR SALON), AT LOT 15 AND THE NORTH 12 ½ FT. OF LOT 16, BLOCK 3, LOUISE ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 313 NORTH 8<sup>TH</sup> STREET. (CUP2020-0070)**

### **BRIEF DESCRIPTION:**

The property is located on the west side of North 8<sup>th</sup> Street, approximately 125 ft. north of Cedar Avenue and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 district in all directions. Surrounding land uses include single-family residences. A home occupation is permitted in the R-1 district with a Conditional Use Permit and in compliance with requirements.



### **REQUEST/ANALYSIS:**

The applicant is proposing to operate a hair salon from approximately 417 sq. ft. of the existing 2044 sq. ft. residence. The proposed hours of operation are daily within the hours of 8:00 a.m. to 4:00 p.m. The applicant stated that he will have two employees, an unrelated employee and himself. The applicant is requesting to work from home by appointment due to the Covid-19 pandemic.

The staff verified the ownership of the property. According to the Hidalgo County Appraisal

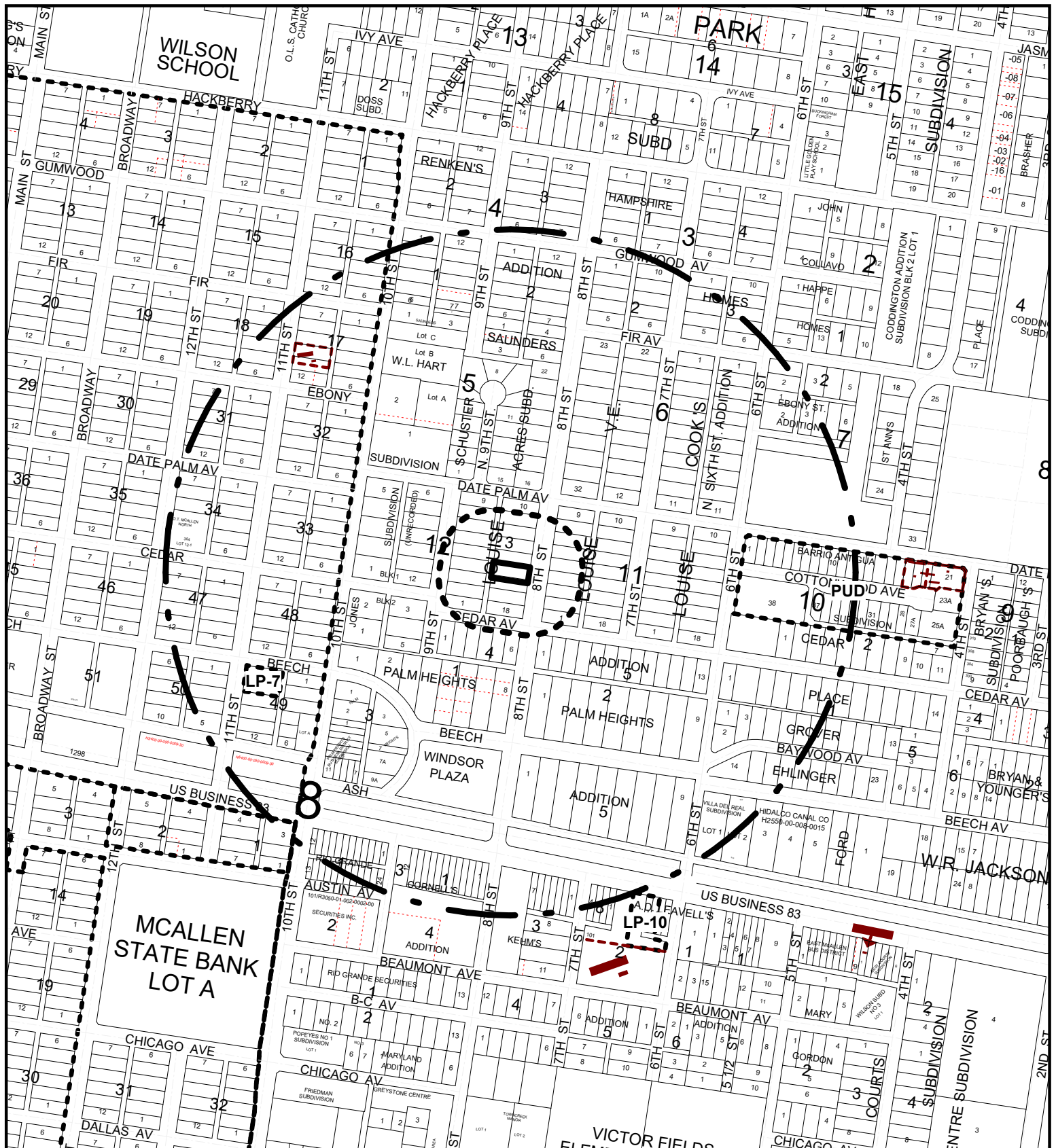
District, the applicant and Mrs. Rebecca Hayley are the owners of the property, and live on the subject property.

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 the issuance of the certificate. The Fire Department has inspected the building, and a re-inspection is pending. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and the specific requirements are as follows:

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

**RECOMMENDATION:**

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



# **CITY OF McALLEN** PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.

## **AREA MAP**



**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

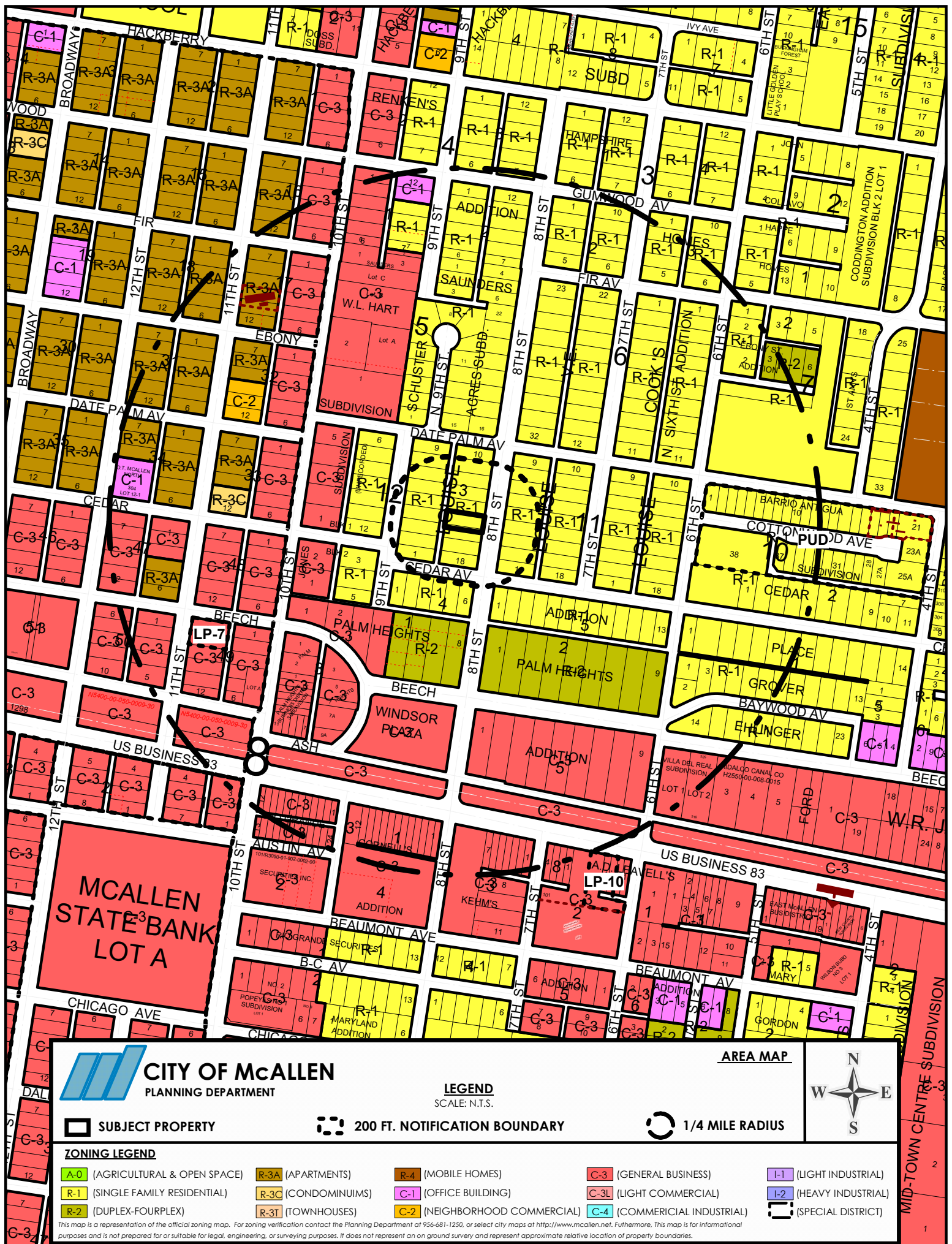
**1/4 MILE RADIUS**

### **ZONING LEGEND**

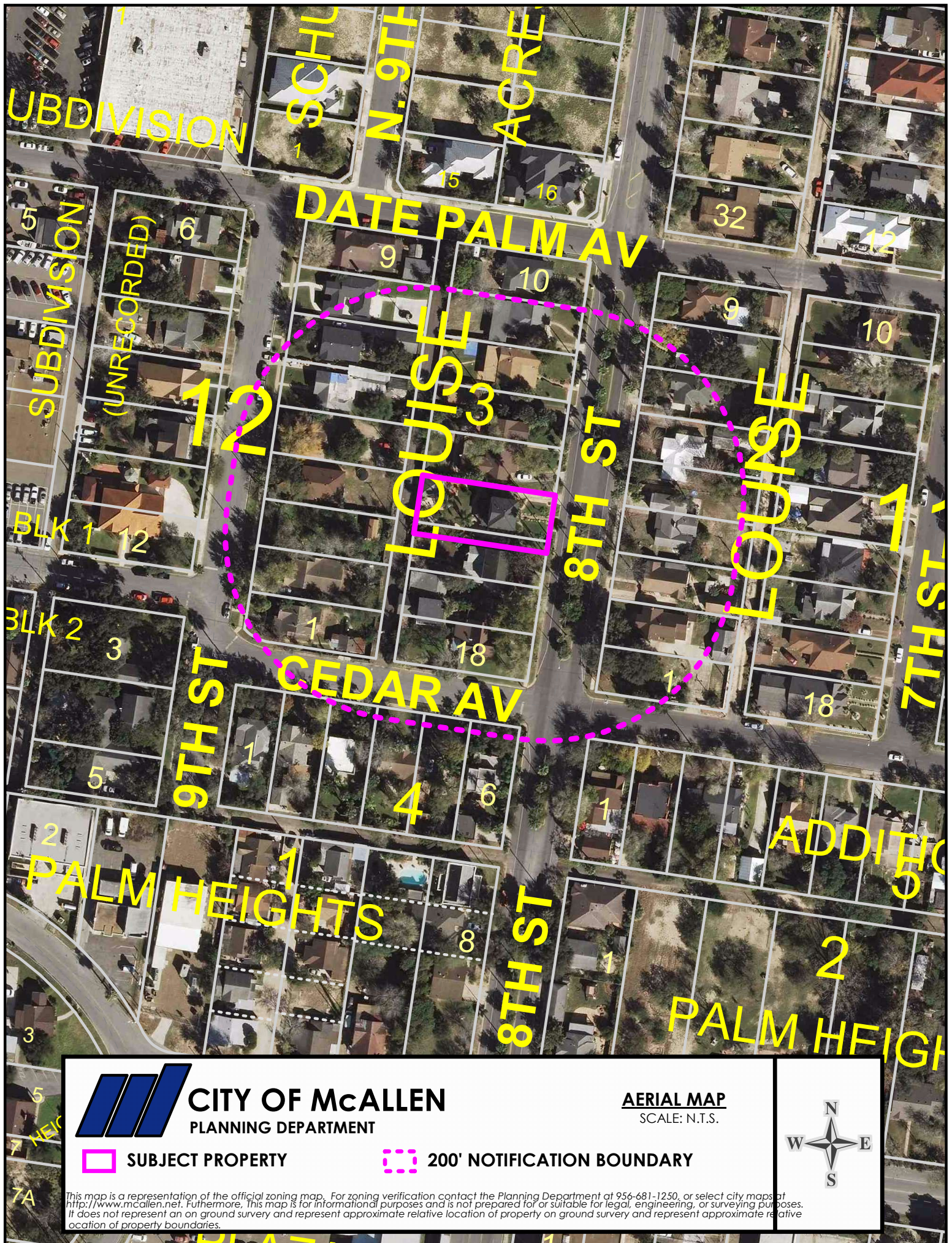
A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.









**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**



**200' NOTIFICATION BOUNDARY**



This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative location of property boundaries.



RESIDENCE ENTRANCE

PATIO



Exit

Solid  
Door  
1/2  
BATH  
ROOM

7'2"

5'1"

17'

KITCHEN

STAIRS

SOLID  
DOOR

30'  
ENTRANCE

PORCH

12'

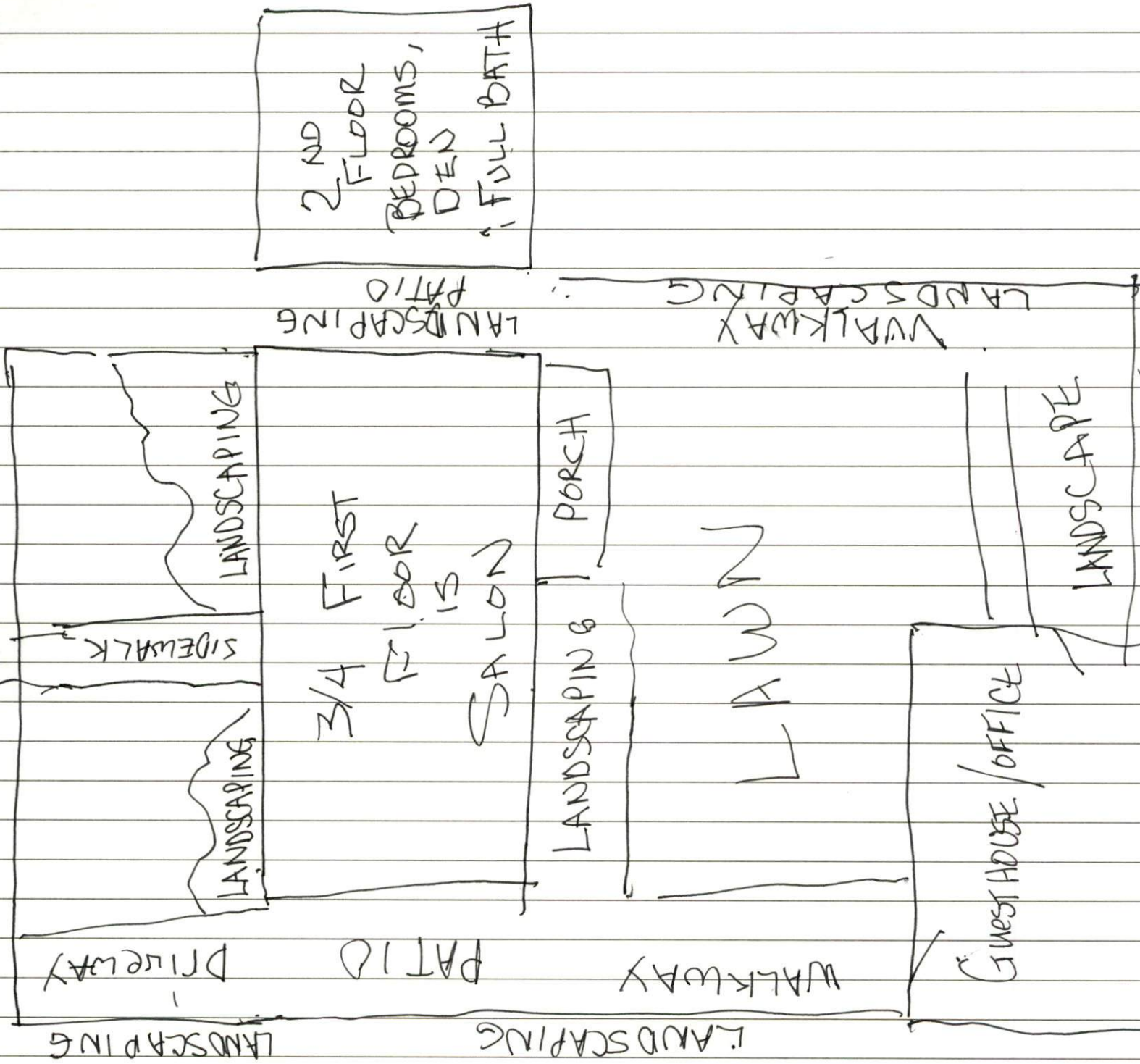
SALON

SALON

25'

PATIO







**Joaquin E. Zamudio**  
**313 North 8<sup>th</sup> Street**  
**McAllen, TX 78501**

June 15, 2020

City of McAllen  
PO Box 220  
McAllen, TX 78505-0220

**Re: Home Occupation Conditional Use Permit Application**

Dear Sir/Madam;

I am requesting a Home Occupation Conditional Use Permit to operate a Private Hair Salon, by Appointment Only.

I have been a hair stylist for more than twenty-five years, having worked in some of the best salons in McAllen and Sharyland, including Capelos, Studio, Details, Dillards, Renee's of Sharyland and Dubai, where I have developed a loyal following of clients.

Approximately twenty-two years ago, I had a Conditional Use Permit at this same address, during Mayor Brand's tenure, where I had a salon for a short time when my children were very young.

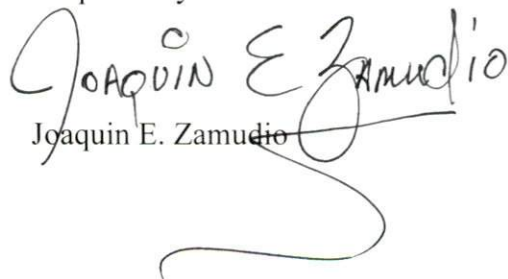
Because of the pandemic circumstances and the newly-resulting business climate, I feel it is necessary to offer my clients an environment to have their hair services performed on an individual basis, where each of my client's health and safety are paramount.

Enclosed are the following documents:

- 1) Home Occupation Conditional Use Permit Application
- 2) Basic Floor Plan
- 3) Letters of Reference:
  - a) Melodye and Jack Scoggins
  - b) Yvonne Kautsch
  - c) Tim and Nora Smith
  - d) Pam Voss
  - e) Colleen Hook

Please advise if anything further is needed.

Respectfully-

  
Joaquin E. Zamudio



April 25, 2020

To: City of McAllen

From: Jack & Melodye Scoggins

Re: Joaquin Zamudio

We wish to express our strong support for Joaquin Zamudio and his desire to open a hair salon. Joaquin is an excellent hair stylist and is very passionate about what he does. He is a principled person dedicated to his customers and to his work.

We are certain that his hair salon will be first class whether it be located at his residence or wherever.

Joaquin has worked in the business for over 30 years—many of which were as an employee of others. He certainly deserves to have his own salon now. His residence would be a great location.

Sincerely,

*Jack Scoggins*  
*Melodye Scoggins*



April 27, 2020

City of McAllen  
McAllen, Texas 78501

RE: Request for Conditional Use Permit on behalf of Joaquin Zamudio

To Whom It May Concern:

This letter is in support of Joaquin Zamudio, who is submitting an application for a conditional use permit allowing him to open a hair salon in his home.

I am a retired education specialist who has lived in Hidalgo County well over fifty years. For the past twenty years, I have been one of Mr. Zamudio's most devoted clients during which time, I have grown to know him quite well. There are many ways I can define Mr. Zamudio, all of which makes him one of the most unique and impressive individuals I have ever known.

But, what I believe to be of importance to the City in this endeavor, is to highlight the attributes that qualify him to receive this specific permit.

- **Mr. Zamudio does everything "by the book"**
- He exudes pride and professionalism in every way
- His work ethic is exemplary and sometimes just blows my mind
- I continue to be impressed by his knowledge and support of US Law
- He is always first to support any efforts toward fund raising for local charities
- Joaquin Zamudio is synonymous with the word "trust"
- His (always) positive attitude, talent, and commitment has built a very devoted following
- I did the math (admittedly, not my best subject), and during the past twenty years, I have spent more or less 360 hours one on one with Mr. Zamudio, and during that time, I have never once heard him say an unkind word about anyone...I think that speaks volumes about his character.

Opening a salon in his home has been a long time dream of Mr. Zamudio and his wife, Rebecca. It is my hope that the City of McAllen will award his request for this permit. If you wish to discuss this in more detail, please feel free to contact me.

Respectfully,  
Yvonne M. Kautsch  
705 W. US Hwy. 83  
Alamo, Texas 79816  
(956) 778-5945



April 27, 2020

To the City of McAllen

I am writing this letter in support of Mr. Joaquin Zamudio's request for a conditional use permit for his home. My wife and I have been a clients of Joaquin's for nearly two decades and we believe he will operate his home business in a manner consistent with all rules and regulations set forth by the city for such a business.

Joaquin is the consummate professional as a hair stylist and businessman. His client list is a virtual who's who in our community. Joaquin simply does things the right way. The workspace is always immaculate, his attention to detail is remarkable. He truly has a passion for what he does. He is also passionate about nature. From the flowers and plants in his yard to birds which sometimes land on his shoulder, Joaquin is an outstanding steward of the things which with he has been blessed.

