### **AGENDA**

# PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, MARCH 16, 2021 - 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

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 March 2, 2021

### 2) PUBLIC HEARING

- a) CONDITIONAL USE PERMITS:
  - 1. Request of Oliver Rios, for a Conditional Use Permit, for one year, for an Institutional Use (Church) at Lots 5 & 6, Block 16, College Heights Subdivision, Hidalgo County, Texas: 1925 Mobile Avenue. (CUP2021-0017)
  - 2. Request of Austin Price Tull, for a Conditional Use Permit, for life of the use, for an institutional use at Lot 1, S.T.V.T. #1 Subdivision, Hidalgo County, Texas; 2400 Daffodil Avenue. (CUP2021-0015) (Tabled)

#### b) REZONING:

1. Rezone from A-O (agriculture and open space) District to R-3A (multifamily residential apartment) District for 20.983 acres out of Lot 4, Block 4, A.J. McColl Subdivision (Proposed Park Terrace Subdivision), Hidalgo County, Texas; 3601, 3517, 3501, & 3401 North Jackson Road. (REZ2021-0007)

### c) SUBDIVISION:

1. North McAllen Lot 11A Block 40A Subdivision; 1712 Cedar Avenue- Tomas Gutierrez (SUB2021-0028) (Final) RDE

# 3) SITE PLAN:

- a) Revised Site Plan Approval for Lot 1, El Cedro Subdivision, 1100 E. Cedar Avenue. (SPR2021-0001)
- b) Revised Site Plan Approval for Lot 2B, McAllen Convention Center Lots 2B & 2C Subdivision, 3300 U.S. Expressway 83. (SPR2021-0010)

### 4) SUBDIVISIONS:

a) Starbucks Subdivision; 2908 Nolana Avenue- Vaquero Nolana Partners LP (SUB2021-0027) (Final) JHE

- b) Reynolds Estates Subdivision; 4600 North 29th Street- Reuben Bar- Yardin (SUB2021-0020) (Final) JHE
- c) 2nd And Dove Subdivision; 201 Dove Avenue- Alonzo Cantu (SUB2021-0026) (Final) CLH
- **d)** BEJ Subdivision; 4701 North McColl Road- Violet Investments **(SUB2021-0025)** (Preliminary) CHC
- e) Replat of Lot 9 Antigua Subdivision; 3208 Zenaida Avenue- Structure Team, LLC (SUB2021-0021) (Preliminary) M&H
- f) Cascada at Tres Lagos Phase II Subdivision; 14232 Chalk Ridge Drive- Rhodes Development, Inc. (SUB2021-0023) (Preliminary) M&H

## 5) INFORMATION ONLY:

a) City Commission Actions: March 8, 2021

### 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, March 2, 2021 at 3:35 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

Present: Pepe Cabeza de Vaca Chairperson

Daniel Santos Vice- Chairperson

Michael Hovar Member Michael Fallek Member Gabriel Kamel Member

Absent: Rogelio Cervantes Member

Jose Saldana Member

Staff Present: Victor Flores Assistant City Attorney

Michelle Rivera Assistant City Manager

Edgar Garcia Planning Director

Luis Mora Planning Deputy Director

Omar Sotelo
Rodrigo Sanchez
Jose Humberto De La Garza
Berenice Gonzalez
Kaveh Forghanparast
Carlos Garza
Mario Escamilla
Senior Planner
Planner II
Planner II
Planner II

Porfirio Hernandez Planning Technician II
Claudia Mariscal Administrative Secretary

CALL TO ORDER- Pepe Cabeza de Vaca, Chairperson

Meeting held via Teleconference and Video Conference.

PLEDGE OF ALLEGIANCE

INVOCATION- Mr. Pepe Cabeza de Vaca, Chairperson

#### 1) MINUTES:

a) Minutes for Regular Meeting held on February 16, 2021.

The minutes for the regular meeting held on February 16, 2021 were approved as submitted. The motion to approve was made by Mr. Michael Fallek. Mr. Gabriel Kamel seconded the motion, which carried unanimously with six members present and voting.

#### Mr. Daniel Santos joined the meeting.

## 2) PUBLIC HEARING

#### a) CONDITIONAL USE PERMITS:

 Request of David Salinas on behalf of Upbring Lutheran Social Services of South Inc., for a Conditional Use Permit, for life of the use, for an institutional use (immigrant youth facility) at 2.72 acres coming out of Lot 6, Block 11, Steel and Pershing Subdivision, Hidalgo County, Texas; 1000 North McColl Road. (CUP2021-0016)

Ms. Garza stated that the property is located on the east side of North McColl Road, approximately 410 ft. north of East Hackberry Avenue, and is zoned R-3A (apartments) District. The adjacent zoning is R-3A District to the west and C-3 (general business) District to the north, south, and east. An institutional use is permitted in the R-3A zone with a conditional use permit and in compliance with requirements.

The initial conditional use permit was approved, for one year, on June 17, 2014 by the Planning and Zoning Commission. The same applicant applied for life of the use two years later and was approved by the City Commission on April 11, 2016. Last year, the applicant applied for a conditional use permit to add a portable building in the front of the facility with the wider side facing North McColl Rd. The conditional use permit was approved by City Commission on March 23, 2020. However, the applicant did not comply with the approved site plan and changed the location of the portable building. Therefore, the applicant is applying for a new conditional use permit with a new site plan.

The applicant is proposing to continue to utilize the 13,893 sq. ft. building for an immigrant youth facility. The applicant is requesting to change the orientation of the portable building to use as a classroom for the existing use. The portable building is approximately 60 ft. by 27 ft. and will have 16-24 students at a time. The Fire Department will conduct their inspection as part of the building permit process for the portable building. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other 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 McColl Road and does not generate traffic into residential areas.
- 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 vehicle observations that park on site and on the side of Jasmine Avenue. Based on 27 bedrooms with a multi-purpose room, 6 offices, 4 classrooms, 33 parking spaces are required; a total of 42 parking spaces are now provided on site;
- 3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;

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

Staff recommends approval of the request, for life of the use, subject to compliance with the conditions noted, Zoning Ordinance, Building Permit, and Fire Department requirements.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Conditional Use Permit, there was none.

Chairperson Cabeza de Vaca asked if anyone was present in opposition of the proposed conditional use permit. Vanessa with 495 Commerce Partners on behalf of Charles Muellar was present via phone and stated that they were not in objection to the proposal they were concerned with the parking because of experience. They did not want anyone to park on the public street. Mr. David Salinas was present on behalf of the applicant and explained that he would make the applicant aware of the parking issue.

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

 Request of Austin Price Tull, for a Conditional Use Permit, for life of the use, for an institutional use at Lot 1, S.T.V.T. #1 Subdivision, Hidalgo County, Texas; 2400 Daffodil Avenue. (CUP2021-0015)

Ms. Garza stated that staff was requesting to table the item. Mr. Daniel Santos moved to table the item. Mr. Michael Fallek seconded the motion, which was approved with five members present and voting.

The property is located on the north side of Daffodil Avenue, approximately 298 ft. west of North 23<sup>rd</sup> Street, and is zoned A-O (agricultural-open space) District. The adjacent zoning is R-1 (single family residential) District to the west and south, C-3 (general business) District to the east and south, R-3A (multifamily apartment) District to the north, and R-3C (multifamily condominium) District to the north. An institutional use is permitted in the A-O zone with a conditional use permit and in compliance with requirements.

The initial conditional use permit was approved by City Commission on October, 9, 1995 for a parking facility for non-residential uses. A conditional use permit was previously approved for an institutional use on September 11, 2000 by the City Commission; however, the permit expired since requirements were not me within the required time frame. The conditional use permit was approved by the City Commission with additional conditions: 1) Removal of the barbed wire, 2) the gated/locked parking area to be kept operational, 3) hedges along the fence on the west side to be replaced and buffer filled in, and 4) the parking lot lights be screened, lowered in wattage and faced east away from the residences. The same applicant applied for a conditional use permit for an

institutional use for one year and was approved by Planning and Zoning Commission with the same conditions as previous permit on February 19, 2002.

A new applicant is proposing to continue to utilize the two-story building on the property for an institutional use. The two story building will consist of 25 classrooms and 19 offices. Based on 5 parking spaces per classroom, 125 parking spaces are required. And based on 1.5 parking spaces per office, 29 parking spaces are required. The total parking spaces required is 154, and 231 spaces are provided on the existing parking facility. Should the number of offices and classrooms increase, then additional parking will be required.

The Fire Department is still pending inspection of the site. conduct their inspection as part of the building permit process for the portable building. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other 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 has direct access to Daffodil Avenue.
- 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 number of classrooms and offices, 154 parking spaces are required; and 231 are provided on site, 7 of which are accessible;
- 3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6. The number of persons within the building shall be determined by the Fire Marshal and Building Official at the time of permit issuance;
- 7. Sides adjacent to commercially and residentially zoned or use properties shall be screened by a 6 ft. opaque fence.

Staff recommends approval of the request, for life of the use, subject to compliance with the conditions noted, Zoning Ordinance, Building Permit, and Fire Department requirements.

3. Jose G. Morin, for a Conditional Use Permit, for one year, for a home occupation (office), at Lot 91, Ponderosa Park Phase II Subdivision, Hidalgo County, Texas; 3500 North 32nd Street. (CUP 2021-0013)

Ms. Alvarado stated that the property is located on the northeast corner of North 32<sup>nd</sup> Street and Iris 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 and McAuliffe Elementary School. A home occupation is permitted in an R-1 District with a conditional Use Permit and in compliance with requirements.

The applicant is proposing to operate an office for an air cooling and heating business from the existing residence. The applicant was first approved for a Conditional Use Permit for a home office on November 18, 2010. Staff recommended approval of the request which includes a requirement that only one van should be on the property and not visible from the street or the signage removed when parked on the site. The applicant did not renew the permit in 2020 due to Covid-19 and submitted a new application for the home occupation on January 21, 2021.

The applicant's services include air conditioning and heating repairs, maintenance, and replacements. The applicant has three company vans; one is for his use and the others for the additional employees. The employees are the applicant and his son who both reside at the residence and only one additional non-related employee. The equipment is stored in the vans. The proposed hours of operation are Monday through Friday 8:00 a.m. to 5:00 p.m., by appointment.

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 must be clearly secondary to the residential use. The applicant lives at the residence;
- No signs are permitted. Applicant will keep his 3 marked vehicles in the garage or the rear yard parking;
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a single family residential dwelling;
- 4) There shall be no more than one additional unrelated employee other than immediate members who reside on the premises. The company consists of 3 employees, two who live at the residence and one unrelated employee;
- 5) There shall be no outside storage of materials or products;
- 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 no customers would be coming in and out of the property. (No walkin customers at this location);
- 7) No retail sales (items can be delivered). No retail sales are proposed;

- 8) No additions to the residence or accessory building specifically 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 applicant proposes for the activity to take place in the primary residential structure;
- 10) The activity must take place at the location for which the permit was issued.

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

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Conditional Use Permit, there was none.

Being no discussion, Mr. Michael Fallek moved to approve. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

4. Request of Erika V. Medina, for a Conditional Use Permit, for an Automotive Service and Repair (tire shop), for one year at Lot 2, Block 3, Altamira Subdivision, Hidalgo County, Texas; 2605 U.S. Highway 83. (CUP2021-0014)

Ms. Alvarado stated that the property is located along the south side of U.S. Business 83, approximately 55 ft. west of S. 26<sup>th</sup> Street. The property has 54.60 ft. of frontage along U.S. Business 83 and 225.80 ft. at its deepest point. It is zoned C-3 (general business) District. The adjacent zoning is C-3 (general business) District to the west and east, I-1 (light industrial) District to the north, and R-2 (duplex-fourplex residential) District to the south. Surrounding land uses include single-family residences, a recycling center and automotive repair shops. An automotive service and repair shop is allowed in the C-3 District with a Conditional Use Permit and in compliance with requirements.

The Planning and Zoning Commission approved the initial conditional use permit for an automotive repair service (tire shop) on January 18, 2005. At the Planning and Zoning Commission meeting of November 19, 2019 the board voted to approve the request with the condition that the applicant must operate within the enclosed area and no outside storage. At the City Commission meeting held on January 13, 2020, the Board granted a variance to the distance and approved the CUP.

There is an existing building of approximately 2,220 sq. ft. as per submitted site plan on the property that serves as a tire shop. The applicant is proposing to continue utilizing the tire shop Monday through Sunday from 8:00 a.m. to 10:00 p.m. Based on the floor area, 8 parking spaces are required and 5 parking spaces are provided along the front of the building; the building has two bays that can serve as parking and there is a drive way on along the east side of the property that serves as additional parking. The parking must comply with city standards.

Fire Department inspection has been completed for the tire shop. 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 12,328.68 sq. ft.
- All service, repair, maintenance, painting and other work shall take place within an enclosed area. The work will be performed in the garage and will only assist with putting air in tires under the canopy;
- 3) Outside storage of materials is prohibited. The tires stored outside of the building are tires that a recycling company picks up;
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The automotive service and repair establishment is approximately 90 ft. to the nearest residence.
- 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 to the west and south 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. There was an addition to the roof in the back of the building that was done without any building permits.

Staff recommends disapproval of the request for a conditional use permit due to noncompliance with requirements # 3 (outside storage), # 4 (distance). If approve must comply with Section 138-281 of Zoning Ordinance, Fire Department, and Building Permit requirements.

Chairperson Cabeza de Vaca asked about recommending disapproval because of the outside storage, and Ms. Alvarado explained that the applicant stores old and non-useable tires outside of the shop. Ms. Alvarado added that the applicant did say that she was working with a recycling company to pick the tires up once a week. Chairperson Cabeza de Vaca asked staff to verify proof with a contract. Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the proposed Conditional Use Permit, there was none.

After a brief discussion, Mr. Michael Fallek moved to disapprove with a favorable recommendation subject to conditions noted and proof of contract with recycling facility. Mr. Michael Hovar seconded the motion, which was approved with five members present and voting.

# b) REZONING:

1. Rezone from R-1 (single-family residential) District to A-O (agricultural and open space) District: Mumford Trail Estates Subdivision and 1.52 acres out of Lot 214, Pride O' Texas Subdivision, Hidalgo County, Texas; 7404 and 7424 North Bentsen Road. (REZ2021-0004)

Mr. Escamilla stated that the subject property consists of two tracts that are located along North Bentsen Road approximately 760 feet north of Thunderbird Avenue. The two tracts are comprised

of Mumford Trail Estates Subdivision and a 1.52-acre tract that is un-subdivided.

The applicant is requesting to rezone both properties to A-O (agricultural and open space) District in order to graze livestock.

The adjacent zoning is R-1 (single-family residential) District to the north, east and south. There is A-0 (agricultural and open space) District to the south and northwest.

Current uses on the subject properties include a single-family residence, vacant land and pasture land. Surrounding land uses are single-family residential and vacant land.

The Foresight McAllen Comprehensive Plan designates the future land use for the two tracts as Suburban Residential which is comparable to R-1(single-family residential) District.

The development trend for the area along North Bentsen Road is single-family homes on rural tracts and within residential subdivisions.

The1.52-acre tract was zoned A-O (agriculture and open space) District upon annexation in 1999 and later rezoned to R-1 District as part of a city initiated A-0 rezoning project in 2015. Mumford Trail Estates Subdivision was initially zoned R-1 District upon annexation in November 1999. There have been no other rezoning requests for the subject properties since that time.

A 17-acre tract to the west was rezoned from A-O to R-1 District in 2020 for a proposed 101 lot single-family residential subdivision under the name of Verdin Heights and received revised preliminary approval on November 3, 2020 by the Planning and Zoning Commission.

A tract to the southwest along the west side of North Bentsen Road, containing 27 acres was rezoned to R-1 District in 2002 and subdivided as Plantation Gap Phase 1.

The requested zoning does not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan; However, the proposed zoning is a down zoning and is consistent with the proposed land use.

The purpose of the R-1 district zoning for this area was to establish the future land use development for the subject properties and adjacent properties. The A-O district does not exclude enforcement of environmental health issues such as weedy lots, accumulation of brush and debris that may breed mosquitos and other pests.

There have been no calls received in opposition to the request.

Staff recommends approval of the rezoning request to A-O (agricultural and open space) District.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request, there was none. Mr. Gabriel Kamel asked if the applicant needed to add animals or grow vegetables to the property since the zoning was changing. Staff explained that they had chickens on the property and wanted to keep them, which is one of the reasons they wanted to change the zone.

After the brief discussion, Mr. Daniel Santos moved to approve. Mr. Michael Fallek seconded the motion, which was approved with five members present and voting.

> Rezone from R-1 (single-family residential) District to C-3L (light commercial) District: 0.87-acre tract of land out of Lot 10, Eureka Park Subdivision, Hidalgo County, Texas; 211 North Ware Road. (REZ2021-0003)

Ms. Alvarado stated that the property is located on the northwest corner of Beech Avenue and N. Ware Road, approximately 430 ft. north of U.S. Business 83.

The applicant is requesting to rezone the property to C-3L (light commercial) District for commercial use.

The adjacent zoning is R-1 (single-family residential) District to the west, C-3L (light commercial) to the north, I-1 (light industrial) District to the east and C-4 (commercial industrial) District to the south.

The surrounding land uses include single-family residences to the west, vacant land to the north and east, and Cano Famco Building warehouse to the south.

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

The development trend for this area along North Ware Road is light commercial uses. The property is currently zoned R-1 (single family residential) District. The property was first zoned R-1 (single-family residential) District during comprehensive zoning in May 1979.

The requested zoning does not conform to the Urban Single Family Use designation as indicated on the Foresight McAllen Comprehensive Plan. However, the proposed rezoning is consistent with the recent rezoning trend to C-3L District on the adjacent properties to the north. The rezoning requests were approved for C-3L District at 301 N. Ware Road and 221 N. Ware Road in 2018 and 2019, respectively.

The C-3L (light commercial) District allows commercial uses within the areas of transition from residential to commercial that would provide additional business opportunities and protect neighborhoods from commercial establishments attracting high-traffic volumes. The C-3L (light-commercial) District aims to provide sufficient space and off-street parking in proximity to residential areas for light commercial development. Permitted uses in the C-3L District are as follows: Uses permitted in C-1 and C-2 Districts excluding gasoline sales, restaurants which do not derive more than 25 percent of the gross income from the sale of alcoholic beverages, retail businesses that sell products such as candy, nuts and confectionaries, bakeries or tortillerias, ice cream stores, specialized food products, apparel and accessories, and computer hardware and software. The C-3L (light commercial) District does not allow bars, night clubs, automotive repair, or other uses that may negatively affect future and current property owners. The C-3L (light commercial) District is meant for retail businesses compatible with residential uses.

Section 110-49(a) Vegetation Ordinance requires a buffer where a nonresidential use has a side or rear area property line in common with any residential use or zone. A masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property

line in common with a single-family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks with masonry columns at every ten feet. The 8 ft. buffer is required to be installed along the west side of the property from the adjacent single-family residential zone/use space. Should the rezoning request be approved, a tree removal permit will be required for removal of trees over 20" in diameter or greater as per Section 110-55(b) of the Vegetation Ordinance.

A recorded subdivision plat is required before issuance of any building permits.

Staff recommends approval of the rezoning request to C-3L (light commercial) District.

Chairperson Cabeza de Vaca asked if there was anyone present in opposition of the request, there was none.

Being no discussion, Mr. Daniel Santos moved to approve. Mr. Michael Fallek seconded the motion, which was approved with five members present and voting.

3. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartment) District: the north 8 feet of Lot 1 and all of Lot 2, Amended Map of a Resubdivision of Blocks 2 & 3 of A.D. Leavell's Addition to McAllen, Hidalgo County, Texas; 214 South 5th 1/2 Street. (REZ2021-0002)

Mr. Forghanparast stated that the property was located on the west side of South 5<sup>th</sup> 1/2 Street, 155.4 ft. south of Beaumont Avenue. The tract has 68 ft. of frontage along South 5<sup>th</sup> 1/2 Street, with a depth of 140 ft., for a lot size of 9,520 sq. ft.

The applicant was requesting to rezone the property to R-3A (multifamily residential apartment) District in order to construct multiple apartments. A feasibility plan had not been submitted.

The adjacent zoning is R-2 (duplex-fourplex residential) District to the east and south, C-1 (office building) District to the north, and C-3 (general business) District to the west.

There is a duplex on the subject property, proposed to be demolished. Surrounding land uses include single-family residences, duplexes, Victor Fields Elementary School, All Valley locksmith and towing, OJ auto repair shop, Dean Foods - Hygeia & Oak Farms Dairy Products, a warehouse, and vacant land.

The Foresight McAllen Comprehensive Plan designate the future land use for the subject property as Auto Urban Single Family which was comparable to R-1 (single-family residential) District.

The area is an established stable neighborhood of mostly single-family and duplex residences.

The subject property was zoned R-2 (duplex-fourplex residential) District during comprehensive zoning in 1979. There had been no other rezoning requests since then.

The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on the Foresight McAllen Comprehensive Plan. It also does not fit the character of the

neighborhood. None of the properties on the south side of U.S. Business 83 and north side of Dallas Avenue, between South 2<sup>nd</sup> Street and South 10<sup>th</sup> Street are zoned multifamily residential.

South 5<sup>th</sup> 1/2 Street is a dead-end street with and only 40 ft. of right-of-way according to the plat, and approximately 27 ft. of pavement. Standard streets for multifamily apartments have 60 ft. or right-of-way with 40 ft. of pavement width. The R-3A District is more intense than the existing R-2 District that limits the number of apartments per lot to a fourplex.

The maximum density in R-3A (multifamily residential apartments) District is 29 three-bedroom units (1,500 sq. ft.) per acre to 43 one-bedroom apartment units (1000 sq. ft.) per acre. Therefore, the maximum number of units for the subject property is approximately 6 three-bedroom units to 9 one-bedroom units.

If the request is approved, it may encourage other property owners to apply for a rezoning to R-3A (multi-family residential apartment) District as well, which will increase the density and traffic in the area.

Public Works and Fire Departments have expressed concerns regarding increasing density on South 5<sup>th</sup> 1/2 Street, since it does not accommodate the proper access that they require to provide the service.

An approved site plan is required prior to building permit issuance for 5 or more dwelling units. Required parkland dedication or a fee in lieu of land comprising \$700 per dwelling unit might be required prior to building permit issuance.

Staff received 3 phone calls or emails in opposition to the rezoning request.

Staff recommends disapproval of the rezoning request to R-3A (multifamily residential apartment) District.

One resident appeared in person to oppose the rezoning request. Michael Lopez, 419 Chicago Avenue, spoke in opposition and stated that rezoning the property to R-3A would increase the traffic and density on this narrow dead-end street and, as a result, would intensify the existing issues with the trash pickup and Fire Department services. He also mentioned that the rezoning request would not fit the established neighborhood's character and that he was wondering who would be the future tenants of the apartments and since "it's only a block and half from La Casita Motel, prostitution might be occurring." Steve Spoor, 202 South 4th Street, said that he has an office in the vicinity of the subject property. Mr. Spoor spoke in favor of the request and stated that although the rezoning request might increase the density, there were some other commercial properties near the subject property; therefore, not affecting the neighborhood as much as Mr. Lopez mentioned. Carlos Vasquez, the property owner, who lives at 112 Daffodil Avenue, stated that his office is located at 517 Beaumont Avenue, so he was aware of the neighborhood's issues. He stated that he intended to build 6 or 7 nice-looking apartments for "single-mom families" since the property is in the vicinity of an elementary school. He mentioned that increasing density would not affect the trash pickup services since they would follow the same process they currently use. Board Member Fallek asked staff if the owner could build another duplex on the property and if the Board could limit the density as a condition to the rezoning request, Edgar Garcia, Planning Director, responded that they could build up to 4 attached units with the current zone and that the rezoning approval could not be conditioned. Vice-Chairman Santos and Board Member Kamel

mentioned that they were familiar with the area and expressed concerns regarding increasing the density on this narrow dead-end street that could pose safety issues to the neighborhood. Chairman Cabeza de Vaca also agreed that increasing the density and traffic would intensify the neighborhood's issues and reiterated that the applicant could build a fourplex under the current zoning district. Board member Fallek added that he might have been able to support the rezoning request if a site plan had been submitted and stated that a site plan might have revealed that only a fourplex could be built on the property.

After the discussion, Mr. Daniel Santos moved to disapprove. Mr. Michael Hovar seconded the motion, which was disapproved with five members present and voting.

# c) DISCUSSION:

1. Consideration of an Amendment to the Foresight McAllen Comprehensive Plan: Figure 4.2 Thoroughfare Plan, removing Yuma Avenue from Thoroughfare Plan from S. 2nd St to Jackson Road.

Catherine Ziglar 5415 North Sugar Road, Pharr TX was present and spoke in support of the proposal.

After the discussion, Mr. Michael Fallek moved to disapprove. Mr. Daniel Santos seconded the motion, which was disapproved with five members present and voting.

### 3) SITE PLAN:

a) Revised Site Plan Approval for Lot 1, HEB #2 Subdivision, 901 Trenton Road (SPR2021-0009)

Ms. Garza stated that the property is located on the southeast corner of Trenton Rd and North 10<sup>th</sup> Street and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east, west, and south, and R-2 (duplex-fourplex residential) District to the east. Surrounding land use include commercial businesses, and apartments.-The property is part of HEB #2 Subdivision, which was recorded on May 29, 2003. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

The applicant is proposing to expand 1,274 sq. ft. to the existing curbside pickup area that was approved for site plan on September 5, 2017.

The proposed 1,274 sq. ft. expansion to the existing curbside will be utilized for staging of order products for the existing HEB on site. Access for the curb side service will be from the existing curb cut on the southwest side. As per original site plan approved on Jan. 21, 2003: A minimum 10 ft. wide landscape strip or a 5 ft. wide with 3 ft. hedge was required inside the property line along N.10th Street & Trenton Rd. A 3 ft. hedge is required to be placed along N 10th Street & Trenton Road. Must maintain existing Landscaping any Dead grass, trees or plants must be replaced as well as any non-working irrigation system. Trees removed will be required to be replaced. Interior drives, buffers and parking will remain the same. No structures are permitted over easements. All setbacks will comply with the plat note requirements and the zoning ordinance.

Staff recommended approval of the site plan subject to the conditions noted, paving and building

permit requirements, and zoning ordinances.

Being no discussion, Mr. Daniel Santos moved to approve with the conditions noted. Mr. Gabriel Kamel seconded the motion, which was approved with five members present and voting.

## 4) SUBDVISIONS:

 a) Acre II Subdivision; 201 East Expressway 83- Acre Construction (SUB2021-0010) (Preliminary) MAS

Ms. Gonzalez stated that the property was located on U.S. Expressway 83 (Interstate 2) - 320 ft. ROW existing Paving: by the state Curb 7 gutter: by the state City of McAllen Thoroughfare Plan. ROW: 10 ft. ROW dedication for 20 ft. ROW Paving: 16 ft. Alley/service drive easement required for commercial properties. Alley/service drive should be separate from the residential alley to the north; with no access to the alley Subdivision Ordinance: Section 134-106. Front: 75 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear setbacks were in accordance with the Zoning Ordinance, or greater for easements. Zoning Ordinance: Section 138-356. Side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Zoning Ordinance: Section 138-356. All setbacks were subject to increase for easements or approve site plan. A 5 ft. wide minimum sidewalk was required on U. S. Expressway 83 (Interstate 2). Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Per Traffic, no new curb cut allowed along U. S. Expressway 83 (Interstate 2). Access provided from a common access easement along the front of the property which connects to the properties to the east and west. City's Access Management Policy Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common areas, private streets/service drives must be maintained by the lot owners and not the City of McAllen. Landscaping Ordinance: 110-72Subdivision Ordinance: Section 134-168 Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. The subdivision plat shows a 30 ft. Easement Agreement for Reciprocal Access along the front of the property extending east and west. The project engineer is to provide a copy of the recorded document for staff review. Lots fronting public streets. Zoning Ordinance: Section 138-1. Minimum lot width and lot area .Zoning Ordinance: Section 138-356 Existing: C-3 Proposed: C-3. Zoning Ordinance: Section 138-176. Trip Generation to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Service drive/alley should be separate from the residential alley to the north; with no access to the alley.

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

Ms. Gonzalez stated that this subdivision had been approved for final however never was recorded and the final approval expired.

Being no discussion, Mr. Michael Fallek moved to approve. Mr. Daniel Santos seconded the

motion, which was approved with five members present and voting.

# b) Fullerton Place Subdivision; 2717 Fullerton Avenue- Jose and Glendy Esquivel (SUB2021-0008) (Preliminary) SEC

Ms. Gonzalez stated that the property was located on Fullerton Avenue had 50 ft. ROW with 32 ft. of paving and curb & gutter on both sides. Money must be escrowed if improvements are not built prior to recording. Need to reference the triangular piece on the east side for their share of Fullerton Avenue City of McAllen Thoroughfare. Front setbacks were 25 ft. Zoning Ordinance: Section 138-356. Rear setbacks were 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Side setbacks were 6 ft. or greater for easements. Zoning Ordinance: Section 138-356. Corner setbacks were 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage setbacks were 18 ft. except where greater setback is required, greater setback applied. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Fullerton Avenue. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multifamily residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Common Areas, private drives must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Zoning Ordinance: Section 138-1Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 Proposed: R-1. Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Must comply with City's Access Management Policy Money must be escrowed if improvements are not built prior to recording. Owners are only platting .24 acres - they will own the remaining .60 acres. Pending clarification on the proposed use for the remaining .60 acres.

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

Being no discussion, Mr. Gabriel Kamel moved to approve. Mr. Michael Hovar seconded the motion, which was approved with five members present and voting.

# c) Lakehurst Subdivision Lots 6A, 7A, & 8A; 5101 8 Mile Line (SUB2021-0019) (Preliminary) M&H

Ms. Gonzalez stated that the property was located on Mile 8 Road: 10 ft. required for 80 ft. ROW Paving: 52 ft. curb & gutter on both sides. Show existing ROW from centerline and to new property line after accounting for ROW dedication City of McAllen Thoroughfare Plan. N. Taylor Road: 15 ft. additional ROW required for total 80 ft. ROW Paving: 52 ft. Curb & gutter: both sides. Include North reference on plat for North Taylor Road .Show existing ROW from centerline and to new property line after accounting for ROW dedication. Money must be escrowed if improvements are not built prior to recording. City of McAllen Thoroughfare Plan. 800 ft. Block Length Subdivision Ordinance: Section 134-118. 600 ft. Maximum Cul-de-Sac Subdivision Ordinance: Section 134-105. Front: 45 ft. or greater for easements. Remove dashed setback lines from plat as noted Revise plat as noted above. Zoning Ordinance: Section 138-356Rear: 15 ft. or greater for easement. Remove dashed setback lines from plat as noted Revise plat as noted above. Zoning Ordinance: Section 138-356. Sides: 6 ft. or greater for easement Remove dashed setback lines from plat as noted Revise plat as noted above. Zoning ordinance: Section 138-356Corner: 10 ft. or greater for

easements. Revise plat as noted above. Zoning Ordinance: Section 138-356. Garage: 18 ft. or greater for easements. Remove dashed setback lines from plat as noted Revise plat as noted above. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Taylor Road and Mile 8 Road. Revise plat as noted above. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along Taylor Road. Need note on plat as noted above. Per Access Management Policy, 8 Mile Road requires 200 ft. spacing. Submit site plan with pavement markings for review prior to final. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common Areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. 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 for public subdivisions. Lots fronting public streets. Zoning Ordinance: Section 138-1. Minimum lot width and lot area. Lot 7B -labeled Lot 8A on plat submitted February 15, 2021- does not meet minimum lot frontage requirement of 50 ft. revise plat prior to final. Existing: ETJ Proposed: ETJ. Trip Generation to determine if TIA is required, prior to final plat. Traffic Department asking for clarification on amount of proposed units to determine if a Trip Generation is required. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Revise N. Taylor Road street name on plat. Revise lot layout for Lot 8A with 36.02 ft. frontage along Mile 8 Road since it does not meet 50 ft. minimum frontage. Plat name needs to be revised to Lakehurst Subdivision Lots 6A, 7A and 7B. No curb cut will be allowed thru N. Taylor Rd., note required on plat

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

Mr. Victor Flores City Attorney stated that vacating of the land needed to be added to the conditions when voting.

Being no discussion, Mr. Gabriel Kamel moved to approve with conditions noted. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

d) World of 4 Subdivision; 615 Dallas Avenue- Aguirre Family Limited Partnership LP (SUB2021-0013) (Preliminary) CLH

Ms. Gonzalez stated that the property was located on Dallas Avenue: 5 ft. required for 30 ft. from centerline for total 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides. Revise plat as noted above. Show both sides of centerline, and show new property line after accounting for required dedication. Money must be escrowed if improvements are not built prior to recording. City of McAllen Thoroughfare Plan. 800 ft. Block Length Subdivision Ordinance: Section 134-118. ROW: 24 ft. Paving: 24 ft. Alley/service drive easement required for commercial properties. Plat note provided indicating the required 24 ft. service drive will be provided and reviewed during site plan approval.