In this unprecedented time in our community and around the world, it is encouraging to see someone willing to step out and start a new small business. Joaquin is the perfect person, with the perfect location, at the perfect time. I give him my full support.

Respectfully,

A handwritten signature in black ink, appearing to read "Tim Smith". The signature is stylized with a large, sweeping "T" and a cursive "Smith".

Tim (and Nora) Smith





April 24, 2020

City of McAllen

To whom this may concern:

I am writing this letter on the behalf of my friend, and hair stylist, Joaquin Zamudio, to express my support of his new business venture. I have known Joaquin for over 15 years and have trusted his expertise with every woman's (and maybe man's, too) greatest vanity, hair.

He has always shown me the greatest respect while serving my needs. His character and professionalism have shown me time after time, how grateful we are to have him in our community. My work at CAMP University has caused me to ask businesses for donations. For the last 3 years Joaquin has graciously given generous hair styling packages to our gala auction. Each year it causes him to have an opportunity to please a new prospective client. It has generated more business for the City of McAllen, and showed that he wants to support our community.

I realize Mr. Zamudio is one of many who are trying to open up something new or different in light of our present predicaments. He has gone from working hard at 50 plus hours a week in a salon in McAllen, to finding a way he can continue to work. I think he is talented and willing to work hard to make a viable honest business in our city. He is willing to go through the hard work required to do it the right way. I know he will provide a safe and secure location that will be careful to follow all of the new and necessary precautions. He will be generating money in the city of McAllen by his talents, and many will benefit.

I recommend highly that you welcome this man as a salon owner in McAllen. Many people will continue to use his services to support our needs to look our best. He will be an asset to our already wonderful city. I am hopeful you would assist him to get "in business" as soon as possible. Although I have asked him twice, he has refused to cut my hair during this pandemic, and I am sure he has many customers who will be ready to see him as well.

If I can be of any further help with information regarding Joaquin Zamudio, I will be happy to help.

Kind regards,



Pam Voss

956-867-2764



Dear City of McAllen,

I am writing a letter of recommendation on behalf of Joaquin Zamudio who is hoping to create a salon studio at home. I've been a client of his for over ten years.

In addition to his salon skills, I admire him for his professionalism. He takes great pride in his business and is one who greatly respects city policies and procedures.

I believe a majority of his clients have this kind of long tenure relationship, which says so much about his character.

If I can provide any further information, please let me know.

Thank you,

Colleen Hook







## Memo

**TO:** Planning and Zoning Commission

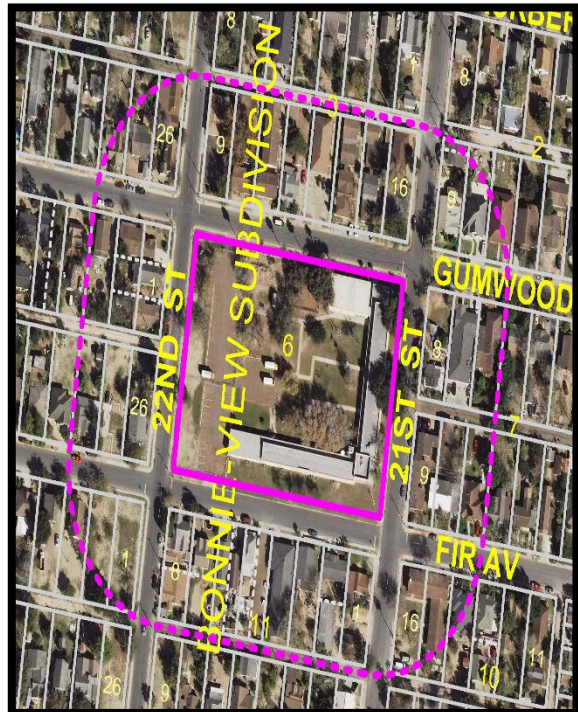
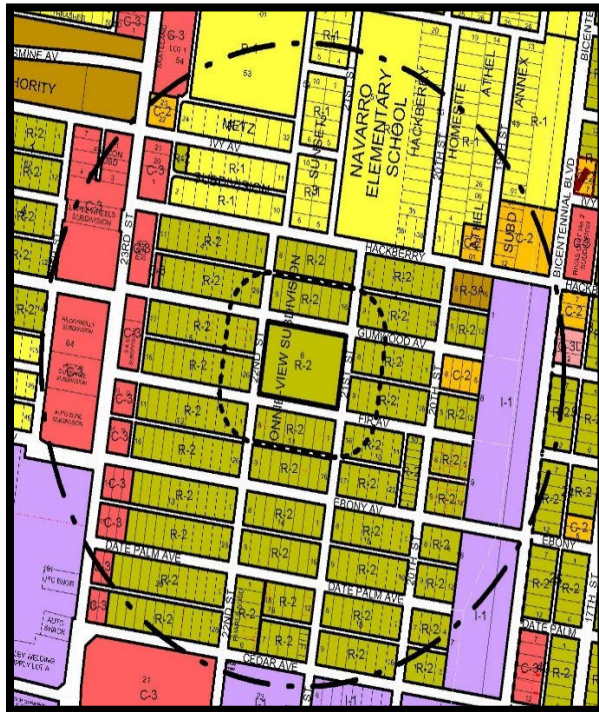
**FROM:** Planning Staff

**DATE:** July 15, 2020

**SUBJECT: REQUEST OF MIGUEL A. RIVERA, ON BEHALF OF CASA DE ORACION REY DE REYES, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN INSTITUTIONAL USE (CHURCH) AT LOTS 1-8 AND LOTS 9-16, BLOCK 6, BONNIE-VIEW SUBDIVISION, HIDALGO COUNTY, TEXAS; 2100 FIR AVENUE.(CUP2020-0064)**

### BRIEF DESCRIPTION:

The property is located at the between North 21<sup>st</sup> Street and Fir Avenue. It is zoned R-2 (duplex-fourplex residential) District. The adjacent zoning is R-2 District in all directions. Surrounding land uses include single-family residences, duplex, multifamily apartments, Iglesia Presbiteriana Betania, Navarro Elementary and vacant land. An institutional use is permitted in an R-2 District zone with a conditional use permit and in compliance with requirements.





**REQUEST/ANALYSIS:**

The applicant is proposing to operate a church from existing buildings that previously served as offices for the Hidalgo County Head Start Program.

The first building is approximately 3,212 sq. ft. and consists of the altar, two restrooms, a sound booth, mechanical room, media room and the main sanctuary. The main sanctuary has 27 rows of chairs for a proposed seating capacity of 238. It is scheduled to operate on Wednesdays from 7:00 PM - 9:00 PM, Sundays from 10:00 AM- 12:30 PM and on Thursday for Youth Service from 7:00 PM- 9:00 PM.

The second building is approximately 16,145 sq. ft. in size. It consists of 3 classrooms, 6 offices, 4 restrooms, a lobby, 7 rooms that are going to be initially vacant and used as needed, 6 storage rooms, a library, a janitorial room, mail room, mechanical room and a waiting area. Hours of operation are the same as the main building.

Based on the number of seats in the main sanctuary, 60 parking spaces are required, of which 3 parking spaces must be accessible with an 8 ft. aisle. There is an existing parking lot with 64 parking spaces; an updated site plan showing the proposed accessible spaces is needed. A site inspection revealed that the parking lot needs maintenance. The parking lot needs to be properly paved, striped, and cleared out of grass, and show the assigned accessible spaces.

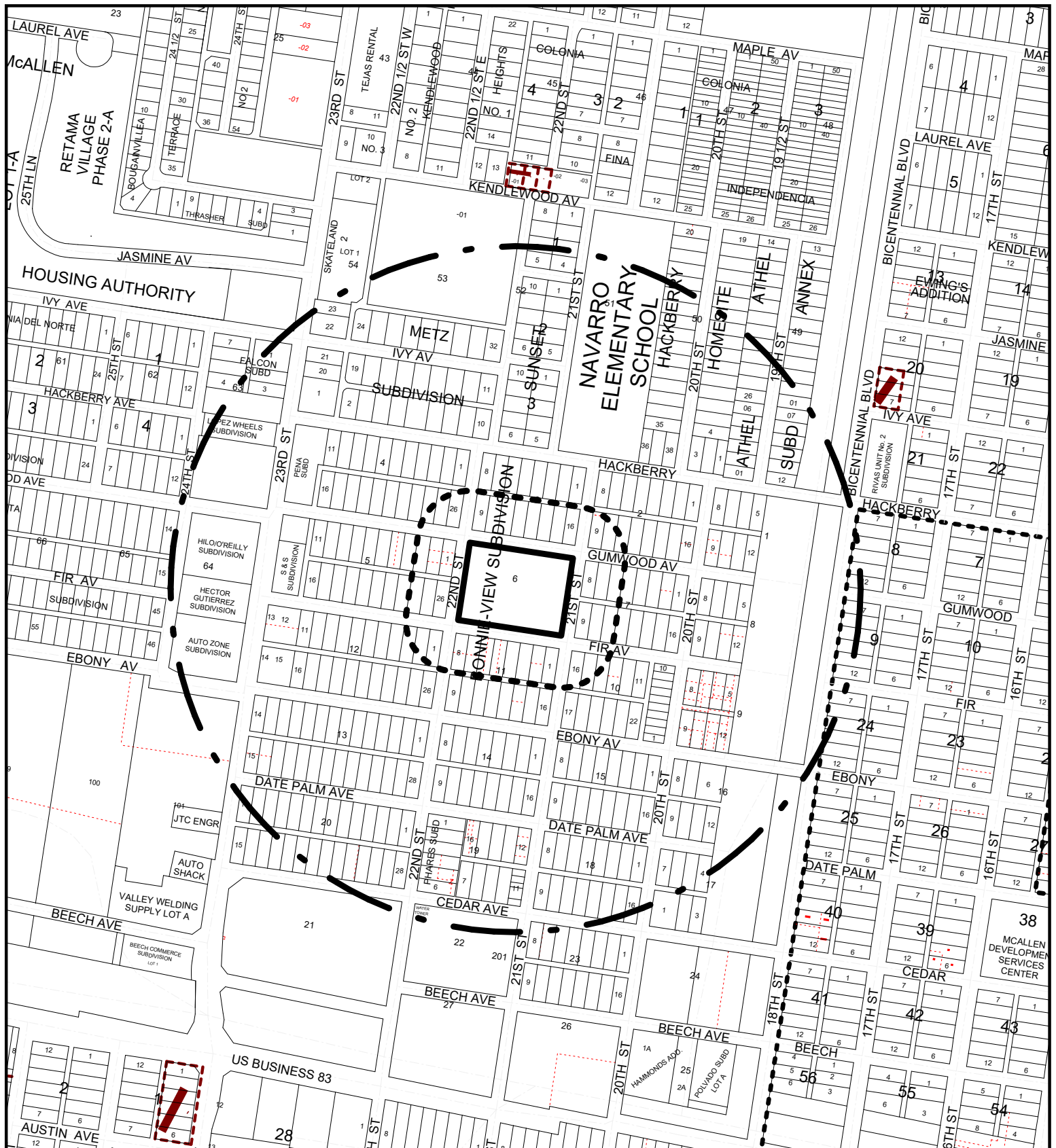
The Fire Department has conducted the necessary inspection, no violations were found. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed use must also comply with the zoning ordinance 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. The property fronts North 21<sup>st</sup>, 22<sup>nd</sup> Street, Gumwood and Fir Avenue
- 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. Based on the seating area of 238 seats in the main sanctuary, 60 parking spaces are required; 64 parking spaces are provided. The parking must be clear of potholes and be properly striped per city requirements.
- 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 commercially and residentially zoned or use property shall be screened by a 6 ft. opaque fence. A Chain link fence is provided on the west and north side of the property.

**RECOMMENDATION:**

Staff recommends approval of the request, for one year, subject to compliance with requirements in Section 138-118 and Section 138-400 of the Zoning Ordinance, and Building Permits and Fire Department requirements.



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.

**AREA MAP**


 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

 **1/4 MILE RADIUS**

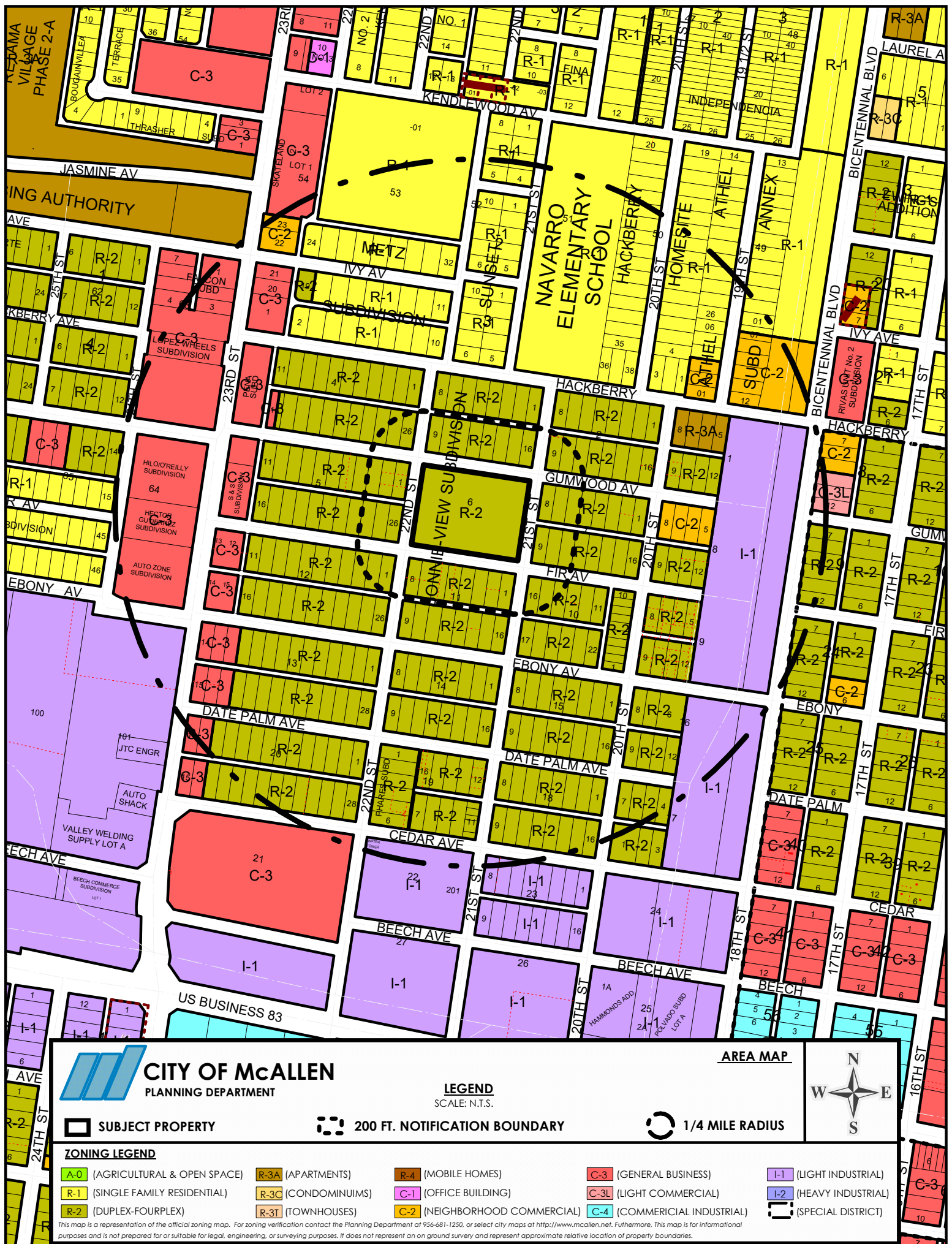


**ZONING LEGEND**

A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	 (SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.









**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**

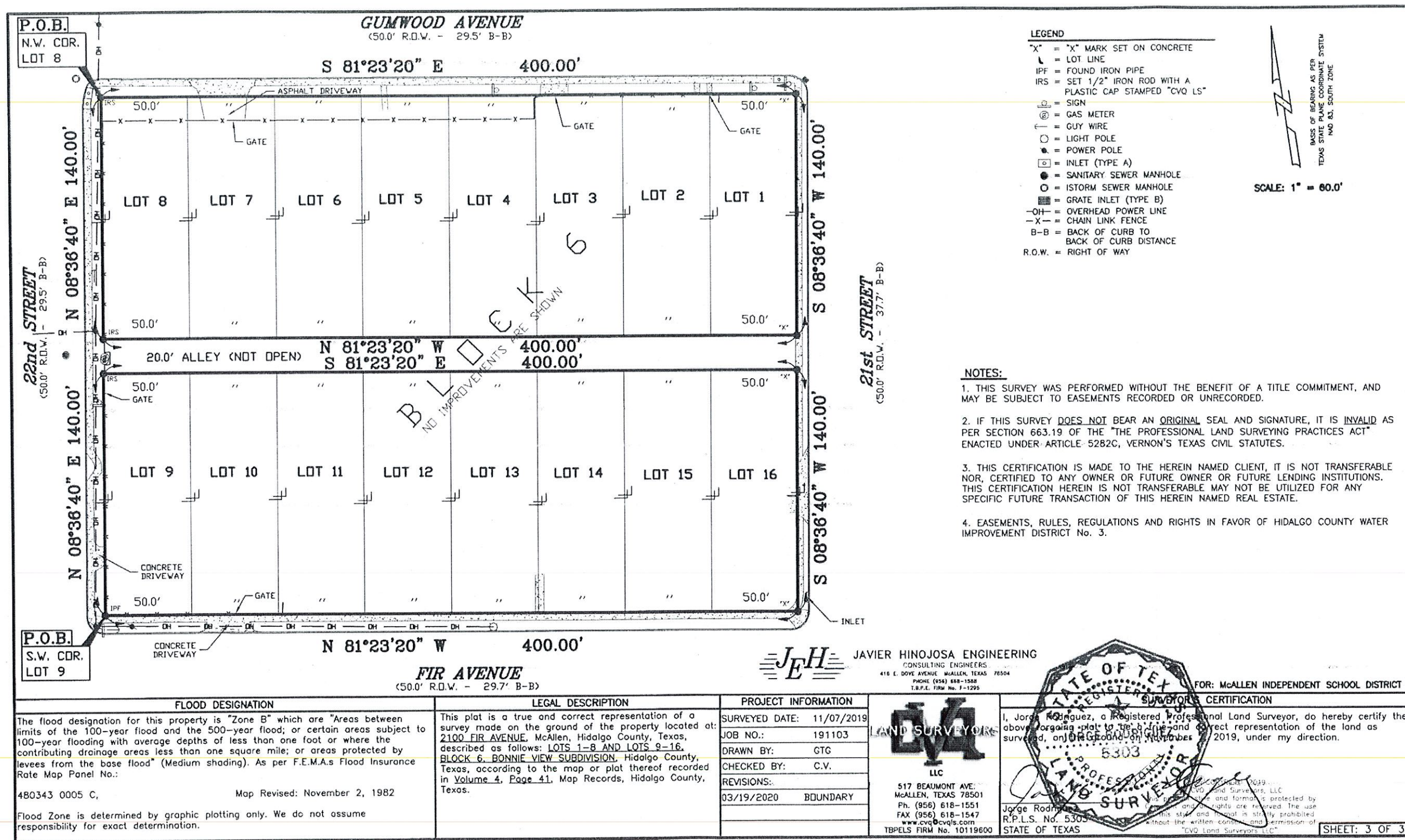


**200' NOTIFICATION BOUNDARY**



This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative location of property boundaries.