Subdivision Ordinance: Section 134-106. Front: 25 ft. or greater for approved site plan or easements or in line with the average setback of existing buildings, whichever is greater. Revise plat as noted above Zoning Ordinance: Section 138-356. Rear: in accordance with the zoning ordinance or greater for easements or approved site plan. Zoning Ordinance: Section 138-356. Sides: in accordance with the zoning ordinance, or greater for approved site plan or easements. Zoning ordinance: Section 138-356. Garage: 18 ft. or greater for easements or approved site plan. Pending clarification on whether garages are proposed, if yes - please include garage reference in setback note prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Dallas Avenue. Revise plat as noted above. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. 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. Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies for public subdivisions. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets. Zoning Ordinance: Section 138-1. Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-3A Proposed: R-3A. Rezoning request from C-1 to R-3A approved by Planning and Zoning Commission on February 4, 2020 and City Commission on February 24, 2020. Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Pending clarification on number of units proposed. Trip Generation required per Traffic Department, to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Money must be escrowed if improvements are not built prior to recording. Clarify number of proposed units so Park fee requirement can be established

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

Ms. Gonzalez noted that zoning was correct it did not need to be changed.

Being no discussion, Mr. Michael Fallek moved to approve. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

e) Rubi Plaza Subdivision; 201 North Ware Road- Valhe Real Est. Holdings Family LTD Partnership (SUB2021-0014) (Preliminary) SEC

Ms. Gonzalez stated that the property was located on N. Ware Road (FM 2220): 120 ft. ROW with 65 ft. of paving and curb & gutter to be done by the state. City of McAllen Thoroughfare Plan. Beech Avenue: 50 ft. ROW with 32 ft. of paving and curb & gutter on both sides. City of McAllen Thoroughfare Plan. Escrows are needed if improvements are not built prior to recording. Cedar

Avenue: 5 ft. dedication required for 60 ft. ROW with 40 ft. of paving curb & gutter on both sides. Revise plat to show the 5 ft. required dedication for Cedar Avenue. Escrows are needed if improvements are not built prior to recording. City of McAllen Thoroughfare Plan. ROW: 25 ft. Paving: 25 ft. Alley/private service drive easement required for commercial properties. Label easement dedicated by plat as private. Subdivision Ordinance: Section 134-106. Front - N. Ware Road (FM 2220): 60 ft. Revise street name on plat note, include FM220. Zoning Ordinance: Section 138-356. Rear: In accordance with the zoning ordinance or greater for easement or approved site plan. Revise plat as noted above. Zoning Ordinance: Section 138-356. Interior Sides: 10 ft. or greater for easements or approved site plan. Revise plat as noted above. Zoning Ordinance: Section 138-356. Side corner: 10 ft. or greater for easement or approved site plan. Revise plat as noted above. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 5 ft. wide minimum sidewalk required on N. Ware Road and a 4 ft. wide sidewalk is required on Beech Avenue and Cedar Avenue. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along N. Ware Rd. Note required on plat as noted above. City's Access Management Policy. 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. Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets. Zoning Ordinance: Section 138-1Minimum lot width and lot area. Zoning Ordinance: Section 138-356. Existing: R-1 & C-3L Proposed: C-3L Rezoning application to be reviewed at the March 2, 2021 by the Planning and Zoning Committee; and on March 22, 2021 by City Commission. Rezoning needed before final approval. Trip Generation required per Traffic Department to determine if TIA is required, prior to final. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Revise plat to show dedication required along Cedar Avenue accordingly prior to final approval. Rezoning application scheduled for review at the Planning and Zoning meeting of March 2, 2021 and March 22, 2021 for City Commission.

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

Being no discussion, Mr. Michael Fallek moved to approve with conditions noted. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

# f) Silver Valley Subdivision; 1920 North Taylor Road- Delicias Catering, LLC (SUB2021-0018) (Preliminary) M2E

Mr. De La Garza stated that the property was located on North Taylor Road: 10 ft. dedication for 40 ft. from centerline for 80 ft. ROW with 52 ft. of paving and curb & gutter on both sides. Monies must be escrowed if improvements are not built prior to recording. Add "North" to every Taylor Road reference on plat prior to final. City of McAllen Thoroughfare Plan. Tamarack Avenue: 50 ft. ROW with 32 ft. of paving and curb & gutter on both sides. Monies must be escrowed if improvements are not built prior to recording. Tamarack Avenue to be extended west to connect

with North Taylor Road. Revise plat to comply with requirements prior to final. Subdivision Ordinance: Section 134-105. Front: 50 ft. (Proposed). 45 ft. or greater for easements (Required) Engineer to clarify setback prior to final. Zoning Ordinance: Section 138-356. Rear: 15 ft. or greater for easements (Proposed). 10 ft. except 25 ft. for Lot 2 or greater for easements (Required). Engineer to clarify setback prior to final. Zoning Ordinance: Section 138-356. Side setbacks were 6 ft. or greater for easements. Please revise plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Corner setbacks were 10 ft. or greater for easements. Zoning Ordinance: Section 138-356. Garage setbacks were 18 ft. except where greater setback is required: greater setback applied. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on North Taylor Road and both sides of Tamarack Avenue. Revise plat note as shown above prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revise plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Revise plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between singlefamily residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. 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. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Subdivision Ordinance: Section 110-72. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1. Existing: R-1 Proposed: R-1 (single family residential) Zoning Ordinance: Section 138-176. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, two single-family residences are proposed; \$1,400 must be paid prior to recording. If the amount of proposed lots changes, Park fees will be adjusted accordingly. As per Traffic Department, number of units proposed are needed to determine if a Trip Generation is needed prior to final. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Tamarack must be extended west to connect with North Taylor Road. Please revise plat to comply with requirements prior to final. Utility easement abandonment must be done by different instrument/document and not by this plat. Please revise plat and complete abandonment process prior to final. Please verify signature blocks wording complies with City of McAllen's requirements prior to final.

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

Being no discussion, Mr. Michael Fallek moved to approve with conditions noted. Mr. Gabriel Kamel seconded the motion, which was approved with five members present and voting.

g) Donald Wade Best Subdivision; 4601 Mile 8 Road- Donald Wade Best (SUB2021-0009) (Preliminary) SEA

Mr. De La Garza stated that property was located on Mile 8 North Road: 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. curb & gutter on both sides. Monies must be escrowed if improvements are not built prior to recording. Label centerline to verify if any additional ROW is required prior to final. Please provide copy of document for 15 ft. ROW Easement to Sharyland Water Supply Corp. for staff to review prior to final. Engineer must clarify if easement will remain or if it will be abandoned prior to recording of subdivision. If easement will be abandoned, it must be done by a separate instrument and not by plat prior to final. Please revise all references to "Mile 8 North Road" prior to final wherever is applicable. City of McAllen Thoroughfare Plan. Front: 45 ft. or in line with average setback of existing structures, or easement, whichever is greater. Zoning Ordinance: Section 138-356. Rear: 15 ft. or greater for easements (Proposed). Setbacks will be finalized prior to final. Zoning Ordinance: Section 138-356. Interior Sides: 15 ft. or greater for easements. Setbacks will be finalized prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setbacks are required; greater setback applies. Setbacks will be finalized prior to final. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along Mile 8 North Road. Please revise plat note as shown above prior to final. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Common Areas, private drives/streets must be maintained by the lot owners and not the City of McAllen Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. 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. Engineer must clarify number of units prior to final to determine requirements. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1. Existing: ETJ Proposed: Residential. If annexation is proposed, process must be finalized prior to final along with initial zoning process. Rezoning Needed Before Final Approval. If annexation is proposed, process must be finalized prior to final along with initial zoning process. As per Traffic Department, Engineer must clarify use and number of dwelling units to determine if a Trip Generation and/or a TIA is required prior to final plat. As per Traffic Department, Engineer must clarify use and number of dwelling units to determine if a Trip Generation and/or a TIA is required prior to final plat. Must comply with City's Access Management Policy. Engineer must clarify use and number of dwelling units to determine requirements prior to final. Please provide ownership map to verify that no landlocked properties exist prior to final.

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

Being no discussion, Mr. Gabriel Kamel moved to approve with conditions noted. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

h) Hilda's Ropa Usada Subdivision; 2512 Beaumont Avenue- Hilda O. Juarez (SUB2021-0007) (Preliminary) ATLAS

Mr. De La Garza stated that the property was located on Beaumont Avenue had 25 ft. from centerline for 50 ft. ROW with 40 ft. of paving and curb & gutter on both sides. Monies must be escrowed if improvements are not built prior to recording. City Commission approved a variance at the meeting of June 25, 2018 for the subdivision to not provide the 5 ft. dedication and pavement widening on Beaumont Avenue. Variance will be applied to this subdivision. Subdivision Ordinance: Section 134-105. 800 ft. Block Length. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Engineer must clarify f trash pickup services are proposed to be from the north property prior to final to determine requirements. Subdivision Ordinance: Section 134-106. Front setbacks were 50 ft. or greater for approved site plan or easements (Proposed) 20 ft. of greater for approved site plan or easements (Required) Engineer needs to clarify prior to final. Zoning Ordinance: Section 138-356. Rear setbacks were 10 ft. or approved site plan or easements. Zoning Ordinance: Section 138-356. Interior sides were in accordance with Zoning Ordinance or greater for approved site plan or easements. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Please add plat note as shown above. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on Beaumont Avenue. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Please revise plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multifamily residential zones/uses. Please revise plat note as shown above prior to final. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Engineer must clarify number of units proposed prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, private drives/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. Section 110-72 applies if private subdivision is proposed. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. HOA will be recorded simultaneously with plat. Subdivision Ordinance: Section 110-72. Lots fronting public streets. Zoning Ordinance: 138-1. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Existing: R-2 Proposed: R-2. Zoning Ordinance. Rezoning Needed Before Final Approval. Engineer to clarify number of units to verify if a rezoning is required prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, number of units proposed needs to be clarified prior to recording to determine total amount of park fees. As per Traffic Department, Trip Generation required to determine if TIA is required prior to final plat. As per Traffic Department, Trip Generation required to determine if TIA is required prior to final plat. Must comply with City's Access Management Policy. Engineer must clarify number of units proposed prior to final to finalize requirements from various departments. Provide site plan

for Public Works Department review prior to final. Submit ownership map to verify if any landlocked properties exist prior to final. Engineer must clarify if subdivision will be done in phases prior to final.

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

Being no discussion, Mr. Michael Fallek moved to approve with conditions noted. Mr. Gabriel Kamel seconded the motion, which was approved with five members present and voting.

 i) Cedar Place Subdivision; 1001 East Cedar Avenue- Habitat Developers, LLC (SUB2021-0015) (Preliminary) SEC

Mr. De La Garza stated that property was located on East Cedar Avenue: 10 ft. dedication for 30 ft. from centerline for 60 ft. of ROW with 40 ft. of paving and curb & gutter on both sides. Monies must be escrowed if improvements are not built prior to recording. Please add "East" to Cedar avenue wherever is applicable prior to final. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Please clarify if a Service Drive Easement will be provided for City Departments to provide services prior to final. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements or approved site plan, or in line with the average setback of the existing structures; whichever is greater. Please revise plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Rear setbacks were 10 ft. or greater for easements or approved site plan. Please revise plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Side setbacks were in accordance with Zoning Ordinance or greater for easements or approved site plan. Please revise plat note #3 as shown above. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required along East Cedar Avenue. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multifamily residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Engineer must clarify number of units proposed to determine requirements prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, private drives/streets, etc. must be maintained by the lot owners and not the City of McAllen 110-72. Subdivision Ordinance: Landscaping Ordinance: Section Section Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if subdivision is proposed to be public. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. HOA will be recorded simultaneously with plat. Subdivision Ordinance: Section 110-72. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1. Existing: R-3A Proposed: R-3A. If a rezoning is proposed, it must be finalized prior to final. Park Fee of \$700 per lot/dwelling unit to be paid prior to recording.

As Per Parks Department, Engineer must clarify number of units prior to final to determine amount park fees required prior to final. Must comply with City's Access Management Policy. Engineer must clarify number of units to determine requirements prior to final. As per Fire and Public Works Departments, submit site plan to determine requirements such as service drive, dumpster location, accesses, etc. prior to final. Provide gate details prior to final if applicable. Please show street/drive on the east property as a "private" prior to final.

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

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

j) NACCU Lot 1A and 2A Subdivision; 9100 North 10th Street- Nacu Army Community Credit Union (SUB2021-0016) (Preliminary) SEC

Mr. De La Garza stated that the property was located on North 10th Street: 60 ft. from centerline for 120 ft. ROW with paving and curb & gutter to be done by the state. City of McAllen Thoroughfare Plan. Hobbs Drive: 40 ft. from centerline for 80 ft. ROW paving: 52 ft. - 65 ft. curb & gutter on both sides. Owner must escrow monies for improvements not built prior to plat recording. City of McAllen Thoroughfare Plan. Northgate Lane: 35 ft. from centerline for 70 ft. ROW with 44 ft. of paving and curb & gutter on both sides. Owner must escrow monies for improvements not built prior to plat recording. Subdivision Ordinance: Section 134-105. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. A 30 ft. paved service drive is proposed. Subdivision Ordinance: Section 134-10. Front: N. 10th Street - 60 ft. or greater for easements. Zoning Ordinance: Section 138-356. Rear setbacks were in accordance with the Zoning Ordinance, or greater for easements or approved site plan. Please revise plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Interior sides setbacks were in accordance with the Zoning Ordinance, or greater for easements or approved site plan. Please revise plat note as shown above prior to final. Zoning Ordinance: Section 138-356. Corner: Corner setbacks along Hobbs Drive - 40 ft. or greater for easements. Northgate Lane - 35 ft. or greater for easements. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on North 10th Street, Hobbs Drive, and Northgate Lane. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Site plan must be approved by the Planning and Development Departments prior to building permit issuance. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1. Existing: C-3 Proposed: C-3. Zoning Ordinance: Article V. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. As per Traffic Department, Trip Generation required to determine if TIA is required, prior to final plat. Must comply with City's Access Management Policy. Per Fire and Public Works Departments, submit site plan for staff's review prior to final. Abandonment of existing 10 ft. Utility

Easement is being processed by a separate instrument and will be recorded prior to final. A proposed 10 ft. Private Easement is being proposed in lieu of the abandoned easement.

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

Mr. Fallek asked if the property was already being built on. Staff confirmed and explained that the subdivision was already recorded as NACCU, however there were issues with the easements being built on. The engineer felt it would be best option to resubdivide. Mr. De La Garza explained that the public utility easement was proposed as private so the public easement is being abandoned.

Being no discussion, Mr. Michael Fallek moved to approve with conditions noted. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

k) Park Terrace Subdivision; 3601 North Jackson Road- Domain Development Corp. (SUB2021-0017) (Preliminary) M&H

Mr. De La Garza stated that the property was located on North Jackson Road: Min. 10 ft. dedication for min. 60 ft. from centerline for 120 ft. ROW Paving: min. 65 ft. curb & gutter on both sides. Must escrow monies as needed if not constructed prior to recording. Show ROW from centerline to new property line and total ROW after accounting for ROW dedication. Add "North" to every Jackson Road reference on plat. City of McAllen Thoroughfare Plan. North "K" Center Street: Dedication required for 80 ft. total ROW Paving: 44 ft. curb & gutter on both sides. Must escrow monies as needed if not constructed prior to recording. Show ROW from centerline to new property line and total ROW after accounting for ROW dedication. Verify that ROW is align with properties to the north and south. Please provide copy of document "30 ft. HCID No. 2 exclusive ROW easement Volume 19, Page 289 & Volume 16, Page 5" prior to final for staff to review. Subdivision Ordinance: Section 134-105. East Jonquil Avenue: 30 ft. from centerline for 60 ft. ROW Paving: 40 ft. curb & gutter on both sides. Must escrow monies if improvements are not built prior to recording. Provide copies of documents "15 ft. Utility Easements Doc. 1771099" and "10 ft. Utility Easements Doc. 1018794" prior to final for staff to review. Subdivision Ordinance: Section 134-105. Internal Streets: 60 ft. ROW with 40 ft. of paving on curb & gutter on both sides. Must escrow monies if improvements are not built prior to recording. Provide ROW for "Street D (Private)" prior to final. Submit gate details prior to final if applicable. Gate details might increase ROW requirements. Street names will be established prior to final. If any islands are proposed, drives on both sides will have to be at least 20 ft. paving wide. Subdivision Ordinance: Section 134-105800 ft. Block Length requirements exceeded (Lots 30-43 and Lots 1-15). Please revise plat to comply with requirements prior to final. Subdivision Ordinance: Section 134-118. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. If subdivision is proposed to be private, add "private" and remove "prop." to all alley references prior to final. Engineer must clarify proposed garbage pickup method prior to final to determine alley requirements. 20 ft. by 20 ft. ROW clip required at all alley intersections. If Street D (Private) is proposed to be alley, maneuverability and spacing requirements will be reviewed prior to final. Subdivision Ordinance: Section 134-106. Front: 20 ft. or greater for easements or approved site plan. Please revise plat note #3 prior to final. Zoning Ordinance: Section 138-356. Rear setbacks were in accordance with the Zoning Ordinance or greater for easements or approved site plan. Please revise plat note #3 prior to final. Zoning Ordinance: Section 138-356. Interior Side setbacks were in accordance with the Zoning Ordinance or greater for easements or approved site plan. Please revise plat note #3 prior to final. Zoning

Ordinance: Section 138-356. Corner: 20 ft. or greater for easements or approved site plan (Proposed). 10 ft. or greater for easements or approved site plan (Required) Engineer must clarify setback prior to final. Zoning Ordinance: Section 138-356. Garage: 18 ft. except where greater setback is required; greater setback applies. Zoning Ordinance: Section 138-356. All setbacks are subject to increase for easements or approved site plan. A 5 ft. wide minimum sidewalk required along North Jackson Road and 4 ft. wide minimum sidewalk required along East Jonquil Avenue, North "K" Center Street and both sides of all internal streets. Please revise plat note as shown above prior to final. A 5 ft. sidewalks required along North Jackson Road as per Engineering Department. Subdivision Ordinance: Section 134-120. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, along North Jackson Road, East Jonquil Avenue and North "K" Center Street. Please revise plat note as shown above. Landscaping Ordinance: Section 110-46. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Landscaping Ordinance: Section 110-46. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Jackson Road, East Jonquil Avenue and North "K" Center Street. Please add plat note prior to final. City's Access Management Policy. Common or Detention Areas, any private streets/alleys, and/or gates must be maintained by the lot owners and not the City of McAllen Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-72 applies if subdivision is proposed to be public. Landscaping Ordinance: Section 110-72. Subdivision Ordinance: Section 134-168. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. HOA will be recorded simultaneously with plat. Subdivision Ordinance: Section 110-72. Minimum lot width and lot area. Zoning Ordinance: Section. 138-356. Lots fronting public streets. Zoning Ordinance: 138-1. Existing: A-O Proposed: R-2. Rezoning scheduled for consideration at the Planning and Zoning meeting of March 16, 2021 and City Commission meeting of April 12, 2021. Rezoning must be finalized prior to subdivision's final review. Zoning Ordinance: Article V. Rezoning Needed Before Final Approval. Rezoning scheduled for consideration at the Planning and Zoning meeting of March 16, 2021 and City Commission meeting of April 12, 2021. Rezoning must be finalized prior to subdivision's final review. Zoning Ordinance: Article V. Land dedication in lieu of fee. As per Parks Department, subdivision will be subject to Parkland Dedication Advisory Board prior to final. Pending review by the Parkland Dedication Advisory Board and CC. As per Parks Department, subdivision will be subject to Parkland Dedication Advisory Board prior to final. As per Traffic Department, Trip Generation needed to determine if TIA is required prior to final plat. As per Traffic Department, Trip Generation needed to determine if TIA is required prior to final plat. Must comply with City's Access Management Policy. Engineer must clarify if subdivision is proposed to be public or private prior to final to determine requirements. Abandonment of "30 ft. HCID No. 2 exclusive ROW easement" along North "K" Center Street will be done by a separate instrument and must be recorded prior to final. As per Public Works, Engineer must clarify proposed garbage pick-up method prior to final to determine alley requirements.

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

Being no discussion, Mr. Daniel Santos moved to approve with conditions noted. Mr. Michael Hovar

Planning and Zoning Commission I	Meeting
March 2, 2021	
Page 25	

seconded the motion, which was approved with five members present and voting.

6)	INF	ORM	ATION	ONLY:
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a) City Commission Actions: February 22, 2021

### **ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Mr. Daniel Santos adjourned the meeting at 5:26 p.m., and Mr. Michael Hovar seconded the motion, which carried unanimously with five members present and voting.

ATTEST:	Chairperson, Pepe Cabeza de Vaca
Claudia Mariscal, Secretary	

# Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** March 11, 2021

SUBJECT: REQUEST OF OLIVER RIOS, FOR A CONDITIONAL USE PERMIT, FOR

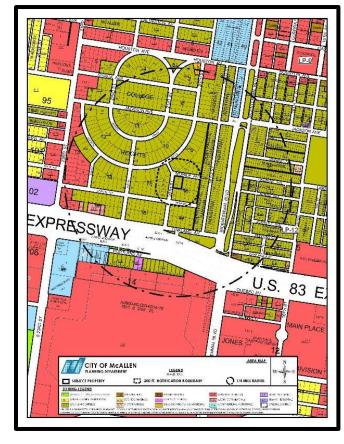
ONE YEAR, FOR AN INSTITUTIONAL USE (CHURCH) AT LOTS 5 & 6, BLOCK 16, COLLEGE HEIGHTS SUBDIVISION, HIDALGO COUNTY,

**TEXAS; 1925 MOBILE AVENUE. (CUP2021-0017)** 

#### **BRIEF DESCRIPTION:**

The property is located at the southeast corner of the intersection of South 20<sup>th</sup> Street and Mobile Avenue, approximately 500 ft. north of U.S. Expressway 83. The subject property 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 and vacant land. An institutional use is permitted in the R-2 District with a conditional use permit and in compliance with requirements.





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

There is a 2,503 sq. ft. building on the subject property, which in the past has been used as a church. The church is proposing a seating arrangement of 54 chairs in the main auditorium. The building consists of an auditorium, two rooms, two storage rooms and two restrooms as shown on the submitted site plan. The applicant proposes to operate a church (Concilio De Ministerios Unidos del Principe de Paz, USA) on Wednesdays and Fridays from 7:00 PM to 8:30 PM and on Sundays from 3:00 PM to 5:00 PM.

Based on the 54 seats in the main auditorium, 14 parking spaces are required; 19 parking spaces are being proposed on the submitted site plan. There is a common parking area on the subject property. One of the provided parking spaces must be van accessible with an 8 ft. wide access aisle.

A site inspection by staff revealed that the parking lot does not comply with Section 138-400 of the Zoning Ordinance. The parking spaces are not currently striped and loose gravel and debris are visible. If approved, a follow up inspection will be needed to ensure compliance with the parking requirement.

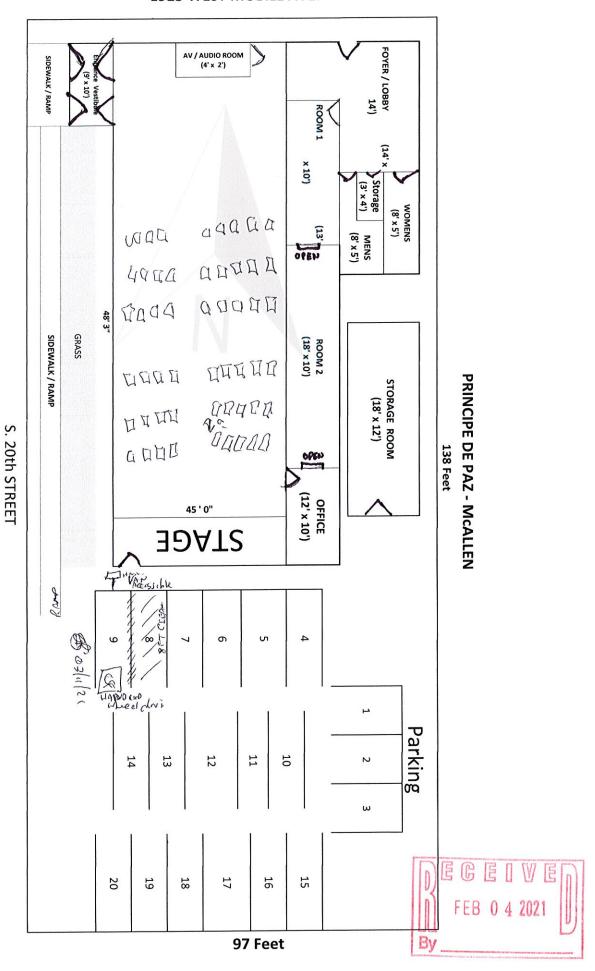
The Fire Department has conducted the necessary inspection for this property and is in compliance with applicable code requirements. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed 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 has access to U.S Expressway 83 from south 20<sup>th</sup> Street.
- The proposed use shall comply with the McAllen Off-Street Parking and Loading Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 54 seats, 14 parking spaces are required; 19 parking spaces are provided on the submitted site plan One of the provided parking spaces is required to be van accessible with an 8 ft. wide access aisle. The parking must be clear of potholes and properly striped per city requirements.
- The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;

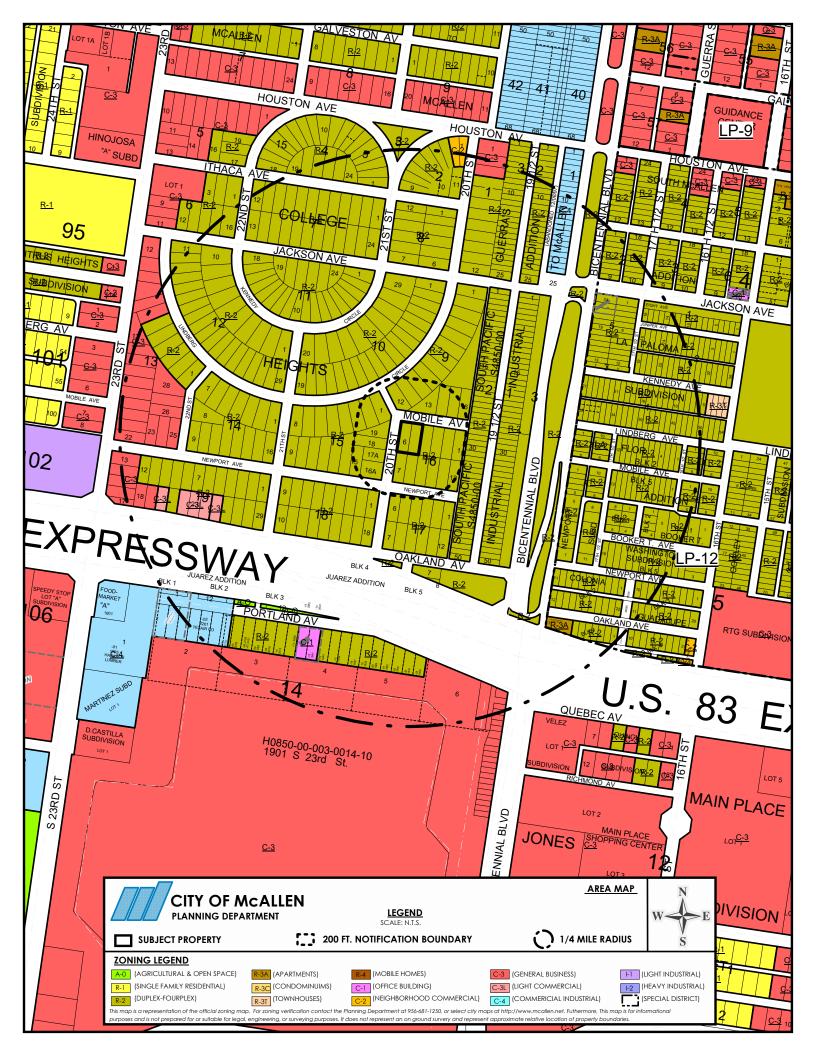
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or use property shall be screened by a 6 ft. opaque fence.

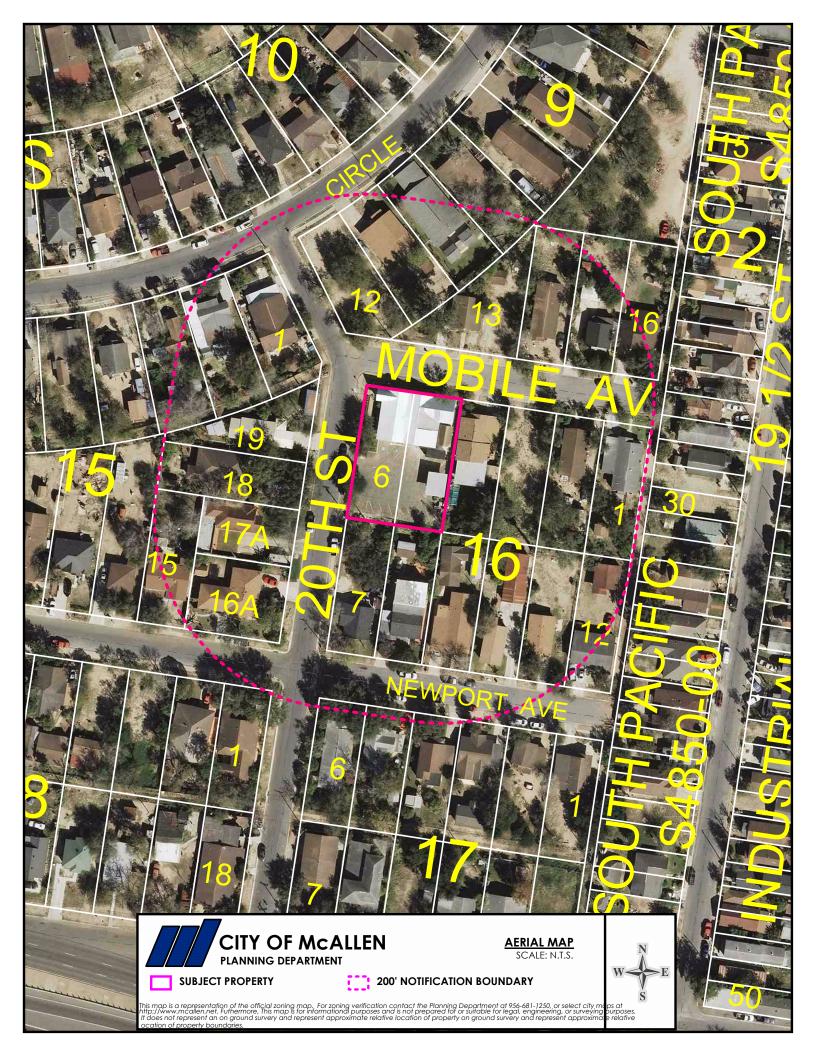
## **RECOMMENDATION:**

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.



54 claus











### Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** March 10, 2021

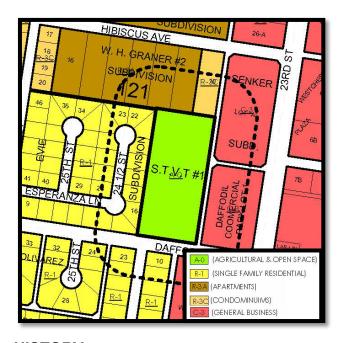
SUBJECT: REQUEST OF AUSTIN PRICE TULL, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE

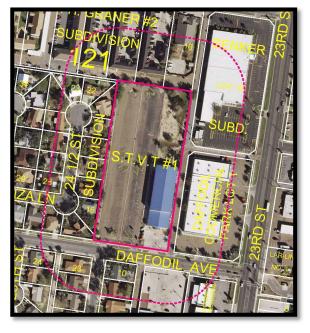
USE, FOR AN INSTITUTIONAL USE AT LOT 1, S.T.V.T. #1 SUBDIVISION, HIDALGO COUNTY,

TEXAS; 2400 DAFFODIL AVENUE. (CUP2021-0015)

### **BRIEF DESCRIPTION:**

The property is located on the north side of Daffodil Avenue, approximately 298 ft. west of North 23<sup>rd</sup> Street, and is zoned A-O (agricultural-open space) District. The adjacent zoning is R-1 (single family residential) District to the west and south, C-3 (general business) District to the east and south, R-3A (multifamily apartment) District to the north, and R-3C (multifamily condominium) District to the north. An institutional use is permitted in the A-O zone with a conditional use permit and in compliance with requirements.





### **HISTORY:**

The initial conditional use permit was approved by City Commission on October, 9, 1995 for a parking facility for non-residential uses. A conditional use permit was previously approved for an institutional use on September 11, 2000 by the City Commission; however, the permit expired since requirements were not met within the required time frame. The conditional use permit was approved by the City Commission with additional conditions: 1) Removal of the barbed wire, 2) the gated/locked parking area to be kept operational, 3) hedges along the fence on the west side to be replaced and buffer filled in, and 4) the parking lot lights be screened, lowered in wattage and faced east away from the residences. The same applicant applied for a conditional use

permit for an institutional use for one year and was approved by Planning and Zoning Commission with the same conditions as previous permit on February 19, 2002.

### **REQUEST/ANALYSIS:**

A new applicant is proposing to continue to utilize the two-story building on the property for a K-8<sup>th</sup> Grade institution. The two story building will consist of 25 classrooms and 19 offices. Based on 1.5 parking spaces per classroom, 38 parking spaces are required. And based on 1.5 parking spaces per office, 29 parking spaces are required. The total parking spaces required is 67, and 231 spaces are provided on the existing parking facility. Should the number of offices and classrooms increase, then additional parking will be required.

The Fire Department is still pending inspection of the site. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

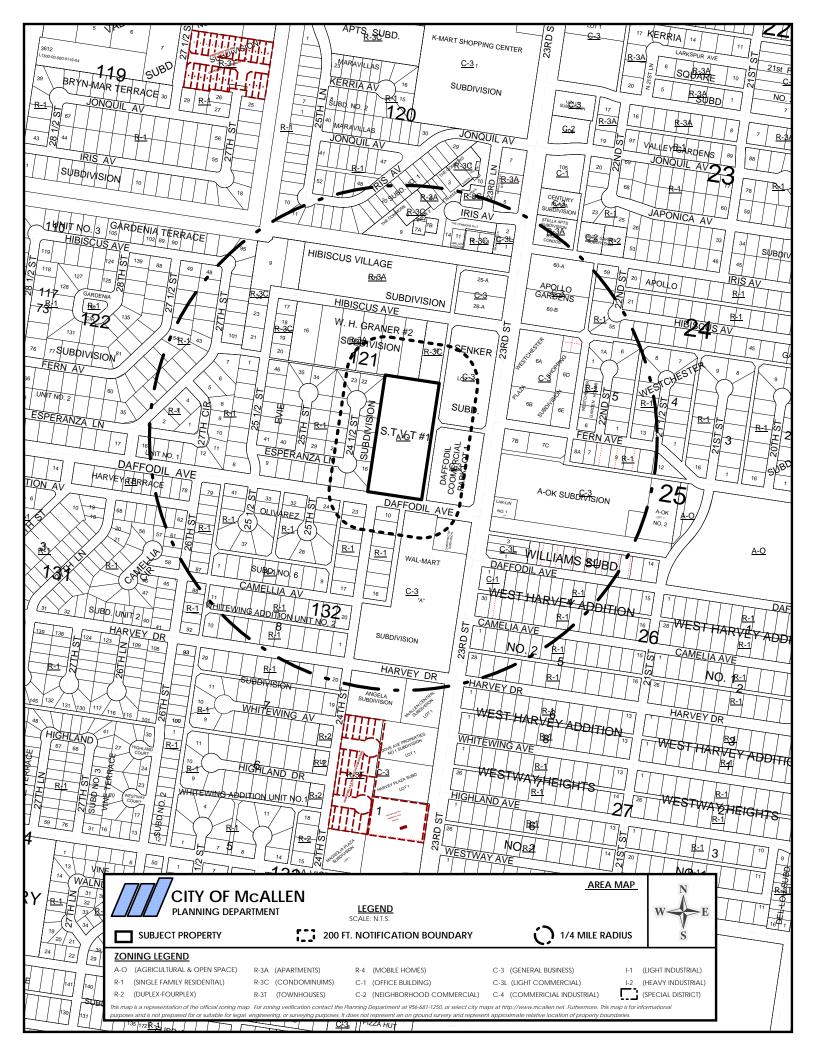
- 1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property has direct access to Daffodil Avenue.
- 2. The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the number of classrooms and offices, 67 parking spaces are required; and 231 are provided on site, 7 of which are accessible;
- The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, re-plating the hedges along the west and north property lines as previously noted on previous 2002 CUP or reorientation of entrances and exits;
- 4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6. The number of persons within the building shall be determined by the Fire Marshal and Building Official at the time of permit issuance;
- 7. Sides adjacent to commercially and residentially zoned or use properties shall be screened by a 6 ft. opaque fence.

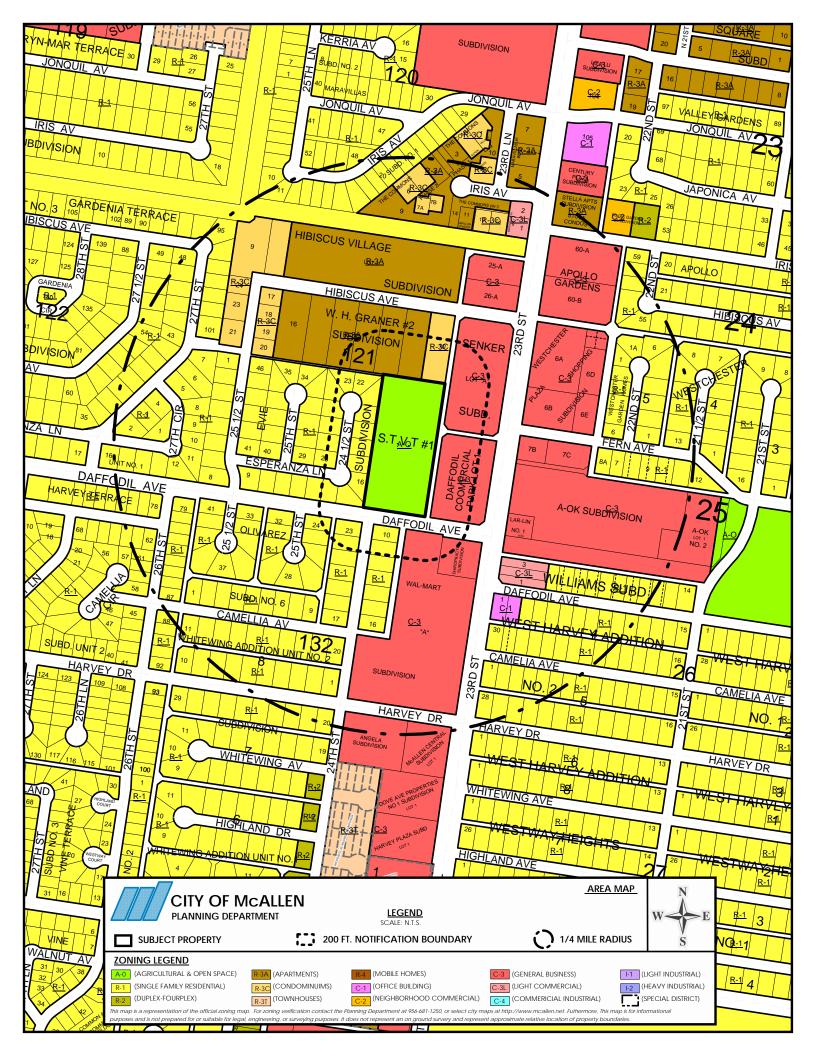
Staff received a call from an adjacent neighbor with concerns regarding the buffer requirement along the west, stated the hedge buffer had been removed. The previous Conditional Use Permit from 2002 was approved with the condition that hedges along the fence on the west side be replaced and buffer filled in.

### RECOMMENDATION:

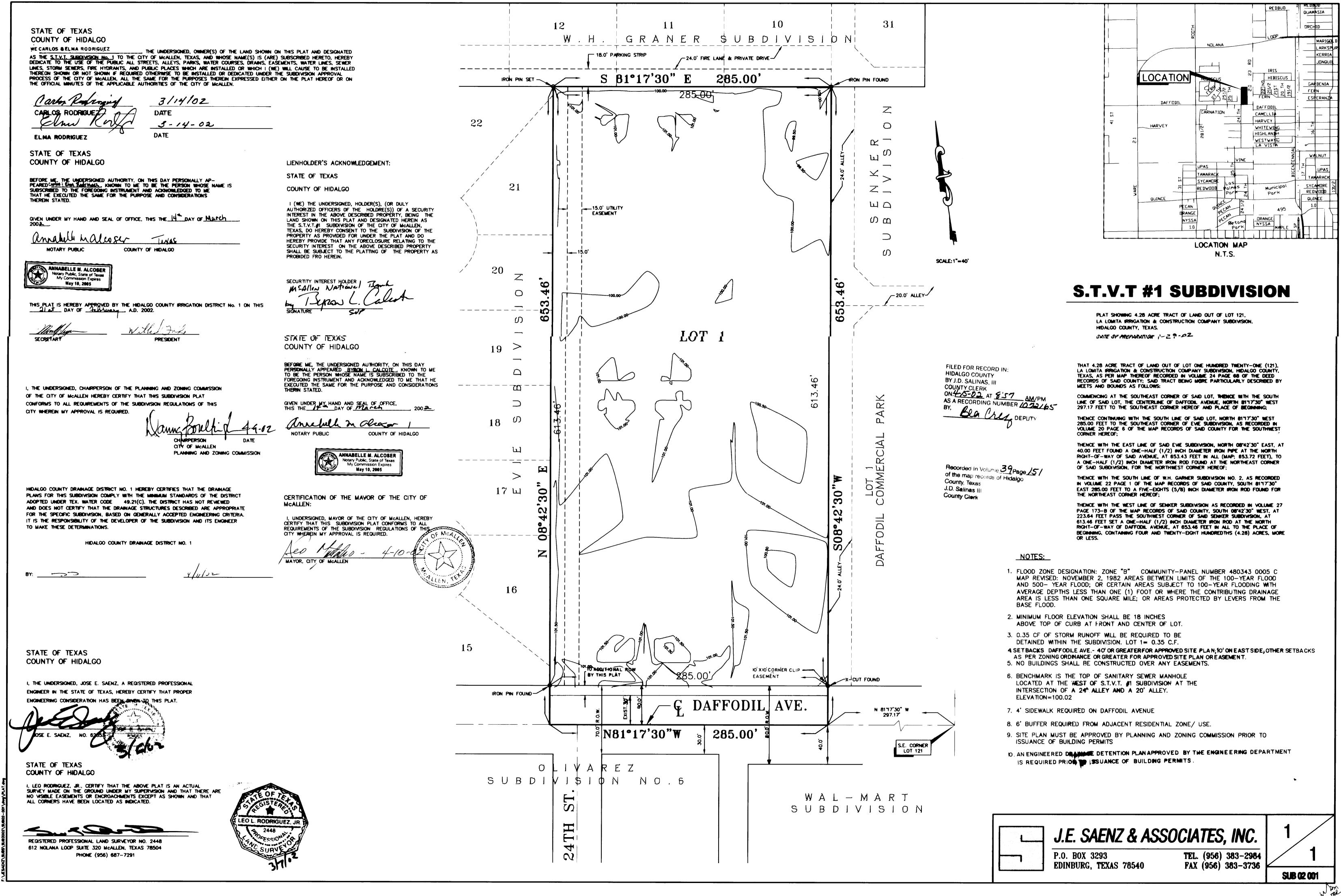
Staff recommends approval of the request, for life of the use, subject to compliance with the conditions noted, Zoning Ordinance, Building Permit, Traffic, and Fire Department requirements.

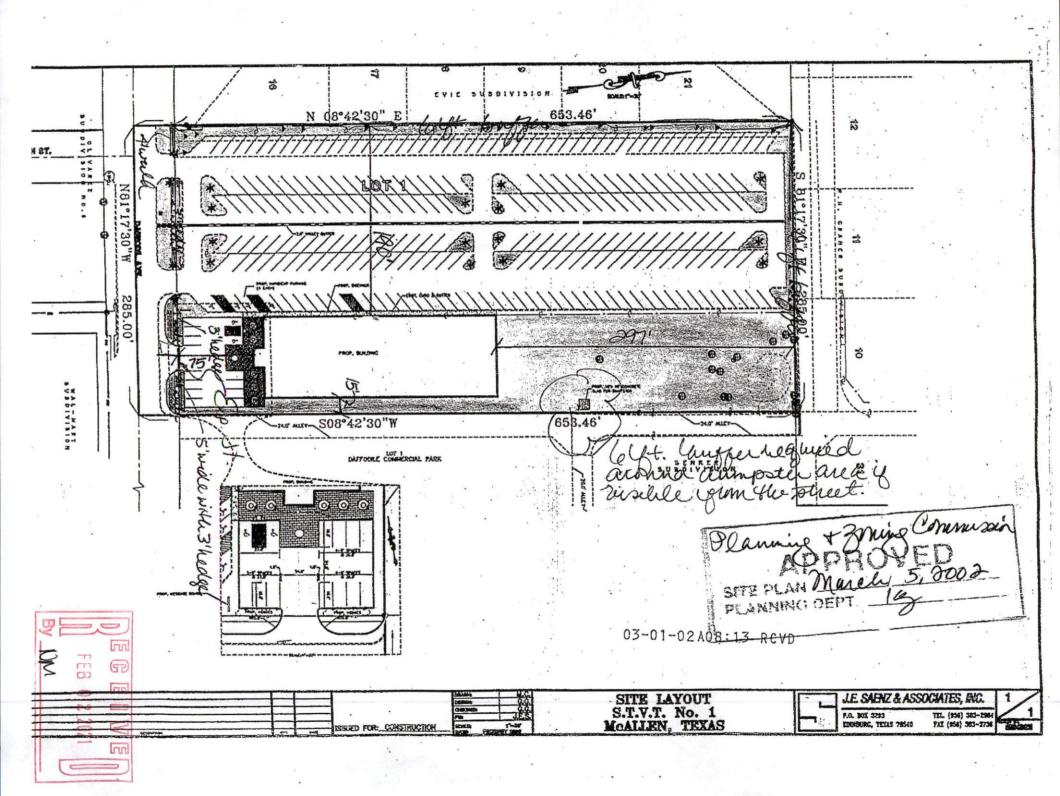
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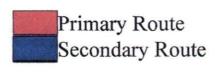
# Emergency Exit Routes ATI/STVT #70 · 2400 Daffodil · McAllen · Texas · 78501



First Floor

Updated 05/27/2010









### Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** March 10, 2021

SUBJECT: REZONE FROM A-O (AGRICULTURE AND OPEN SPACE) DISTRICT TO R-

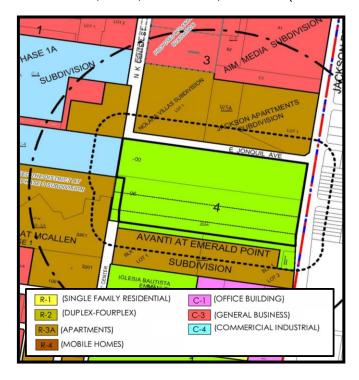
3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT FOR 20.983 ACRES OUT OF LOT 4, BLOCK 4, A.J. MCCOLL SUBDIVISION (PROPOSED PARK TERRACE SUBDIVISION), HIDALGO COUNTY, TEXAS; 3601, 3517, 3501, & 3401 NORTH JACKSON ROAD. (REZ2021-

0007)

<u>LOCATION</u>: The property is located on the southwest corner of North Jackson Road and East Jonquil Avenue.

<u>PROPOSAL</u>: The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District. An application for a subdivision for the subject property under the name of Park Terrace Subdivision has been submitted and received approval in preliminary form on March 02, 2021 by the Planning and Zoning Commission. A feasibility plan has been submitted which proposed two unattached duplex units on each of the 62 lots.

<u>ADJACENT ZONING</u>: The adjacent zoning is R-3A (multifamily residential apartment) District to the north, west, and south, and C-4 (commercial industrial) District to the west.





<u>LAND USE</u>: The property is currently vacant. Surrounding land uses are Avanti at Emerald Point, Jackson Apartments, District Apartments, Mendoza Paint and Body Shop, and, vacant land.

<u>COMPREHENSIVE PLAN</u>: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Urban Center, which is comparable to C-3 (general business) District.

<u>DEVELOPMENT TRENDS:</u> The development trend for this area along North Jackson Road is commercial.

The property was zoned A-O (agriculture and open space) District during comprehensive zoning in May 1979. The property to the west was rezoned from A-O (agricultural open space) District to R-3A (multifamily residential apartments) District in June 2005. The property to the north was rezoned from A-O District to R-3A District during the city-initiated zoning in 2014. A part of the property to the north was also rezoned from C-3 District to R-3A district in 2019. The property to the south was rezoned from A-O District to R-3A District in April 2019.

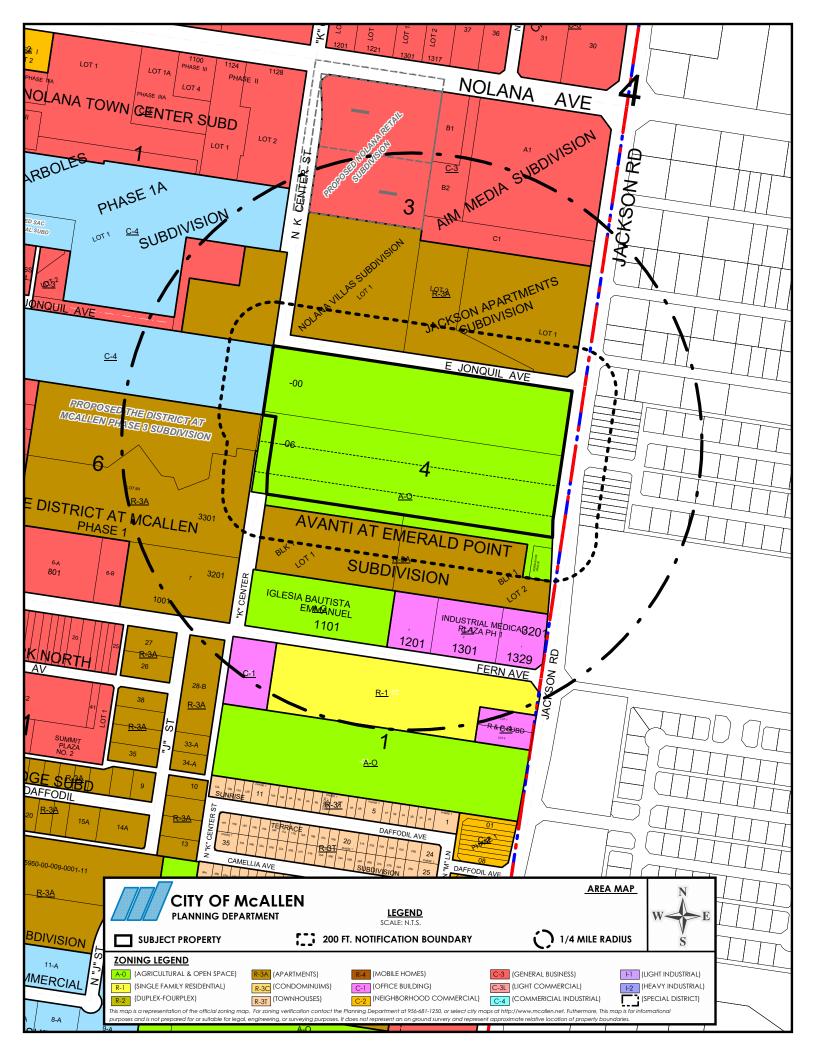
<u>ANALYSIS</u>: The requested zoning does not conform to the Suburban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan; however, the zoning trend along N. Jackson Road is both commercial and multifamily apartment uses.

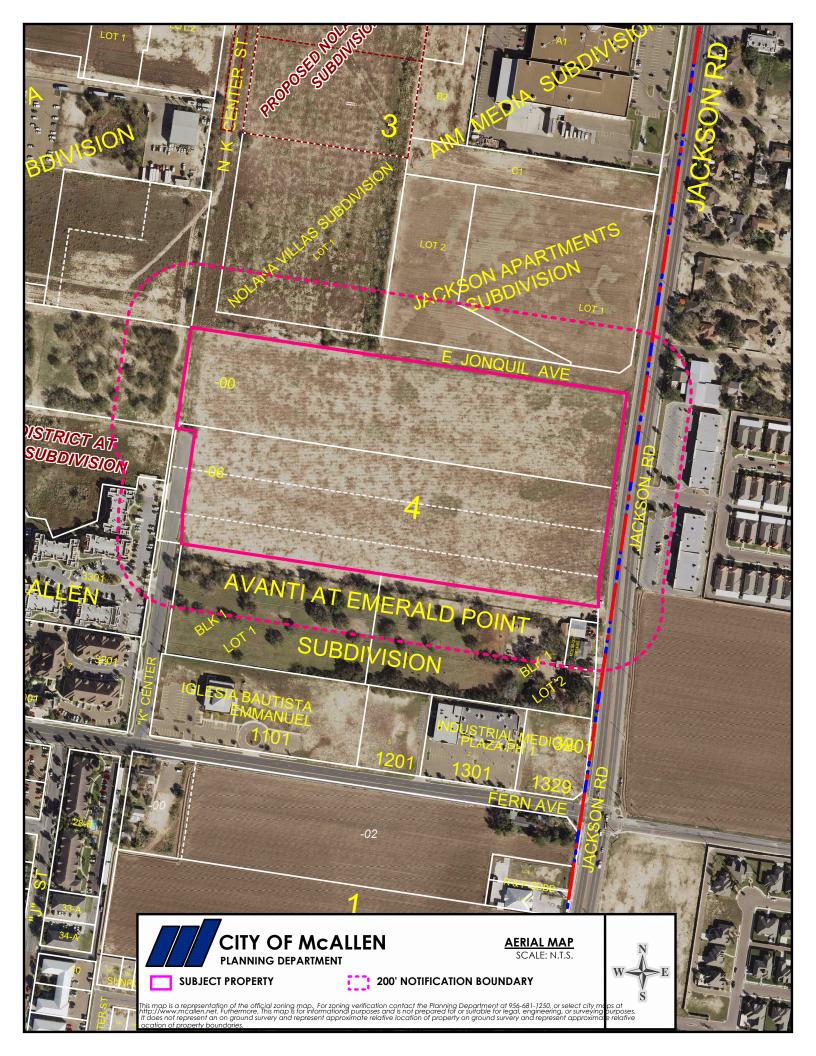
A recorded subdivision plat and approved site plan are required prior to building permit issuance. Connections and the access to the streets will be discussed during the subdivision review process.

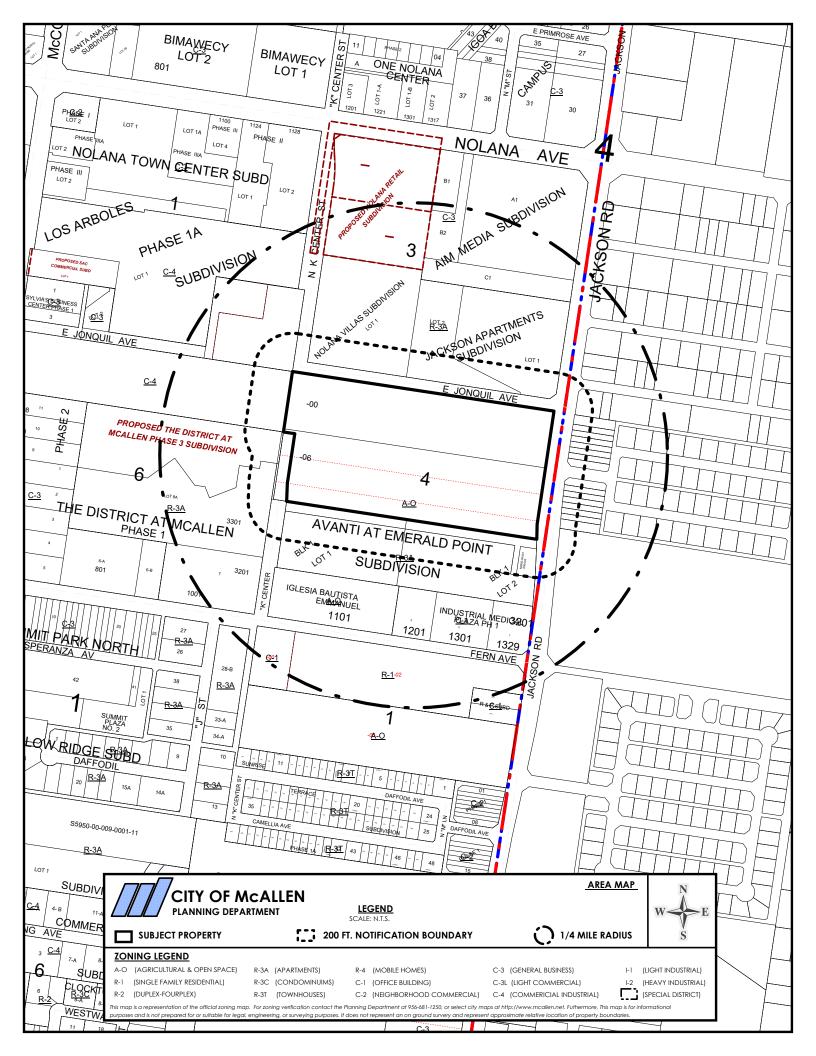
Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

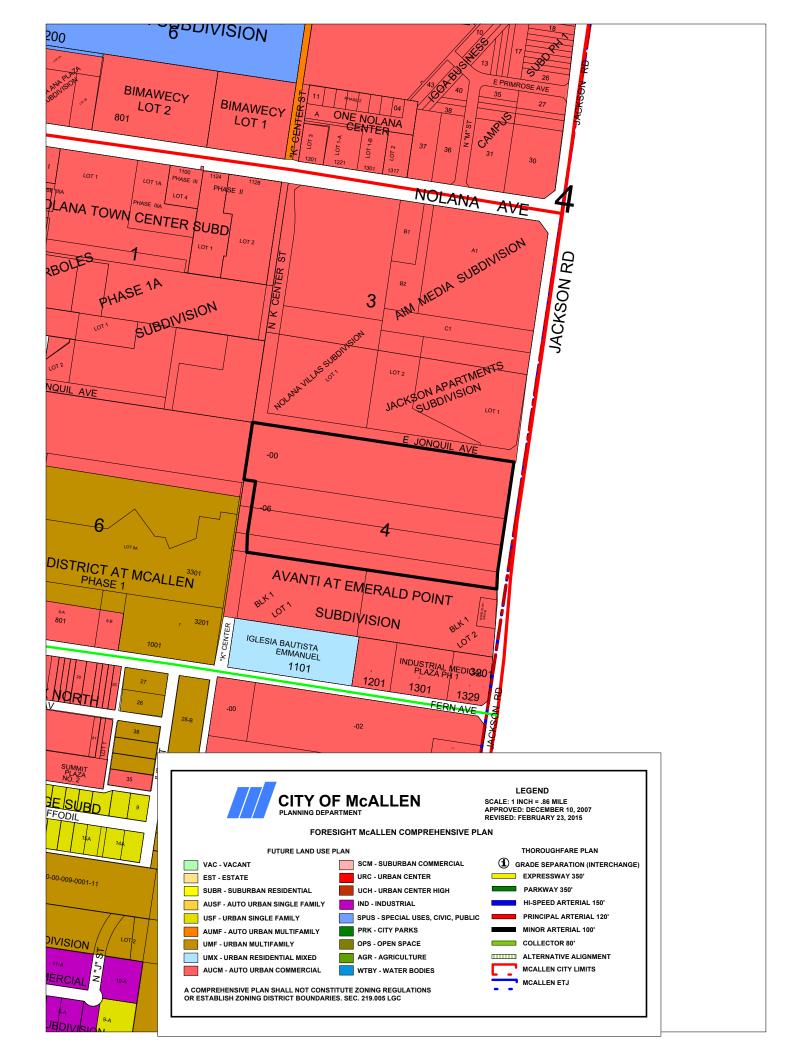
There has been no calls received in opposition to the request.

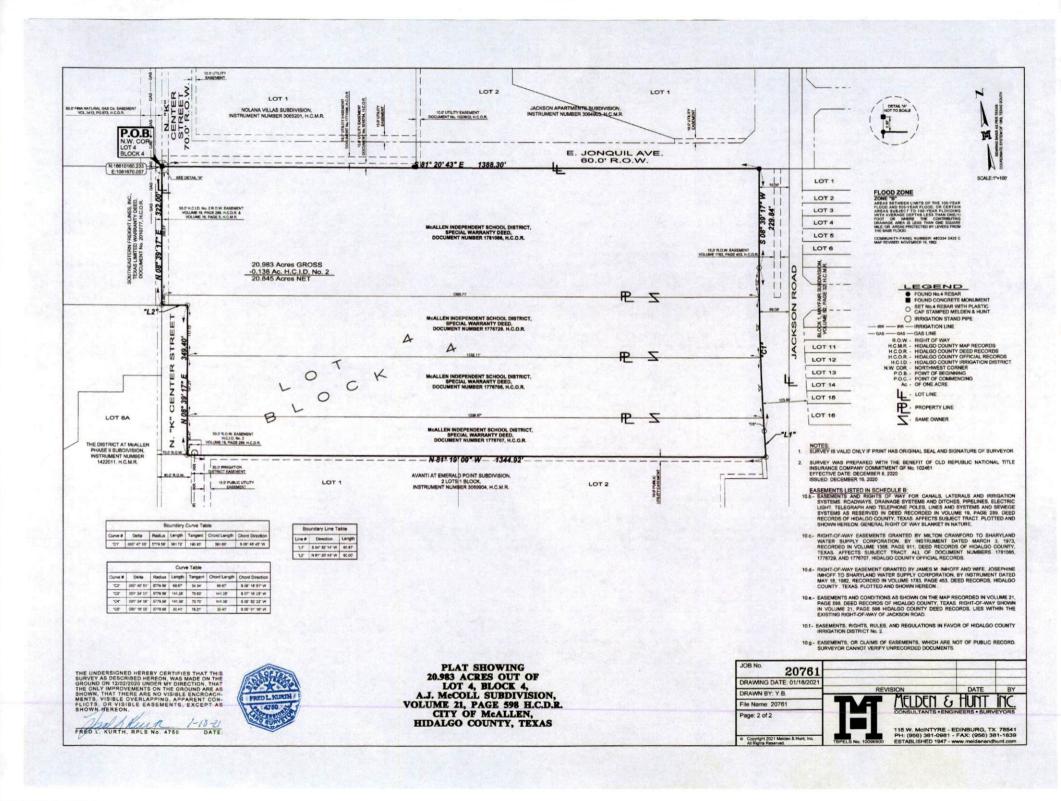
<u>RECOMMENDATION:</u> Staff recommends approval of the rezoning request to R-3A (multifamily residential apartment) District.