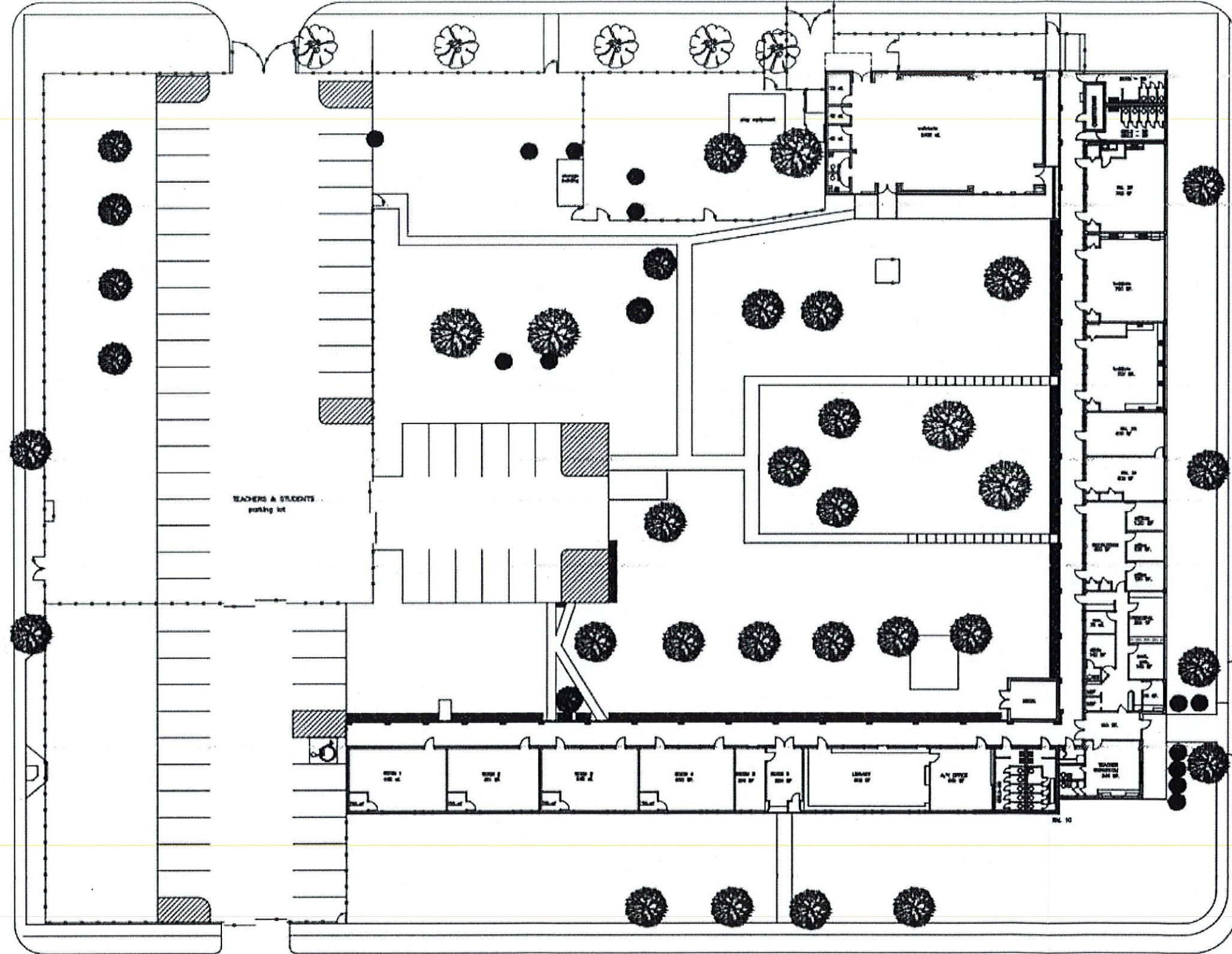


RECEIVED  
JUN 16 2020  
BY: [Signature]



GUMWOOD STREET

22 ND. STREET

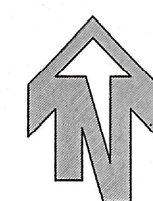


21 ST. STREET

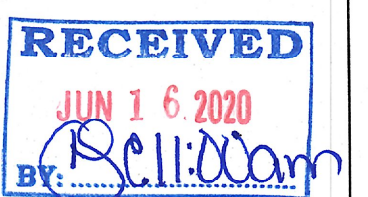
FIR STREET

RECEIVED  
JUN 16 2020  
BY: *Beil:00m*

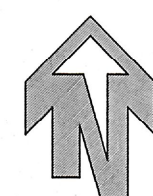
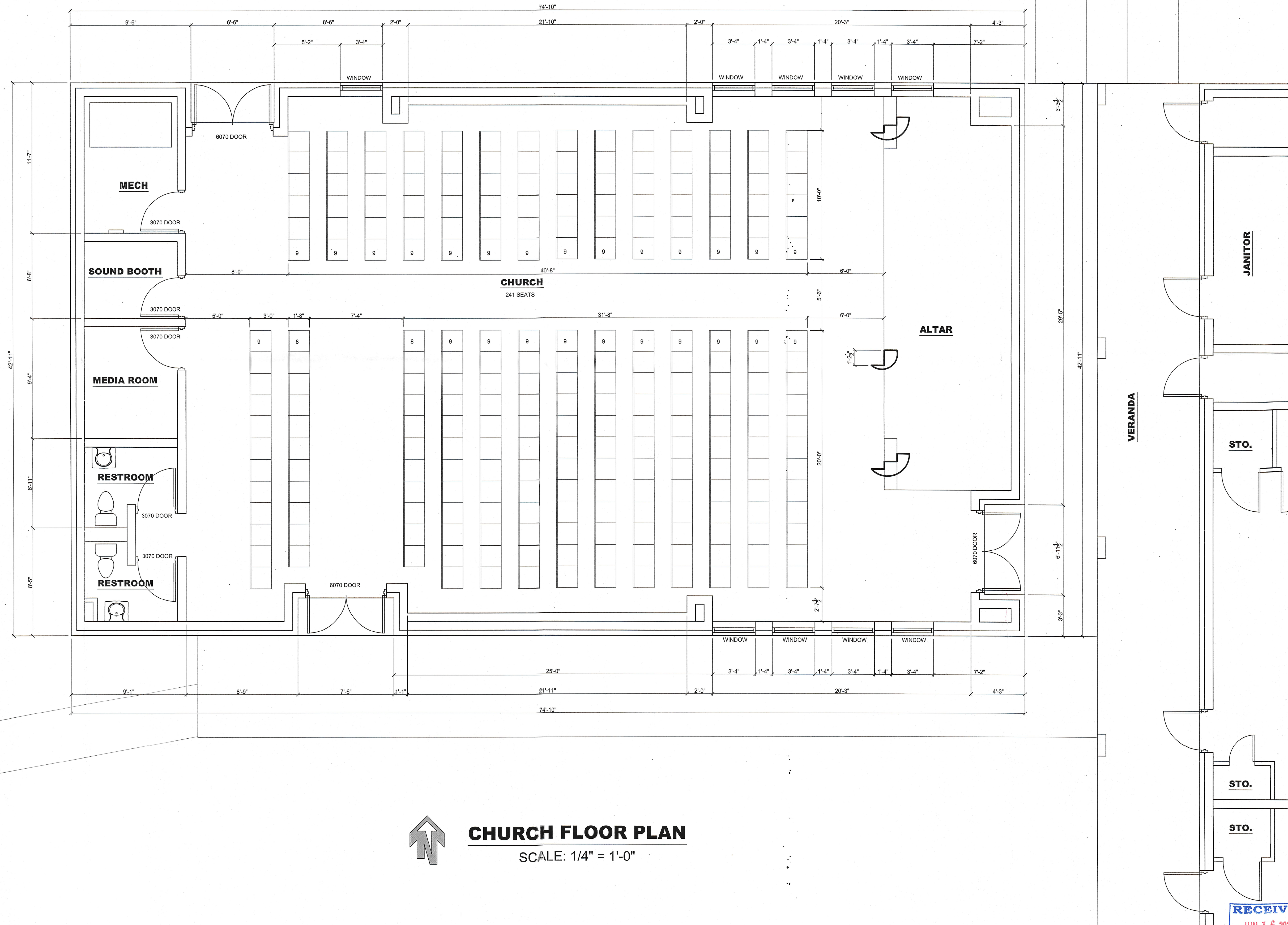




SCALE: 1/16" = 1'-0"







**CHURCH FLOOR PLAN**

SCALE: 1/4" = 1'-0"

2100 FIR ST., CITY OF McALLEN, TEXAS

PROJECT # 12620

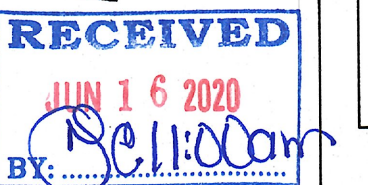
MAY 20, 2020

**CHURCH FLOOR PLAN**

**CASA DE ORACION REY DE REYES**

SHEET

**1-2**





## Memo

**TO:** Planning and Zoning Commission

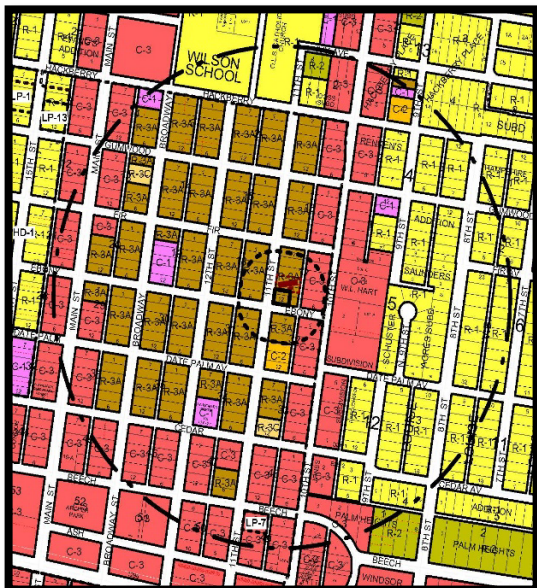
**FROM:** Planning Staff

**DATE:** July 14, 2020

**SUBJECT:** REQUEST OF BENJAMIN HILL, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (STRINGED INSTRUMENT REPAIR) AT THE SOUTH ½ OF THE WEST 89 FT. OF LOT 11 AND WEST 89 FT. OF LOT 12, BLOCK 17, NORTH MCALLEN ADDITION, HIDALGO COUNTY, TEXAS; 502 NORTH 11<sup>TH</sup> STREET. (CUP2020-0062)

### BRIEF DESCRIPTION:

The property is located at the northeast corner of North 11<sup>th</sup> Street and Ebony Avenue and is zoned R-3A (multifamily apartment) District. The adjacent zoning is R-3A District to the north, west and south, and C-3 (general business) District to the east. Surrounding land uses include multifamily apartments, single-family residences, Title Max Loans, National Lube Express, Road Runner Motors, Top Hat tuxedo rentals, Mama Mia's, Our Lady of Sorrows Catholic Church and vacant land. A home occupation is permitted in the R-3A District with a Conditional Use Permit and in compliance with requirements



### HISTORY:

In 2002, there was a rezoning request from R-3A to C-1 (office building) District that was recommended for disapproval by the Planning and Zoning Commission. Prior to the City Commission meeting, the request was withdrawn. The initial Conditional Use Permit was approved

for one year, for a law office in 2002, subject to the City Commission granting a variance regarding items #1, 2 and 4 by the Planning and Zoning Commission. Subsequently, the City Commission approved the conditional use permit with conditions. The permit was renewed annually until 2010. In 2011, a new applicant applied for a permit for an Instrument repair shop. The request for a Conditional Use Permit was approved with conditions by the City Commission. The permit was renewed annually until 2013, when the applicant applied and included a request a 2' x 3' sign advertising the business. A new owner is applying, hence the request of a Conditional Use Permit.

#### **REQUEST/ANALYSIS:**

The applicant is proposing to operate a home office for string instrument repair shop from an approximately 2,173 sq. ft. two-story residence. Business would only take place on some areas of the first floor. Applicant stated that the hours of operation vary, however, the business would not be open to the public, and it is by appointment only. No retail sales and signage are proposed, however, a there is a 2' x 1' existing wall sign.

The Fire Department has inspected the residence, and found the property to be in compliance. The home occupation use may not operate until requirements are compliant and the process for a request for a conditional use permit has been completed and approval is granted. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The home occupation must also comply with requirements set forth in Section 138-118 (a) (1) of the Zoning Ordinance and other specific requirements as follows:

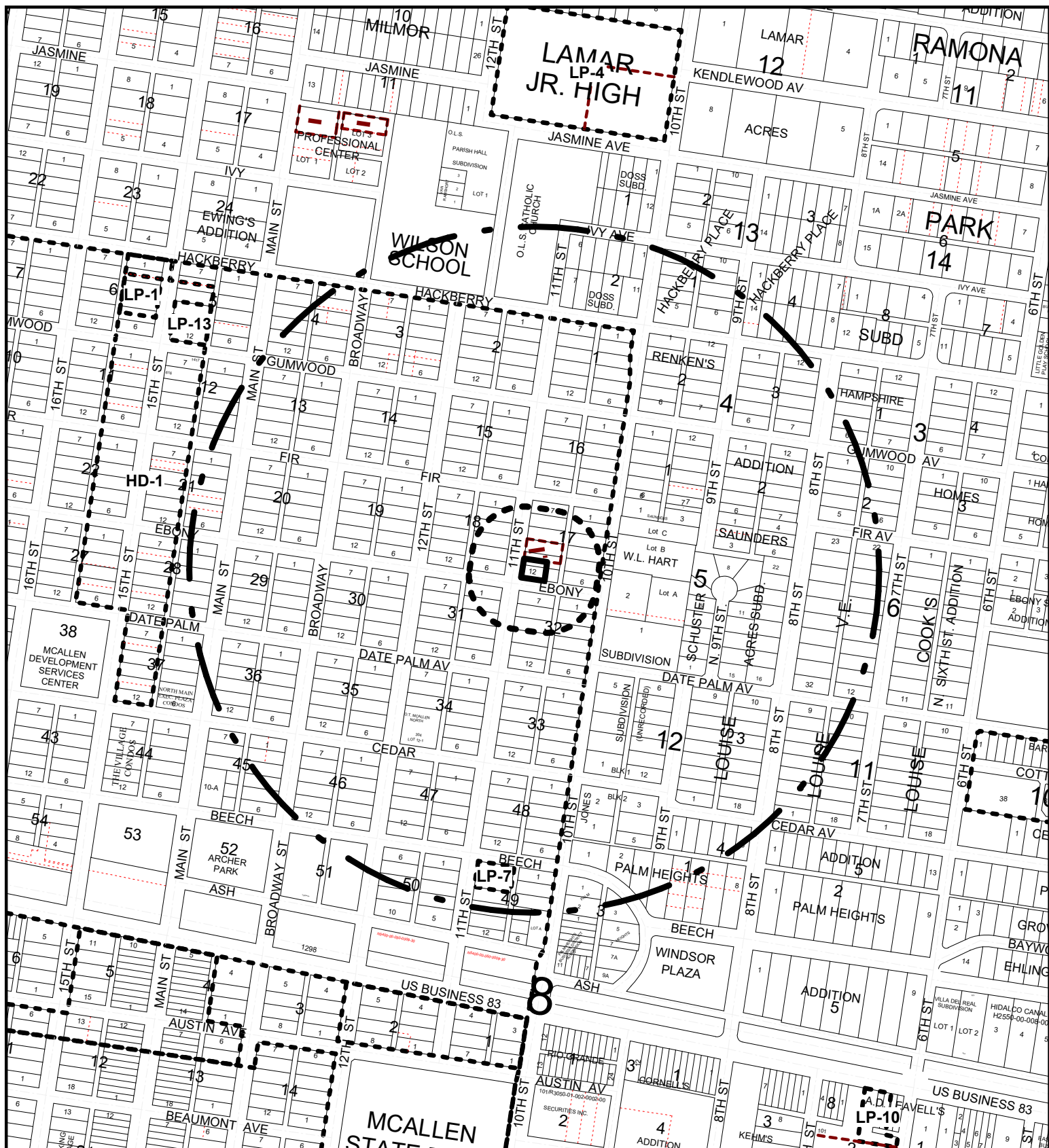
- 1) The home occupation shall be clearly secondary to the residential use. The applicant lives at the residence.
- 2) Signs shall not be permitted except a nameplate bearing the person's name or occupation; and attached against the wall of the main building; and not exceeding 2 square feet located within R-2 to R-4 districts. There is an existing 2' x 1' wall sign at the entrance.
- 3) No exterior display or alterations indicating that the building is being used for any purpose other than residential shall be permitted.
- 4) No more than 1 additional unrelated employee other than immediate family members residing on the premises shall be permitted. Occasionally 1 additional employee will help
- 5) No outside storage of materials or products shall be permitted. There would be no outside storage.
- 6) Traffic generated by the proposed use shall not exceed 10% of the average load per hour per street.
- 7) No retail sales shall be permitted. (items can be delivered). There would be no retail sales as per applicant.
- 8) No additions to the residence or accessory building specifically to accommodate the use shall be permitted.

- 9) The proposed use shall take place in the primary residential structure rather than a detached garage or accessory building.
- 10) The proposed use shall take place at the location specified on the permit.

**RECOMMENDATION:**

Staff recommends approval of the request, for one year, subject to Section 138-118 (a) (1) of the Zoning Ordinance, Fire Department requirements and the removal of the unused wooden sign.





# **CITY OF McALLEN** PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.

## **AREA MAP**



**SUBJECT PROPERTY**

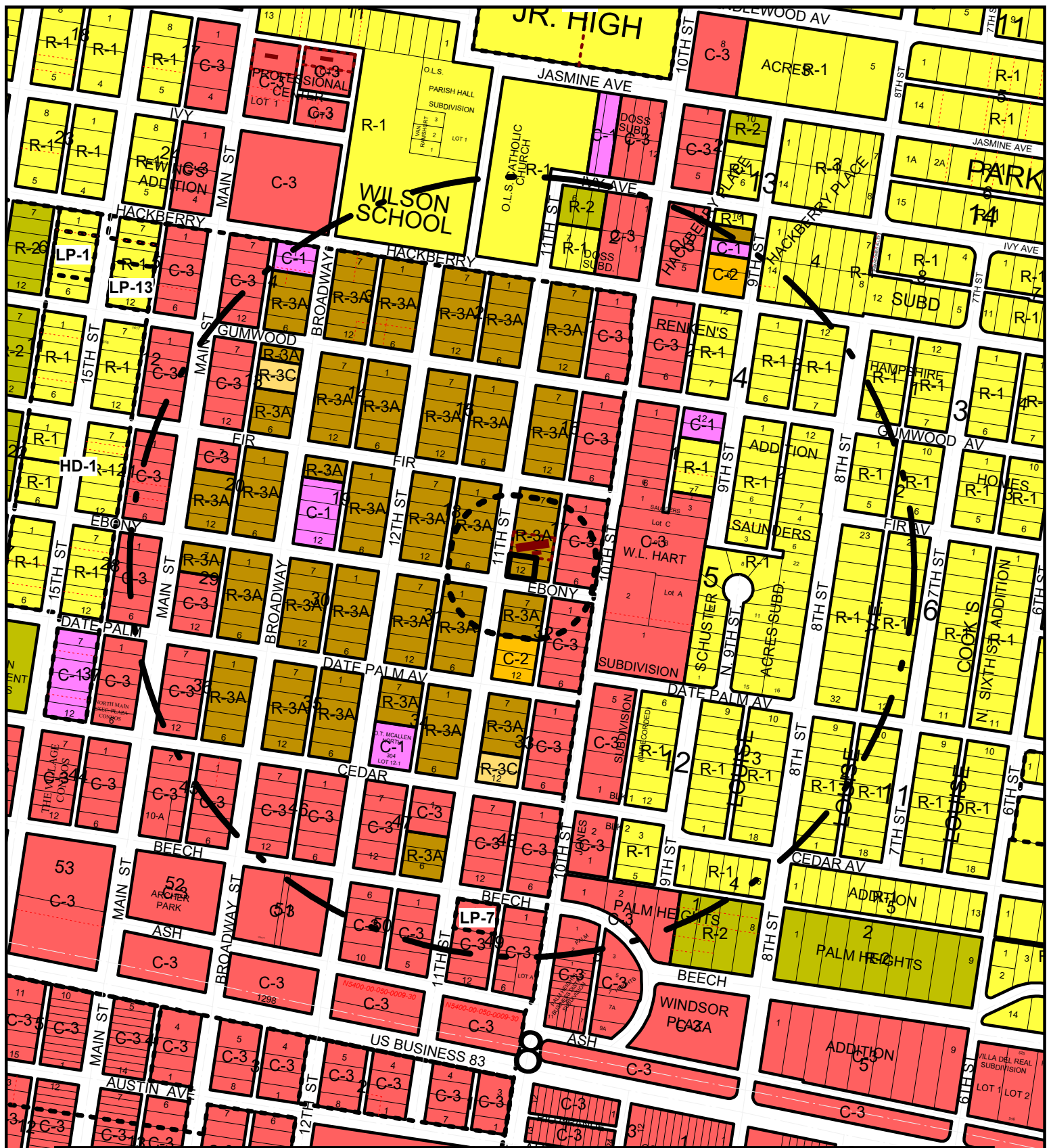
**200 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

## **ZONING LEGEND**

A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.