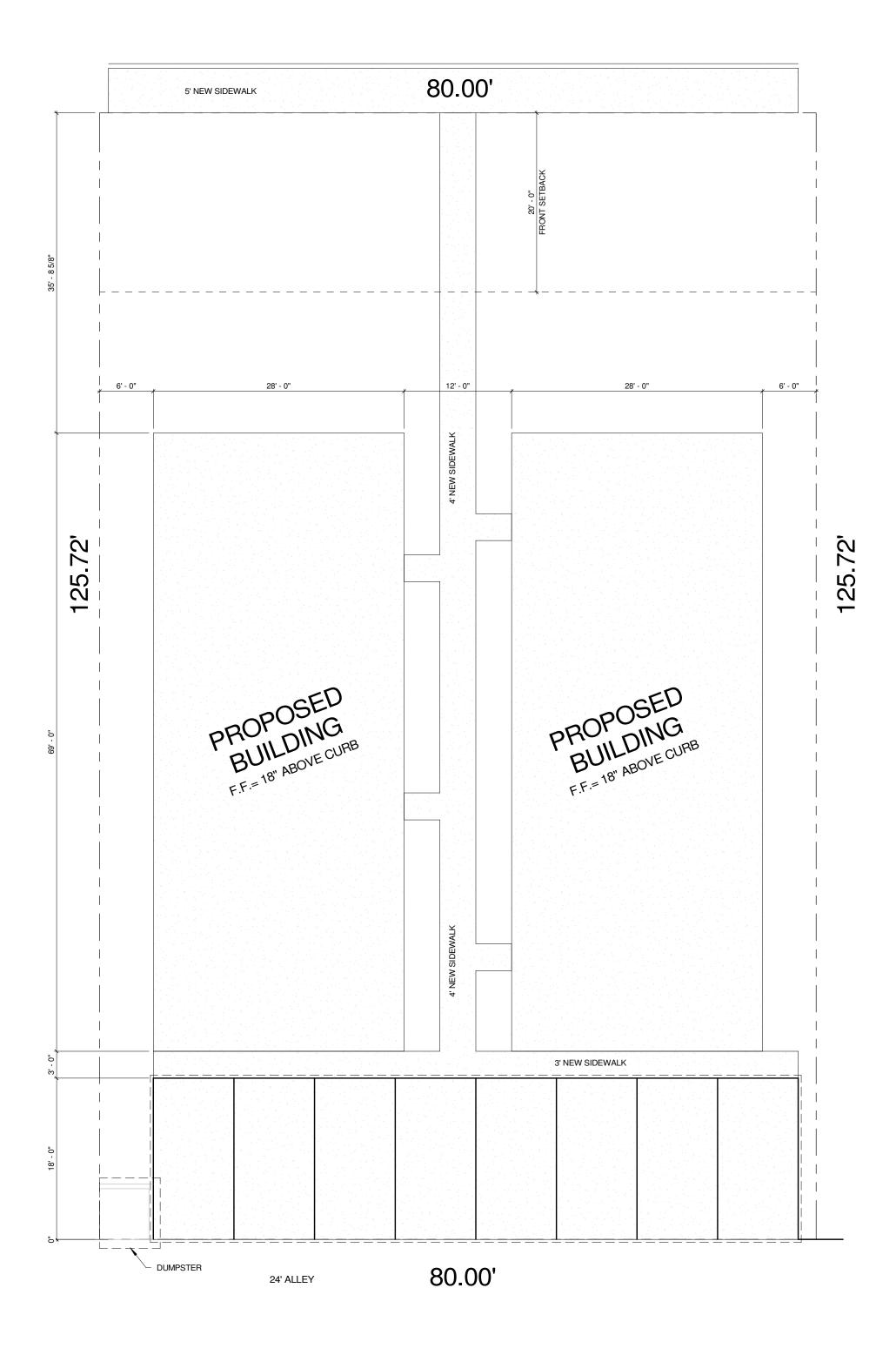














SUB2020-0065

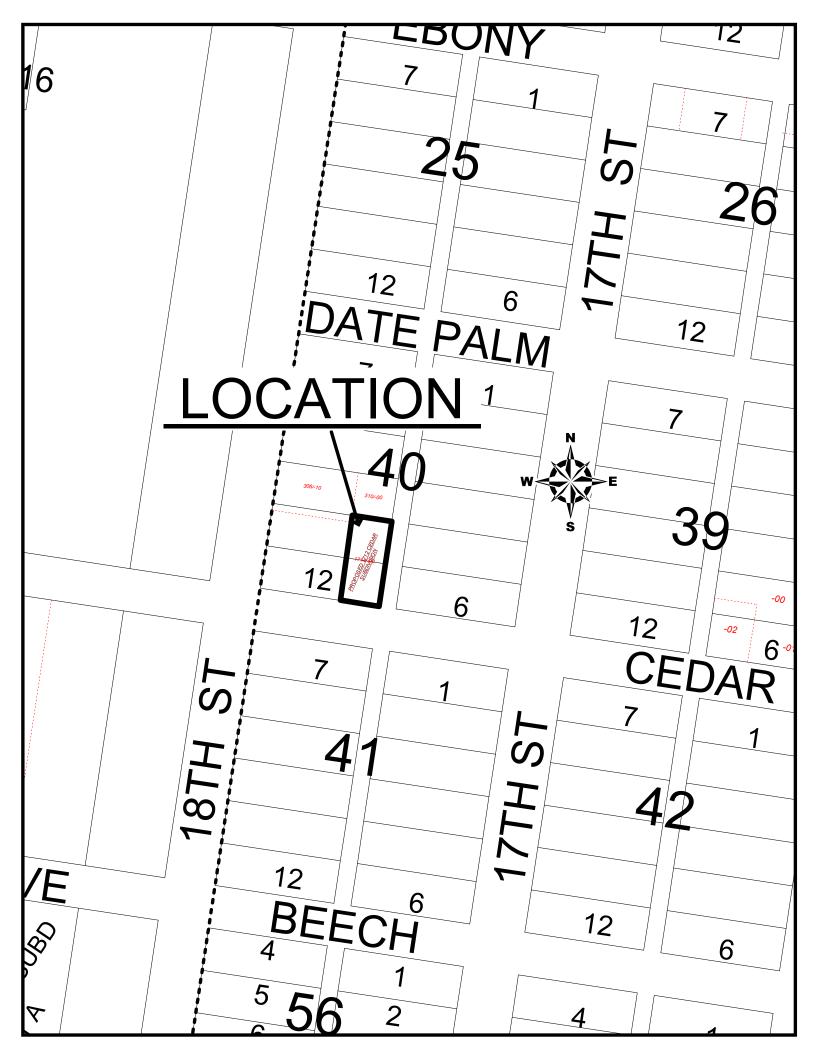
# City of McAllen Planning Department APPLICATION FOR SURDIVISION PLAT REVIEW

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)

	SUDDIVISION TLAT REVIEW
Project Description	Subdivision Name
Owner	Name         TOMAS GUTIERREZ         Phone         (956) 445-7631           Address         815 LUCIA DR.           City         MISSION         State         TEXAS         Zip         78572           E-mail
Developer	Name         TOMAS GUTIERREZ         Phone         (956) 445-7631           Address         815 LUCIA DR.           City         MISSION         State         TEXAS         Zip         78572           Contact Person         E-mail
Engineer	Name         IVAN GARCIA, P.E. R.P.L.S.         Phone         (956) 380-5152           Address         921 S. 10TH AVE.           City         EDINBURG         State         TEXAS         Zip         78539           Contact Person         E-mail         RIODELTA2004@YAHOO.COM         RIODELTA2004@YAHOO.COM
Surveyor	Name         IVAN GARCIA, P.E. R.P.L.S.         Phone         (956) 380-5152         SEP 2 5 2020           Address         921 S. 10TH AVE.         SEP 2 5 2020         SEP 2 5 2020           City         EDINBURG         State         TEXAS         Zip         78539         By

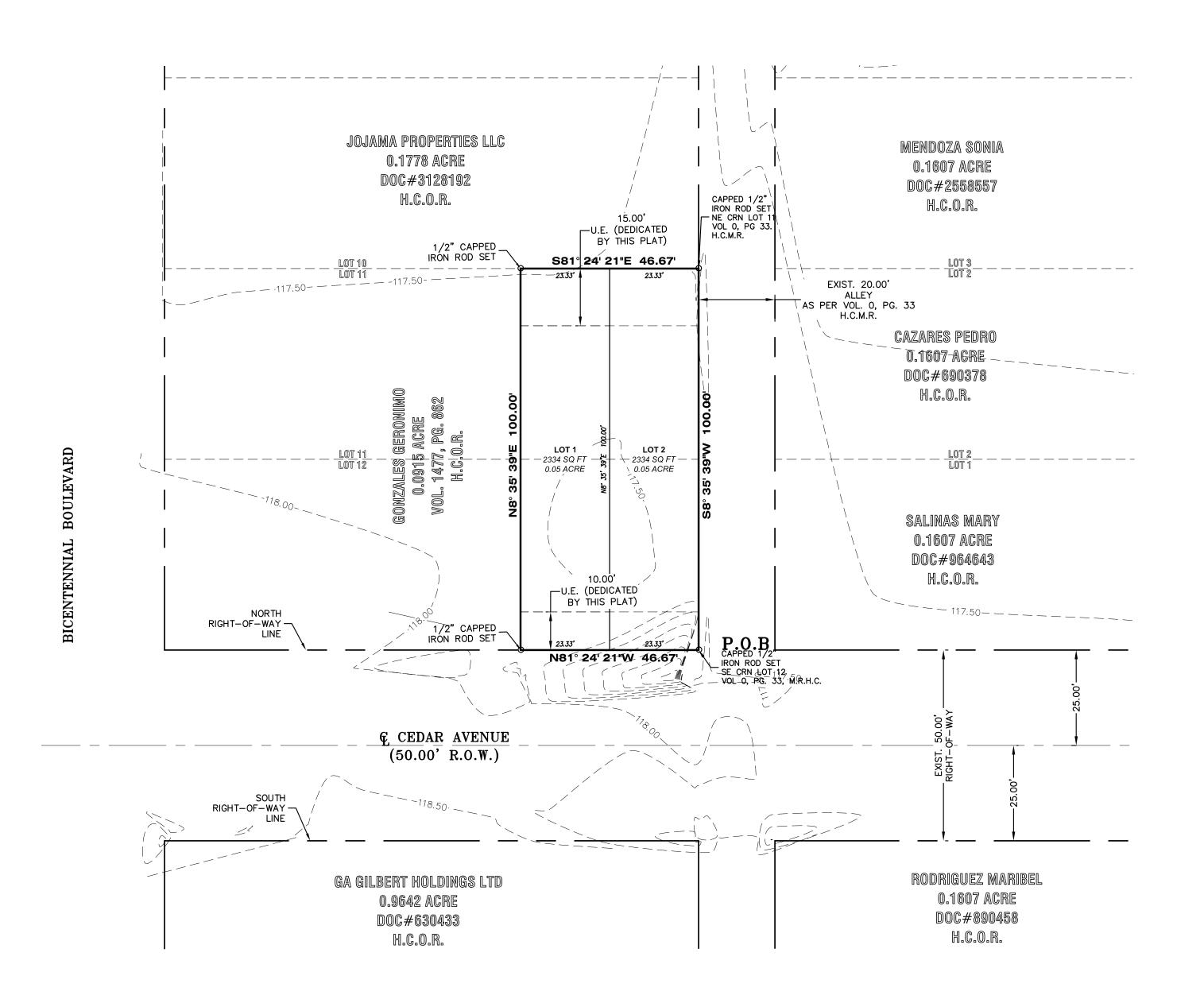
Pd

BGO 9/25/20



# NORTH MCALLEN LOT 11A, BLOCK 40A

BEING A 0.107 ACRES TRACT OF LAND OUT OF THE EAST ONE-THIRD (E.1/3) OF LOTS ELEVEN (11) AND TWELVE (12), BLOCK FORTY (40), TOWN OF NORTH MCALLEN, AN ADDITION TO THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, VOLUME 0, PAGE 33, MAP RECORDS OF HIDALGO COUNTY, TEXAS



### OWNER'S ACKNOWLEDGMENT STATE OF TEXAS

COUNTY OF HIDALGO I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS 1712 CEDAR SUBDIVISION, TO THE CITY OF MCALLEN. TEXAS. AND WHOSE NAME IS SUBSCRIBED HERETO. HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE

SAME FOR THE PURPOSES THERIN EXPRESSED, EITHER ON THE PLAT

HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

TOMAS GUTIERREZ 815 LUCIA DRIVE MISSION, TEXAS 78572

### STATE OF TEXAS COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF

P.E. R.P.L.S.

P.E. R.P.L.S.

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

NAME

PRINCIPAL CONTACTS:

OWNER(S): TOMAS GUTIERREZ

SURVEYOR: IVAN GARCIA

ENGINEER: IVAN GARCIA

### HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3

IS ALLOWED WITHOUT AUTHORIZATION BY THE DISTRICT.

THIS PLAT IS HEREBY APPROVED BY THE BOARD OF DIRECTORS OF HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NO. 3, MCALLEN, HIDALGO COUNTY, TEXAS, AT A REGULAR MEETING HELD BY ITS BOARD OF DIRECTORS ON THE \_\_\_\_\_ DAY OF \_ , SUBJECT TO (1) ANY AND ALL EXISTING RIGHTS HELD BY THE DISTRICT UPON, UNDER, OR ACROSS THE PROPERTY DESCRIBED IN THE PLAT NOT SPECIFICALLY RELEASED BY THIS PLAT OR BY SEPARATE RECORDABLE INSTRUMENT, AND (2) RIGHTS OF WAY AND/OR EASEMENTS OF THE DISTRICT WHICH ARE EXCLUSIVE AND NO USE OF COVERED AREA

PRESIDENT

### HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

**ADDRESS** 

815 LUCIA DRIVE

921 S. 10TH AVENUE

921 S. 10TH AVENUE

GENERAL MANAGER

COUNTY OF HIDALGO MAYOR'S CERTIFICATE

PHONE & FAX

78572 (956) 445-7631

EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083

EDINBURG, TX. 78539 (956) 380-5152 (956) 380-5083

STATE OF TEXAS

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

### STATE OF TEXAS COUNTY OF HIDALGO

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

PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

PLANNING AND ZONING CHAIR

### STATE OF TEXAS - COUNTY OF HIDALGO

REG. PROFESSIONAL ENGINEER No. 115662

IVAN GARCIA P.E., R.P.L.S.

STATE OF TEXAS - COUNTY OF HIDALGO

CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.

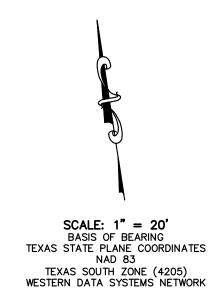
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING

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

REG. PROFESSIONAL LAND SURVEYOR No. 6469 SURVEY FIRM No. 10194027



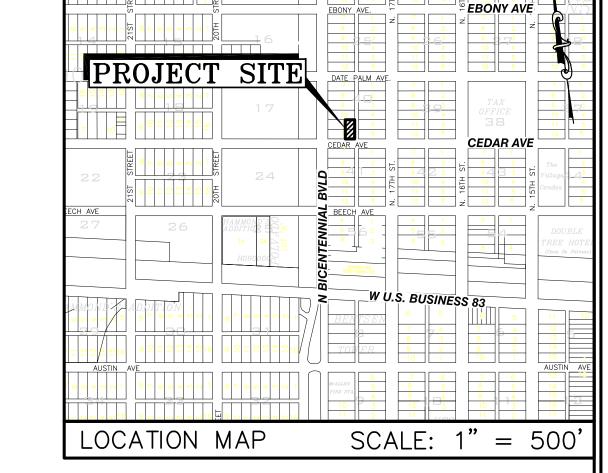
115662



ABBR	EVIATION LEGEND
R.O.W. P.O.B. P.O.C. N.W.C. F.T. F.M. U.E. C	RIGHT-OF-WAY POINT OF BEGINNING POINT OF COMMENCING NORTHWEST CORNER FARM TRACT FARM-TO-MARKET UTILITY EASEMENT CENTER LINE LOT LINE

LEGEND

CAPPED 1/2" IRON ROD SET 1/2" IRON ROD FOUND CALCULATED POINT COTTON PICKER SPINDLE SET  $\mathbf{X}$  "X" MARK SET IN CONCRETE



### METES AND BOUNDS DESCRIPTION

BLOCK FORTY, TOWN OF NORTH MCALLEN, AND ADDITION TO THE CITY OF MCALLEN, VOLUME 0, PAGE 33. SAID 0.107 ACRES BEING THE SAME LAND DESCRIBED IN A GENERAL WARRANTY DEED FROM ZUKO FAMILY LIMITED PARTNERSHIP TO TOMAS GUTIERREZ, DATED JULY 30, 2020, RECORDED IN DOCUMENT # 3134920, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 0.107 ACRES TRACT BEING MORE

BEGINNING AT A 1/2-INCH CAPPED IRON ROD SET AT THE SOUTHEAST CORNER OF THE SAID LOT 12, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND POINT OF BEGINNING:

THENCE N 81°24'21" W ALONG THE SOUTH LINE OF SAID LOT 12, SAME BEING ALONG THE EXIST NORTH RIGHT-OF-WAY OF CEDAR AVENUE, A DISTANCE OF 46.67 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT:

THENCE N 8°35'39" E ACROSS THE SAID LOTS 12 AND 11, TO A POINT ON THE NORTH LINE OF THE SAID LOT 11, A DISTANCE OF 100.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHWEST CORNER OF

THENCE S 81°24'21" E ALONG THE NORTH LINE OF SAID LOT 11. TO THE NORTHEAST CORNER OF SAID LOT 11, A DISTANCE OF 46.67 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHEAST CORNER OF

THENCE N 8°35'39" W ALONG THE EAST LINE OF SAID LOT 11, SAME BEING ALONG THE WEST RIGHT-OF-WAY-LINE OF A 20.00 FEET ALLEY AS PER THE SAID VOL 0, PG, 33 H.C.M.R., A DISTANCE OF 100.00 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 0.107 ACRES OF LAND, MORE

### **GENERAL PLAT NOTES:**

1. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.

2. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:

O FT. IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE

O FT. IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS OR APPROVED SITE

O FT. OR GREATER FOR EASEMENTS.

18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.

3. THE SUBDIVISION IS IN ZONE "B" (MEDIUM SHADING) AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD IN THE CITY OF MCALLEN, HIDALGO COUNTY, AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND IDENTIFIED ON FIRM MAP NO. 480343 0005 C, DATED NOVEMBER 2, 1982.

A DRAINAGE DETENTION OF <u>548</u> CF OR <u>0.006</u> ACRE FEET IS REQUIRED FOR THIS SUBDIVISION. THE CITY OF McALLEN WILL NOT MAINTAIN DETENTION AREA.

5. ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF

6. EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND

7. THE CITY OF MCALLEN TO HAVE A 25'X25' CORNER CLIP EASEMENT AT STREET INTERSECTIONS MEASURED FROM STREET CURB INTERSECTION.

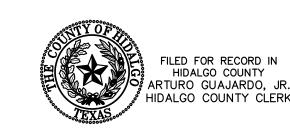
8. 4 FT. SIDEWALK REQUIRED ON CEDAR AVENUE.

9. CITY OF McALLEN BENCHMARK (MC77) SET BY ARANDA & ASSOC. LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF BUSINESS 83 & 23RD ST. ELEV. 126.53 NAVD 88.

10. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, AND

11. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES AND ALONG WEST AND NORTH PROPERTY LINE.

12. ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.



ON:			AT			_ AM/PM
INST	RUM	ENT	NUMBER			
OF T	ΉE	MAP	RECORDS	OF	HIDALGO	COUNTY,

H

HIDALGO COUNTINATION CLEF

**DECEMBER 17, 2020** 

VAN GARCIA P.E. R.P.L.S

IVAN GARCIA P.E. R.P.L.S

VAN GARCIA P.E. R.P.L.S

EDWIN PENA

03/11/2021 Page 1 of 3 SUB2021-0028

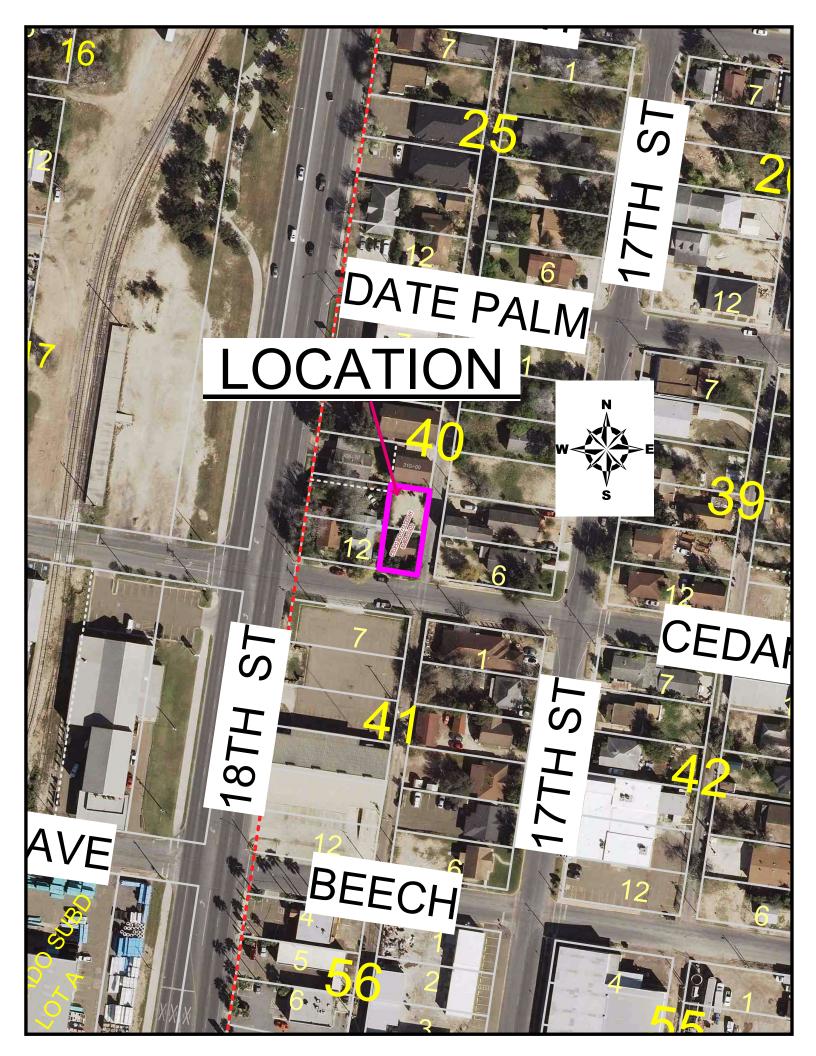


Reviewed On: 03/11/2021

SUBDIVISION NAME: NORTH MCALLEN LOT 11A, BLOCK 40A SUBDIVISIO	N
EQUIREMENTS	
TREETS AND RIGHT-OF-WAYS	
Cedar Avenue: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides  **Monies must be escrowed if improvements are not built prior to recording (if applicable).  ***Subdivision Ordinance: Section 134-105	Applied
Paving Curb & gutter	Applied
* 800 ft. Block Length. **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac. **Subdivision Ordinance: Section 134-105	NA
LLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties.  **Subdivision Ordinance: Section 134-106	Required
TBACKS	
* Front: 10 ft. or greater for easements. **Zoning Ordinance: Section 138-356	Applied
* Rear: In accordance with the Zoning Ordinance or greater for easements.  **Revise plat note prior to recording.  **Zoning Ordinance: Section 138-356	Required
* Interior Sides: In accordance with the Zoning Ordinance or greater for easements.  **Revise plat note prior to recording.  **Zoning Ordinance: Section 138-356	Required
* Corner: Alley: 5 ft. or greater for easements.  **Revise plat note prior to recording.  **Zoning Ordinance: Section 138-356	Required
* Garage: 18 ft. except where greater setback is required; greater setback applies. **Zoning Ordinance: Section 138-356	Required
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
DEWALKS	
* 4 ft. wide minimum sidewalk required on Cedar Avenue.  **Please revise plat note as shown above.  ****Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied

BUFFERS	
BOTT ENG	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.  **Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along west and north property line.  **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along.	N/A
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	N/A
* Common Areas, any private streets/drives must be maintained by the lot owners and not the City of McAllen **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  **Section 110-72 applies if public subdivision is proposed.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	N/A
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Subdivision Ordinance: Section 110-72	N/A
LOT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: Section. 138-356	Compliance
* Lots fronting public streets. **Zoning Ordinance: 138-1	Compliance
ZONING/CUP	
* Existing: R-3T Proposed: R-3T ***Rezoning from C-3 to R-3T approved by P&Z at their November 3, 2020 meeting, and by the City Commission at their November 23, 2020 meeting.  ***Zoning Ordinance: Article V	Completed
* Rezoning Needed Before Final Approval.  ***Rezoning from C-3 to R-3T approved by P&Z at their November 3, 2020 meeting, and by the City Commission at their November 23, 2020 meeting.  ***Zoning Ordinance: Article V	Completed
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. As per Parks Department, plat submitted shows two lots; therefore, \$1,400 must be paid prior to recording.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA

TRAFFIC	
* As per Traffic Department, Trip Generation waived for two townhomes. No TIA required.	Completed
* As per Traffic Department, Trip Generation waived for two townhomes. No TIA required.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policies  **Subdivision name to be revised everywhere where is applicable prior to recording.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



### Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

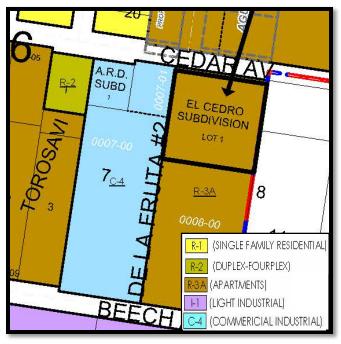
**DATE:** March 11, 2021

SUBJECT: REVISED SITE PLAN APPROVAL FOR LOT 1, EL CEDRO SUBDIVISION, 1100

**E. CEDAR AVENUE. (SPR2021-0001)** 

**LOCATION:** The property is located on the south side of E. Cedar Avenue approximately 744 ft. east of McColl Road and is zoned R-3A (multifamily residential apartment) District. The adjacent zoning is C-4 (commercial-industrial) District to the west, R-3A to the north and south, and outside city limits to the east. Surrounding land use include apartments, single family residences, and vacant land. The property is part of El Cedro Subdivision, which was recorded on April 21, 2015. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

**PROPOSAL:** The applicant is proposing to construct 8 additional apartment units on the rear of the existing 12 apartment units on site that were approved for site plan on August 4, 2015.





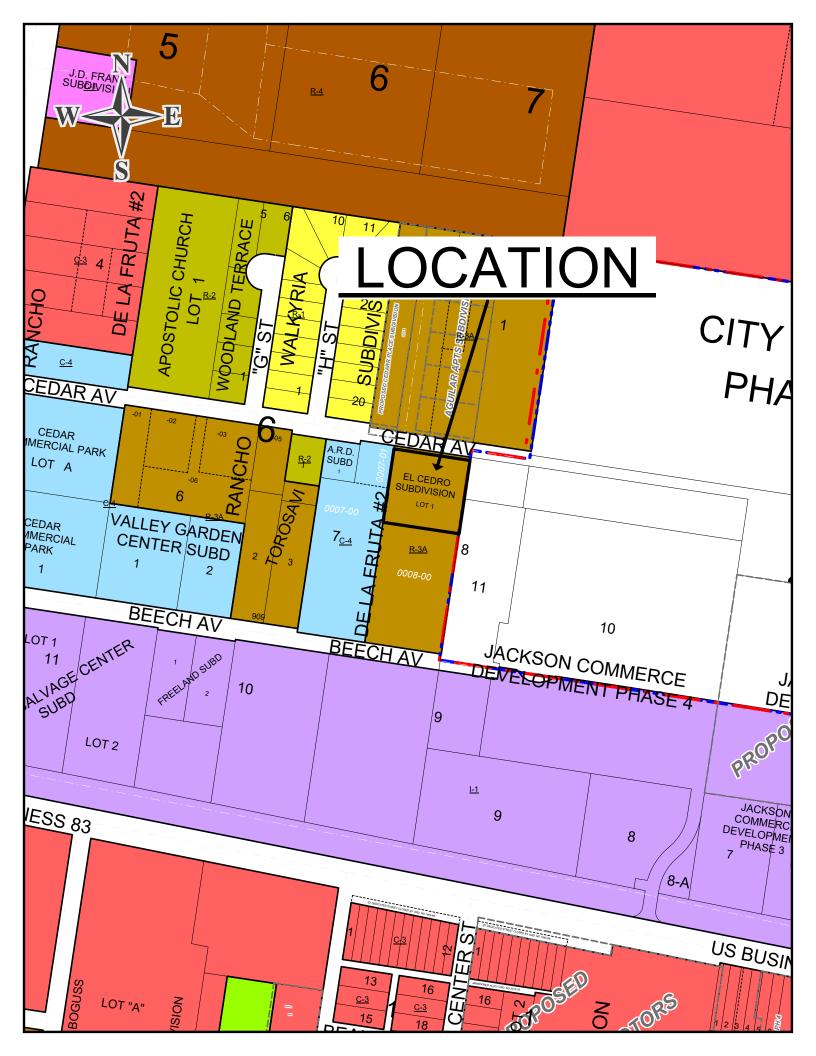
**HISTORY:** Originally, twenty-two apartment units of 2-bedroom each were proposed back in 2015 and based on the 22 units at 2-bedrooms, 44 parking spaces were required. However, only 12 two story units of 2-bedrooms were built at time of building permit.

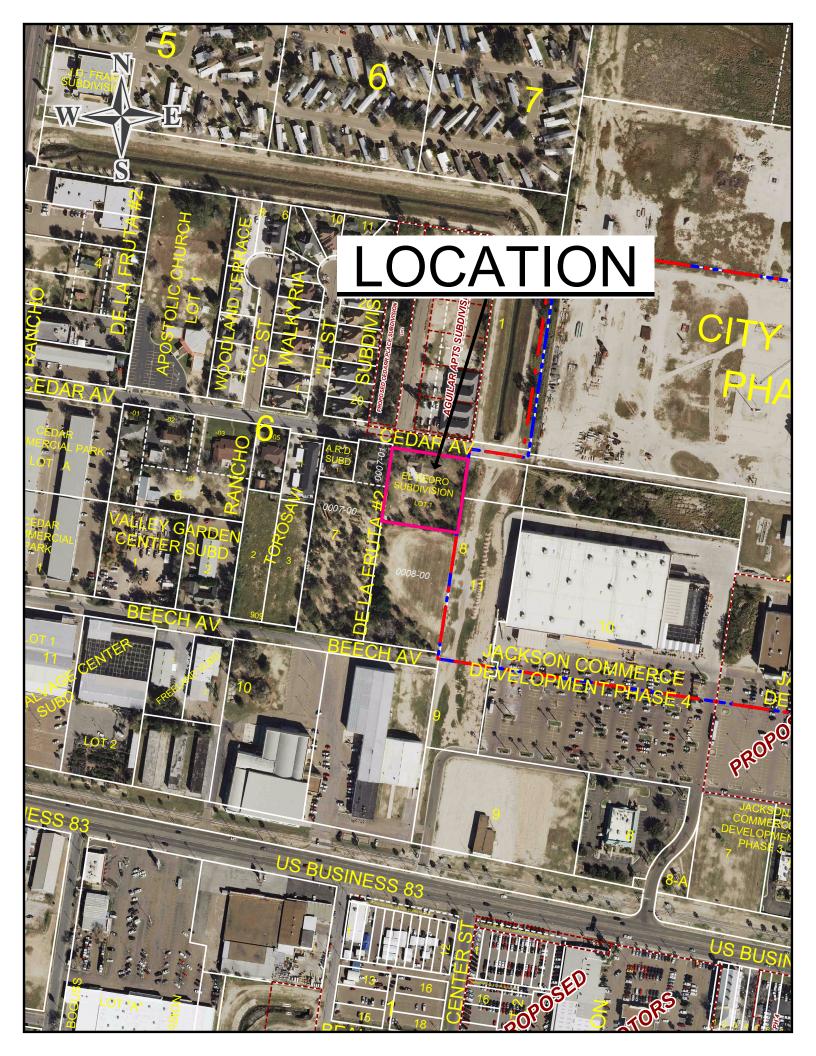
**ANALYSIS:** The applicant is now proposing to construct 8 one story apartment units on the rear of the existing apartments on site. Based on the existing 12 units at 2-bedrooms, 24 parking spaces are required and based on the proposed 8 units at 1-bedroom, 12 parking spaces are required. The total parking spaces required is 36 spaces, which are provided. As per original site plan approved on August 4, 2015: the required landscaping for the lot was 4,928 sq. ft. with trees required as follows: 16 – 2 1.2" caliper trees, or 8 – 4" caliper trees, or 4 – 6" caliper trees or 32 palm trees. A minimum 10 ft. wide landscape strip or was required inside the property line along Cedar Avenue. Must maintain existing Landscaping any Dead grass, trees or plants must be replaced as well as any non-working irrigation system. Trees removed will be required to be replaced. Interior drives, buffers and parking will remain the same. The dumpster location is being located on the southeast corner of the property. No structures are permitted over easements. All setbacks will comply with the plat note requirements and the zoning ordinance.

The Building Permit Site Plan must comply with requirements set forth by Engineering, Public Works, Utility, and Fire Department. A detention plan must be submitted at time of building permit, any changes made to the site plan may trigger additional requirements by the Departments.

### **RECOMMENDATION:**

Staff recommends approval of the site plan subject to the conditions noted by, Engineering, Public Works, Utility, and Fire Department, paving and building permit requirements, and the subdivision and zoning ordinances.





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

Last MARIA TERESA BERLANGA PENA MBR 315 N. SHARY MISSION, TX 78572 OWNER BEIND INVESTMENTS LLC

STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY THE OWNER PERSONALLY APPEARED MARIA TERESA BERLANGA PENA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

ALL GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 24th DAY OF

MARIBEL RESENDEZ My Commission Expires April 10, 2015

NOTARY PUBLIC, STATE OF TEXAS MY COMMISSION EXPIRES ON: 4- 10-2015

, THE UNDERSIGNED, MAYOR OF THE CITY OF METERS OF THE CITY OF METERS OF THE CITY OF THE CITY OF THE CITY OF THE CITY PLAT CONFORMS TO ALL THE REQUIREMENTS & WHEREIN MY APPROVAL IS REQUIRED.