# **CITY OF McALLEN** PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.

**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

## **ZONING LEGEND**

**A-0** (AGRICULTURAL & OPEN SPACE)

**R-3A** (APARTMENTS)

**R-4** (MOBILE HOMES)

**C-3** (GENERAL BUSINESS)

**I-1** (LIGHT INDUSTRIAL)

**R-1** (SINGLE FAMILY RESIDENTIAL)

**R-3C** (CONDOMINIUMS)

**C-1** (OFFICE BUILDING)

**C-3L** (LIGHT COMMERCIAL)

**I-2** (HEAVY INDUSTRIAL)

**R-2** (DUPLEX-FOURPLEX)

**R-3T** (TOWNHOUSES)

**C-2** (NEIGHBORHOOD COMMERCIAL)

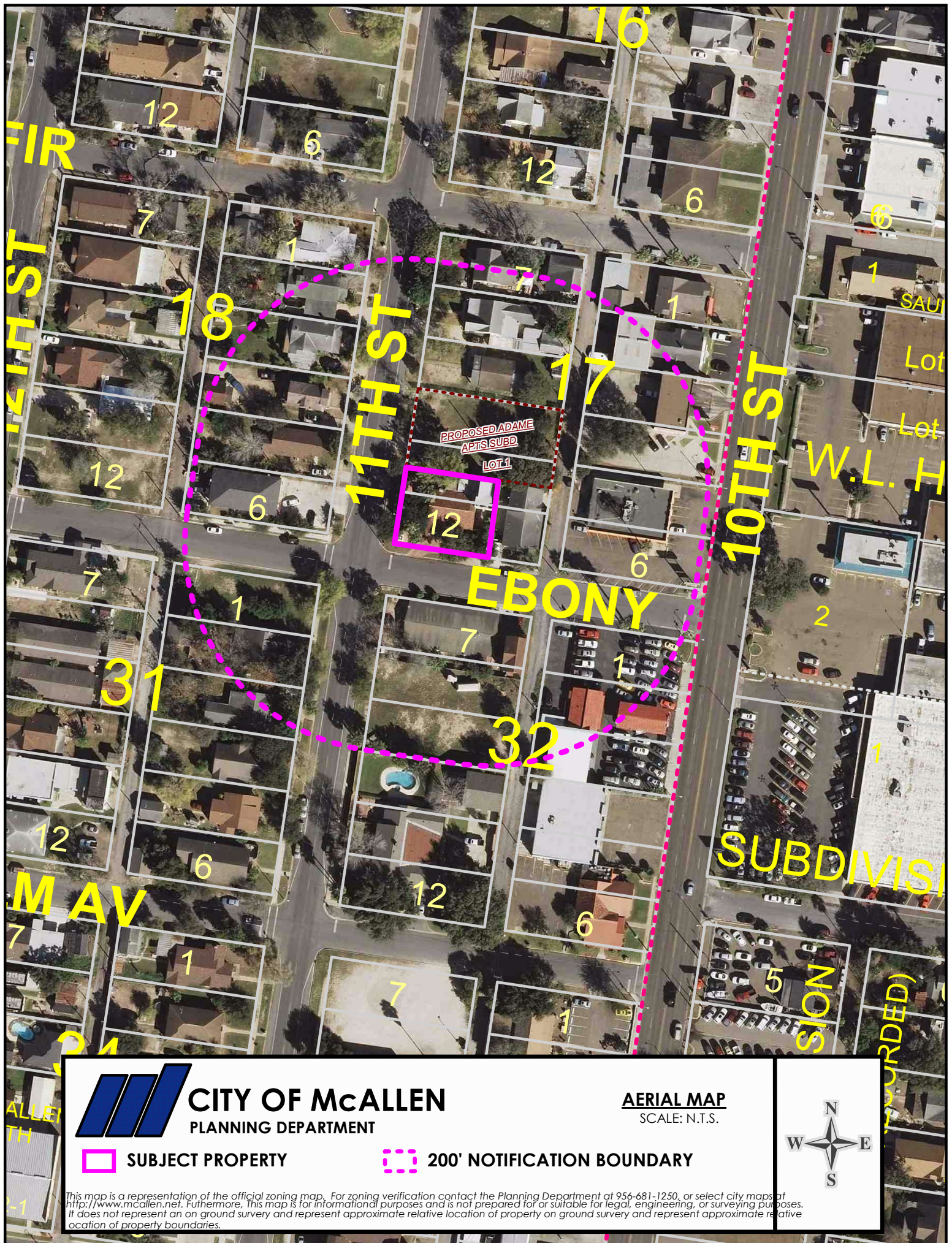
**C-4** (COMMERCIAL INDUSTRIAL)

**S** (SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.







**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**



**200' NOTIFICATION BOUNDARY**

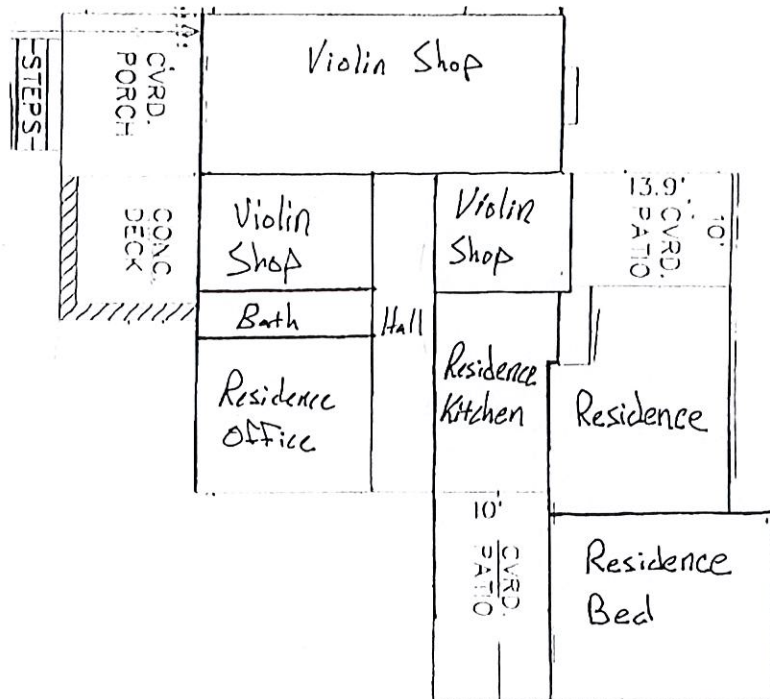


This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative location of property boundaries.

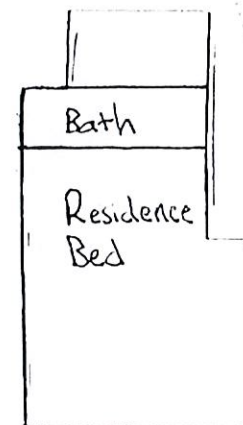


RECEIVED  
JUN 09 2020  
BY: Bc42up





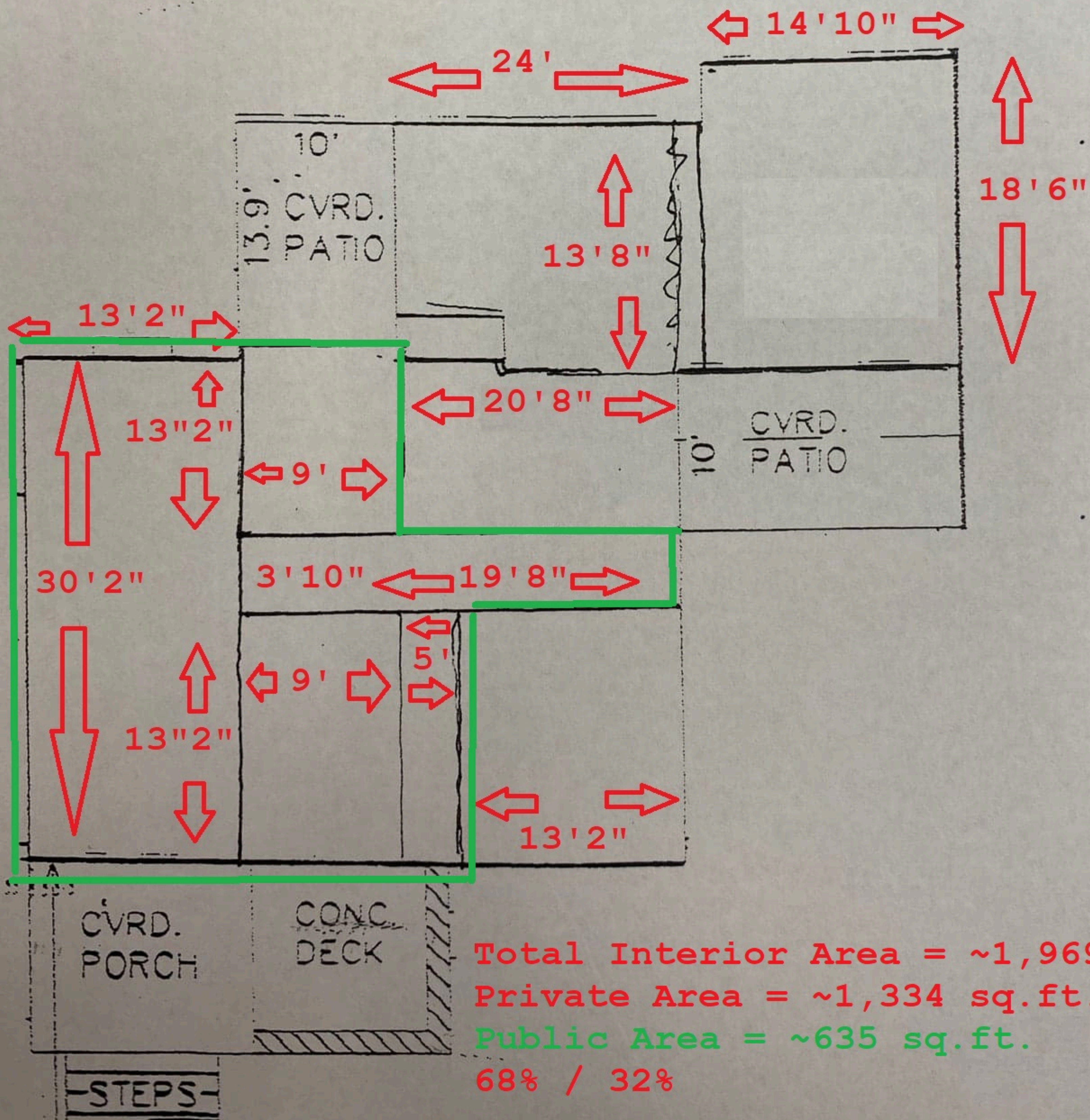
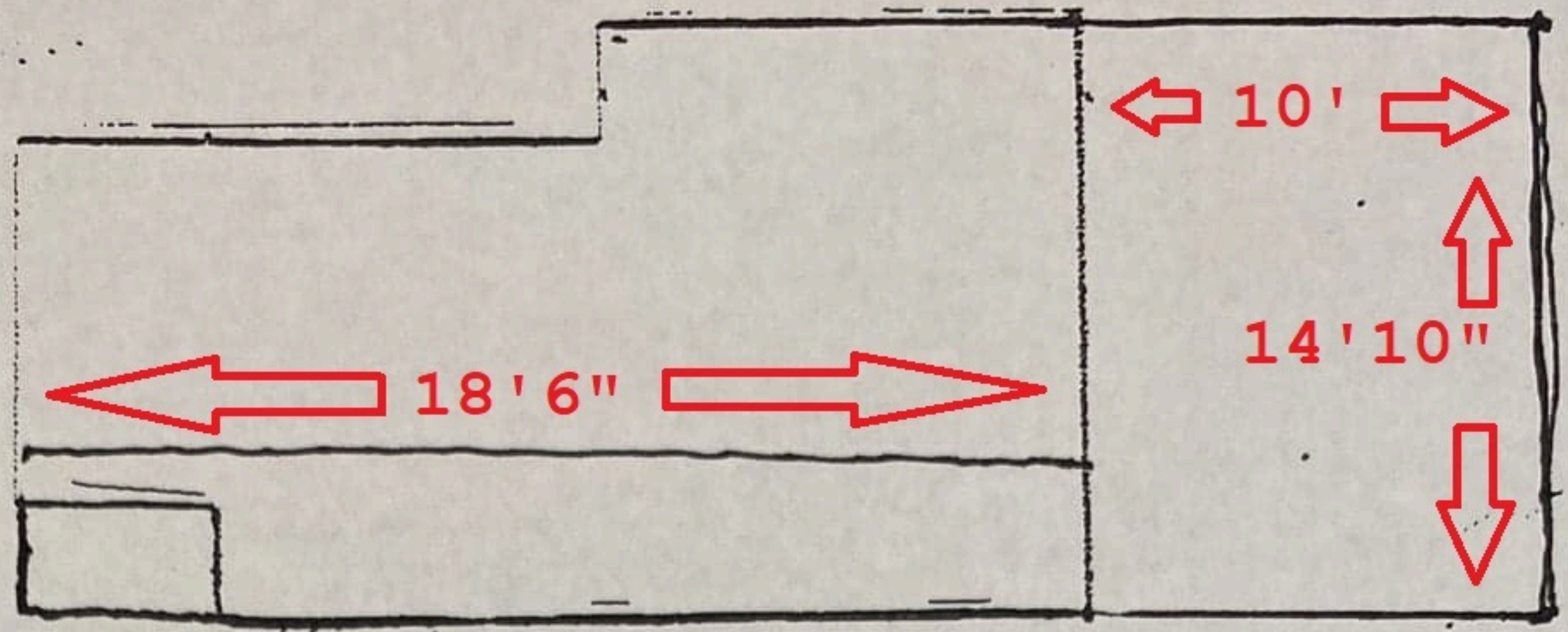
1<sup>st</sup> Floor



2<sup>nd</sup> Floor









## Planning Department

### Memo

**TO:** Planning and Zoning Commission

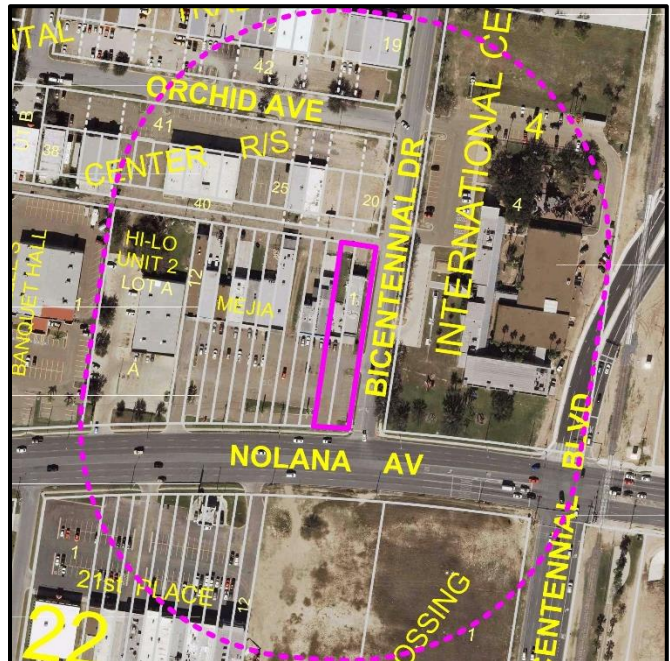
**FROM:** Planning Staff

**DATE:** July 17, 2020

**SUBJECT:** REQUEST OF MIGUEL A. VARGAS JR. FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AND LOUNGE AT LOTS 1 AND 2, MEJIA SUBDIVISION UNIT NO. I, HIDALGO COUNTY, TEXAS, 2000 NOLANA AVENUE. (CUP2020-0065)

#### BRIEF DESCRIPTION:

The property is located at the northwest corner of Nolana Avenue and Bicentennial Drive and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. Surrounding land uses include restaurants, commercial businesses, retail stores, bars, offices, the International Museum of Arts & Science (IMAS), beauty salons, medical offices, auto services, a church, single and multifamily residences, and vacant land. A bar and lounge is allowed in a C-3 zone with a Conditional Use Permit and in compliance with the requirements.



#### HISTORY:

The first Conditional Use Permit for a bar at this location was approved by the City Commission on September 29, 2009, with a variance to the 600 ft. distance requirement. The permit has been

renewed annually by different tenants with variances to the distance requirement by the City Commission until March 2018. The last permit expired on March 12, 2019. An application to renew the Conditional Use Permit wasn't submitted since then. This request was submitted by a different applicant.

#### **REQUEST/ANALYSIS:**

The applicant is proposing to operate a bar (Calandrias Bar & Lounge) with an outdoor patio area. The hours of operation will be Thursday to Sunday, from 9:00 p.m. to 2:00 a.m.

A police activity report indicating service calls from June 2019 to the present is attached. The Fire and Health Departments have inspected the establishment, which complies with the safety codes and regulations. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the permit's conditions. The establishment must comply with the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

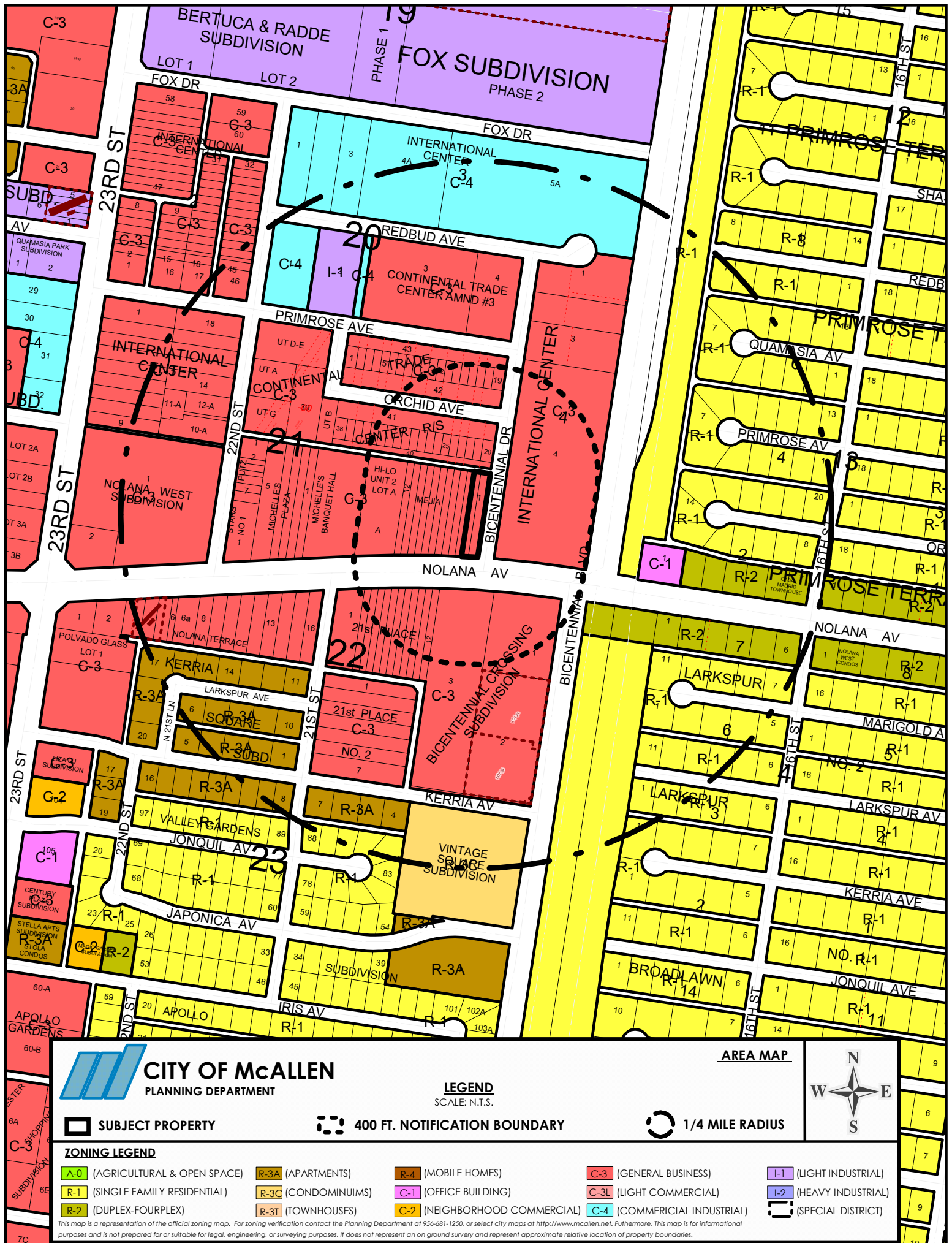
- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 400 ft. from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 ft. of the International Museum of Arts & Science (IMAS) and Nations for Christ Church Inc.;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment has direct access to Nolana Avenue and Bicentennial Drive and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently, there is a multi-tenant commercial plaza on the property. The plaza is a mixture of Commercial businesses, fast food restaurants, and bars. Based on the current uses, including the bar, 115 parking spaces are required; 125 spaces are provided on-site. There is a 5-year parking agreement on file valid from October 5, 2016, to October 5, 2021, that provides 40 extra parking spaces. However, upon the inspection, staff noticed potholes in the parking lot that need to be repaired, and faded stripes need to be repainted;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and



- 7) The above-mentioned 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 taking into account the recommendations of the Fire Marshal, Building Official, and Planning Director. The maximum capacities for the building interior and the outdoor area are 96 and 228 persons, respectively.

**RECOMMENDATION:**

Staff recommends disapproval of the request based on non-compliance with requirement #1 (distance) of Section 138-118(4) and Section 138-400 (off-street parking standards) of the Zoning Ordinance.





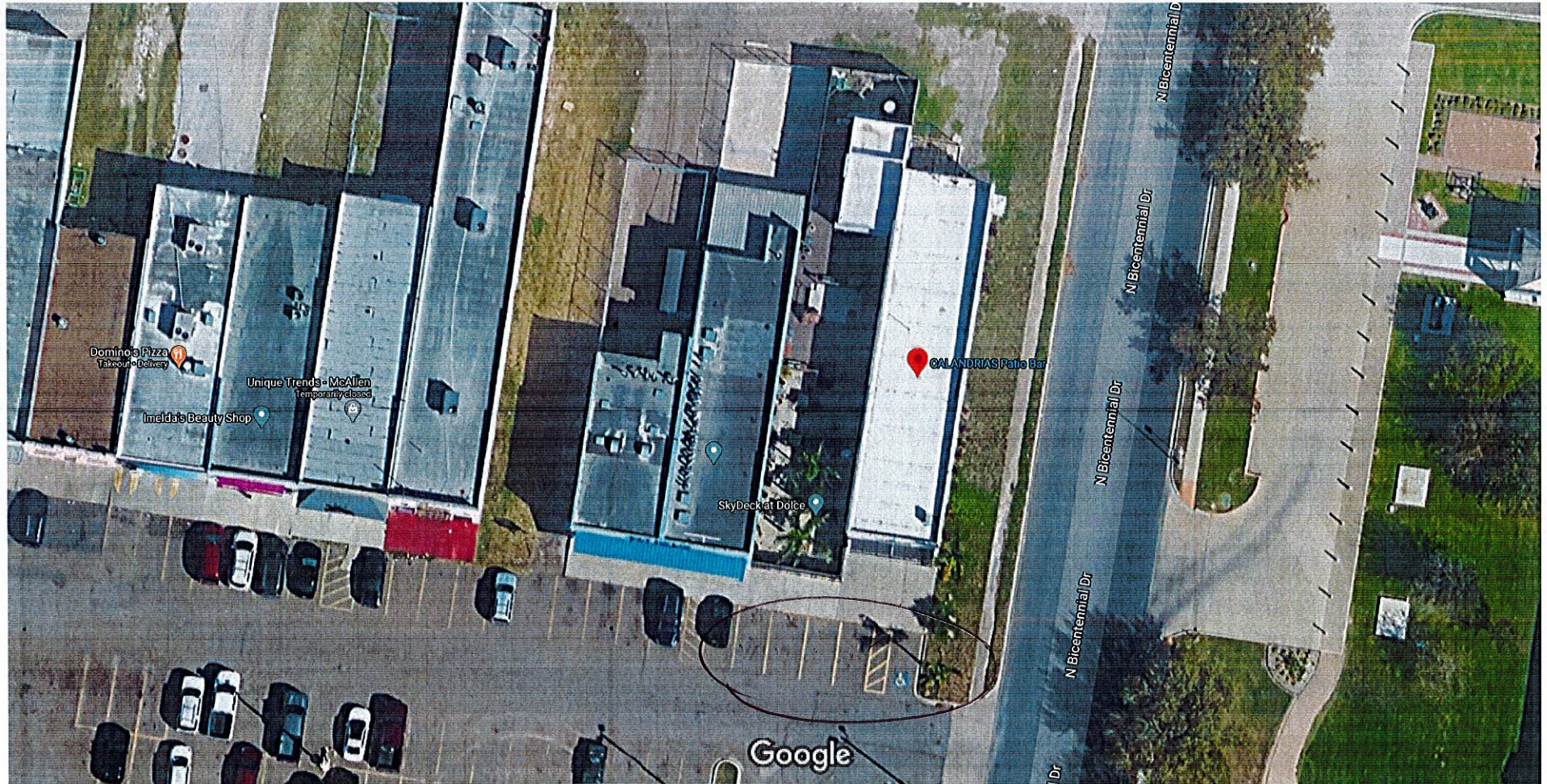






## CALANDRIAS Patio Bar

2000 WEST NOLANA MCALLEN TEXAS



Map data ©2020, Map data ©2020 20 ft

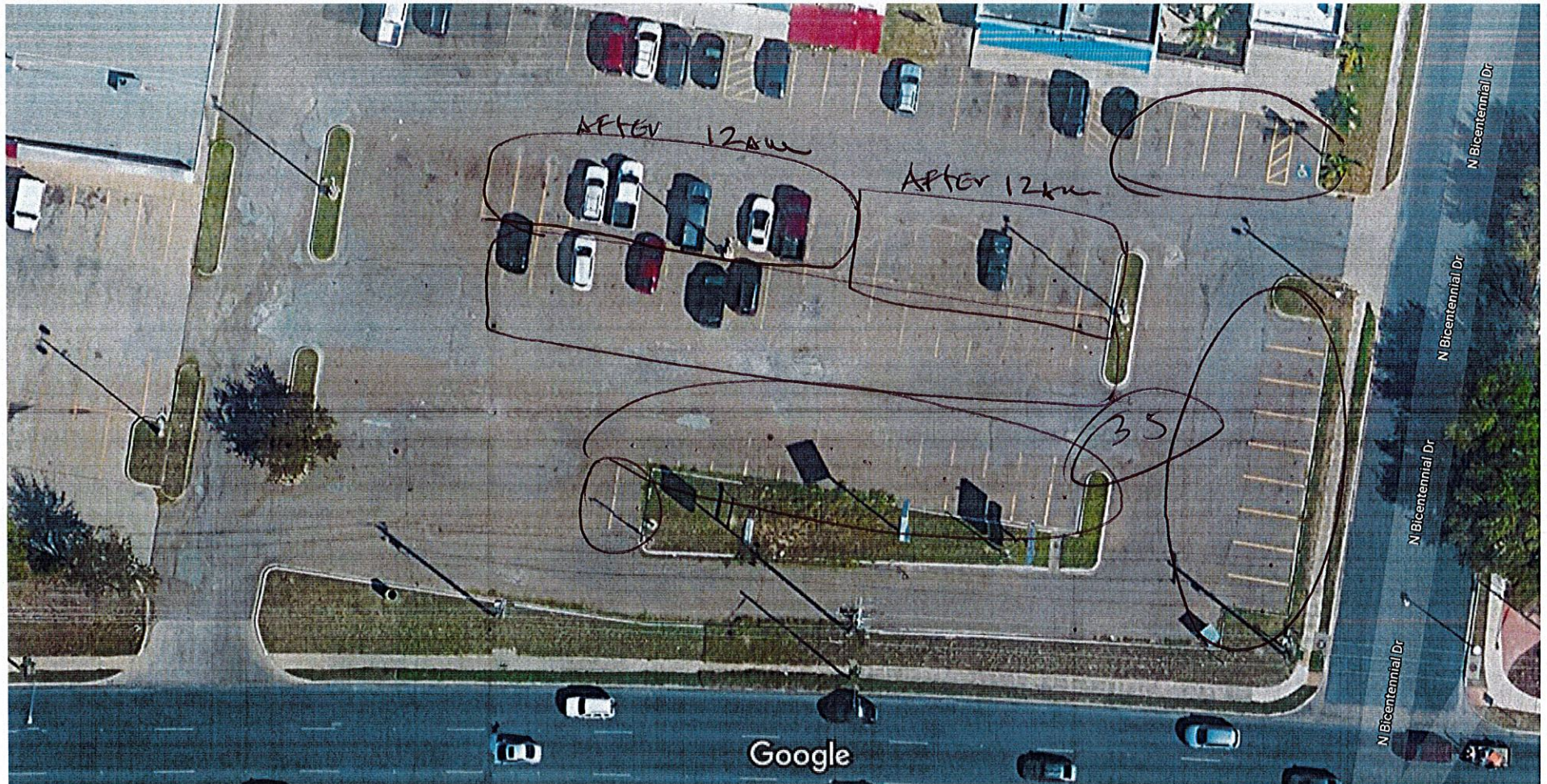






CALANDRIAS Patio Bar

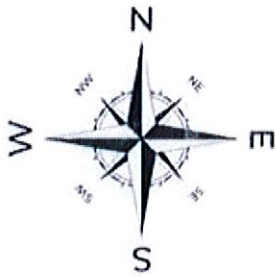
2000 WEST NOLANA MCALLEN TEXAS 78504



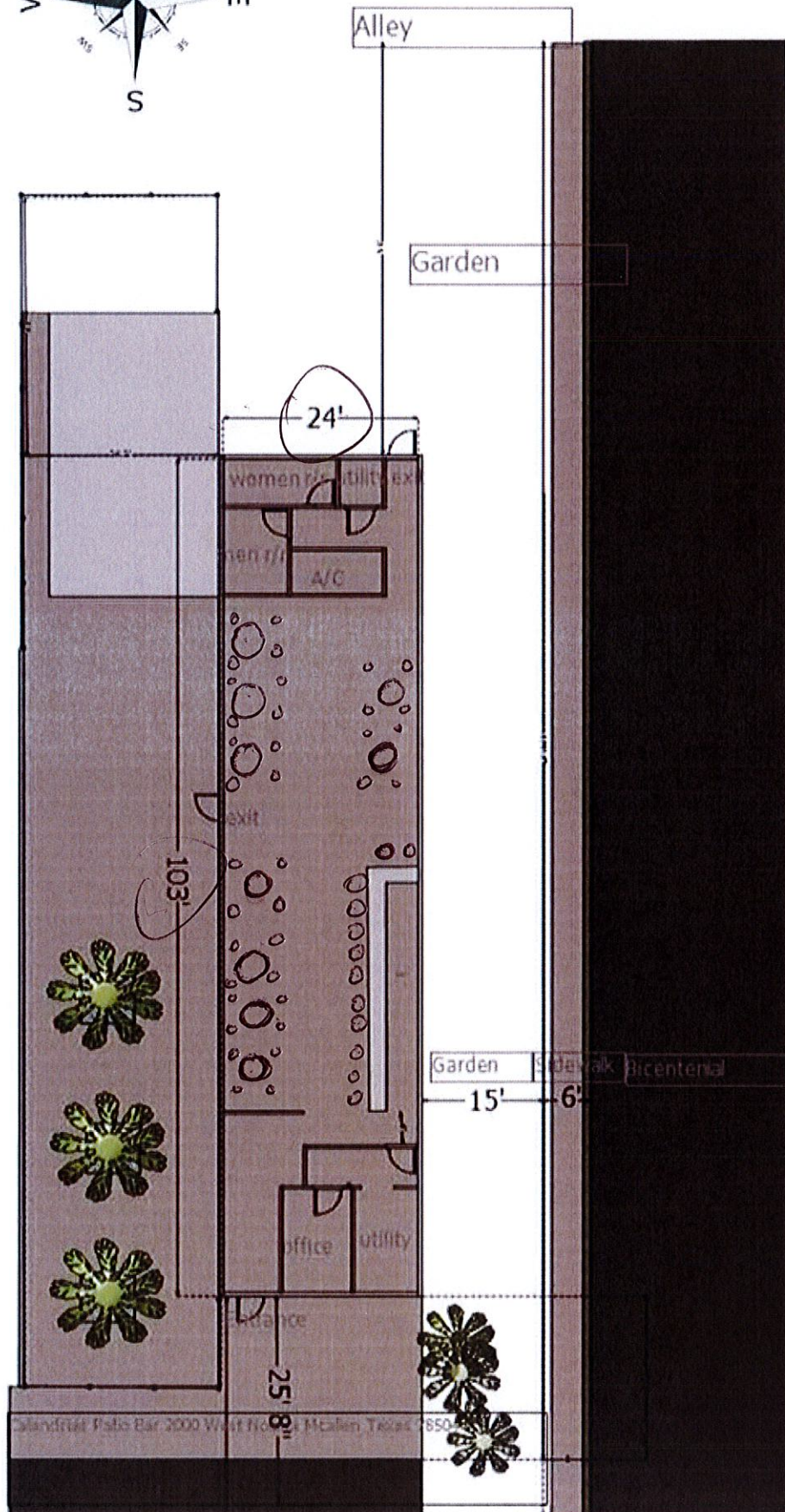
Map data ©2020, Map data ©2020 20 ft





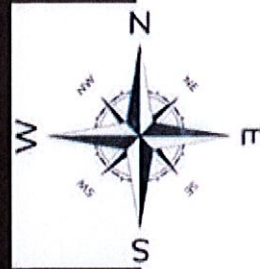
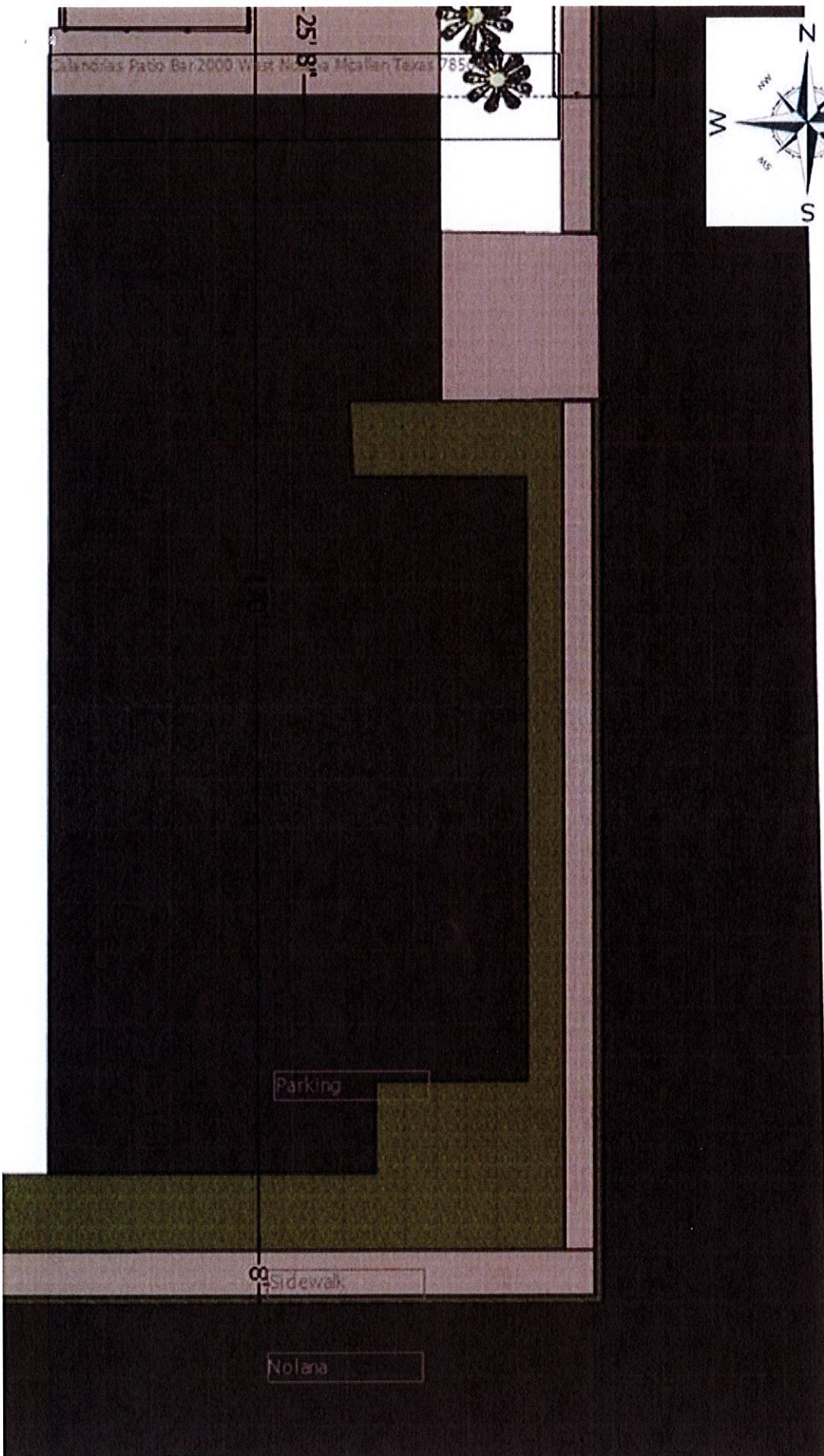


48 seats



**RECEIVED**  
JUN 17 2020  
BY: *PC43upm*





**RECEIVED**  
 JUN 17 2020  
 BY: *Sc430pm*

[The following are provisions the City Attorney generally requires to be incorporated into any parking agreement.]

### USE AGREEMENT FOR PARKING SPACES

Number of Leased Parking Spaces: 40

This Use Agreement for Parking Spaces ("Agreement") is entered into this 5<sup>th</sup> day of October, 2016 between I MAS, the owner of property located at Julia Solana President ("Lessor") and Cisco and Damada, LLC, the [NOTE: State "owner" OR "operator"] of the business operating under the name of return for ("Lessee"), which is leasing the parking spaces, and which business is located at 1900 Nolana Ave.

40 In consideration of the covenants herein contained, Lessor agrees to allow Lessee to use parking spaces in the City of McAllen, Texas (hereinafter, "Facilities") described as:

40 parking spaces located at 1900 Nolana Ave (Indus) (see as Attachment 1, a diagram depicting the leased parking spaces)

The Facilities are located within 50 feet from Lessee's business and are leased for a term commencing on the 5<sup>th</sup> day of October, 2016 and ending at 11:59 PM on the 5<sup>th</sup> day of October, 2021 [NOTE: AT LEAST A 5 YEAR TERM].

Lessor hereby represents that it holds legal title to the Facilities.

The parties hereto agree:

#### Signage

Lessee shall provide and Lessor shall allow clearly visible signage, complaint with City of McAllen Ordinance requirements, both on Lessee's premises and the Facilities, which notify customers of the availability and location of off-premises parking spaces.

#### Termination or Modification

IN THE EVENT THIS AGREEMENT IS TERMINATED, AMENDED OR MODIFIED BEFORE THE END OF ITS 5-YEAR TERM, LESSEE SHALL NOTIFY THE CITY OF MCALLEN'S PLANNING DIRECTOR IN WRITING.





Google Maps





Previous Agreement)

International Museum of Art & Science

1900 W Nolana Ave, McAllen, TX 78504

956-682-1564

Parking Agreement

IMAS located at 1900 Nolana Ave has entered into an agreement for extra parking spaces with the management of Element Entertainment, LLC located at 2000 W. Nolana Ave. The agreement is that Element Entertainment will have access to forty 40 of spaces from our area for a period of a five (5) year term. The effective date is April 2014 thru April 2019. Lesser and Lessee shall notify the Planning Director, City of McAllen in writing in the event this agreement is terminated or modified in any way prior to its five (5) year term. A sign will be provided at Element Entertainment advising patrons of the availability of parking spaces.

IMAS operating hours are as follows:

Monday: Closed

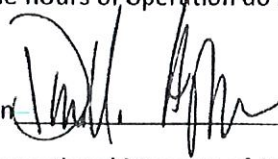
Tues-Wed-Fri-Sat: 9am - 5pm

Thur: 9am - 8pm

Sun: 1pm - 5pm

The hours of operation do not interfere with our business or Element Entertainment.

Sign

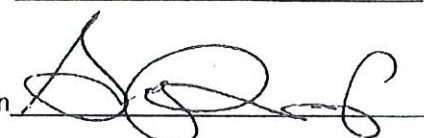
 3.24.14

International Museum of Art & Science

Print Name Danella Hughes

Title Interim Executive Director

Sign



Element Entertainment, LLC

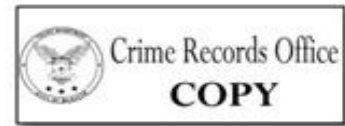
Print Name Gerardo Padilla

Title General Manager

MAR 24 2014

Cg 4:20 pm





## Incident Analysis Report

From Date: 6/1/2019  
To Date: 7/17/2020  
Location: 2000 NOLANA AVE, MCALLEN

Call Date/Time	Incident Number	Incident Type	Location
6/29/2020 20:19	2020-00043976	Domestic Disturbance	2000 NOLANA AVE, MCALLEN
5/7/2020 12:41	2020-00030355	MINOR ACC	2000 NOLANA AVE, MCALLEN
1/8/2020 17:49	2020-00001854	Accident w/Injuries	2000 NOLANA AVE, MCALLEN
11/28/2019 17:41	2019-00085748	Reckless Driving	2000 NOLANA AVE, MCALLEN
11/9/2019 21:47	2019-00080961	Noise Complaint	2000 NOLANA AVE, MCALLEN
11/3/2019 4:03	2019-00079272	Noise Complaint	2000 NOLANA AVE, MCALLEN
10/27/2019 4:04	2019-00077336	Noise Complaint	2000 NOLANA AVE, MCALLEN
10/5/2019 0:14	2019-00071667	Traffic Stop	2000 NOLANA AVE, MCALLEN
8/3/2019 5:05	2019-00055107	Police Services	2000 NOLANA AVE, MCALLEN
8/3/2019 4:53	2019-00055106	Suspicious Person/Vehicle	2000 NOLANA AVE, MCALLEN
Total Matches:	10		





Coin Laundry

NOTICE  
BAR  
FOR  
THIS PROPERTY  
CUP2020-0885

WILLIAMSON  
COFFIN & SONS

NOTICE



## Memo

**TO:** Planning and Zoning Commission

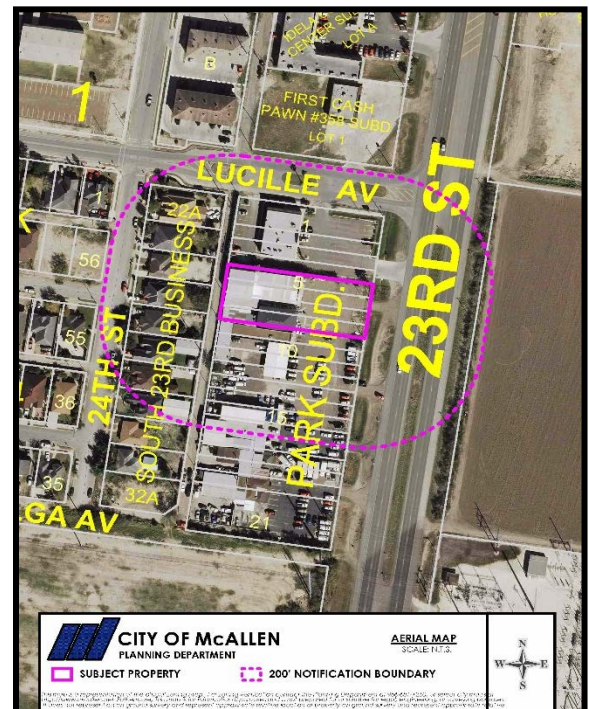
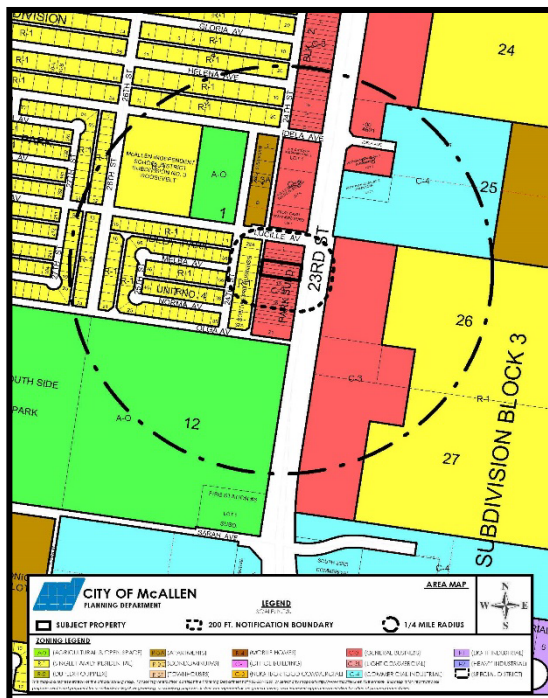
**FROM:** Planning Staff

**DATE:** July 16, 2020

**SUBJECT: REQUEST OF GUILLERMO A. TIJERINA JR. FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN AUTOMOTIVE SERVICE AND REPAIR SHOP, LOTS 5 THROUGH 8, SOUTH 23<sup>RD</sup> BUSINESS PARK, HIDALGO COUNTY, TEXAS, 4910 SOUTH 23RD STREET. (CUP2020-0019).**

### BRIEF DESCRIPTION:

The property is located at the west side of South 23rd Street, approximately 140 ft. south of Lucille Avenue and is zoned C-3 (general business) District. Surrounding adjacent properties were zoned C-3 District to the north, east, and south, R-1 (single family residential) District to the west. Surrounding land uses include automotive sales, Alejandro's Bakery, vacant land, and single-family residences. An automotive service and repair business are allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.