CLDY OF MCALLEN

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

CHAIRMAN, PLANNING AND ZONING COMMISSION 4.10.2015

ON REGULATIONS OF THE CITY

HIDALGO COUNTY IRRIGATION DISTRICT No. 2

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No. 2 ON THIS THE THE TOTAL DAY OF TYDAY CV2 , 2015 A.D.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PALCED UPON HIDALGO COUNTY IRRIGATION DISTRICT No. 2 RIGHT

OF WAYS OR EASEMENTS.

HIDALGO COUNTY DRAINAGE DISTRICT No. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE § 49.2114) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT No. 1

MPE GENGIN FAULSESIM, DISTRICT MANAGER

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

PABLO PEÑA, III,

REGISTERED PROFESSIONAL LAND SURVEYOR No. 5242 PEÑA ENGINEERING, LLC 1001 W. WHITEWING AVE. McALLEN, TEXAS 78501

DATE SURVEYED. 04/16/2014 (956) 682-8812

I, PABLO F PEÑA, JR., REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

Ball & 31 2-24-15 PABLO F. PEÑA, JR., P.E. REGISTERED PROFESSIONAL ENGINEER No. 3498



PABLO PENA II



ENGINEERING POST OFFICE BOX 4320 McALLEN TEXAS 78502 OFFICE (956) 682-8812

FAX (956) 631-7362

TBE FIRM #F4950

SUBDIVISION PLAT OF

## "EL CEDRO SUBDIVISION"

A 1.13 ACRE TRACT OF LAND OUT THE NORTH 2.0 ACRES OF LOT EIGHT (8), RANCHO DE LA FRUTA SUBDIVISION, HIDALGO COUNTY, TEXAS AS PER MAP THEREOF RECORDED IN VOLUME 1 PAGE 34 OF THE MAP RECORDS OF SAID COUNTY;

### LEGEND

S - SET 1/2" DIAMETER IRON ROD F1 - FOUND 1/2" DIAMETER IRON ROD F1/C - FOUND 1/2" DIAMETER IRON ROD W/ CAP STAMPED "FNM" F2 - FOUND 3/4" DIAMETER IRON PIPE R.O.W. - RIGHT OF WAY

NOTE: BASIS OF BEARING IS THE NORTH LINE OF LOTS 6 THRU 8, RRANCHO DE LA FRUTA SUB'D NO. 2 V. 1 P. 34 M.R.

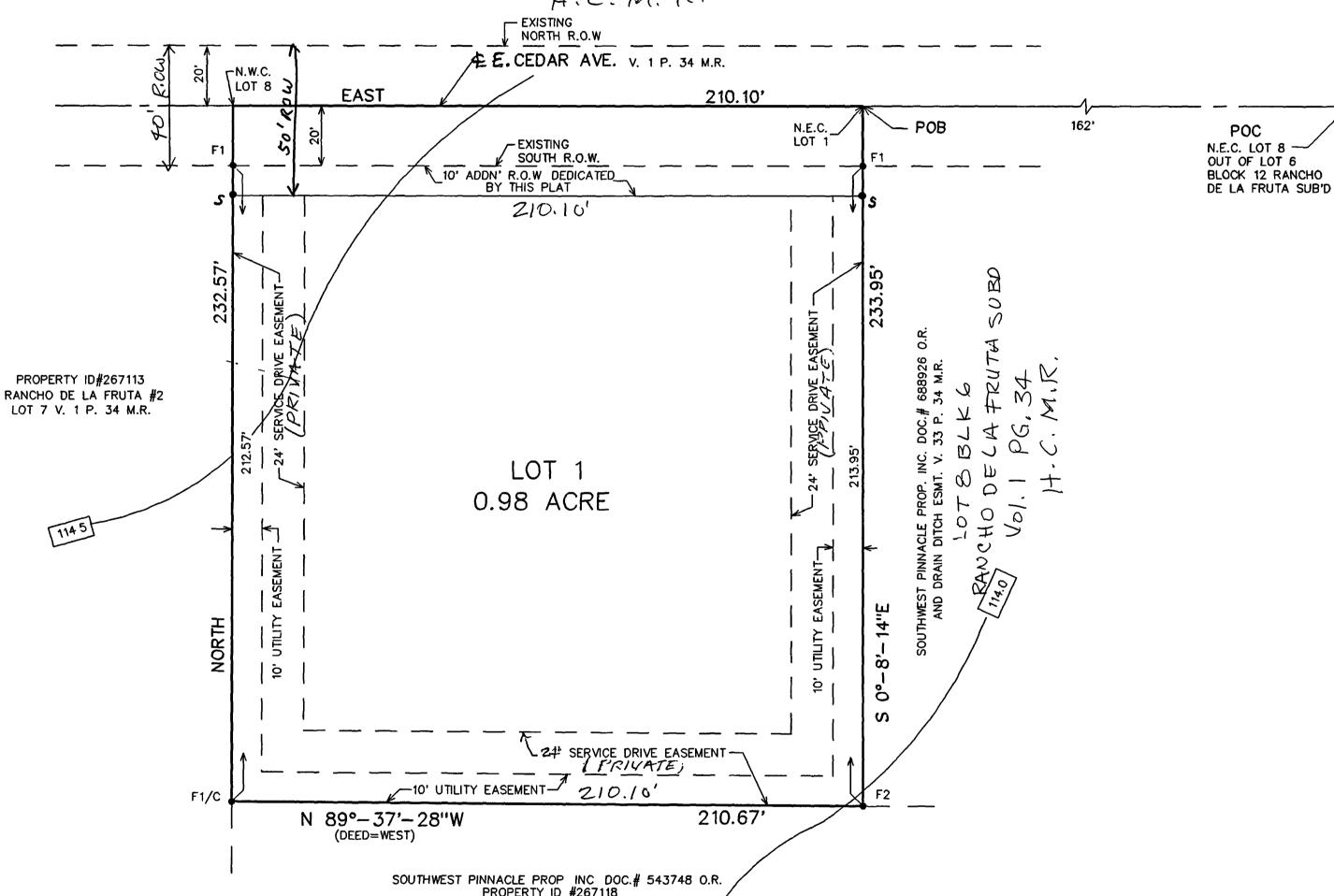
SCALE: 1"=30" CAD: SUBCEDRO

POC

JOB: 53247

LOT 1 BLOCK &

RANCHO DELA FRUTA SUBD. Vol. 1 PG. 34



SOUTHWEST PINNACLE PROP INC DOC.# 543748 O.R. PROPERTY ID #267118 LOT & BLK G RANCHO DE LA FRUTE SUBD. Vol 1 P6.34 H.C.M.R



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

April 21, 2015 2604420 OF THE MAP RECORDS OF HIDALGO, COUNTY, TEXAS.

### PLAT NOTES AND RESTRICTIONS

- 1) FLOOD ZONE NOTES: THIS AREA IS IN FLOOD ZONE "B" MINIMUM FLOODING: COMMUNITY PANEL NUMBER 480343 0005 C MAP REVISED: NOVEMBER 2, 1982
- ZONE: "B" THIS CERTIFIES THAT THIS PROPERTY IS NOT IN FLOOD PRONE AREA. HOWEVER LIMITS BETWEEN THE 100 YEAR AND 500 YEAR FLOOD ARE SUBJECT TO FLOODING WITH AVERAGE DEPTHS LESS THAN ONE FOOT.
- 2) MINIMUM BUILDING SETBACK LINES ARE AS FOLLOWS

AS MEASURED FROM THE CENTER OF THE LOT.

- FRONT: E. CEDAR AVE. 20 FEET OR IN LINE WITH EXISTING STRUCTURES, WHICHEVER IS GREATER REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS, SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS
- 3) MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE TOP OF CURB

GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER

- 4) BM 1 BENCHMARK 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP LOCATED APPROXIMATELY AT THE NORTHEAST CORNER OF THE INTERSECTION OF BUSINESS 83 AND McCOLL ROAD, CITY BM MC-79, ELEVATION 116.20 NGVD 88 DATUM
- 5) NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENTS OR LOT LINES.
- 6) A SITE PLAN MUST BE APPROVED BY PLANNING AND ZONING COMMISSION PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 7) AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 8) A TOTAL OF 8018 CUBIC FEET, OR 0 24 ACRE FEET OF STORM WATER
- DRAINAGE DETENTION IS REQUIRED FOR THIS SUBDIVISION.

AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.

- 9) MINIMUM 4.00 FOOT SIDEWALK IS REQUIRED ON E. CEDAR AVENUE. 10) A 6 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL
- 11) 8 FOOT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.

### METES AND BOUNDS DESCRIPTION:

A 1.13 ACRE TRACT OF LAND OUT OF THE NORTH 2.0 ACRES OF LOT EIGHT (8). RANCHO DE LA FRUTA SUBDIVISION, UNIT No. 2, HIDALGO COUNTY, TEXAS, AS PER MAP THEREOF RECORDED IN VOLUME 1 PAGE 34 OF THE MAP RECORDS OF SAID COUNTY; SAID 1.13 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

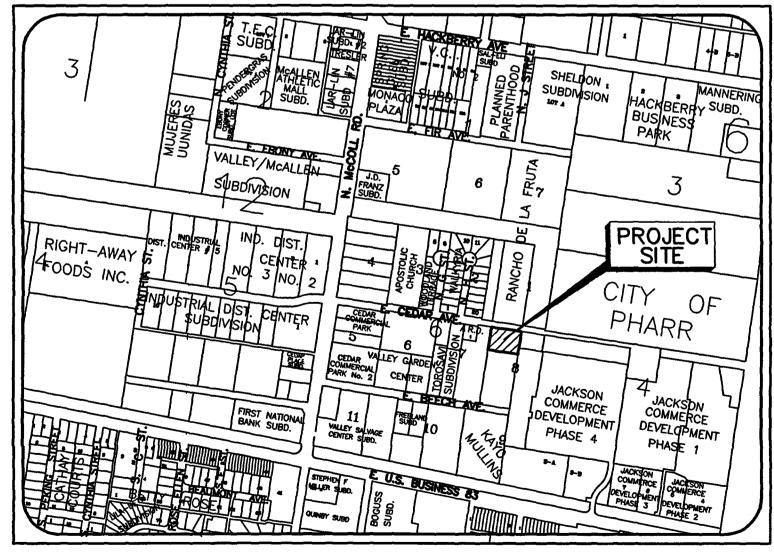
BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 8, FOR THE NORTHWEST CORNER HEREOF:

THENCE WITH THE NORTH LINE OF SAID LOT, THE CENTERLINE OF CEDAR AVENUE EAST 210.10 FEET TO THE NORTHEAST CORNER HEREOF:

THENCE WITH THE WEST LINE OF SOUTHWEST PINNACLE PROPERTY'S DESCRIBED IN DOCUMENT NUMBER 688926 OFFICIAL RECORDS, SOUTH 00°-08'-14" EAST, AT 20.00 FEET FOUND A ONE-HALF (1/2) INCH DIAMETER IRON ROD AT THE SOUTH RIGHT OF WAY OF CEDAR AVENUE. AT 233.95 FEET IN ALL TO A THREE-QUARTER (3/4) INCH DIAMETER IRON PIPE FOUND FOR THE SOUTHEAST CORNER HEREOF;

THENCE WITH THE NORTH LINE OF SOUTHWEST PINNACLE PROPERTY'S TRACT DESCRIBED IN DOCUMENT NUMBER 543748 OFFICIAL RECORDS, NORTH 89°-37'-28" WEST (DEED: WEST) 210.67 FEET TO A ONE-HALF (1/2) INCH DIAMETER IRON ROD WITH CAP STAMPED "FNM" FOUND FOR THE SOUTHWEST CORNER HEREOF:

THENCE WITH THE WEST LINE OF SAID LOT, NORTH, AT 212.57 FEET FOUND A ONE-HALF (1/2) INCH DIAMETER IRON ROD AT THE SOUTH RIGHT WAY OF SAID AVENUE, AT 232.57 FEET IN ALL TO THE PLACE OF BEGINNING, CONTAINING ONE

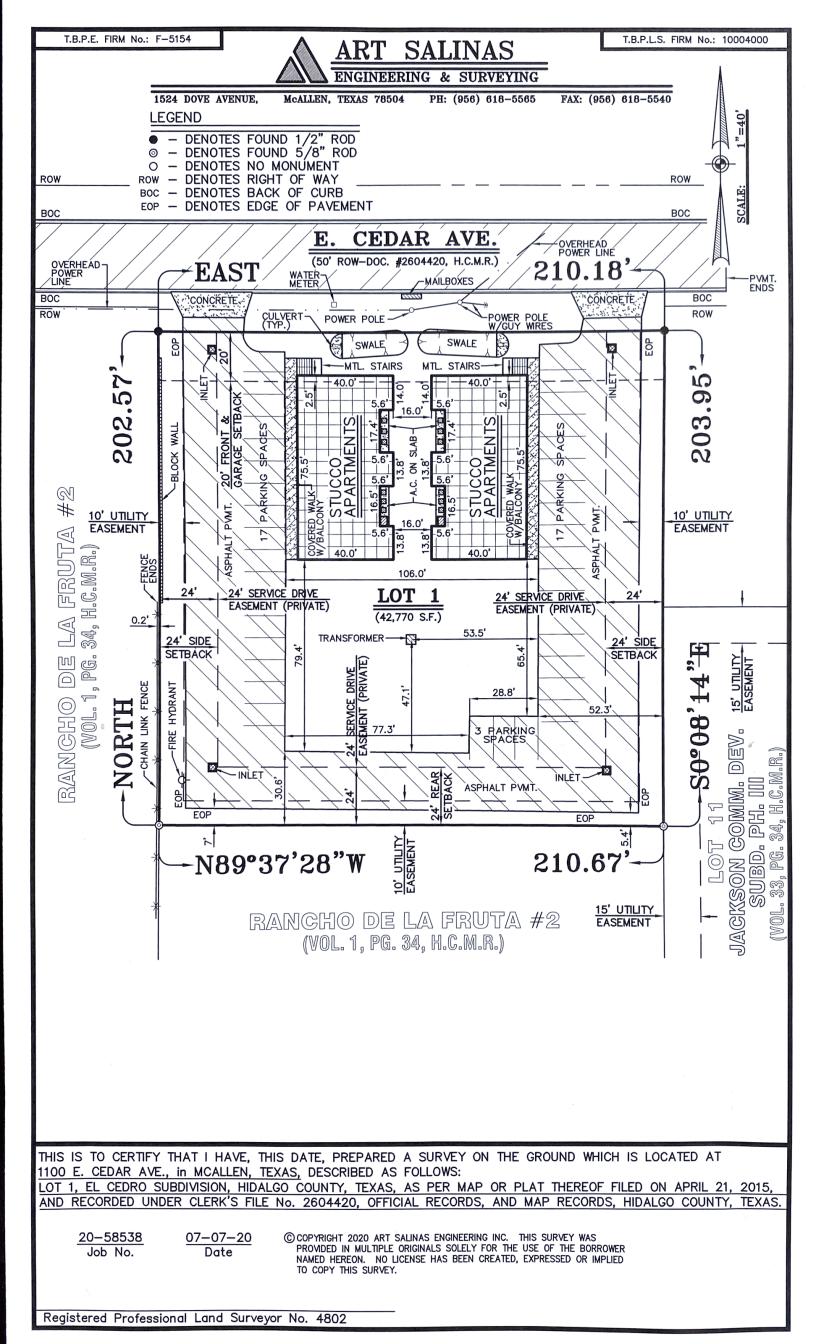


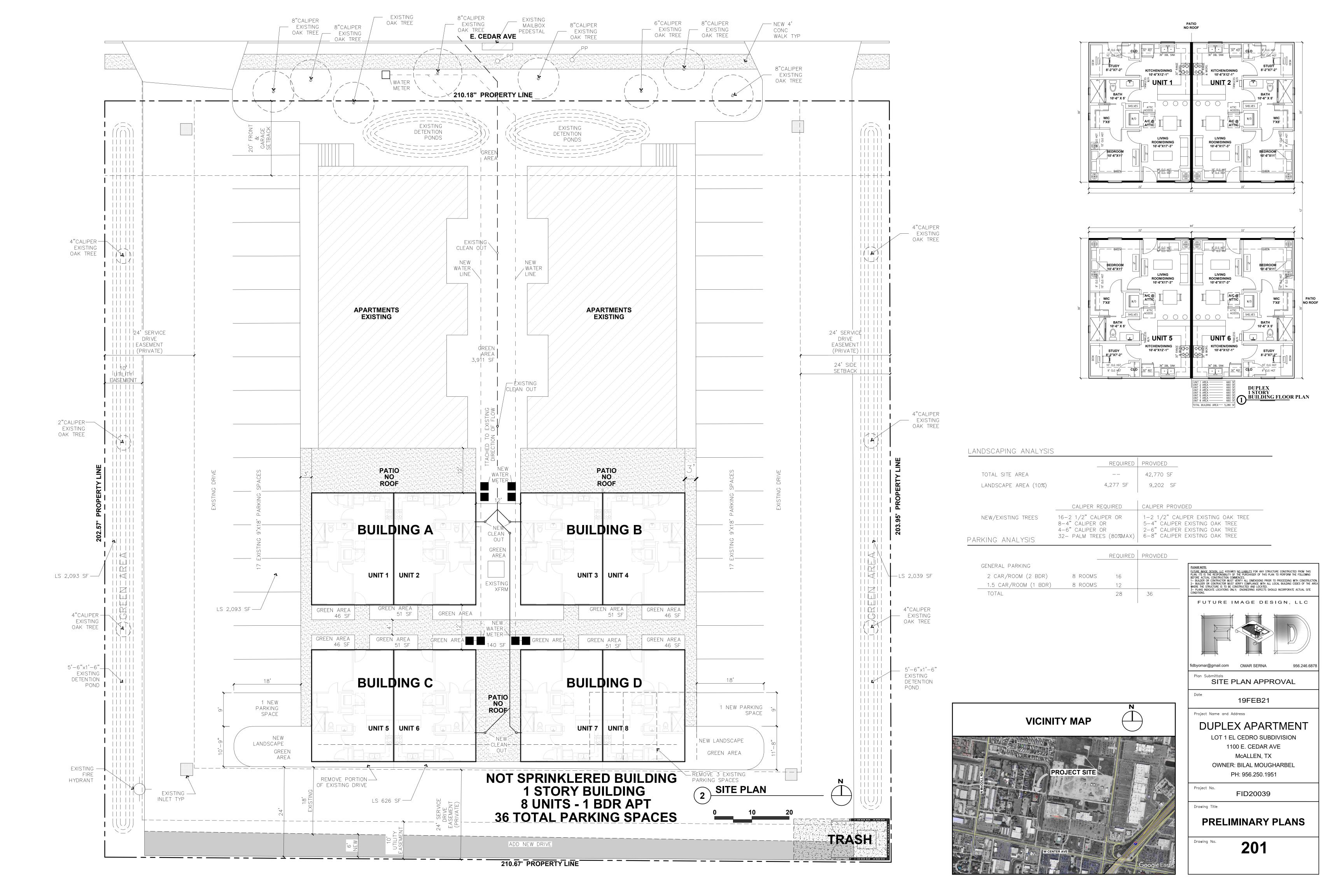
LOCATION N.T.S.

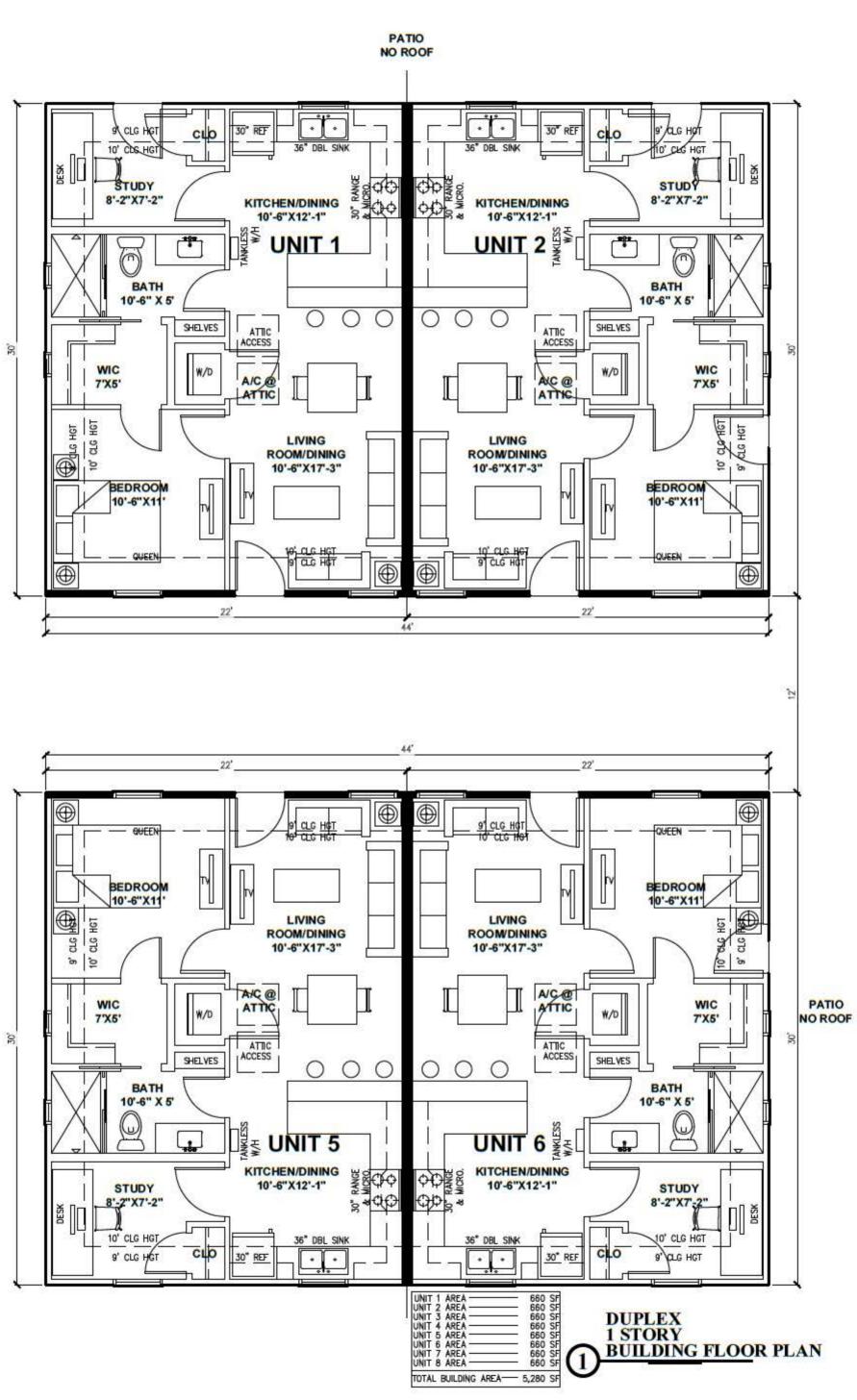
PRINCIPAL CONTACTS:

MARIA TERESA BERLANGA PENA 315 N. SHARY MISSION, TX 78572 PH: (956) 739-3435

1001 W. WHITEWING MCALLEN. TX 78501 PH: (956) 682-8814 FAX: (956) 631-PENA ENGINEER: PABLO F. PENA, JR 1001 W. WHITEWING MCALLEN, TX 78501 PH: (956) 682-8814 FAX: (956) 631-7362







### Memo

**TO:** Planning and Zoning Commission

FROM: Planning Staff

**DATE:** March 11, 2021

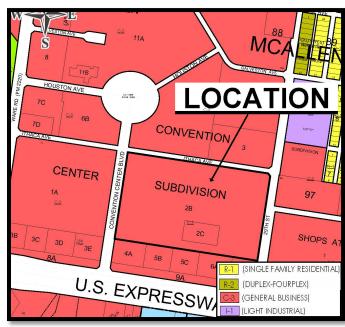
SUBJECT: REVISED SITE PLAN APPROVAL FOR LOT 2B, MCALLEN CONVENTION

CENTER LOTS 2B & 2C SUBDIVISION, 3300 U.S. EXPRESSWAY 83.

(SPR2021-0010)

**LOCATION:** The property is located on the northwest corner of S. 29<sup>th</sup> Street and U.S. Expressway 83 and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the west, east, north and south. Surrounding land use include commercial and vacant land. The property is part of McAllen Convention Lots 2B & 2C Subdivision, which was recorded on March 20, 2007. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

**PROPOSAL:** The applicant is proposing to construct a new loading dock on the rear-east side of the existing building.





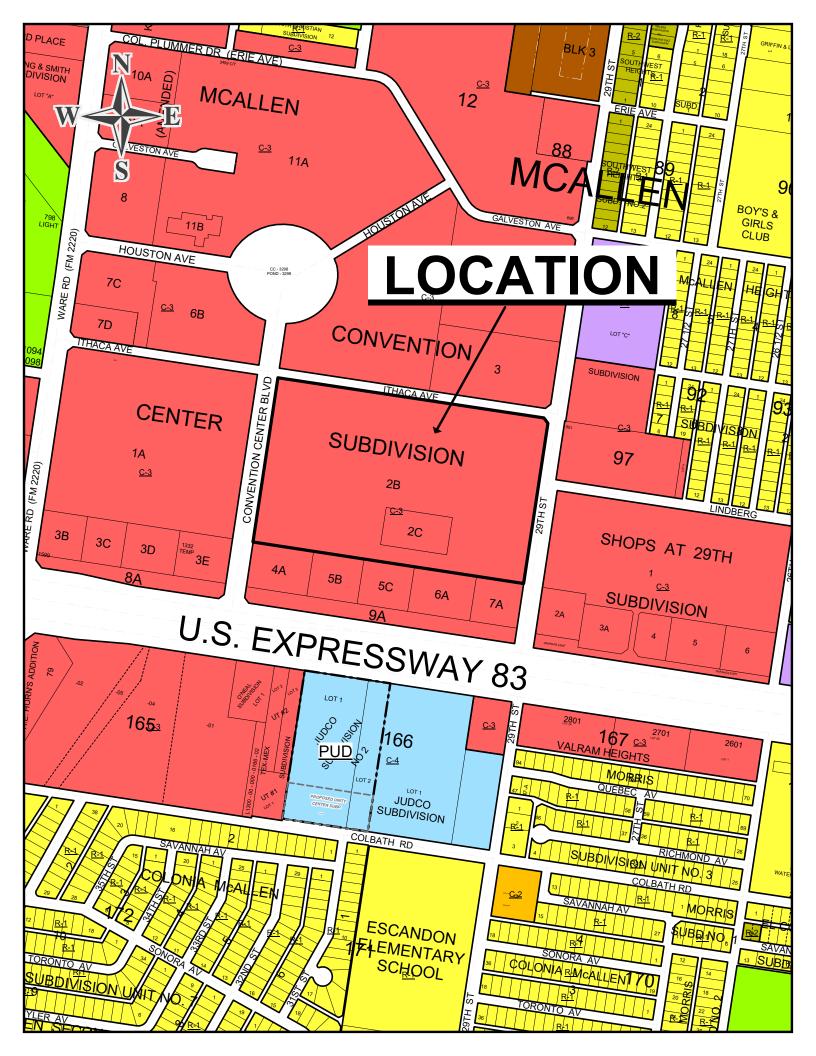
**ANALYSIS:** The applicant is proposing to construct a new loading dock on the rear-east side of the existing buildings. Proposed dock will not impact parking requirements. As per original site plan approved on June 21, 2005: the required landscaping for the lot was 168,780 sq. ft. with trees required as follows: 211 - 21.2° caliper trees, or 106 - 4° caliper trees, or 71 - 6° caliper trees or

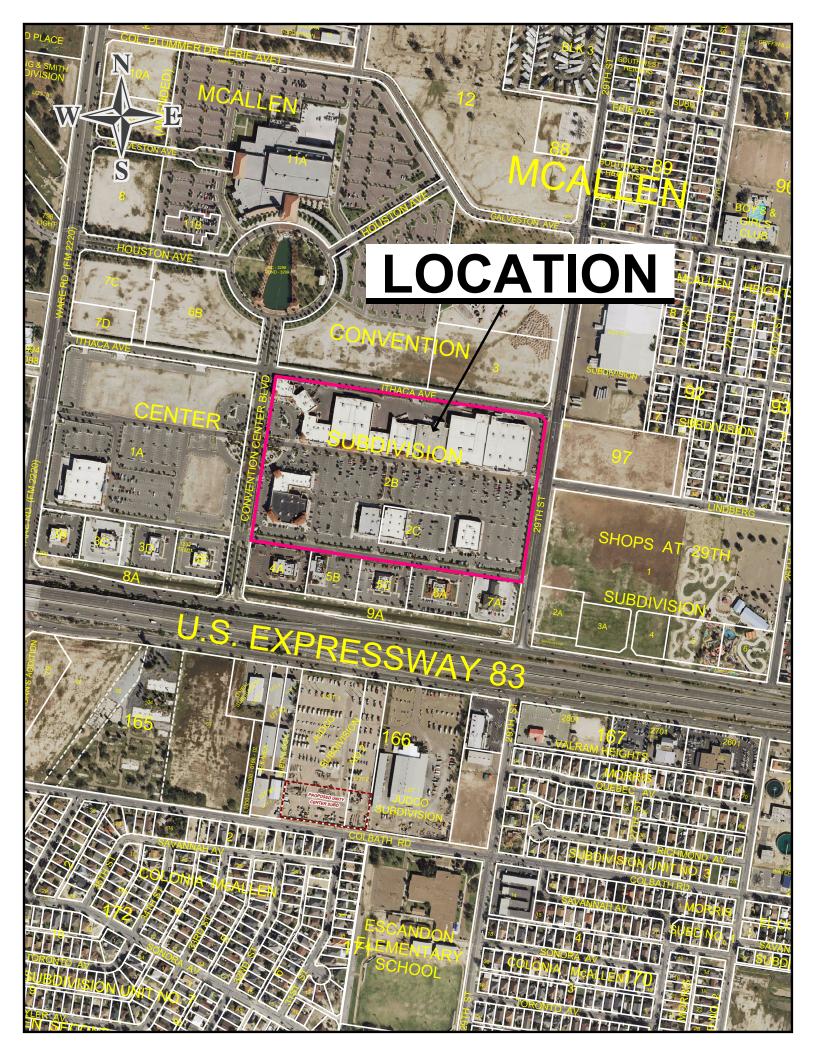
422 palm trees. A minimum 10 ft. wide landscape strip or was required inside the property line along U.S. Expressway 83, S. 29<sup>th</sup> St., Convention Center Blvd., and Ithaca Ave. Must maintain existing Landscaping any Dead grass, trees or plants must be replaced as well as any non-working irrigation system. Trees removed will be required to be replaced. Interior drives, buffers and parking will remain the same. No structures are permitted over easements. All setbacks will comply with the plat note requirements and the zoning ordinance.