### HISTORY:

There was a Conditional Use permit for an Automotive Service and Repair Shop that was approved in 2019. The Conditional Use Permit was approved by the City Commission on March 25, 2019 with a variance to distance to a residential use.



**REQUEST/ANALYSIS:**

The building consists of a two-story building with approximately 7,500 sq. ft.

The applicant is proposing to utilize the single story building on the property for an automotive service & repair (mechanical shop). The hours of operation are Monday thru Friday from 9:00AM to 7:00PM, and Saturdays from 9:00AM to 2:00PM. Based on the square footage of the two existing buildings, 22 parking spaces are required for both businesses to operate simultaneously; and 16 parking spaces are provided on site.

The Fire Department has been in contact with the applicant, however; a follow-up inspection is pending. 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 business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

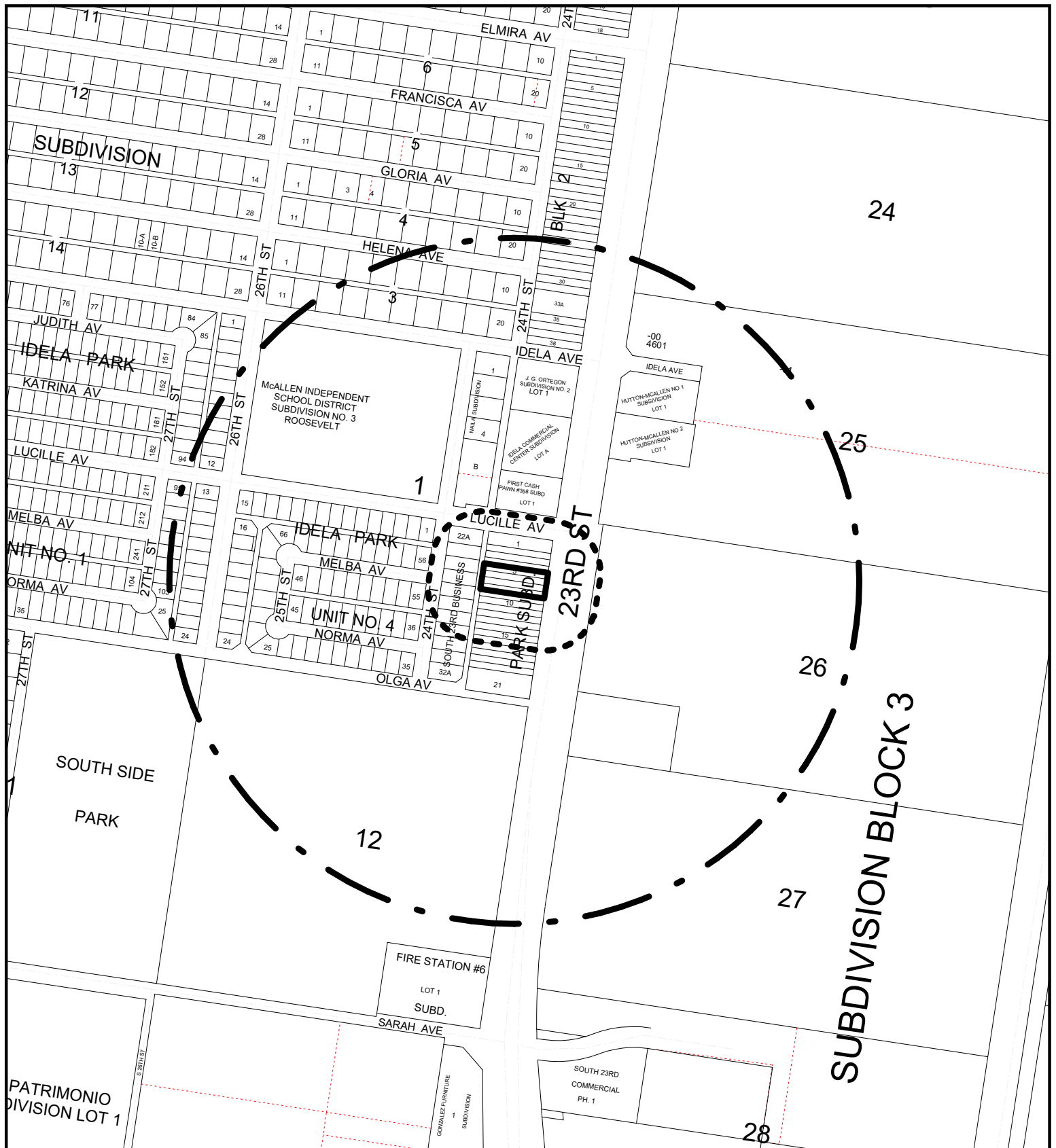
- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 12,250 sq. ft;
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing all the work to take place inside the existing building;
- 3) Outside storage of materials is prohibited. The applicant indicated that there would be no outside storage including vehicles;
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The building is located approximately 90 ft. from the nearest single family residence to the west;
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required. There is an existing 6 ft. opaque fence rear side of the property;
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

**RECOMMENDATION:**

Staff recommends disapproval of the request based on non-compliance with requirement #4 (near a residence) and parking requirements.

The applicant has requested to table the variance request.





**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AREA MAP**

**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

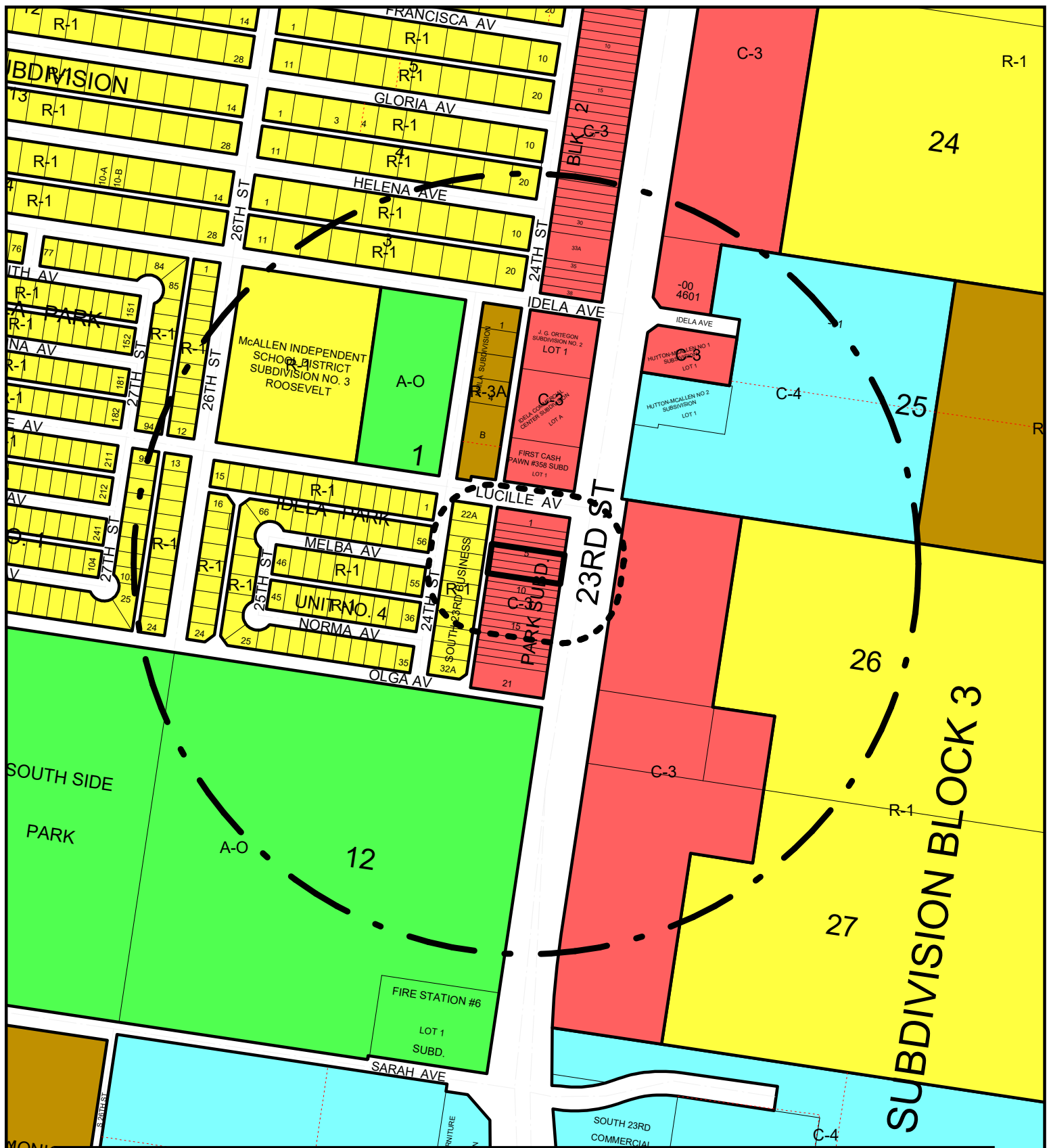



**ZONING LEGEND**

A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.










**CITY OF McALLEN**  
PLANNING DEPARTMENT


**LEGEND**  
SCALE: N.T.S.

**AREA MAP**



 **SUBJECT PROPERTY**

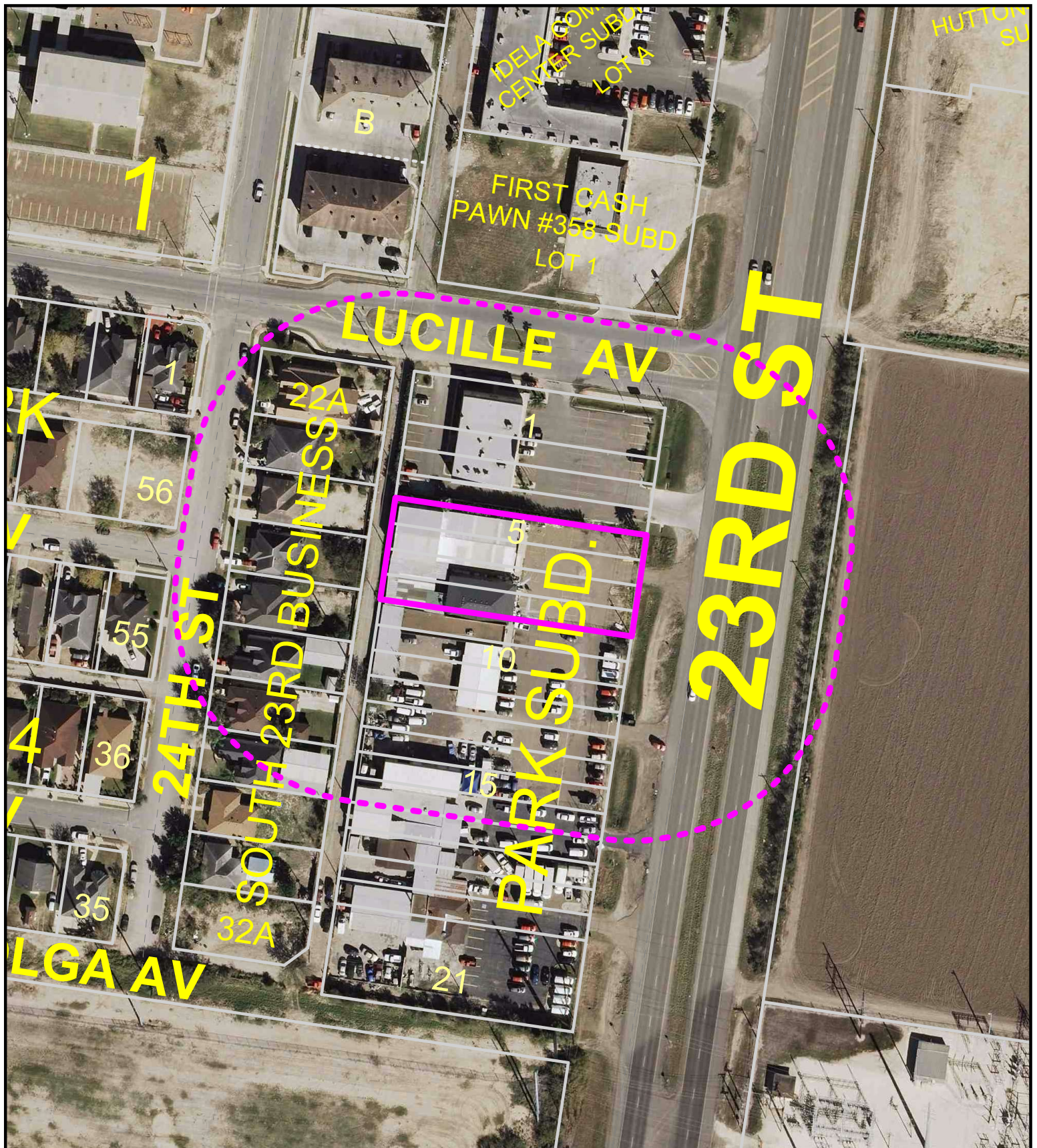
 **200 FT. NOTIFICATION BOUNDARY**

 **1/4 MILE RADIUS**

ZONING LEGEND			
<b>A-0</b> (AGRICULTURAL & OPEN SPACE)	<b>R-3A</b> (APARTMENTS)	<b>R-4</b> (MOBILE HOMES)	<b>C-3</b> (GENERAL BUSINESS)
<b>R-1</b> (SINGLE FAMILY RESIDENTIAL)	<b>R-3C</b> (CONDOMINIUMS)	<b>C-3L</b> (OFFICE BUILDING)	<b>I-1</b> (LIGHT INDUSTRIAL)
<b>R-2</b> (DUPLEX-FOURPLEX)	<b>R-3T</b> (TOWNHOUSES)	<b>C-4</b> (NEIGHBORHOOD COMMERCIAL)	<b>I-2</b> (HEAVY INDUSTRIAL)
<b>(SPECIAL DISTRICT)</b>			

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.





**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



**SUBJECT PROPERTY**

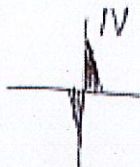


**200' NOTIFICATION BOUNDARY**



This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative location of property boundaries.



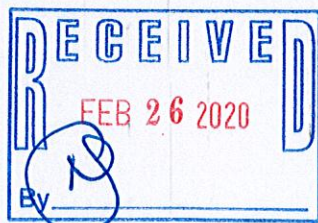
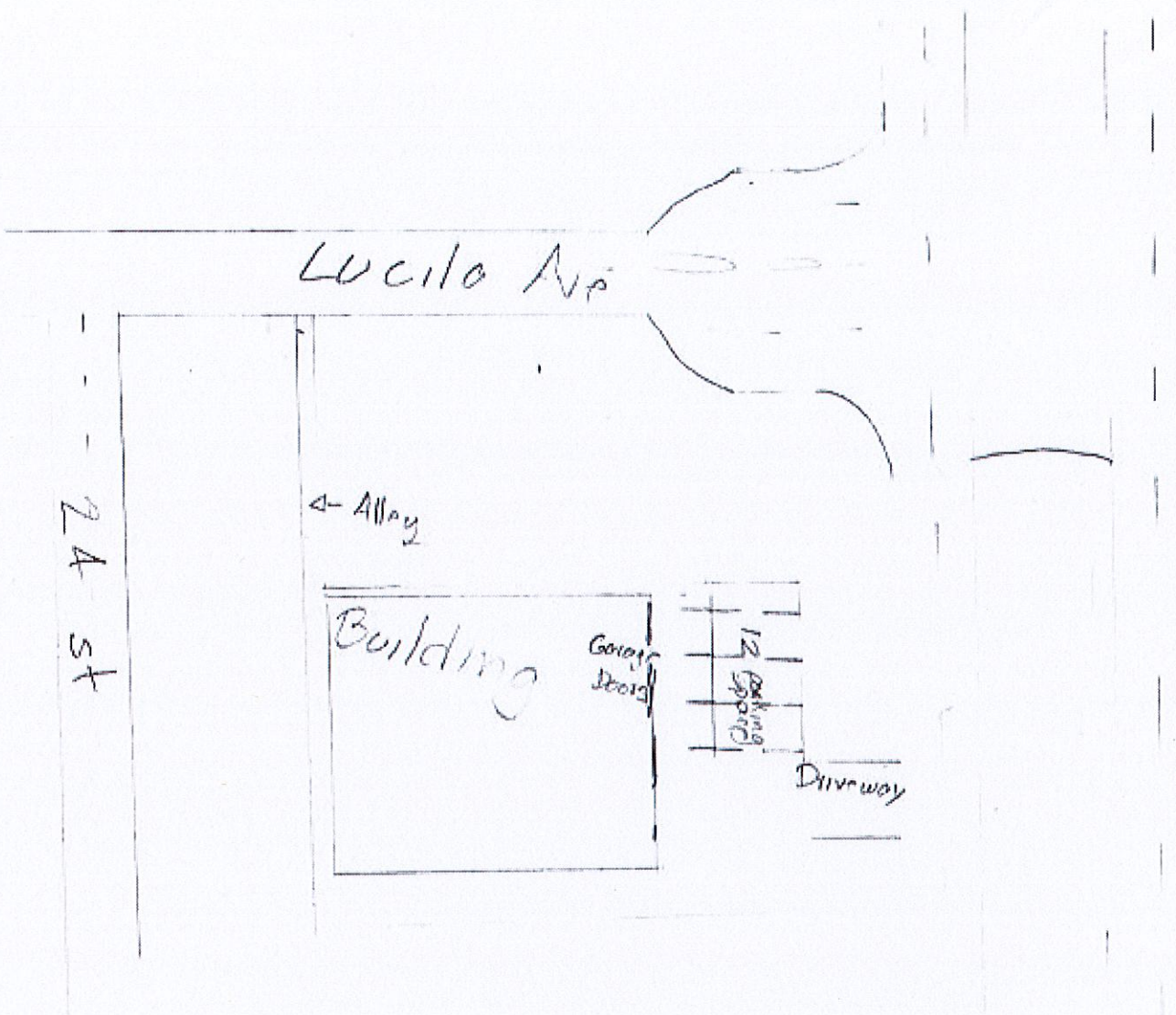


# Site Map

0202-22-2

LT

23<sup>rd</sup> St







NOTICE  
AUTO REPAIR  
FOR  
THIS PROPERTY  
CUP2020-0019

MEMO  
TUNING & PERFORMANCE

ALEJAND  
BAKERY & PIZZ...ORY



## Memo

**TO:** Planning and Zoning Commission

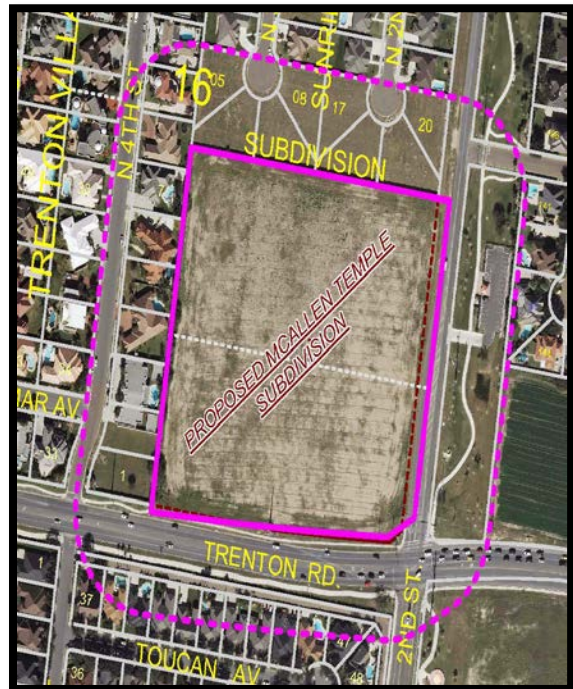
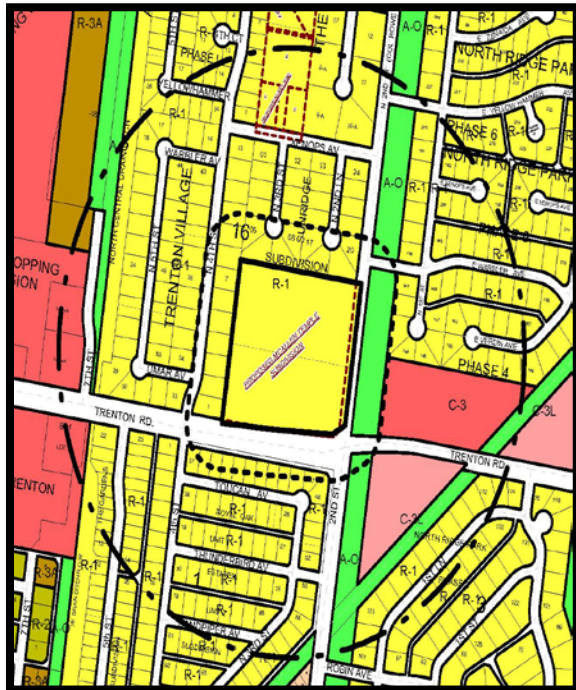
**FROM:** Planning Staff

**DATE:** June 8, 2020

**SUBJECT: REQUEST OF JARED W. DOXEY, ON BEHALF OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (CHURCH) AT A 10.615-ACRE TRACT OF LAND OUT OF LOT 16, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7301 NORTH 2<sup>ND</sup> STREET.(CUP2020-0057)**

### BRIEF DESCRIPTION:

The property is located at the northwest corner of North 2<sup>nd</sup> Street and Trenton Road. It is zoned R-1 (single family) District. The adjacent zoning is R-1 in all directions, and A-O (agricultural-open space), C-3(general business) to the east and C-3L (light commercial) District to the southeast. Surrounding land uses include single-family residences and vacant land. An institutional use is permitted in an R-1 zone with conditional use permit and in compliance with requirements.