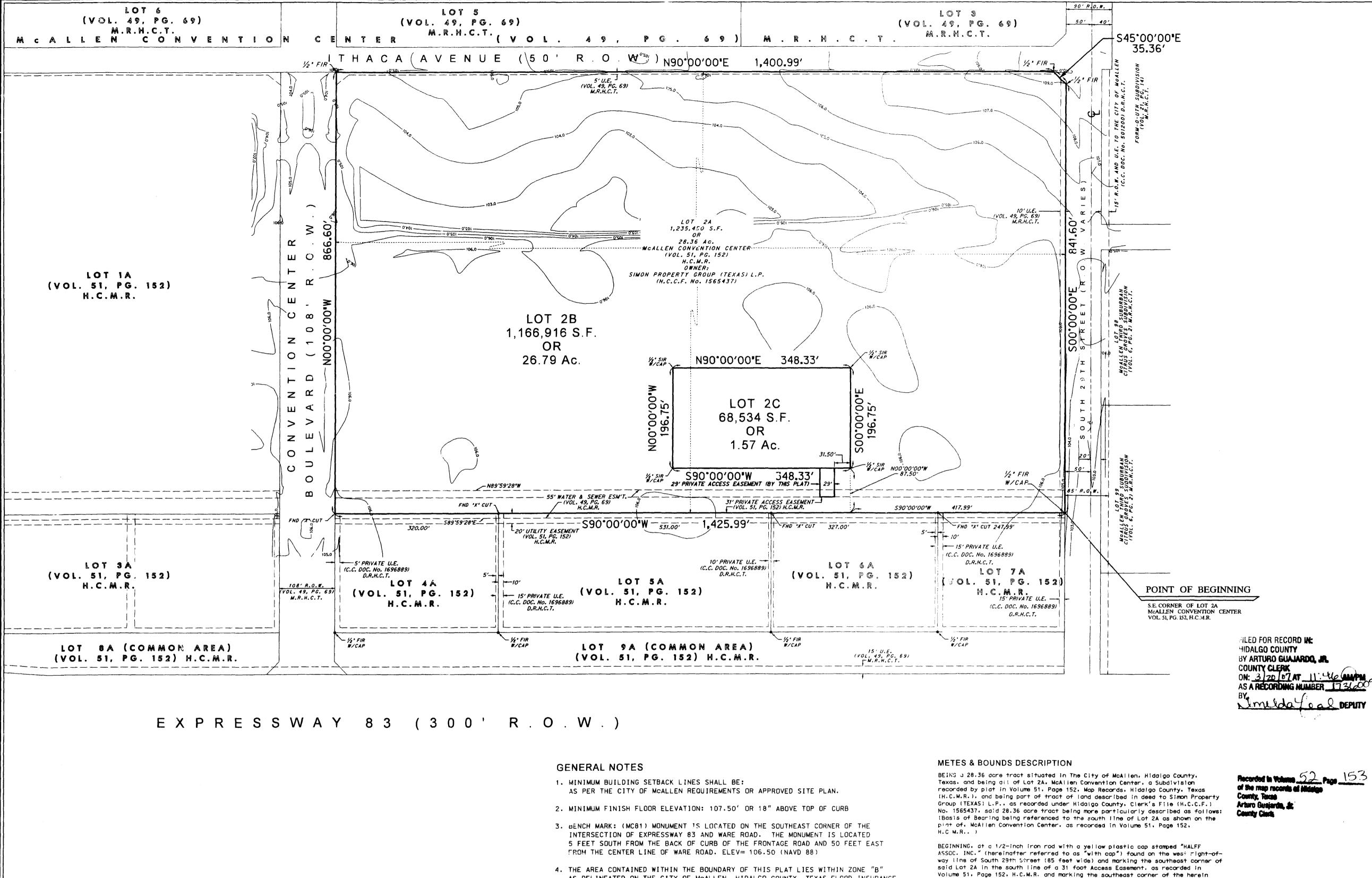
The Building Permit Site Plan must comply with requirements set forth by Public Works, and Utility Department. The Utility Department is approving the site plan with the condition that the utility work not be done until a separate utility layout be submitted and approved.

#### **RECOMMENDATION:**

Staff recommends approval of the site plan subject to the conditions noted by, Public Works and Utility Department, paving and Building Permit requirements, and the subdivision and zoning ordinances







- AS DELINEATED ON THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS FLOOD INSURANCE RATE MAP, PANEL NUMBER 480343 0010 C. DATED NOVEMBER 2, 1982, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. ZONE "B" IS DEFINED AS AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE: OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
- 5. AN ENGINEERED DRAINAGE DETENTION PLAN. APPROVED BY CITY OF MCALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- 6. A 6 FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT RESIDENTIAL ZONES/USES.
- 7. THE STORM WATER DETENTION REQUIRED FOR THIS DEVELOPMENT IS 4.99 AC-FT. (4.71 AC-FT FOR LOT 2B AND 0.28 AC-FT FOR LOT 2C)
- 8. A 4 FOOT WIDE SIDEWALK SHALL BE REQUIRED ALONG CONVENTION CENTER BOULEVARD.
- S. 29TH STREET, AND ALL INTERIOR STREETS AS PER CITY REQUIREMENTS. 9. SITE PLAN MUST BE APPROVED BY THE PLANNING & ZONING COMMISSION PRIOR TO
- ISSUANCE OF BUILDING PERMIT. 10. ALL STREETS SHALL HAVE A 25'X 25' CORNER OBSTRUCTION EASEMENT.
- 11. PROPOSED STREET ENTRANCES FACING EXISTING MAJOR STREETS (S. WARE ROAD,

EXPRESSWAY 83, AND S. 29th STREET) SHALL HAVE A 25'X25' CORNER CLIP.

- 12. COMMON AREAS TO BE MAINTAINED BY PROPERTY OWNERS.
- 13. PRIVATE DRAINAGE SYS EM TO BE MAINTAINED BY PROPERTY OWNERS.

Volume 51, Page 152, H.C.M.R. and marking the southeast corner of the herein described tract:

THENCE South 90° 00' 00" West, departing the west right-of-way line of said South 29th Street and along the common south line of said 31 foot Access Easement and said Lot 2A passing an "x" cut in concrete found marking the common north corner of Lat 6A and 7A at a distance of 247.99 feet, pussing a "X" out in concrete found marking the north corner of Lot 5A and 6A at a distance of 574.99 feet, passing an "X" cut in concrete found marking the common north corner of Lot 4A and Lot 5A at a distance of 1.105.99 feet and continuing a total distance of 1.425.99 feet to "X" cut in concrete found for corner in the east Right-of-Way (R.O.W.) line of Convention Center Boulevard (108 foat wide), as recorded in Volume 51, Page 152, H.C.M.R., for the southwest corner of Lot 2A and the herein described tract;

THENCE North 00° 00' 00" West, along the common east right-of-way line of said Convention Center Boulevard with the west line of said Lot 2A. a distance of 866.60 feet to a 1/2-inch iron rod found in the south right-of-way line of Ithaca Avenue (50 foot wide) and marking the northwest corner of Lot 2A and the

THENCE North 90° 00' 00" East, along the common south right-of-way line of said Ithaca Avenue with the north line of said Lot 2A, a distance of 1,400.99 feet. to a 1/2-inch iron rod found marking the westerly end of the southwest cut-back line for the intersection of the south right-of-way line of said Ithaca Avenue and the west R.D.W. line of the aforesaid South 29th Street and the most northerly northeast corner of Lot 2A and the herein described tract;

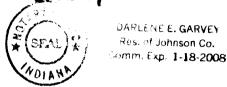
THENCE South 45° 00′ 00″ East, along said cut-back line, a distance of 35.36 feet, to a 1/2-inch iron rod found in the west right-of-way line of the aforesaid South 29th Street and marking the most easterly northeast corner of Lot 2A and the herein described tract:

THENCE, South 00° 00' 00" East, along the common west right-of-way line of said South 29th Street with the east line of said Lot 2A, a distance of 841.6D feet. to THE POINT OF BEGINNING AND CONTAINING 1.235.450 square feet or 28.36 acres of land.

COUNTY OF MARION: WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS CONVENTION CENTER AN ADDITION TO THE CITY OF MCALLEN, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC (SUBJECT TO THE RESERVATION OF RIGHTS NOTED ON THIS PLAT) ALL STREETS, ALLEYS, PARKS, DRAINAGE RIGHT-OF-WAYS, EASEMENTS, AND PUBLIC PLACES SHOWN ON THIS PLAT, WITH THE EXCEPTION OF THE 31' AND 29' PRIVATE ACCESS EASEMENTS WHICH WILL NOT BE MAINTAINED BY THE CITY OF MCALLEN, AS DEDICATED OR WHICH WE WILL CAUSE TO BE DEDICATED TO THE USE OF THE PUBLIC PURSUANT TO THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED. THE DEDICATIONS CREATED HEREBY ARE MADE SUBJECT TO ALL MATTERS EXISTING OF PUBLIC RECORD AS OF THE DATE OF THE RECORDATION OF THIS PLAT.

STATE OF INDIANA: PALMS CROSSING, L.P., A DELAWARE LIMITED PARTNERSHIP BY: SPG PALMS CROSSING, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS GENERAL PARTNER BY: SIMON PROPERTY GROUP (TEXAS), L.P., A TEXAS LIMITED PARTNERSHIP, ITS SOLE MEMBER BY: GOLDEN RING WALL COMPANY LIMITED PARTNERSHIP, AN INDIANA LIMITED PARTNERSHIP, ITS GENERAL PARTNER BY: SIMON PROPERTY GROUP (DELAWARE), INC., A DELAWARE CORPORATION, ITS GENERAL PARTNER 225 W. WASHINGTON ST. TITLE: 18 MAN A MAN A MAN TO THE MINDIANAPOLIS, INDIANA 46204

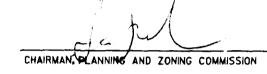
STATE OF INDIANA: COUNTY OF MARION: BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TO THE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY OF POPULARY , 2007.



HIDALGO COUNTY IRRIGATION DISTRICT NO. ONE WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION, ALSO THERE WILL NOT BE ANY PERMANENT STRUCTURES ON THE DISTRICT



1. THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN, DI) HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE



3/19(-7

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

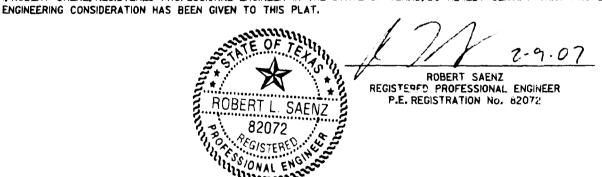


HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 DOES HEREBY CERTIFY THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49,211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

STATE OF TEXAS: COUNTY OF HARRIS: I, JOEL D. HILLER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION



STATE OF TEXAS: COUNTY OF HIDALGO: I, ROBERT SAENZ, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT PROPER



b\29000e\2983+Shear-Pame Grossing\rs-plot-LotelA2\834plot-28 & 2CLign 2/9/2007 2HMS PM User=ch1329 Active Preject=CM

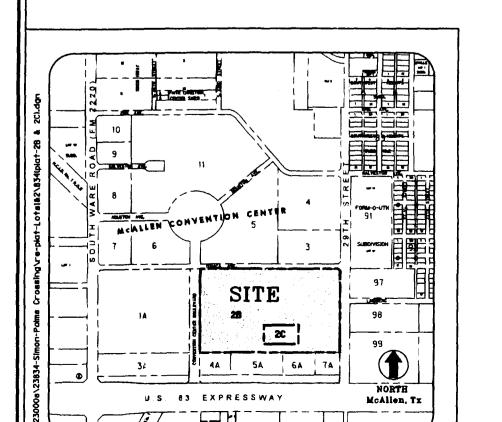
## PLAT LOTS 2B & 2C McALLEN CONVENTION CENTER

## McALLEN, TEXAS

BEING A 28.36 Ac. RE-PLAT OF ALL OF LOT 2A OUT OF THE PLAT OF LOTS 1A-9A MCALLEN CONVENTION CENTER SUBDIVISION HIDALGO COUNTY, TEXAS (VOL. 51, PG. 152) H.C.M.R.



5000 W. MILITARY, SUITE 100 • McALLEN TX. • 78503 • (956) 664-0286 AVO - 23834 FEBRUARY, 2007



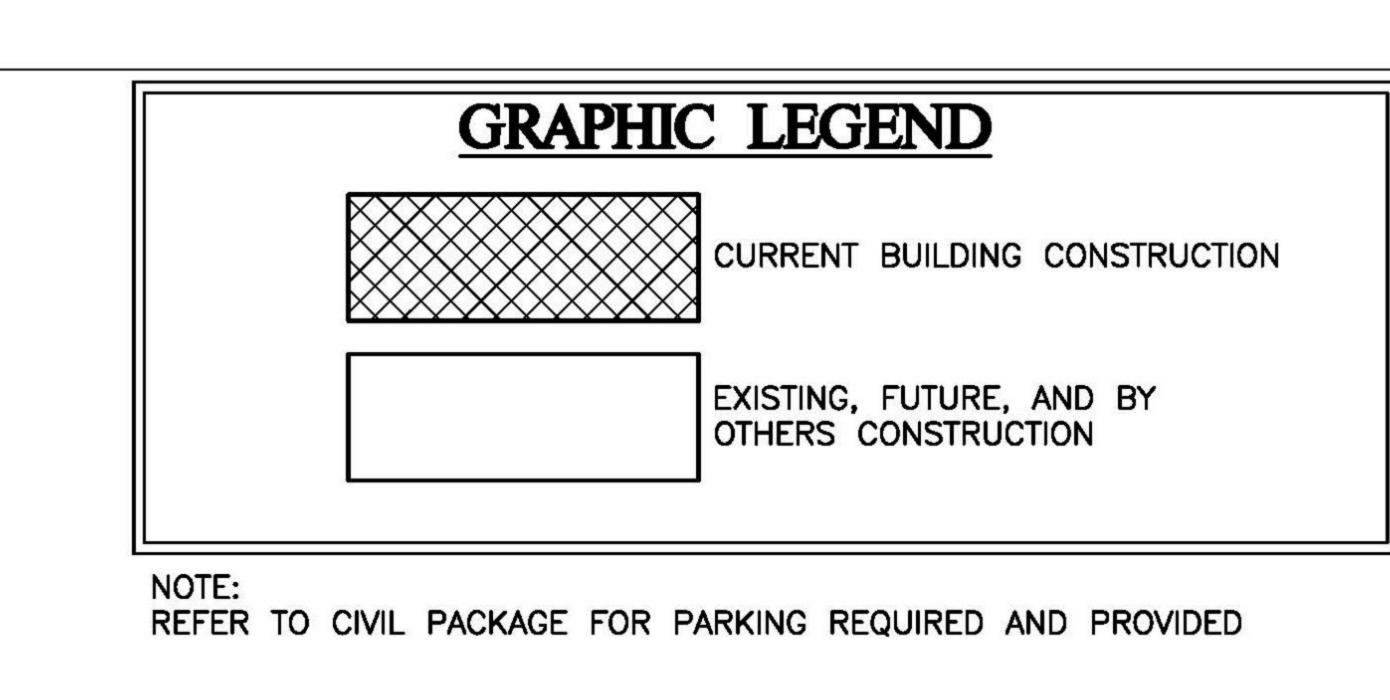
SCALE-1"- 100' <u>LEGEND</u>

1/2" FIR - 1/2-INCH FOUND IRON ROD

1/2" SIR - 1/2-INCH SET IRON ROD W/CAP - WITH A CAP STAMPED 'HALFF ASSOC. INC." H.C.M.R. - HIDALGO COUNTY, MAP RECORDS

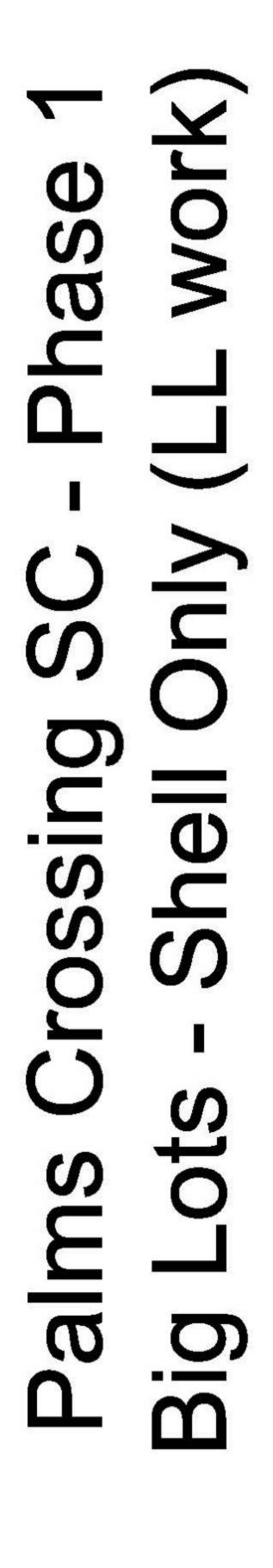
H.C.C.F. - HIDALGO COUNTY, CLERK FILE C.C. - COUNTY CLERK (C.M.) - CONTROL MONUMENT

S.F. - SQUARE FEET R.O.W. - RIGHT-OF-WAY U.E. - UTILITY EASEMENT



O1 OVERALL SITE PLAN
SCALE: 1"=100"-0"



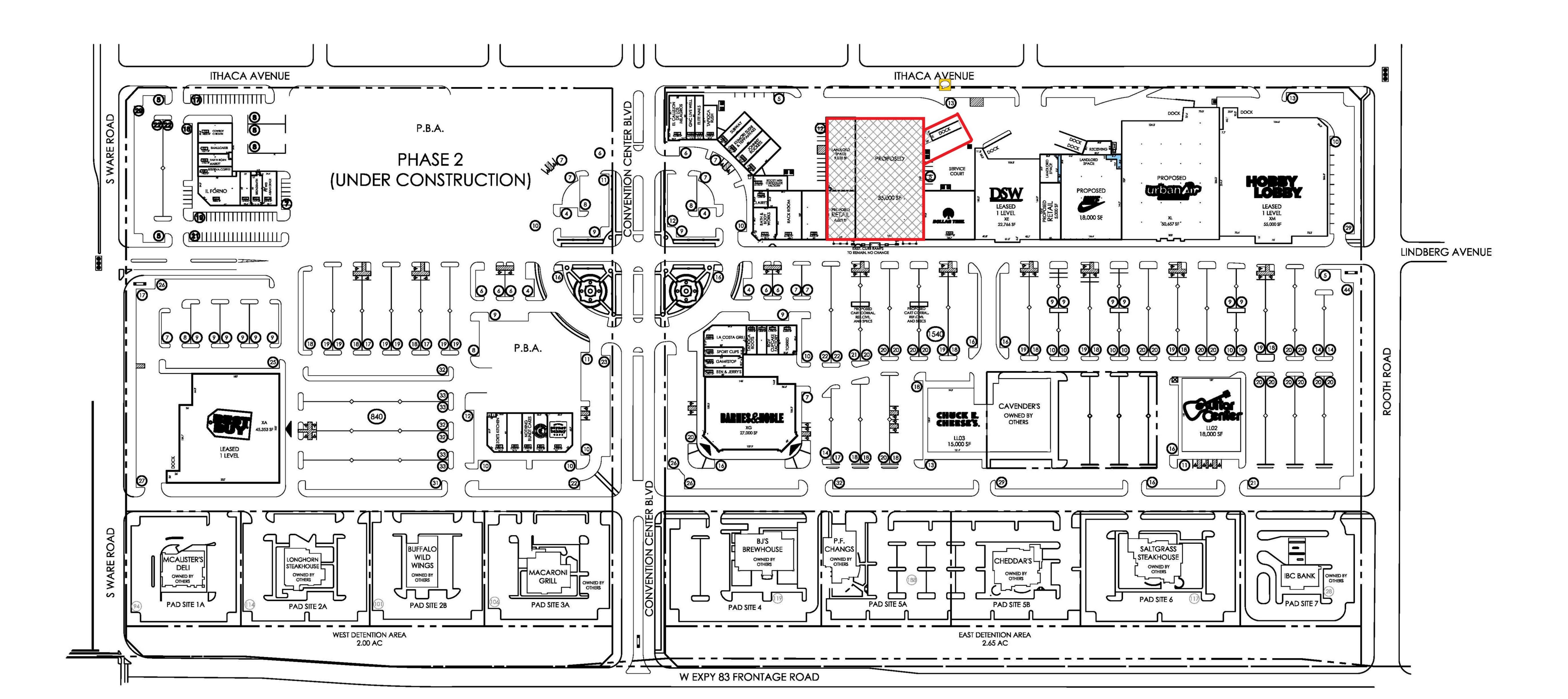


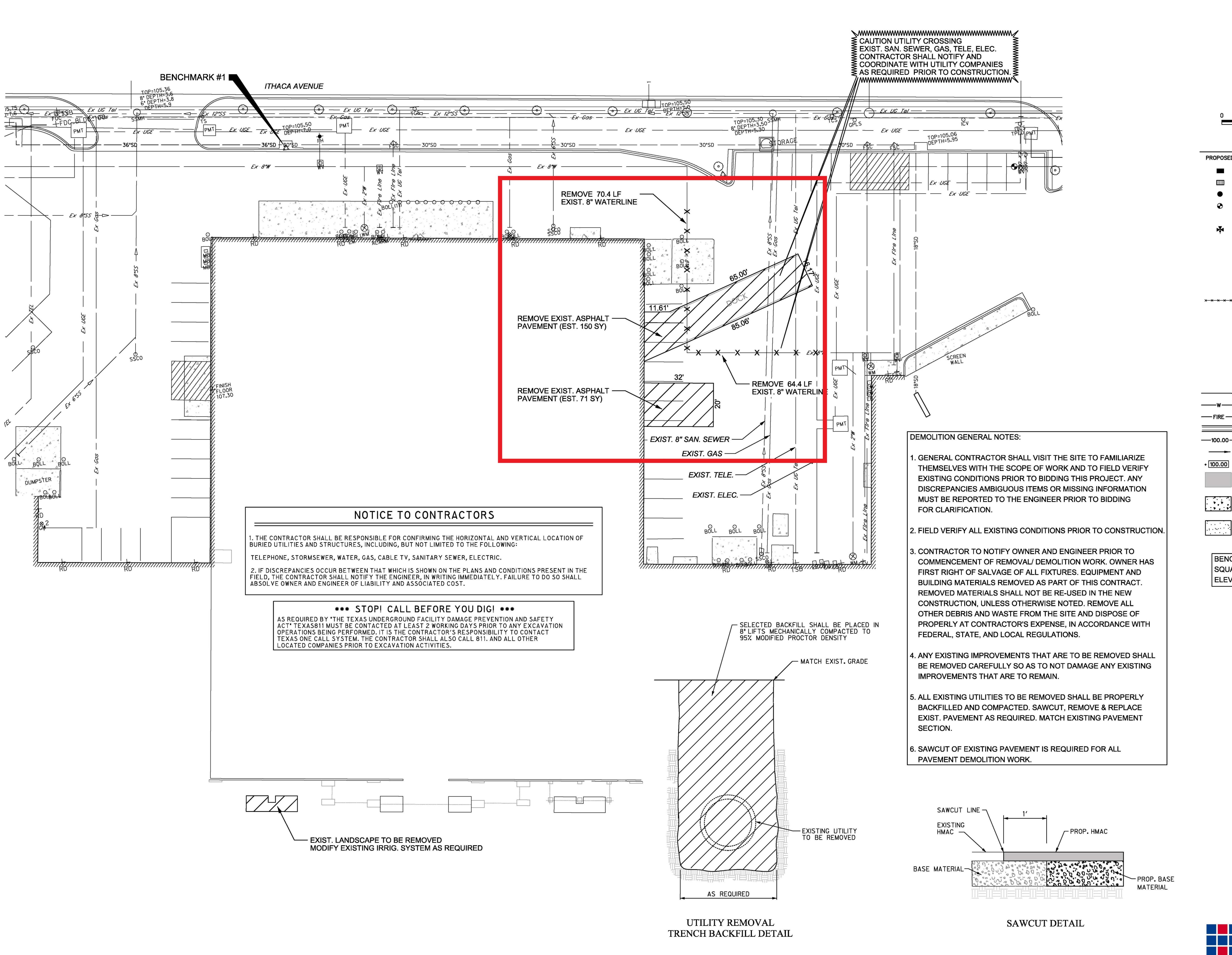


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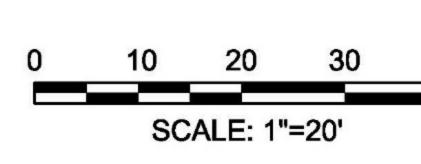
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**LEGEND** 

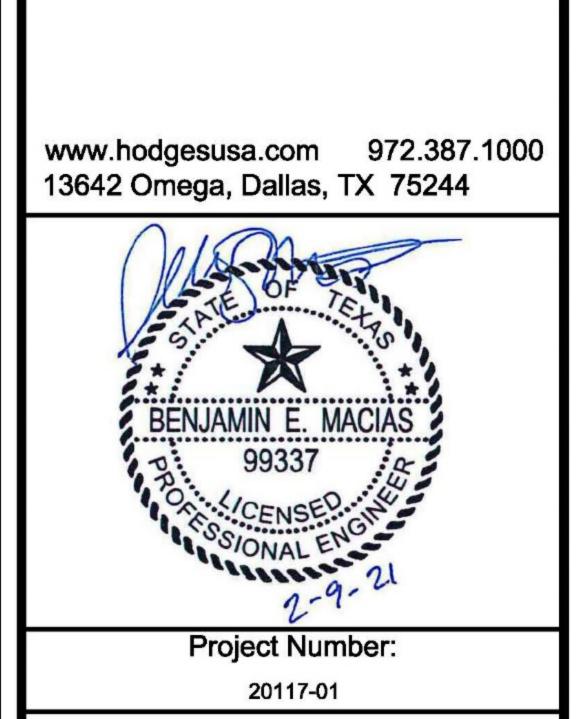
	LEGEND	
PROPOSED	EXISTING	
	CI	INLET
	GI 🗀	GRATE INLET
•	MHO	MANHOLE
•	WVO	GATE VALVE & BOX
	WM⊕	WATER METER
*	FH	FIRE HYDRANT
	SSCO O	SANITARY CLEAN OUT
	LPO	LIGHT POLE
	EB⊡	ELECTRIC BOX
	PPQ	POWER POLE
	TPED 🖸	TELEPHONE PEDESTAL
<del>* * * * *</del>	_××_	FENCE
	TS TO	TRAFFIC SIGN
	-EX OHE-	OVERHEAD ELECTRIC
	—EX UGE—	UNDERGROUND ELECTR
	— Ex GAS—	GAS LINE
	-Ex F/0-	FIBER OPTIC LINE
		TELEPHONE LINE
		ASPHALT PAVEMENT
		SAN. SEWER
——w——	— EX 6"₩—	WATER
—— FIRE ——	- Ex FIRE-	FIRE PROTECTION
	— 36"SD —	STORM SEWER
<del></del> 100.00	100.00	CONTOUR
		DRAINAGE FLOW ARRO
+ 100.00		SPOT GRADE
		PROPOSED ASPHALT PAVEMENT

BENCHMARK #1 : SQUARE CUT ON TOP OF CURB INLET ELEV.= 105.44 (NAVD 88)

PROPOSED CONCRETE PAVEMENT

PROPOSED CONCRETE SIDEWALK

5000 WEST MILITARY, SUITE 100 McALLEN, TX 78503 (956) 664-0286 TBPELS ENGINEERING FIRM #312



Issue Log

Description

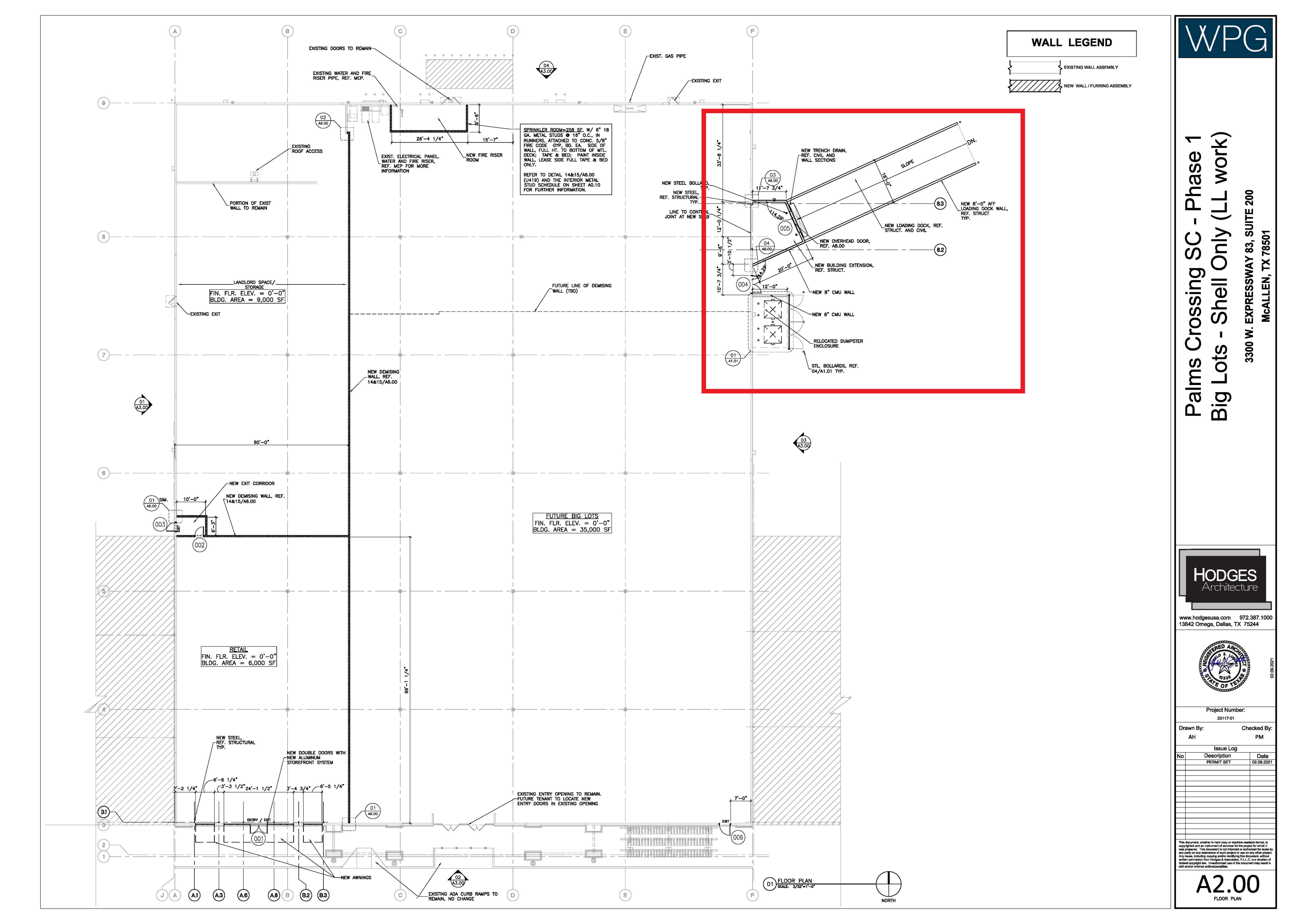
PERMIT SET

02.09.202

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C2.0

DEMOLITION PLAN



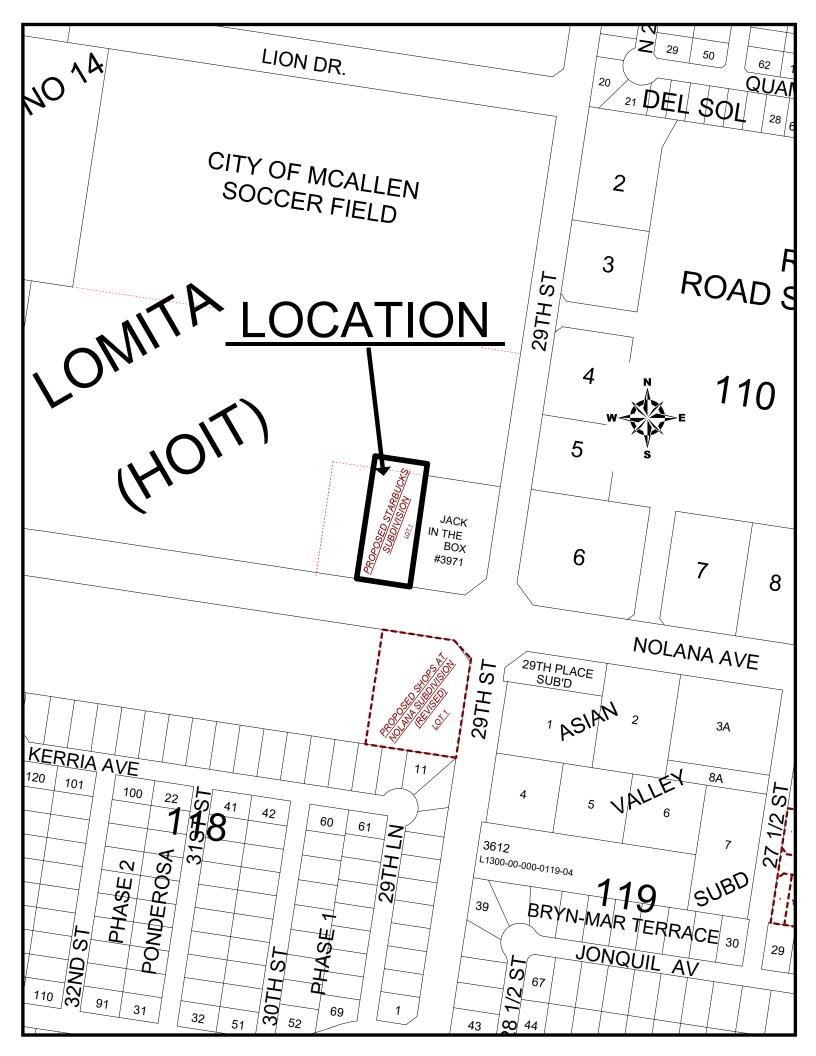
2012020-0097

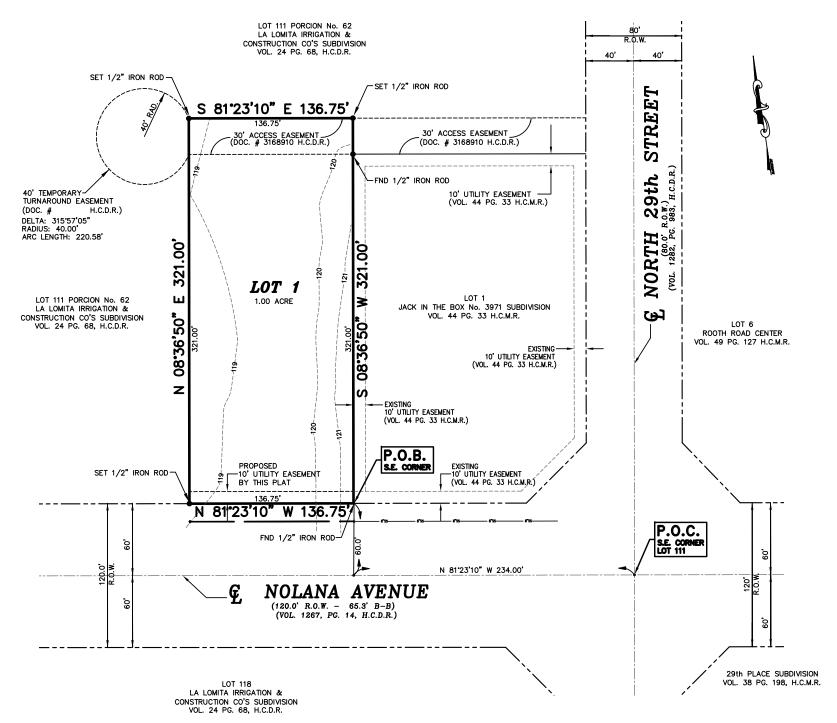
# City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW

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

	Subdivision Name Starbucks Subdivision
	Location 234' west of N.29th St. along north side of West Nolana Avenue.
io	City Address or Block Number 2900 W. Nolana Avenue
ipt	Number of lots 1 Gross acres 1.00 Net acres 1.00
SC	Existing Zoning C-3 Proposed C-3 Rezoning Applied For Yes X No Date
Ö	Existing Land Use AG Proposed Land Use Retail Irrigation District #_1
Project Description	Residential Replat Yes □ No ⊠ Commercial Replat Yes □ No ⊠ ETJ Yes □ No ⊠
oje	Agricultural Tax Exemption Yes □ No □ Estimated Rollback tax due
4	Legal Description 1.00 acres out of lot 111, La Lomita Irrigation and Construction
	Company Subdivision, Hidalgo County, Texas.
	Name Vaguero Nolana Partners, LP Phone
Je l	Address 2900 Wingate Street, Ste. 200
Owner	City Fort Worth State Texas Zip 76107
0	E-mail_
SECURIO DE PORTO DE SECURIO DE SECURIO DE SECURIO DE CASA DE C	Name Vaguero Nolana Partners, LP Phone (512) 983-1793
Developer	Address 2900 Wingate Street, Ste. 200
0	City Fort Worth State Texas Zip 76107
eve	Contact Person Kelly Agnor
Ď	E-mail kagnor@vaqueroventures.com
	Name Javier Hinojosa Engineering Phone (956) 668-1588
ineer	Address 416 E Dove Avenue
ij	City McAllen State Texas Zip 78504
Engi	Contact Person Javier Hinojosa, P.E.
Bellard Passantenensenskapanskapanskapanskapanskapanskapanskapanskapanskapanskapanskapanskapanskapanskapanskapanskapan	E-mail javhin@rgv.rr.com
	Name CVQ Land Surveyors, LLC Phone (956) 618-1551
io A	Address 517 Beaumont Avenue
Surveyor	City McAllen State Texas Zip 78501 DECETWEN
ທີ	Contact Person: Carlos Vasquez, R.P.L.S. E-mail: cvq@qls.com

BY. Al





SUBDIVISION PLAT OF

### STARBUCKS SUBDIVISION

03/12/2021 Page 1 of 2 SUB2021-0027



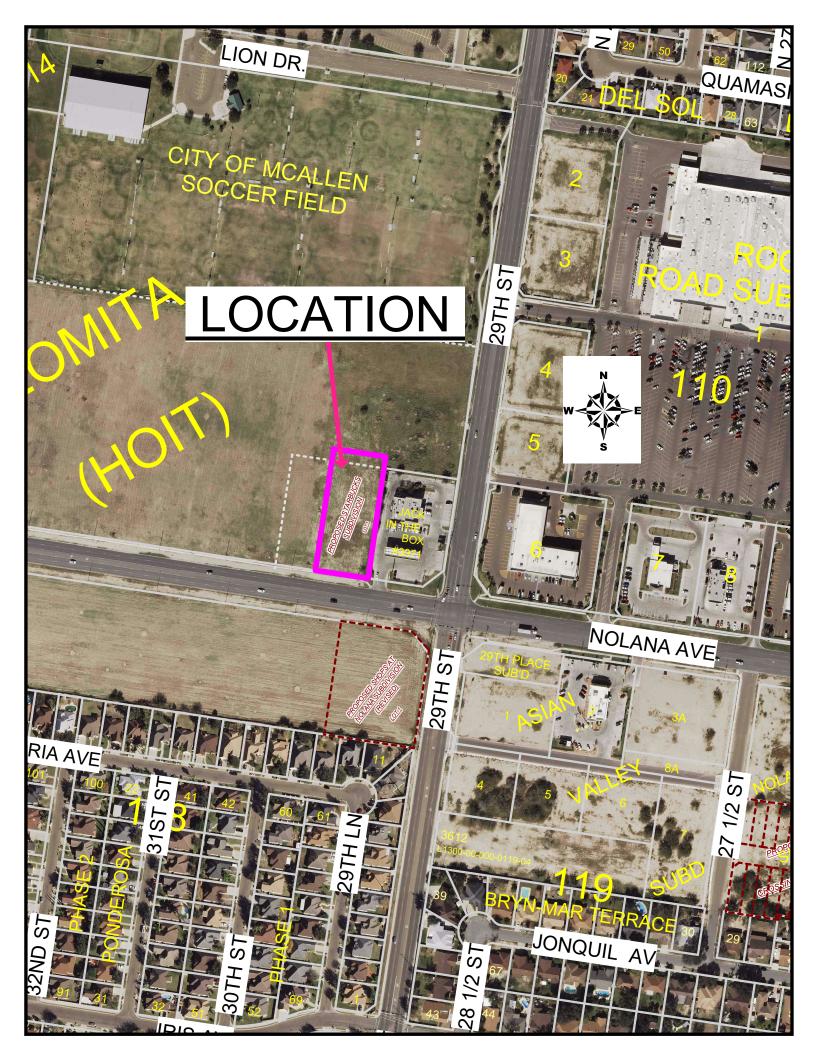
#### City of McAllen SUBDIVISION PLAT REVIEW

Reviewed On: 2/3/2021

SUBDIVISION NAME: STARBUCKS SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Nolana Avenue: 60 ft. from centerline for 120 ft. total ROW. Paving: 65 ft. Curb & gutter: Both sides	Compliance
Paving Curb & gutter	Applied
* 800 ft. Block Length	NA
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Provide copy of document No. 3168910  ***30 ft. access easement/service drive will be required to extend west as properties start developing  ****40 ft. radius temporary turnaround provided	Compliance
SETBACKS	
* Front (W. Nolana Avenue): 60 ft. or greater for approved site plan or easements. All other setbacks, as per zoning ordinance or greater for approved site plan or easements.	Applied
* Rear: As per zoning ordinance or greater for approved site plan or easements.	Applied
* Sides: in accordance with the zoning ordinance or greater for approved site plan or easements	Applied
* Corner	NA
* Garage	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Nolana Avenue.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.	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.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along **Per Traffic Department, spacing requirement along Nolana Avenue is 360 ft.	Non-compliance
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Required
* Common Areas, service easements, any private streets must be maintained by the lot owners and not the City of McAllen	Required

03/12/2021 Page 2 of 2 SUB2021-0027

-	
* Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied
* 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.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Per Traffic Department, Trip Generation is required to determine if TIA is required, prior to final plat.	Completed
* Traffic Impact Analysis Level 1 (TIA) is required prior to final plat, per Traffic Department.	Non-compliance
COMMENTS	
Comments:  *Subdivision must comply with City's Access Management Policy  **Note #11 is not required, remove from plat prior to final.  ***Revise lienholder's signature block prior to recording	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO CONDITIONS NOTED.	Applied

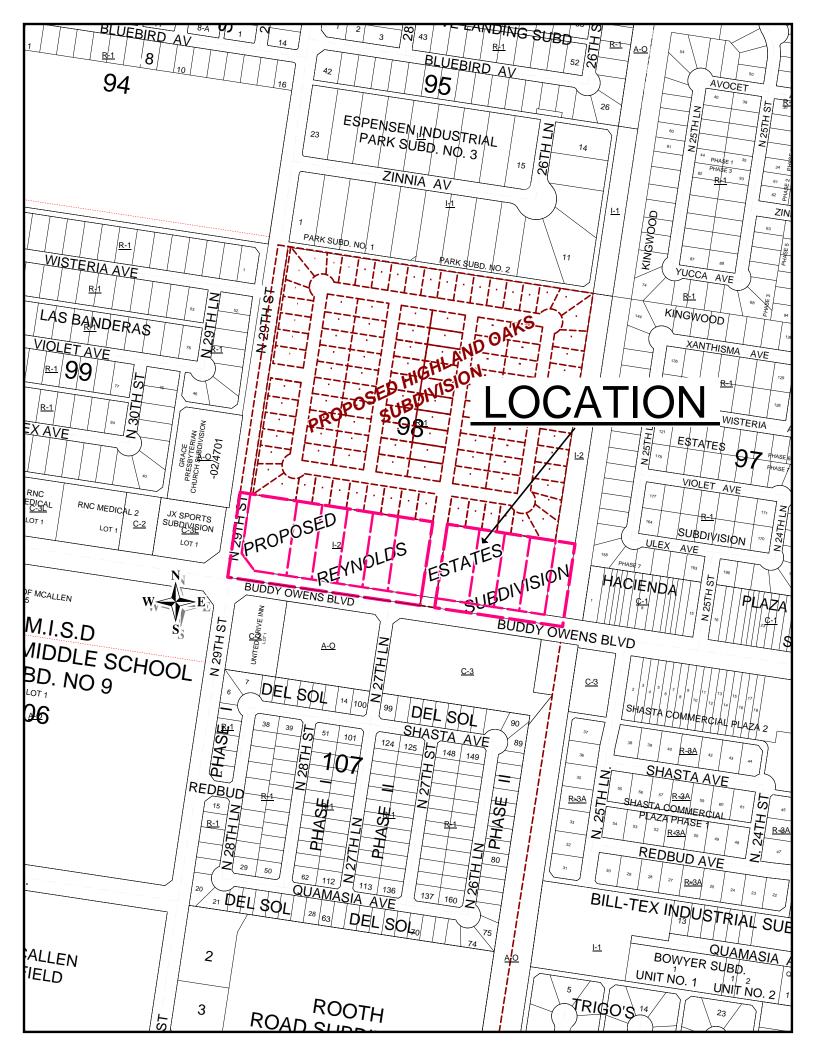


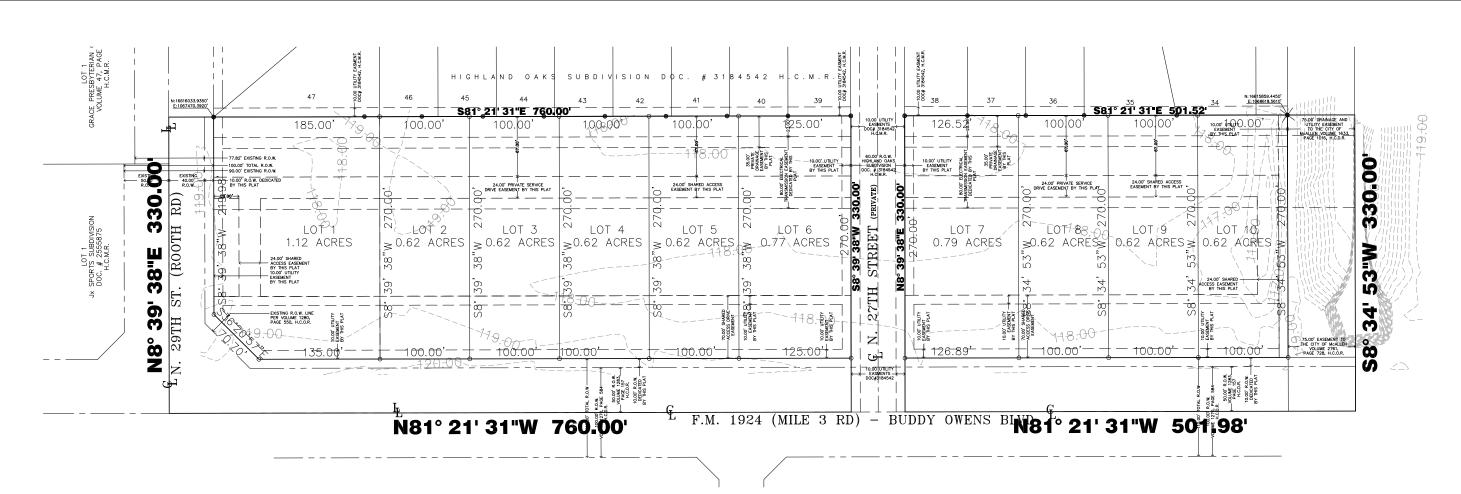
SUB2020-0011

# 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)

	SCHOOL TELL THE VIEW
	Subdivision Name Reynolds Estates Subdivision  Location Northwest corner of Mile 3 Rd (Buddy Owens Blvd.) and N. 29th Street
ב	City Address or Block Number Address not assigned yet
Project Description	Number of lots10 Gross acres9.558 ac_ Net acres7.01 ac
ř	Existing Zoning Industrial Proposed Industrial Rezoning Applied For Yes No Date
esc	Existing Land Use Vacant Proposed Land Use Vacant Irrigation District #
Ŏ	Residential Replat Yes Do M Commercial Replat Yes Do M ETJ Yes Do M
ect	Agricultural Tax Exempt Yes □ No □ Estimated Rollback tax due
roj	Parcel No Tax Dept. Review
Ф	Legal Description A subdivision of 9.558 acres gross out of Lot 98, La Lomita Irrigation and Construction
	Company Subdivision, Volume 24, Page 68, H.C.M.R. City of McAllen, Texas
	Name Reuben Bar-Yardin Phone 956-380-6558
ier	Address 4629 Macro Dr.
Owner	City San Antonio State Texas Zip 78218
0	E-mail
er	Name         Reuben Bar-Yardin         Phone         956-380-6558           Address         4629 Macro Dr.
do	
vel	City San Antonio State Texas Zip 78218
Developer	Contact Person AEC Engineering, LLC. (956) 380-6558
	E-mailcarlos@aecengineering.net
_	Name _ Carlos Garza, P.E Phone956-380-6558
ee	Address P.O. Box 480
gin	City Edinburg State Texas Zip 78540
Address P.O. Box 480  City Edinburg State Texas Zip 78540  Contact Person Carlos Garza, P.E.	
	E-mail carlos@aecengineering.net
yor	Name _Jose Mario Gonzalez, RPLS Phone956-380-5154 E E V E
Surveyor	Address 8207 Mateo Escobar FEB 2 0 2020
	City Monte Alto State Texas Zip 78538
	d.,   ~ / \ [\O. \C   \PI





### Reynolds Estates Subdivision

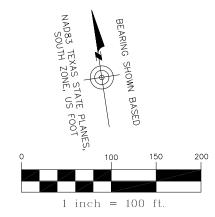
A SUBDIVISION OF 9.558 ACRES (GROSS), 7.01 ACRES (NET)
OUT OF LOT 98 LA LOMITA IRRIGATION AND CONSTRUCTION
COMPANY SUBDIVISION VOLUME 24, PAGE 68, H.C.D.R.
CITY OF McALLEN, TEXAS — HIDALGO COUNTY, TEXAS

A Texas Registered Engineering Firm F-9688



P.O. Box 480 Edinburg, Texas 78540 Office:(956) 380-6558 Fax: (956) 380-6110

www.aecengineering.net



#### LEGEND

- FOUND No.4 REBAR W/ PLASTIC CAP STAMPED MELDEN AND HUNT
- O SET No.4 REBAR W/ PLASTIC CAP RIO DELTA SURVEYING
- 4 LOT LINE
- Q CENTER LINE

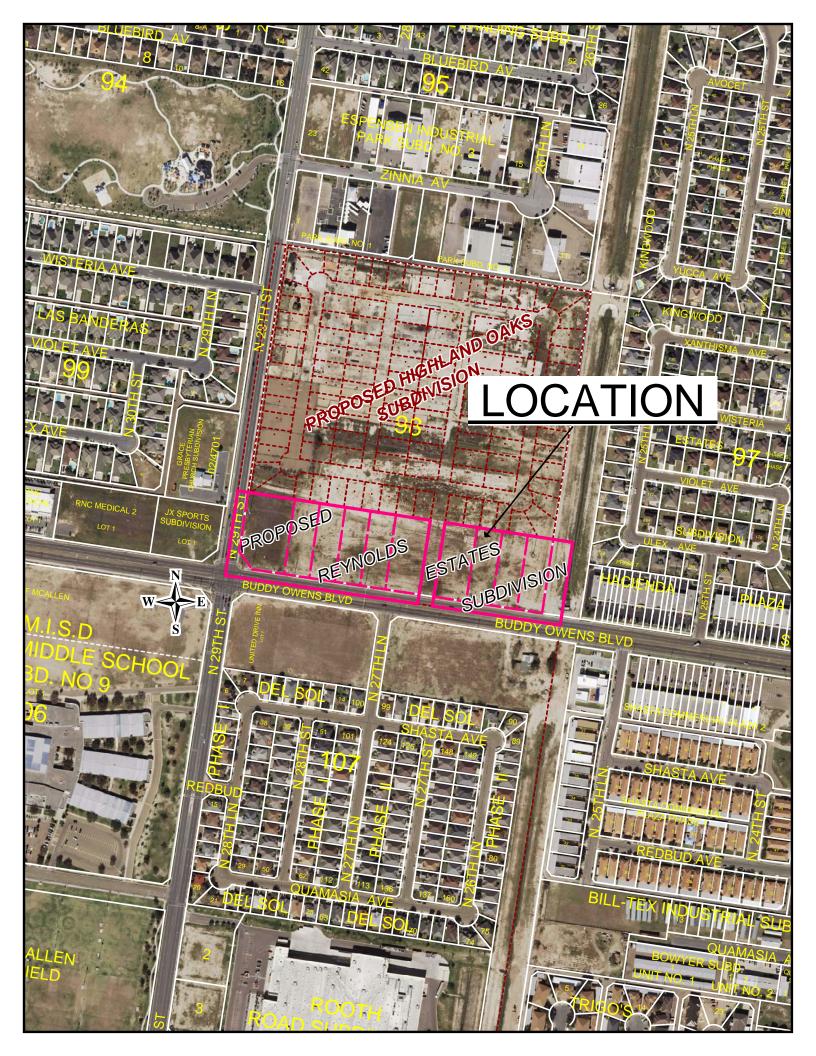
03/12/2021 Page 1 of 2 SUB2021-0020



Reviewed On: 3/12/2021

EQUIREMENTS	
TREETS AND RIGHT-OF-WAYS	
Buddy Owens Blvd. (Mile 3 Rd FM 1924): Proposed 10 ft. dedication for 60 ft. from centerline Paving: 65 ft. Curb & gutter: By the state  **Money must be escrowed if improvements are not built prior to recording	Compliance
N. 29th Street (Rooth Road): Proposed 10 ft. dedication for 50 ft. from centerline Paving: 65 ft. Curb & gutter: Both sides	Compliance
* N. 27th Street (private): 60 ft. Paving: 40 ft. Curb & gutter: Both sides  **Revise street name as noted above  ***Remove dark boundaries shown on the perimeter of N. 27th Street (private) since ROW being shown does not pertain to Reynolds Estates but to Highland Oaks instead.  ***Plat references 60 ft. ROW between Lots 36 and 39 from Highland Oaks Subdivision recorded under document no. 3184542 which is a private street. Is there an existing cross access agreement between the existing subdivision and this proposed plat? Please clarify prior to final and provide document.	Applied
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	NA
LLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	Compliance
ETBACKS	
Buddy Owens Blvd. (Mile 3 Road - FM 1924) 60 ft. or greater for easements or approved site plan  **Show full street name for Buddy Owens Blvd. (Mile 3 Road - FM1924)	Non-complianc
N. 29th Street (Rooth Rd.) - 50 ft. or greater for easements or approved site plan **Show also (N. Rooth Rd.)  ***Revise front setback plat note as shown above	
* Rear: 50 ft. or greater for easements or approved site plan **Revise plat as noted above	Non-compliand
* Interior sides: In accordance with the zoning ordinance or greater for easements or approved site plan.	Applied
* Corner: Lots 6 & 7: 10 ft. or greater for easements or approved site plan **Revise plat as noted above	Applied
* Garage	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
DEWALKS	
* 4 ft. wide minimum sidewalk required on N. 29th Street, and 5 ft. wide minimum sidewalk required on Buddy Owens Blvd and both sides of interior street.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial,	Applied
and industrial zones/uses	
* 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.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along  **Must comply with City's Access Management Policy  **Highland Oaks Subdivision was approved as a private development with N. 27th Street being a private street, cross agreement being required prior to recording.	Applied
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Required
* Common areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.  **Is there intent to share common parking, landscaping, access, etc between the lots?  ***Who will be responsible for maintenance? Need to clarify so we can establish proper notes.	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 requirments per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: I-2 Proposed: I-2	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Completed
* Traffic Impact Analysis (TIA) has been approved by Traffic Department.	Completed
COMMENTS	
Comments:  *Must comply with City's Access Management Policy  *****Email received on March 3, 2021 indicating existing electrical easement is aerial  ******Cross agreement with Highland Oaks Subdivision for the use of N. 27th St. required prior to recording	Applied
RECOMMENDATION	



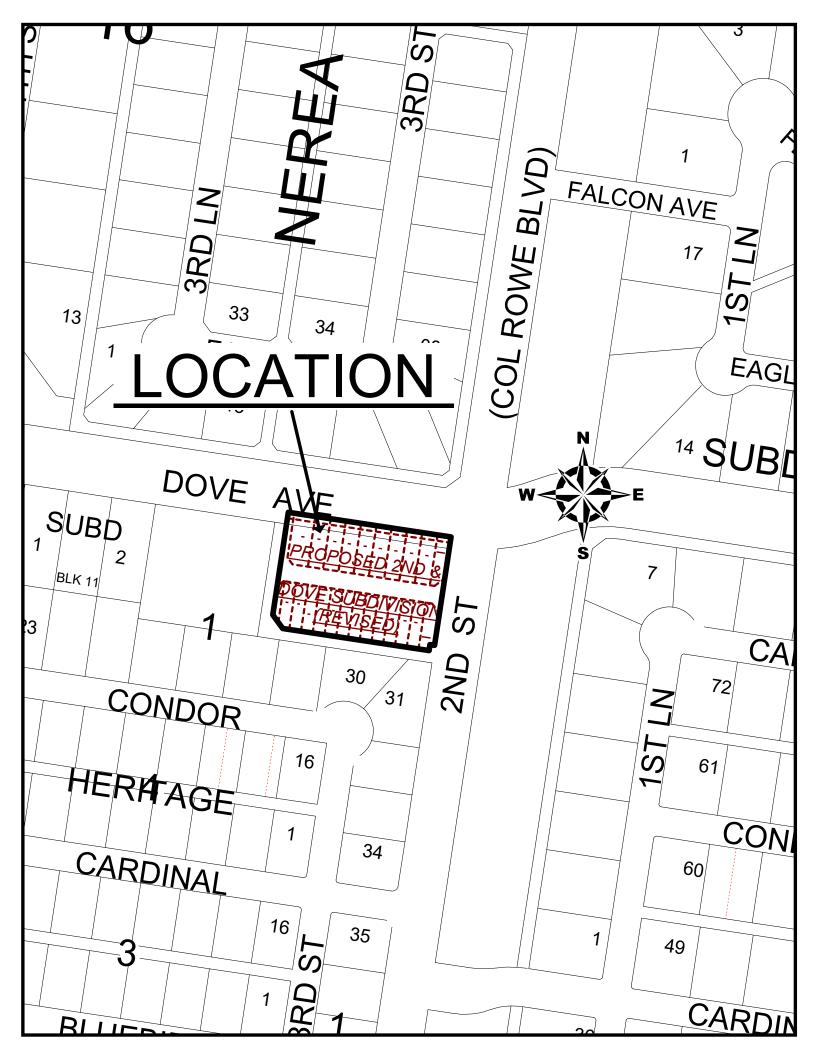
SUB2020-0076

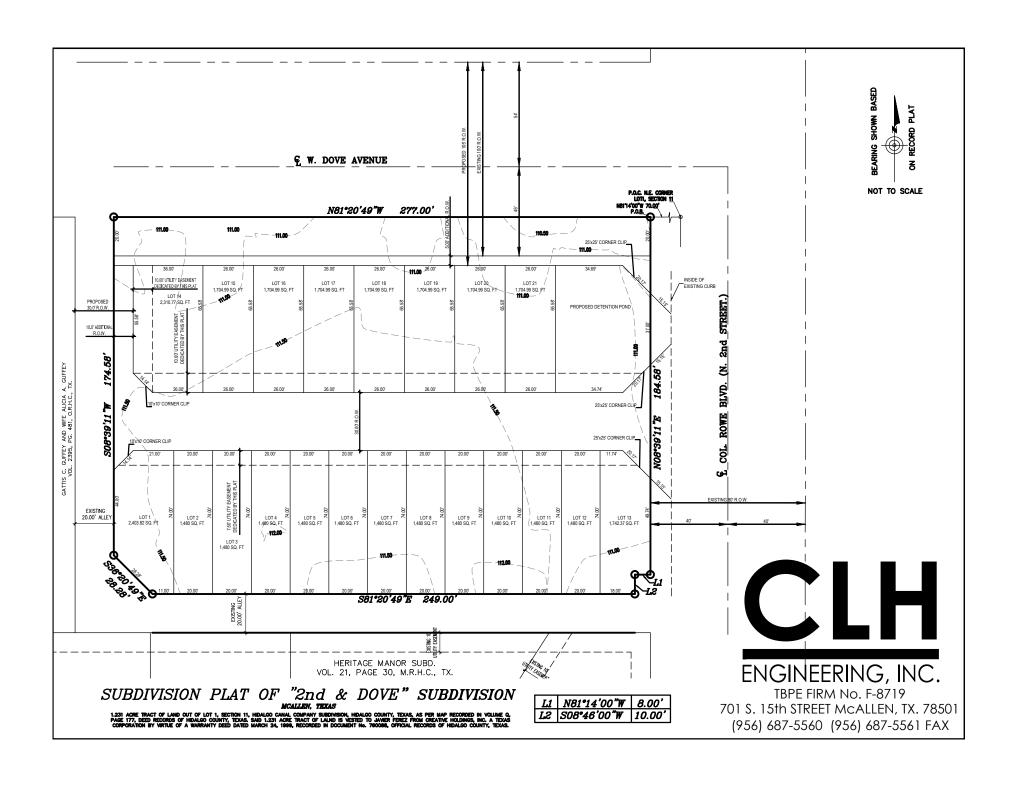
## City of McAllen Planning Department APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

	N V Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z
Project Description	Subdivision Name
Owner	Name Alonzo Court Phone 956-631-1273  Address 527/ N. M. State TX Zip 78502  E-mail Alonzo Court Construction. What
Developer	Name Alouzo Canto Phone 956- 631-1273  Address 5221 N. M= coll  City M=Allen State Tx Zip 78502  Contact Person Oscar Falun  E-mail Oscare Canto Construction.com
Engineer	Name Clow Hindjosa Phone 956-222, 5423  Address 7015. 157  City Medler State TX Zip 78593  Contact Person Clow Hindjore  E-mail Chengineering old yahoo. Om
Surveyor	Name <u>Tuan General Ilis Delta Phone</u> 956-380-5152 Address <u>24593 For 98</u> 921 5. 10 - Ave.
U,	City Elective State TX Zip DECETVED





03/12/2021 Page 1 of 3 SUB2021-0026



#### **City of McAllen**

#### **SUBDIVISION PLAT REVIEW**

Reviewed On: 3/12/2021

SUBDIVISION NAME: 2ND AND DOVE SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Dove Avenue: **5 ft. dedication for 51 ft. from centerline for 105 ft. ROW Paving: min. 65 ft. Curb & gutter: both sides *Per plat submitted February 10, 2021 **Variance letter received February 10, 2021 to dedicate 5 ft. for 105 ft. of ROW instead of dedication for 75 ft. from centerline for future 150 ft. ROW. P&Z Board recommended approval of variance request at the meeting held February 16, 2021 and City Commission approved the variance for 5 ft. dedication at the meeting held March 3, 2021.	Applied
North Col. Rowe Boulevard (N. 2nd Street): **80 ft. existing ROW Paving: min. 65 ft. Curb & gutter: both sides  **Variance letter received February 10, 2021 to maintain 80 ft. of existing ROW, instead of 20 ft. dedication for future 120 ft. ROW. P&Z Board recommended approval of variance request at the meeting held February 16, 2021 and City Commission approved the variance request for at the meeting held March 3, 2021.	Applied
E/W Interior Street: *30 ft. ROW Paving: *30 ft. Curb & gutter: both sides *Variance request proposing a street with 30 ft. ROW and 30 ft. pavement back to back instead of the required 60 ft. of ROW with 40 ft. of paving submitted February 10, 2021. P&Z recommended approval at the meeting held February 16, 2021 and City Commission approved the request at the meeting held March 3, 2021.	Applied
N/S interior Street: *30 ft. ROW Paving: 30 ft. Curb & gutter: both sides  *Variance request letter submitted on February 10, 2021 to convert the northern portion of an existing north/south 20 ft. alley along the west boundary of the subdivision into a street which will be combined with a 10 ft. dedication for a total 30 ft. ROW and pavement width. P&Z Board recommended approval at the meeting held February 16, 2021 and City Commission approved the request at the meeting held March 3, 2021.	Applied
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	Compliance
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Existing 20 ft. alley ROW along the south and west of property dedicated by subdivision to the south.  ***Variance request letter submitted on February 10, 2021 to convert the northern portion of an existing north/south 20 ft. alley along the west boundary of the subdivision into a street which will be combined with a 10 ft. dedication for a total 30 ft. ROW and pavement width. P&Z Board recommended approval at the meeting held February 16, 2021 and City Commission approved the request at the meeting held March 3, 2021	Applied
SETBACKS	
* Front Lots 1-13: 7.5 ft. Lots 14-21: Proposed 18 ft. at front entry garage.  **Engineer submitted a variance letter on February 10, 2021 asking for a 7.5 ft. front setback for Lots 1-13 approved by P&Z Board at the meeting held February 16, 2021.	Applied

03/12/2021 Page 2 of 3 SUB2021-0026

03/12/2021 Fage 2 013	30B2021-0020
* Rear: 5 ft. for Lots 1-13 7.5 ft. for Lots 14-21  **On February 10, 2021 engineer submitted a variance request for a rear setback of 5 ft. for Lots 1-13 and 7.5 ft. for Lots 14-21 which was approved by the P&Z Board at the meeting held February 16, 2021.	Applied
* Interior Sides: In accordance with the zoning ordinance, or greater for approved site plan or easements.	Applied
* Corner: 10 ft. or greater for easements	Applied
* Garage: 18 ft. for Lots 14-21 **Revise plat as noted above.	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
<ul> <li>* 4 ft. wide minimum sidewalk required on Dove Avenue and North Col. Rowe Blvd. (N. 2nd Street). A sidewalk/path also required along the east side of the north/side interior street</li> <li>**Revise plat prior to recording</li> <li>**Variance request submitted on February 10, 2021 to not provide sidewalks along interior street, only along Dove Avenue and N. 2nd Street - Col. Rowe Blvd approved by P&amp;Z Board at the meeting held February 16, 2021.</li> </ul>	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses	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.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along North Col. Rowe Boulevard (N. 2nd Street) and Dove Avenue.  **Per Traffic Department, no connection to N. Col. Rowe Boulevard (N. 2nd Street) allowed due to spacing requirements of a principal arterial of 360 ft. not being met	Applied
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	Applied
* 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 requirments per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.  *Section 110-72 applies for public subdivisions	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets	Applied
* Minimum lot width and lot area  **Engineer submitted a variance letter to not comply with the minimum lot area requirement of 2,000 sq. ft. approved by the Zoning Board of Adjustments on November 18, 2020	Compliance
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03/12/2021 Page 3 of 3 SUB2021-0026