**HISTORY:**

A subdivision submitted under the name McAllen Temple was approved in its preliminary form by the Planning and Zoning Commission meeting of March 3, 2020.

**REQUEST/ANALYSIS:**

The applicant is proposing to construct two buildings for a church and church related uses on the 10.615-acre vacant land.

The first building (meeting house) approximately 19,263 sq. ft., consists of 15 rooms, 9 offices, both women and men restrooms, as well as women and men dressing rooms, a basketball court and a chapel. The chapel has 40 pews, for a seating area capacity of approximately 150 people. Its primary use is for religious worship. It's scheduled to operate from Tuesday through Saturday from 5:00AM to 10:00 PM.

The second building approximately 29,732 sq. ft. consists of 5 instructional rooms, 4 offices, both women and men restrooms, a lobby and multiple dressing rooms. The temple is scheduled to be used mainly on Sundays from 7:00AM to 4:00PM and for smaller activities on Tuesday, Wednesday and Thursday nights from 6:00PM to 10:00PM.

Based on the number of seats in the main sanctuary, 52 parking spaces are required for the church building, of which 4 parking spaces must be van accessible with an 8 ft. aisle. Two hundred and forty parking spaces are proposed; 16 van accessible parking spaces are proposed. Additional parking may be required for the second building.

A landscape plan has yet not been submitted.

The Fire Department has not conducted the necessary inspections since the property is vacant. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed use must also comply with 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. The property fronts Trenton Road and North 2<sup>nd</sup> Street.
- 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. Based on the seating area of 150 seats in the main sanctuary, offices and instructional rooms, 52 parking spaces are required; 240 parking spaces are proposed. The parking must be clear of potholes and properly striped per city requirements. Additional parking may be required for the second building.
- 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;

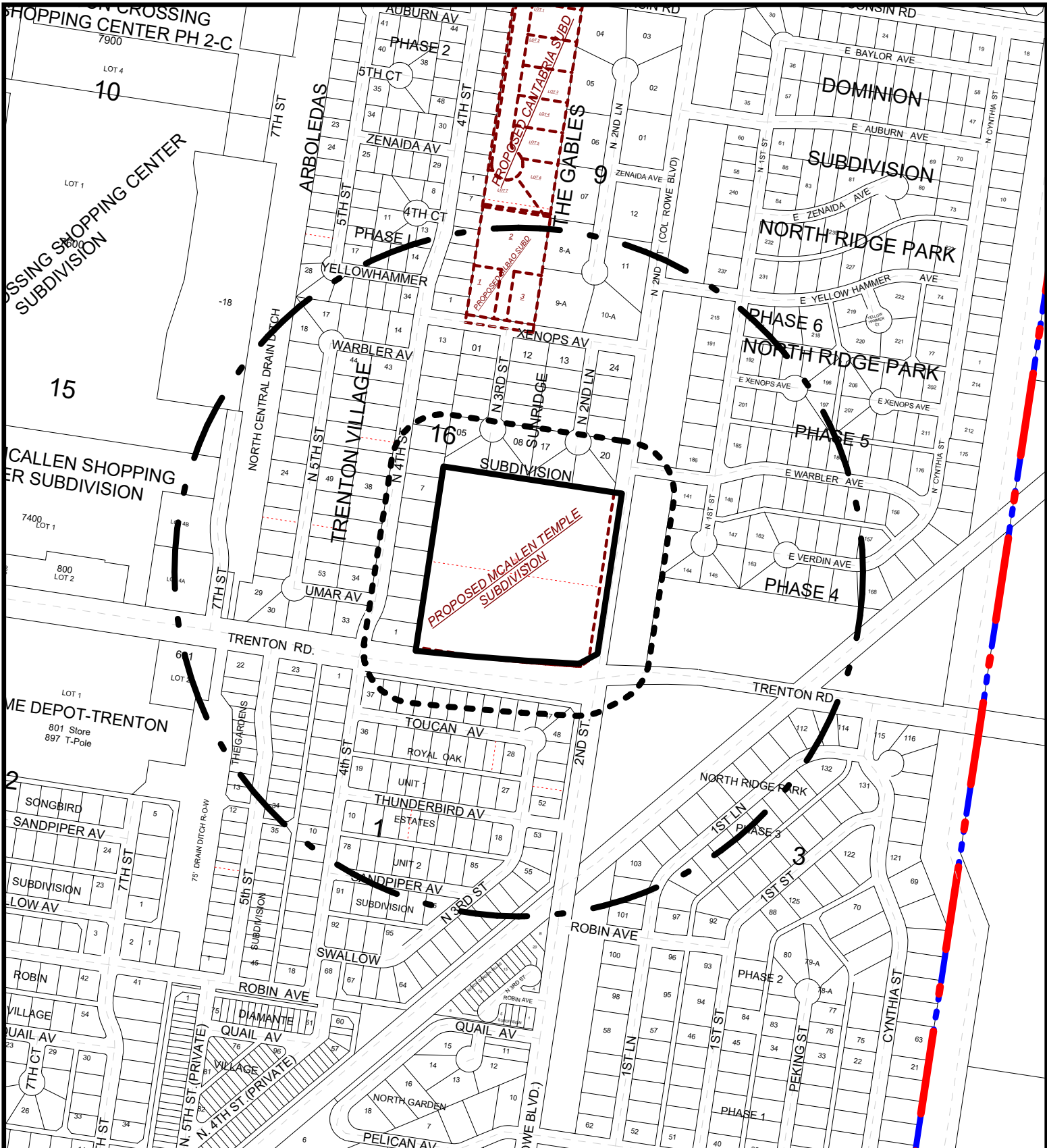



- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the main building shall be determined by the Building Inspections Department and shall maintain the existing seating capacity for the main sanctuary; and
- 7) Sides adjacent to commercially and residentially zoned or use property shall be screened by a 6 ft. opaque fence. A 6 ft. opaque fence will need to be provided along the north and west property line.

**RECOMMENDATION:**

Authorized agent has requested to table the item.










**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.


 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

 **1/4 MILE RADIUS**

**ZONING LEGEND**

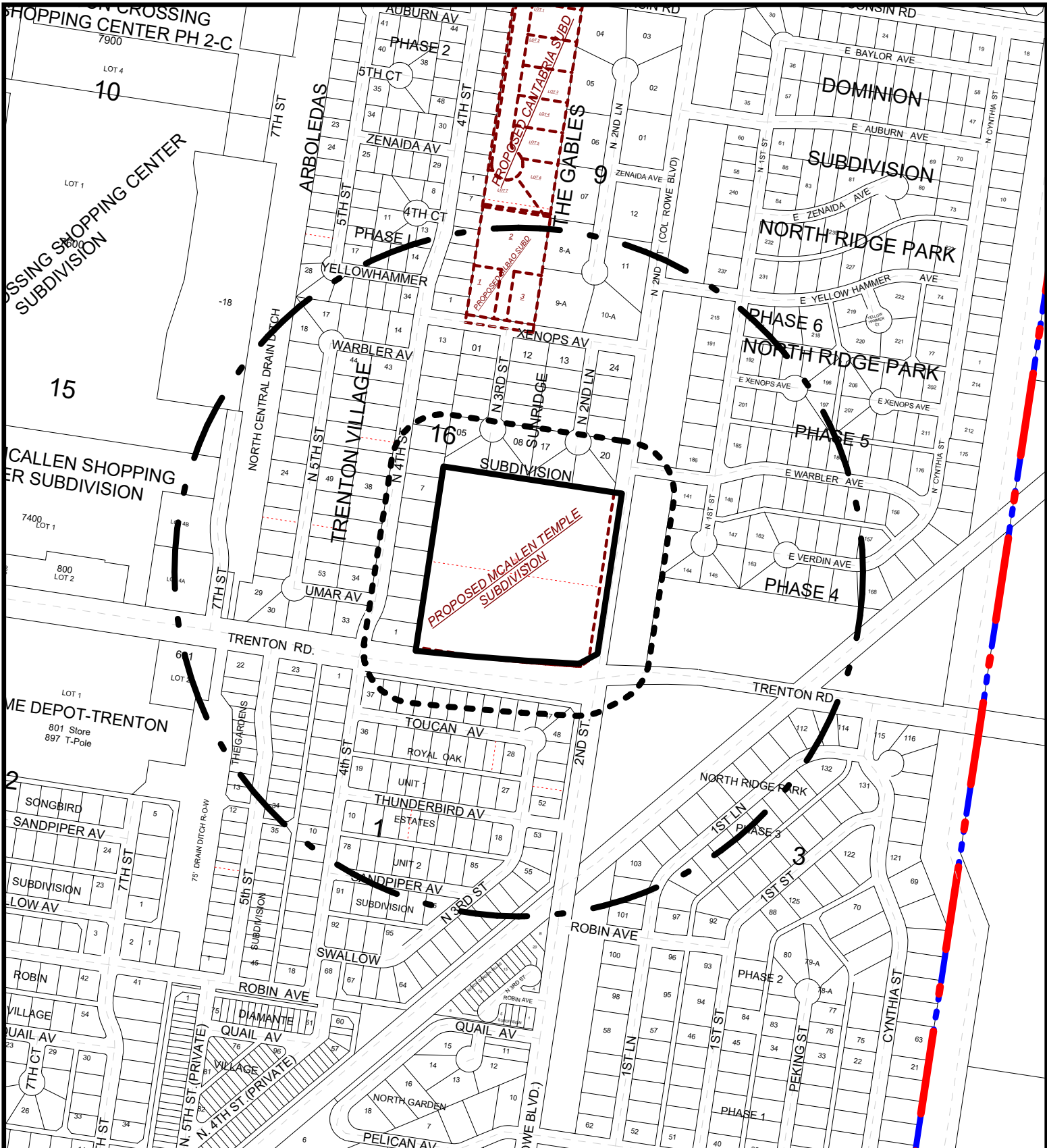
A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)




This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.

STEELE &










**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: N.T.S.


 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

 **1/4 MILE RADIUS**

**ZONING LEGEND**

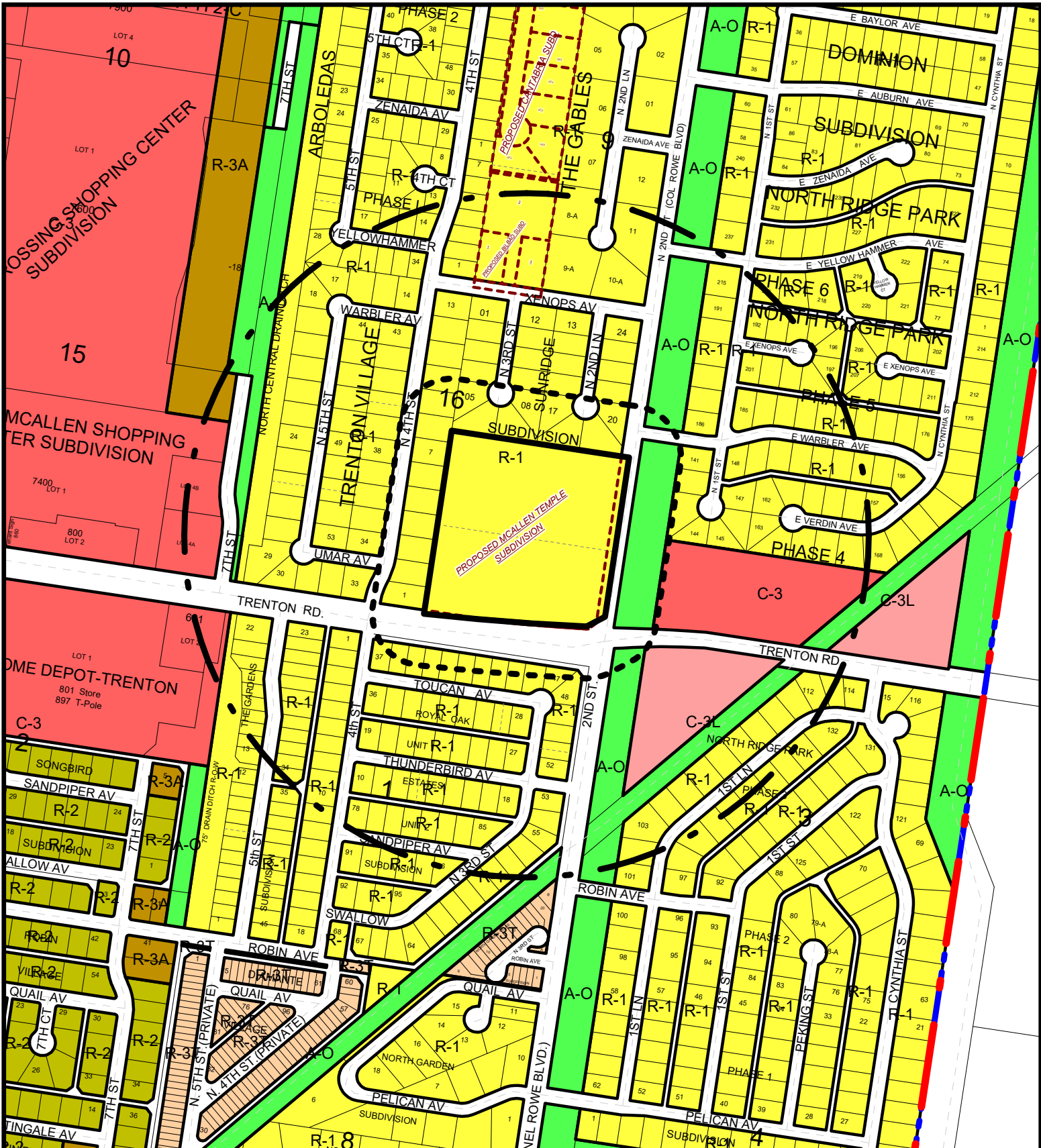
A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)



This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.

STEELE &





# CITY OF McALLEN PLANNING DEPARTMENT

LEGEND  
SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS



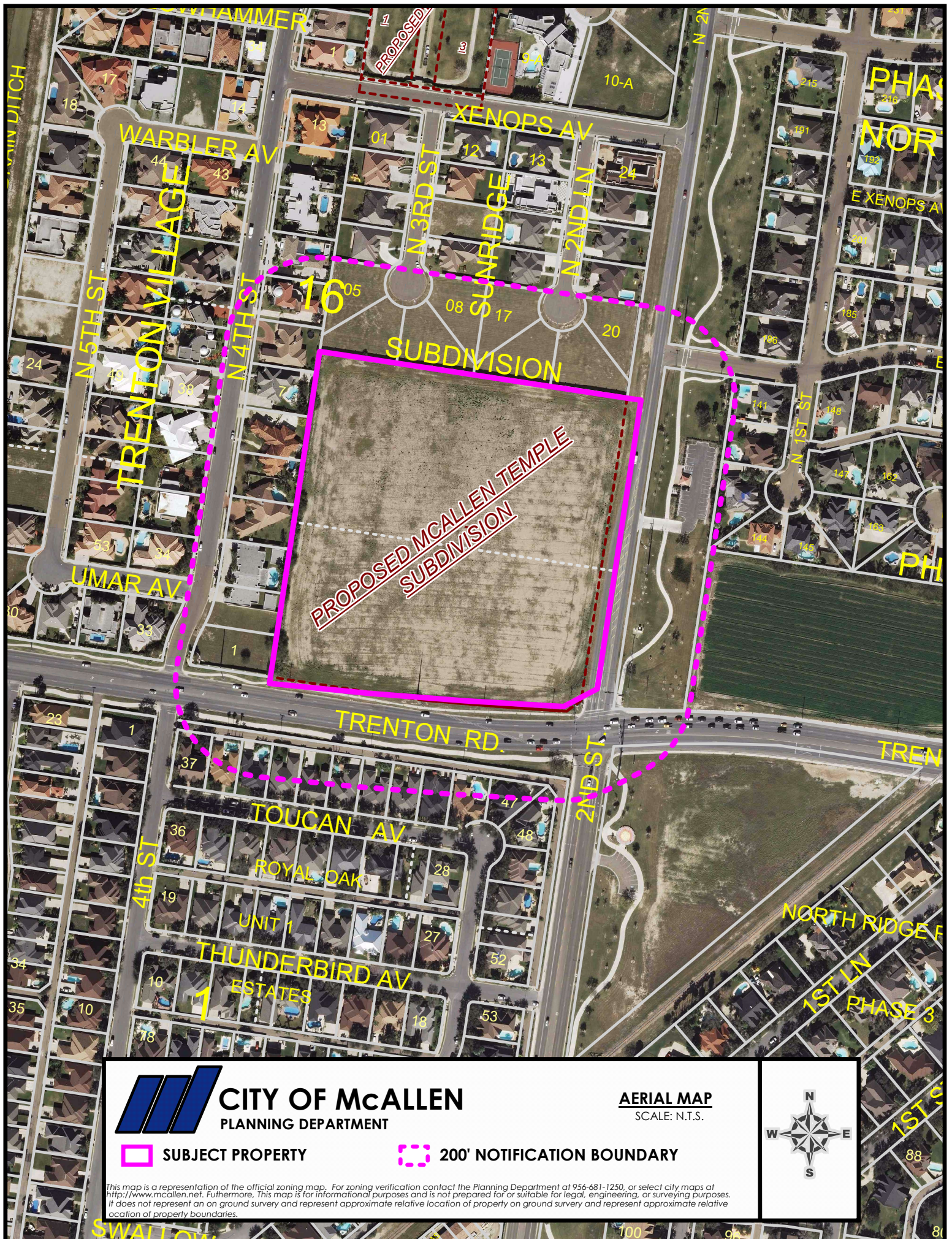
## ZONING LEGEND

A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	S (SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.

STEELE





**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.



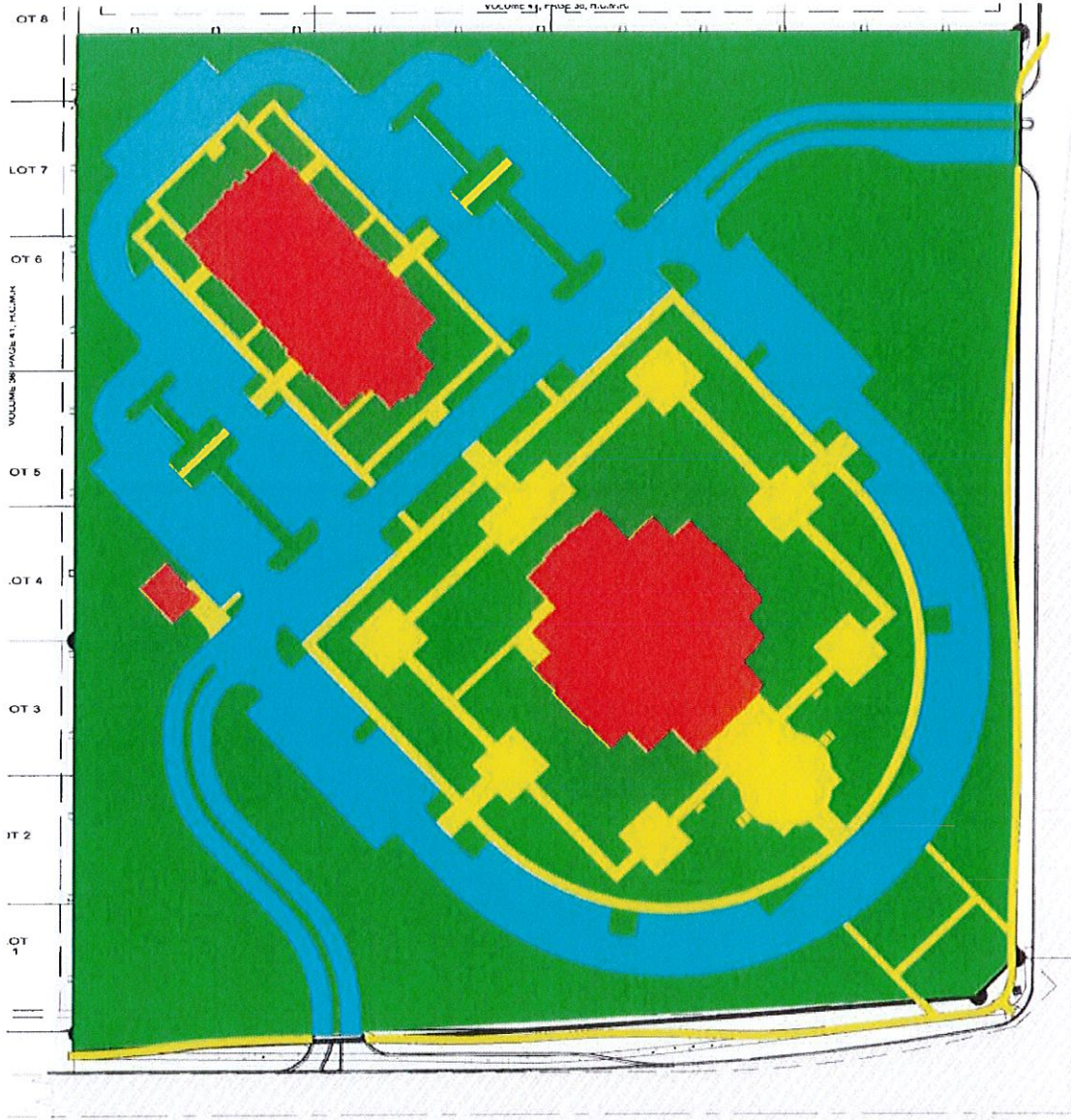
 **SUBJECT PROPERTY**

 **200' NOTIFICATION BOUNDARY**

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property on ground survey and represent approximate relative location of property boundaries.



# PROPOSED SITE



SCALE: NOT TO SCALE

## Legend:

- Pervious:
- Roofs:
- Drives:
- Walks:

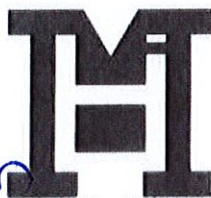
## Proposed Weighted C Calculation

Land Use:	"c" value:	Square Footage	Acreage	partial "c"
Heavy soil, flat, 2% - Pervious	0.2	238,343	5.472	1.094
Roofs:	0.95	38,122	0.875	0.831
Drives:	0.95	133,801	3.072	2.918
Walks:	0.95	50,097	1.150	1.093
Total:		460362.51	10.568	5.936
Weighted "c":			0.562	

RECEIVED

MAY 20 2020

BY: *Be 3:25pm*

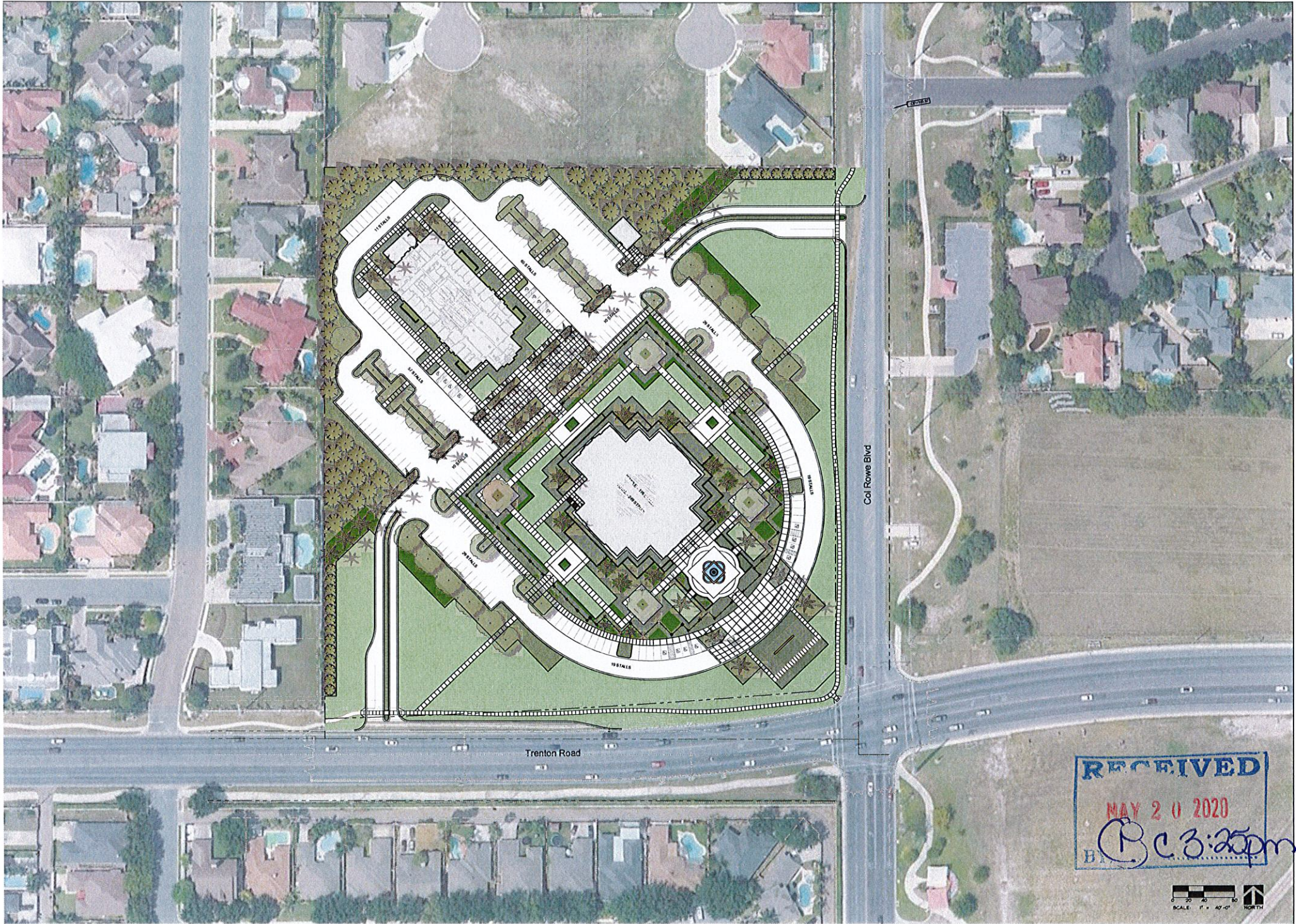


TBPLS No. 10096900

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





Trenton Road

Col Rowe Blvd

RECEIVED  
MAY 20 2020  
B C 3:20pm

0 20 40 60  
SCALE 1" = 40'-0"  
NORTH

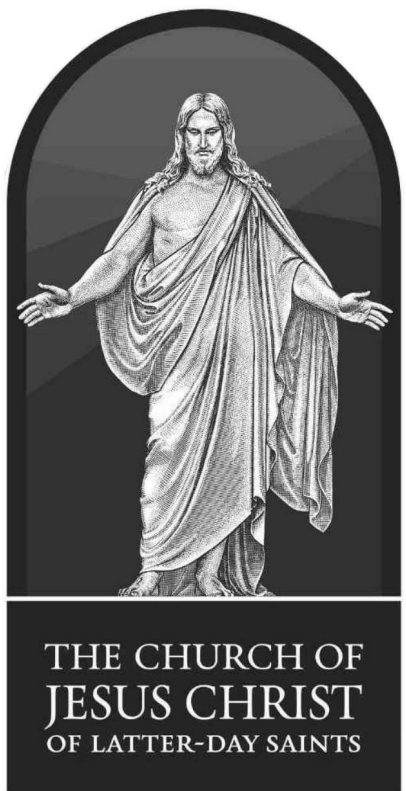


FURNISHED BY	ITEM	BRAND	STYLE OR TYPE	COLOR
OWNER	CARPET	SEE DIV. 09 FOR SPECS	LOOP PILE	
CONTRACTOR	WALL COVERING	SEE DIV. 09 FOR SPECS		
CONTRACTOR	COUNTERTOPS AND CABINETS	SEE DIV. 06 FOR SPECS		
OWNER	PEWS	SEE DIV. 12 FOR SPECS		
CONTRACTOR	DRAPERIES	SEE DIV. 12 FOR SPECS		
OWNER	ROSTRUM PEWS	SEE DIV. 12 FOR SPECS		
CONTRACTOR	ROSTRUM CASEWORK	SEE DIV. 12	SEE SHEET A411 AND A412	
OWNER	ROOM SIGNAGE	SEE DIV. 10	SEE SHEET F102	
OWNER	HYMN NUMBER BOARD	SEE DIV. 01	SEE ROSTRUM 146 ON 1/F101	



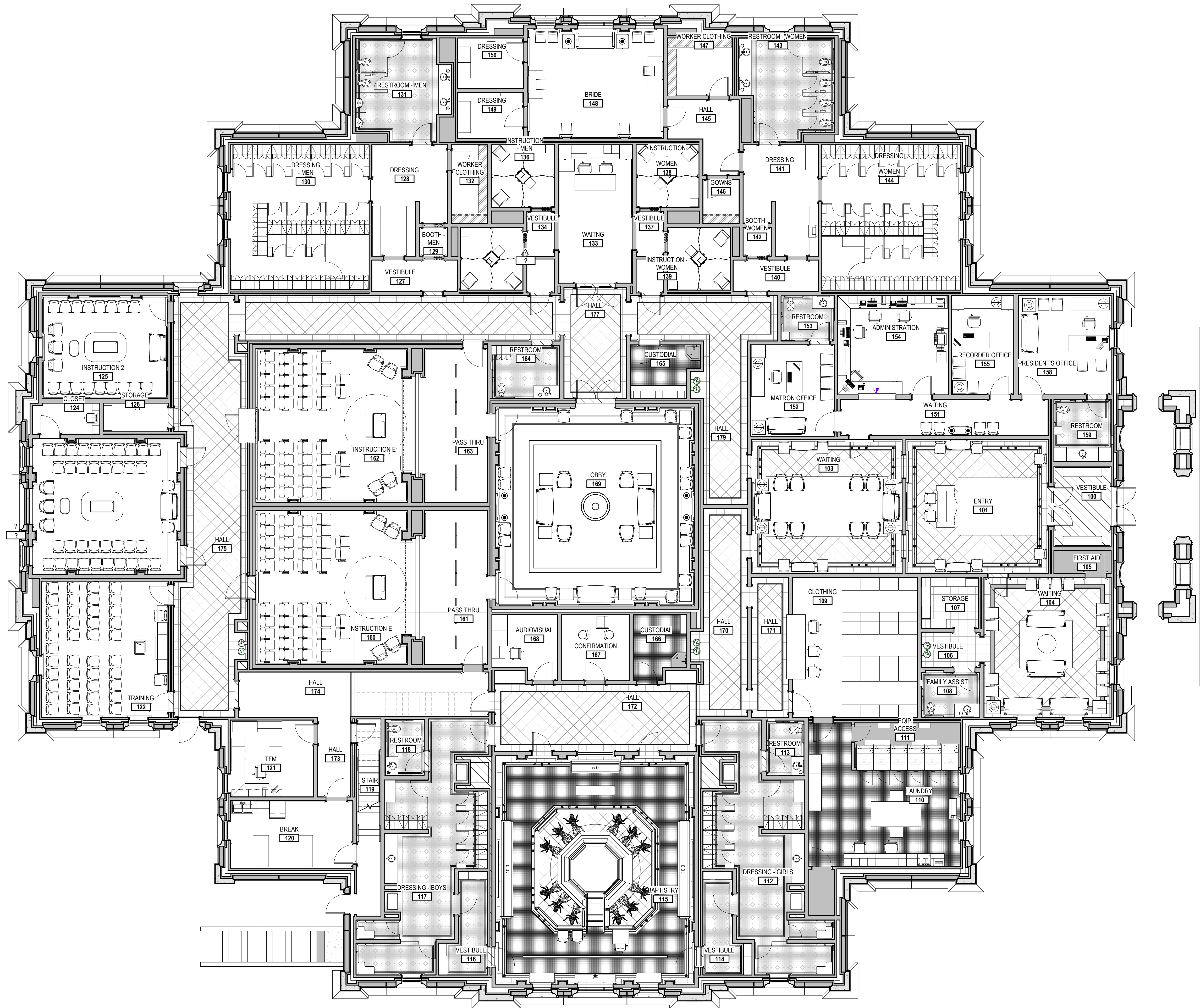
GENERAL FURNITURE NOTES

1. ALL FURNITURE SUPPLIED BY OWNER. LOCATION SHOWN FOR REFERENCE ONLY.

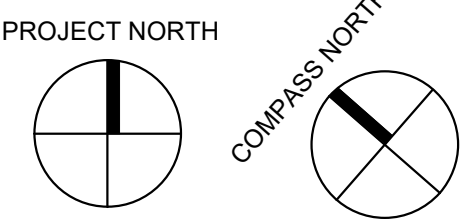
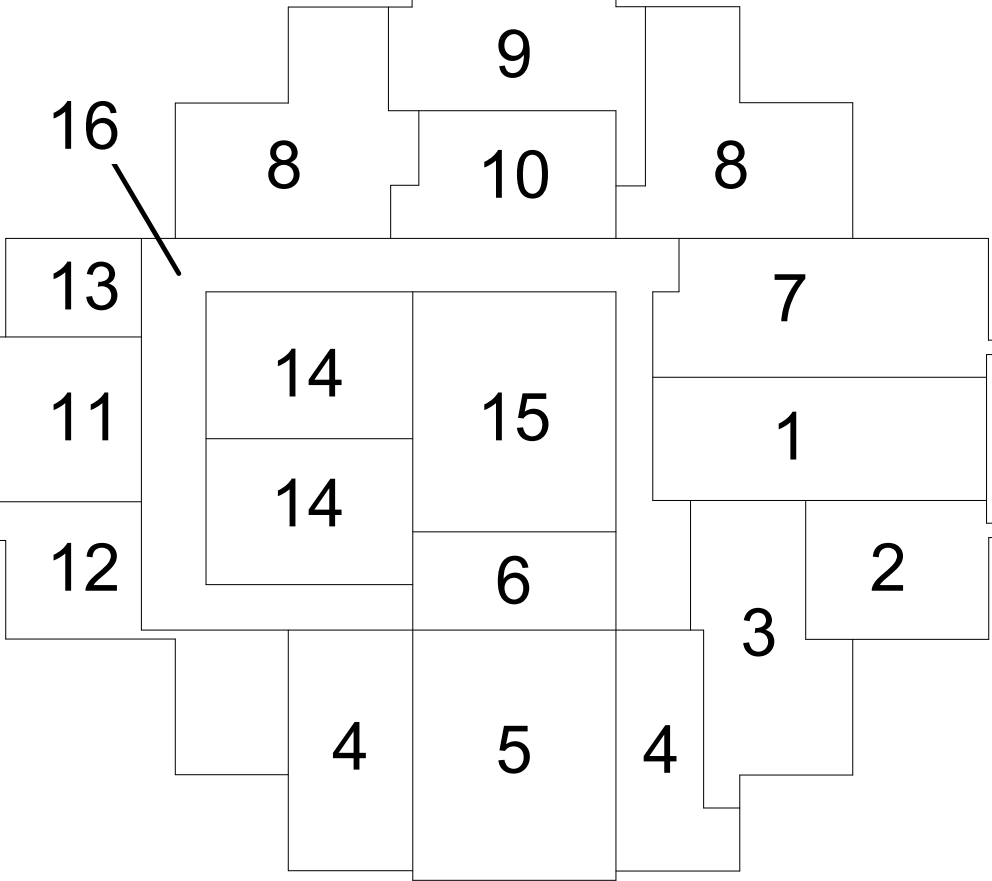


REV	DATE	DESCRIPTION
-----	------	-------------

VCBO NUMBER: 19614  
CLIENT NUMBER: 00000  
DATE: 19 MAY 2020



KEY PLAN







NOTICE  
INSTITUTIONAL  
USE  
FOR  
THIS PROPERTY  
CUP2020-0057  
CITY OF BIRMINGHAM PLANNING DEPT.  
BIRMINGHAM, AL 35203





TBPE Firm # F-1435  
TBPLS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO A. REYNA • RUBEN JAMES DE JESUS

July 15, 2020

City of McAllen Planning Department  
Attn: Mr. Edgar Garcia, Director of Planning  
311 N. 15<sup>th</sup> St.  
McAllen, Texas 78501

**Re: Request for withdrawal of Conditional Use Permit McAllen Temple Subdivision**

Dear Mr. Garcia:

On behalf of the developer, The Church of Jesus Christ of Latter-Day Saints, Melden & Hunt, Inc. formally asks the City to withdraw our request for the conditional use permit submitted to your office May 20, 2020 for the following described property legal:

10.615 acres of land, more or less,  
out of Lot 16, Block 13, Hidalgo Canal Company's Subdivision,  
as per map or plat thereof recorded in Volume "Q", Page 177,  
Hidalgo County Deed Records, McAllen, Hidalgo County, Texas.

If you have any questions, please feel free to call our office at 381-0981.

Respectfully,

Mario A. Reyna, P.E.  
Vice-President



**Memo**

**TO:** Planning & Zoning Commission  
**FROM:** Edgar I. Garcia, AICP, CNU-A  
**DATE:** July 17, 2020  
**SUBJECT:** City Commission Actions on July 13, 2020

---

**REZONINGS:**

1. Rezone from C-3 to R-3A District: Lot 3, Block 54, McAllen Addition; 612 S. 15<sup>th</sup> St.
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
2. Rezone from R-1 to R-3T District: 26.375 acres out of Sections 227 and 232, Texas-Mexican Railway Company's Survey; 5600 Tres Lagos Blvd.
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
3. Rezone from C-4 to R-3T District: 2.888 acres out of Section 232, Texas-Mexican Railway Company's Survey; 5700 Tres Lagos Blvd.
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
4. Rezone from R-1 to R-3A District: 0.645 acres out of Section 232, Texas-Mexican Railway Company's Survey; 5750 Tres Lagos Blvd.
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
5. Rezone from C-4 to R-3A District: 14.355 acres out of Sections 227 and 232, Texas-Mexican Railway Company's Survey; 14800 N. Shary Rd.
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended
6. Rezone from C-4 to R-3T District: 2.908 acres out of Sections 227 and 232, Texas-Mexican Railway Company's Survey; 15000 N. Shary Rd.
  - Planning and Zoning Commission recommended approval
  - City Commission maintained the item on the table



7. Rezone from R-1 to R-3A District: 39.83 acres out of Lots 13, 14, 16, 17, and 18, Section 234 Texas-Mexican Railway Company's Survey; 12512 N. Ware Rd.
  - Planning and Zoning Commission recommended approval
  - City Commission maintained the item on the table

#### **CONDITIONAL USE PERMITS:**

1. Request of Guillermo Cruz, for a Conditional Use Permit, for one year, for an automotive repair shop: Lots 17 & 18 and the west 25 ft. of Lot 19, Block 7, West Addition to McAllen Subdivision, 2226 & 2228 Houston Ave.
  - Planning and Zoning Commission disapproved with a favorable recommendation
  - City Commission approved the item as recommended
2. Request of Mario Gutierrez, for Conditional Use Permit, for one year, for an event center: Lot A, Arapaho Subdivision; 4108 N. 10<sup>th</sup> St., Suite 900
  - Planning and Zoning Commission disapproved with a favorable recommendation
  - City Commission approved as recommended
3. Request of Mario Gutierrez, for Conditional Use Permit, for one year, for an event center: Lot A, Arapaho Subdivision; 4108 N. 10<sup>th</sup> St., Suite 1000
  - Planning and Zoning Commission disapproved with a favorable recommendation
  - City Commission approved as recommended
4. Request of Jorge Briones, for Conditional Use Permit, for one year, for an automotive repair shop: Lots 11 & 12, Block 2, West Addition to McAllen; 2241 Dallas Ave., Suite B
  - Planning and Zoning Commission disapproved with a favorable recommendation
  - City Commission approved as recommended
5. Request of Juan Ludwig, on behalf of AEP Texas, for a Conditional Use Permit, for life of the use, for a railroad facility or utilities holding a franchise (Electric Substation): 3.248-acre tract of land out of Lot 141, La Lomita Irrigation and Construction Company's Subdivision, 3600 Quince Ave. & 1700 N. Ware Rd.
  - Planning and Zoning Commission disapproved
  - City Commission tabled the item on request of the applicant



## 2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

## 2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]





# PLANNING DEPARTMENT

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



## 2020 CALENDAR

### Meetings:

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

### Deadlines:

D- Zoning/CUP Application N - Public Notification

\* **Holiday** - Office is closed

### JANUARY 2020

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

### FEBRUARY 2020

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

### MARCH 2020

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

### APRIL 2020

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

### MAY 2020

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

### JUNE 2020

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





# PLANNING DEPARTMENT

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



## 2020 CALENDAR

### Meetings:

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

### Deadlines:

- D- Zoning/CUP Application
- N - Public Notification

\* **Holiday** - Office is closed

### JULY 2020

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

### AUGUST 2020

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

### SEPTEMBER 2020

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

### OCTOBER 2020

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

### NOVEMBER 2020

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

### DECEMBER 2020

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

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.