ZONING/CUP	
* Existing: R-3T Proposed: R-3T	Applied
* Rezoning Needed Before Final Approval  **Rezoning from R-1 to R-3T was approved by Planning and Zoning Board at the August 4, 2020 meeting. City Commission approved the rezoning request at the August 10, 2020 meeting.	Completed
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot x 21 Lots = \$14,700 due prior to recording	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation has been approved, per Traffic Department no TIA is required.	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments:  *Must comply with City's Access Management Policy  **Engineer submitted a variance letter to not comply with the minimum lot area requirement of 2,000 sq. ft. approved by the Zoning Board of Adjustments on November 18, 2020.  ***Engineer submitted variances to not dedicate additional ROW on Dove Avenue, N. 2nd St. (Col. Rowe Blvd.), to convert the existing 20 ft. alley into a 30 ft. interior street, to allow a street with 30 ft. of ROW instead of the required 60 ft. per City ordinance, eliminate sidewalks along the entrance from Dove Avenue and to reduce the rear setback from 10 ft. to 0 for the south lots (1-13), P&Z Board recommended approval on the requested variances and City Commission  ****Gated exit to 2nd Street (N. Col. Rowe) is proposed to be used as an emergency exit only, and for City's Public Works Department.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, UTILITIES, AND DRAINAGE APPROVALS.	Applied



SUB2021-000-5

## City of McAllen Planning Department APPLICATION FOR

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

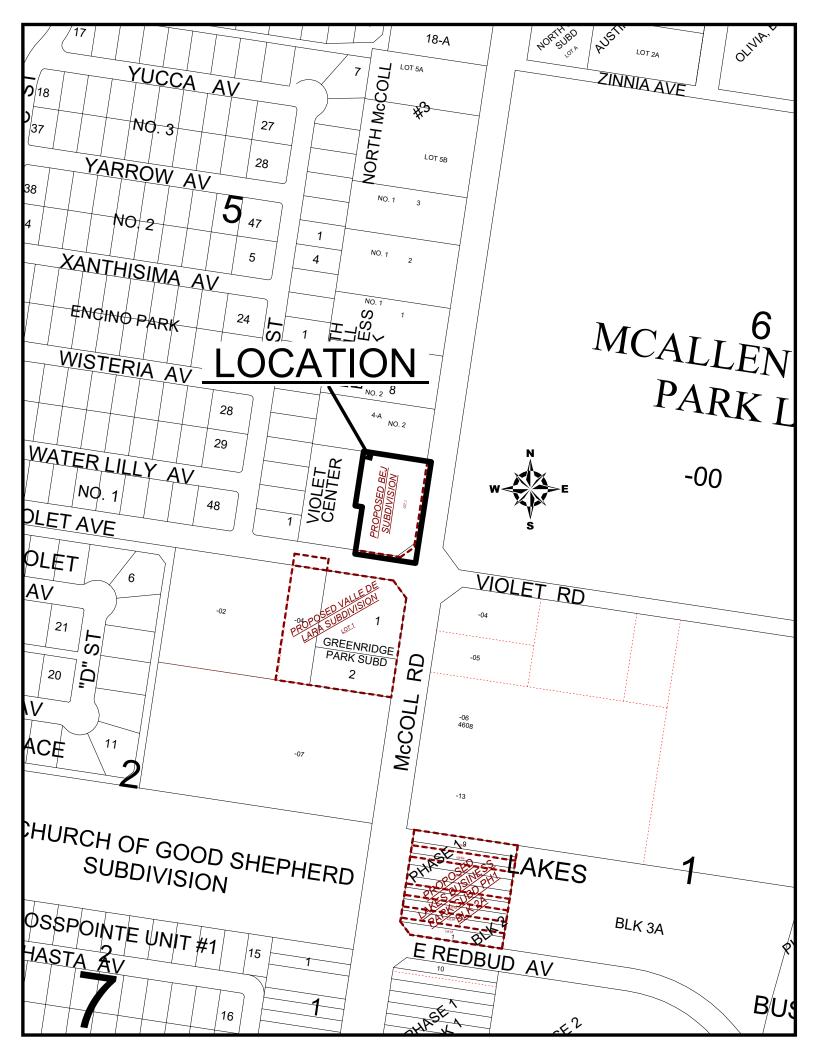
SUBDIVISION	PLAT	REVIEW

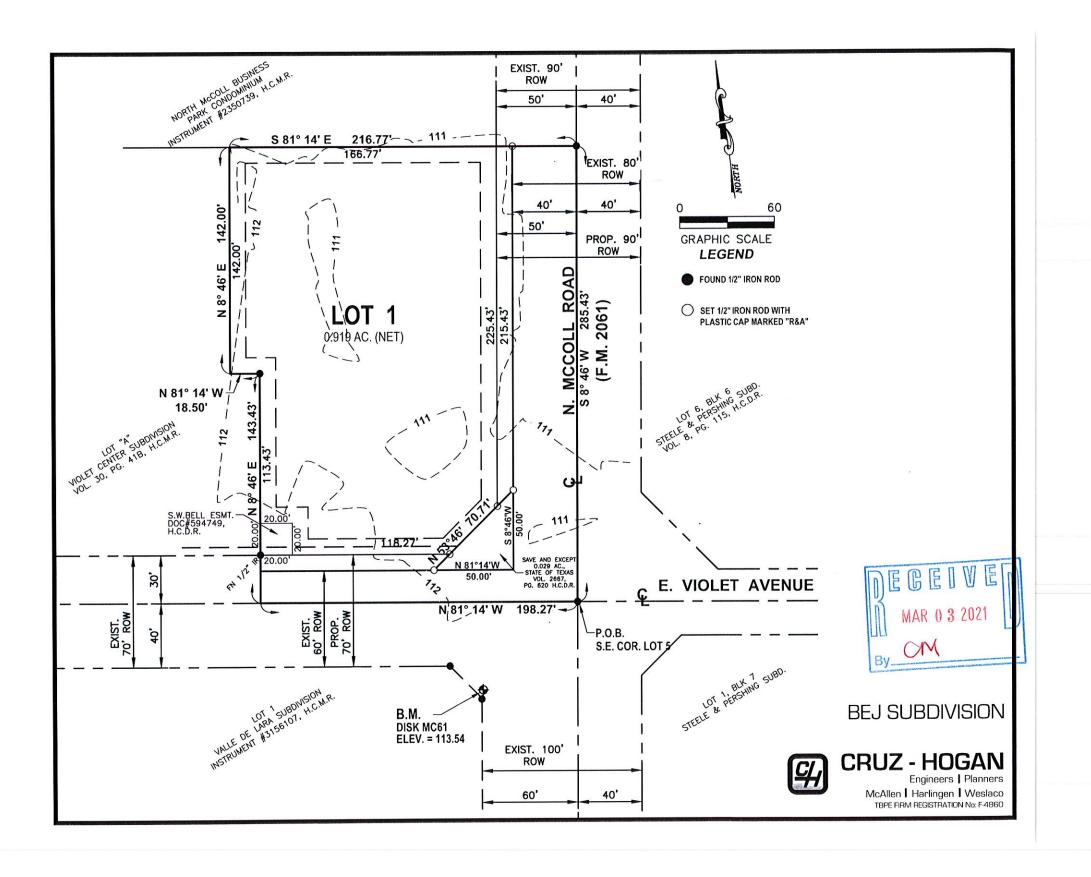
Project Description	Subdivision Name BEJ Subdivision  Location Violet Avenue & McColl Road  City Address or Block Number
Owner	Name Taryn Santos, Violet Investments Phone 956-633-1111  Address 605 E. Violet Avenue, Suite #3  City McAllen State Texas Zip 78504  E-mail dsantos@dsantoslaw.com
Developer	Name Taryn Santos, Violet Investments Phone 956-633-111  Address 605 E. Violet Avenue, Suite #3  City McAllen State Texas Zip 78504  Contact Person Daniel Santos  E-mail dtprops@hotmail.com
Engineer	Name Cruz-Hogan Consultants, Inc. Phone 956-682-5022  Address 605 E. Violet Avenue, Suite #1  City McAllen State Texas Zip 78504  Contact Person Ronnie Cruz, P.E., CFM  E-mail ronnie@cruzhogan.net
Surveyor	Name Robles & Associates PLLC Phone 956-968-2422  Address 107 W. Huisache Street  City Weslaco State Texas Zip 78596  MAR 0 3 2021

01.3 Jun 466

BEHO

į	Proposed Plat Submittal		
Submitted with Application	\$225 Preliminary Review Fee and \$75 Final Approval Fee  Title Report  8 ½" by 11" Original Sealed Survey showing existing structures/ easements or 3 blueline copies  2 Location Maps  2 8 ½" by 11" copies/legible copies of plat with name & north arrow  6 Folded blueline prints of the proposed plat  2 Warranty Deeds (Identifiying owner on application)  Autocad 2005 DWG file and PDF of plat  Letter of Authorization from the owner, if applicable  Proof of authority of person signing application on behalf of partnership/corporation, if applicable		
Minimum Developer's Requirements	PLAT TO SHOW:  ✓ Metes and bounds  ✓ Lots numbered with dimensions and area of irregular lots noted  ✓ Surrounding platted lots and/or lot lines for uplatted tracts  ✓ Name and address of owner, lienholder, developer, engineer and surveyor shown along with signature lines  ✓ North arrow, scale and vicinity map  ✓ Name & dimension of adjoining street ROWs (total width & width from centerline)  Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for		
Mi	drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission of blueline copies prints and 8 ½" by 11" copies/legible copy of the plat, affected by changes.		
Owner's Signature	I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.  Signature  Print Name  Owner   Authorized Agent   Authorized Agent		
0	10/19		





03/12/2021 Page 1 of 3 SUB2021-0025



Reviewed On: 3/12/2021

SUBDIVISION NAME: BEJ SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
N. McColl Road: 20 ft. dedication for 60 from centerline for 120 ROW Paving: by the state Curb & gutter: by the state  **Please provide copy of Document recorded in Volume 2667, Page 620 H.C.D.R. (corner clip) for staff to review prior to final.  ****City of McAllen Thoroughfare Plan	Non-compliance
East Violet Avenue: 20 ft. ROW dedication for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: Both sides  **Monies must be escrowed if improvements are not built prior to recording.  ***Clarify if 15 ft. SWSC easement running along East Violet Avenue will be abandoned prior to final as it appears to be encroaching into the required ROW dedication. If abandonment is required, it must be done by a separate instrument and not by this plat.  ******Clarify if 20 ft. x 20 ft. easement S.W. Bell easement on the southwest corner of property will be abandoned prior to final as it appears to be encroaching into the required ROW dedication. If abandonment is required, it must be done by a separate instrument and not by this plat.  *******City of McAllen Thoroughfare Plan	Non-compliance
Paving Curb & gutter	Applied
* 600 ft. Maximum Cul-de-Sac.  **Subdivision Ordinance: Section 134-105	NA
* 800 ft. Block Length.  **Subdivision Ordinance: Section 134-118	NA
ALLEYS	
ROW: 20 ft. Paving. 16 ft.  *Alley/service drive easement required for commercial properties  ** 24 ft. private service drive to provide city services required. It will be maintained by the property owners, and not the City of McAllen. It will be on the site plan and also on the plat as may be needed, prior to recording. Plat note will be required to be noted on the plat regarding the service drive, prior to recording.  **Subdivision Ordinance: Section 134-106	Required
SETBACKS	
* Front : North McColl Road: 60 ft. or greater for easements or approved site plan.  East Violet Avenue: 40 ft. or greater for easements or approved site plan.  **Please revise plat note #2 as shown above prior to final.  **Zoning Ordinance: Section 138-356	Applied
<ul> <li>* Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan.</li> <li>**Please revise plat note #2 as shown above prior to final.</li> <li>**Zoning Ordinance: Section 138-356</li> </ul>	Applied

03/12/2021 Page 2 of 3 SUB2021-0025

* Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan.  **Zoning Ordinance: Section 138-356	Applied
* Corner: See above  **Please revise plat note #2 as shown above prior to final.  **Zoning Ordinance: Section 138-356	Required
* Garage: **Zoning Ordinance: Section 138-356	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required along East Violet Avenue and 5 ft. wide minimum sidewalk required along North McColl Road as per Engineering Department.  ****Subdivision Ordinance: Section 134-120	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.  ****Landscaping Ordinance: Section 110-46	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.  ****Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along.  **City's Access Management Policy.	TBD
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.  **Plat note #13 is not required, please remove.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Required
* Common Areas, any private streets, service drives, etc. must be maintained by the lot owners and not the City of McAllen **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	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.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Subdivision Ordinance: Section 110-72	NA

03/12/2021 Page 3 of 3 SUB2021-0025

	I
LOT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: Section. 138-356	Compliance
* Lots fronting public streets. **Zoning Ordinance: 138-1	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3 **Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval **Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation approved; no TIA required.	Completed
* As per Traffic Department, Trip Generation approved; no TIA required.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy  **If any abandonments are needed, they will have to be recorded prior to final by a separate instrument.  ***Please Revise subdivision name on plat note #14.  ****Please remove Mayor's name on City of McAllen Mayor's signature block.	
RECOMMENDATION	
Recommendation: STAFF RECOMEMNDS APPROVAL OF THE SUBDIVISION PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, DRAIANAGE AND UTILITIY APPROVALS.	Applied

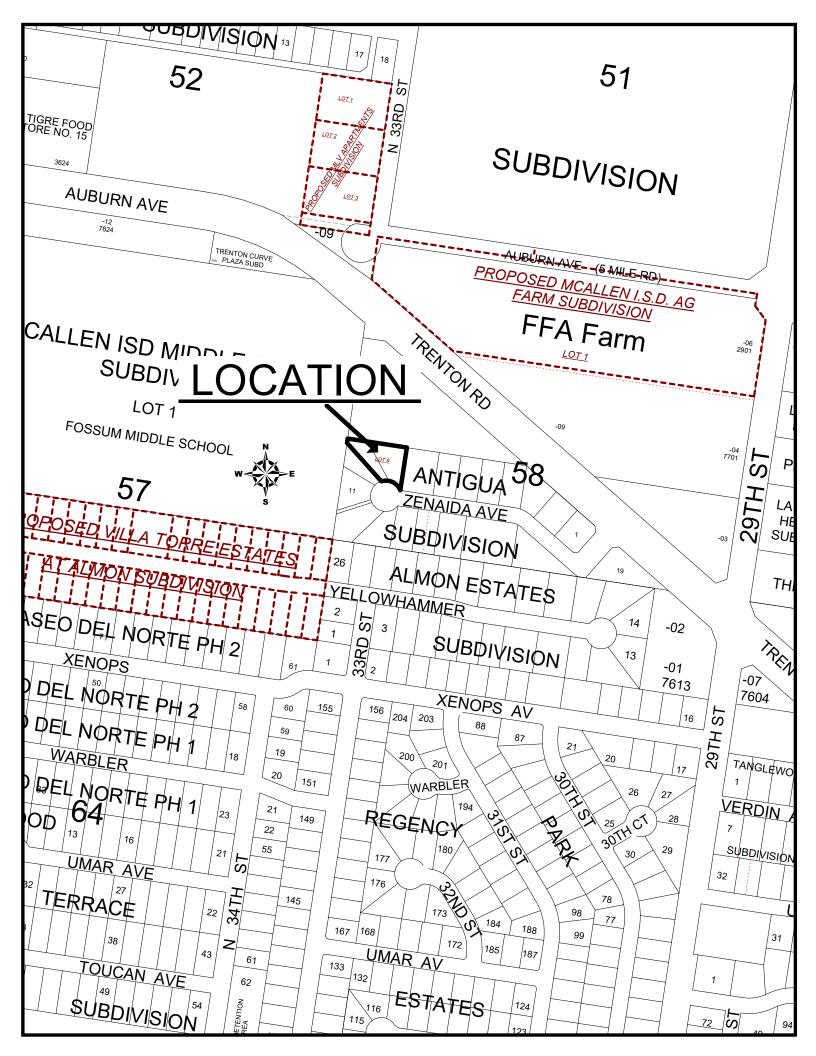


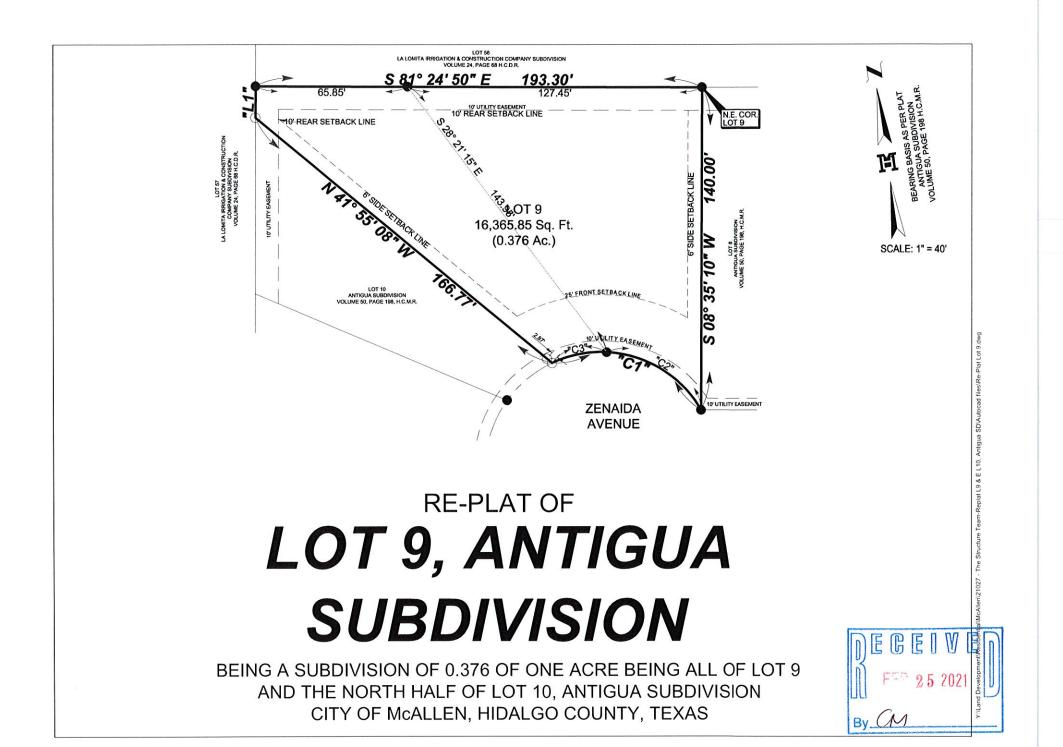
ПП

# 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)

THE RESERVE OF THE PARTY OF THE	
Project Description	Subdivision Name Antigua Subdivision  Location Trenton Road & Zenaida Avenue  City Address or Block Number
Owner	Name Structure Team, LLC Phone (956) 381-0981  Address 1916 Hidden Pond Drive  City Palmhurst State TX Zip 78573  E-mail C/O robert@meldenandhunt.com
Developer	Name         Owner         Phone           Address
Engineer	Name Melden & Hunt, Inc Phone (956) 381-0981  Address 115 W McIntyre Street  City Edinburg State TX Zip 78541  Contact PersonRobert Tamez  E-mail robert@meldenandhunt.com
Surveyor	Name Melden & Hunt, Inc Phone (956) 381-0981  Address 115 W McIntyre Street  City Edinburg State TX Zip 7854





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Reviewed On: 3/12/2021

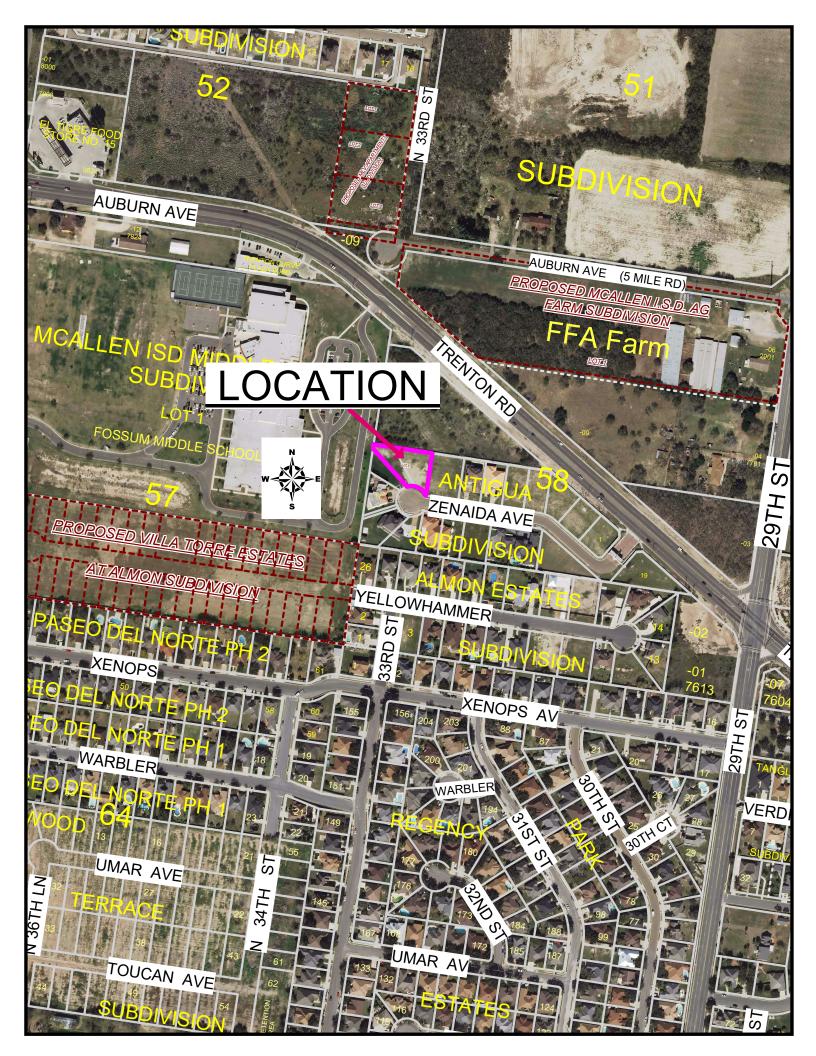
SUBDIVISION NAME: ANTIGUA SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Zenaida Avenue: 50 ft. ROW existing Paving: 32 ft. Curb & gutter: Both sides *****Subdivision Ordinance: Section 134-105	Applied
* 800 ft. Block Length.  **Subdivision Ordinance: Section 134-118	NA
* 600 ft. Maximum Cul-de-Sac.  **Subdivision Ordinance: Section 134-105	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Subdivision Ordinance: Section 134-106	NA
SETBACKS	
* Front: 25 ft. or greater for easements.  **Please revise plat note as shown above.  **Zoning Ordinance: Section 138-356	Non-compliance
* Rear: 10 ft. or greater for easements  **Please revise plat note as shown above.  **Zoning Ordinance: Section 138-356	Non-compliance
* Sides: 6 ft. or greater for easements.  **Please revise plat note as shown above.  **Zoning Ordinance: Section 138-356	Non-compliance
* Corner.  **Zoning Ordinance: Section 138-356	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies. **Zoning Ordinance: Section 138-356	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on both sides of Zenaida Avenue.  **Include plat note as shown above.  *****Subdivision Ordinance: Section 134-120	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied

03/12/2021 Page 2 of 3 SUB2021-0021

	1
BUFFERS	
6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses.  **Include plat note as shown above  **Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.  **Include plat note as shown above.  **Landscaping Ordinance: Section 110-46	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along.  **City's Access Management Policy	NA
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.  **Please remove plat note #7 since it is not required.	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	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.  **Landscaping Ordinance: Section 110-72  **Subdivision Ordinance: Section 134-168	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.  **Subdivision Ordinance: Section 110-72	Applied
LOT REQUIREMENTS	
* Minimum lot width and lot area. **Zoning Ordinance: Section. 138-356	Required
* Lots fronting public streets.  **Please verify "C2" and C3" since they appear to match to what is shown on Curve Table.  **Provide ownership map to verify that no lots are left undevelopable. The south portion of Lot 10 appears to be left with only 25 ft. of frontage.  **Zoning Ordinance: 138-1	Non-compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1 **Zoning Ordinance: Article V	Compliance
* Rezoning Needed Before Final Approval **Zoning Ordinance: Article V	NA
PARKS	
* Land dedication in lieu of fee.	NA

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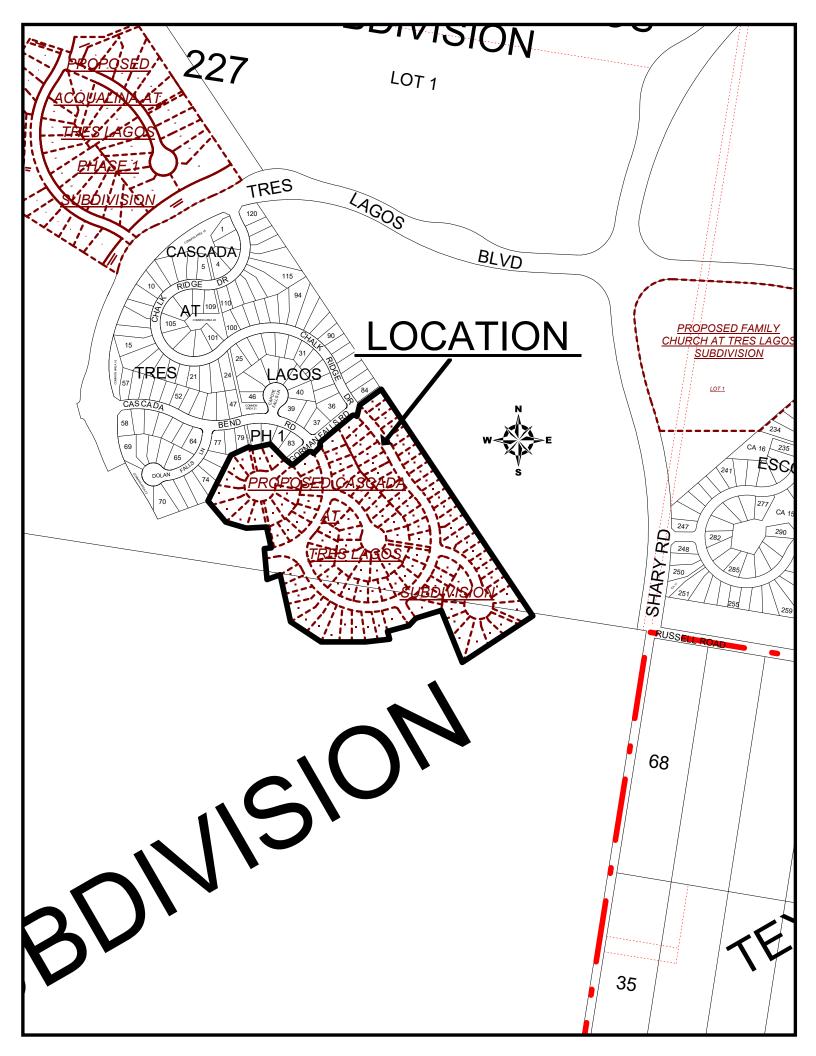
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording. As per Parks Department, \$700 (one lot/dwelling unit) are due prior to recording.	Required
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation waived for a single family house. No TIA required.	Compliance
* As per Traffic Department, Trip Generation waived for a single family house. No TIA required.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy  **Provide Ownership Map to verify that no properties are left undevelopable prior to final.  Discuss with staff and City Attorney.  ***Add reference "Private" under Zenaida Avenue and anywhere where is applicable.  ****Change Subdivision name to "Lot 9A, Antigua Subdivision". Discuss with staff.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS DISAPPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM.	Applied



## City of McAllen Planning Department **APPLICATION FOR**

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

	SUBDIVISION PLAT REVIEW
Project Description	Subdivision Name ASCADA AT TYS LAWS Photostation Advanced to CASCAC A D TYS LAWS Photostation Advanced to CASCAC A D TYS LAWS Photostation Applied For Laws Photostation Proposed R1 Rezoning Applied For Laws No Date Existing Land Use VALAM Proposed Land Use 18 CAMBArrigation District # 1. T.D. Residential Replat Yes No Commercial Replat Yes No ETJ Yes No Agricultural Tax Exempt Yes No Estimated Rollback tax due Parcel No. 130955 Tax Dept. Review Legal Description Approximately 14 27,970 across out of Sect. 227 220 Texas - Mexican RCS.
Owner	Name Rhods Development, Inc. Phone 9570) 287-2810  Address 200 S. 10th St., Ste. 1700  City McAllen State To Zip 78501  E-mail NiCKOM rhods. com
Developer	Name Rindos Development, TM. Phone (95%) 287-2800  Address 700 S. 10th St. Ste. 1700  City McAllen State Tx Zip 78501  Contact Person Nick Rhods - President  E-mail Nick Dimi Modes. com
Engineer	Name Melcen & Hunt, JMC. Phone (986) 381-0981  Address 115 W. MC Interest:  City Palmburg State Tx Zip 785A1  Contact Person Fred L. Kurth  E-mail Fruth & Melden and Nunt, Com
Surveyor	Name Meldene Hunt, Inc. Phone (986) 381-0981  Address 115 W. Mc Inture St.  City Edinburg State Tx zip 7854/1 FEB 26 2021



# CASCADA AT TRES LAGOS PHASE II SUBDIVISION

METES AND BOUNDS DESCRIPTION 27.970 ACRES OUT OF SECTIONS 227 & 230, TEXAS-MEXICAN RAILWAY COMPANY SURVEY VOLUME 4, PAGES 142-143, H.C.D.R., CITY OF McALLEN, HIDALGO COUNTY, TEXAS 03/10/2021 Page 1 of 3 SUB2021-0023



### City of McAllen

#### **SUBDIVISION PLAT REVIEW**

Reviewed On: 3/10/2021

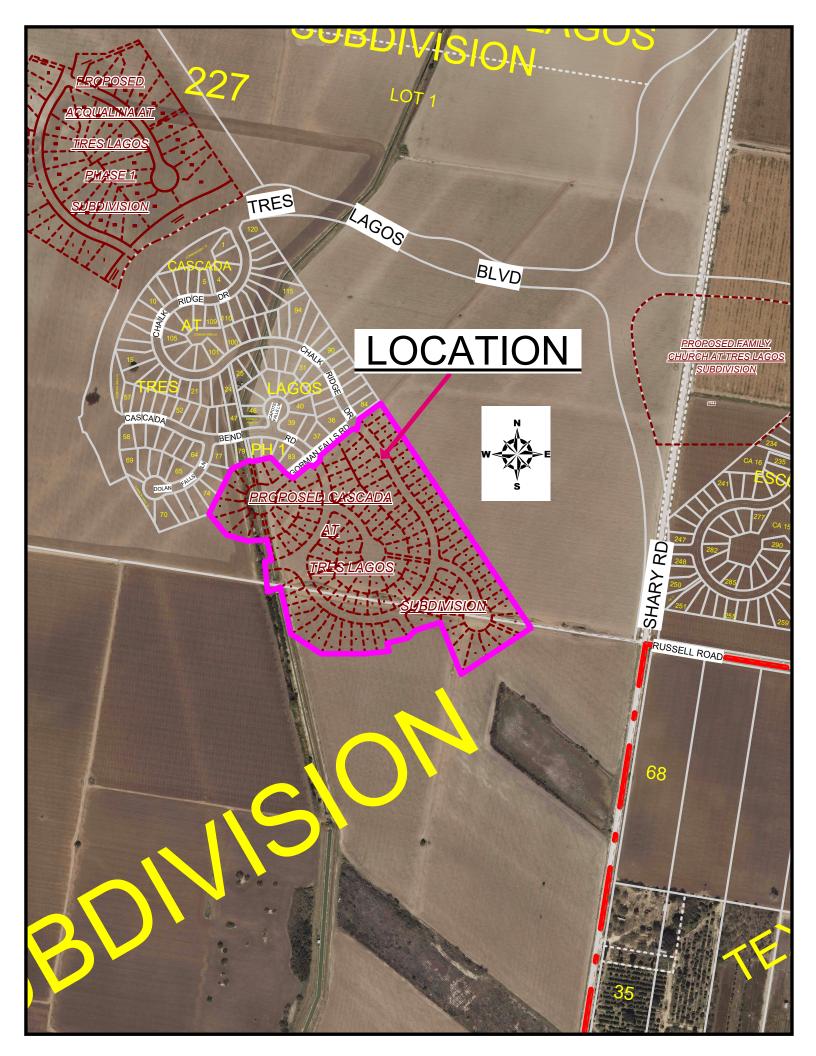
EQUIREMENTS	
FREETS AND RIGHT-OF-WAYS	
Interior streets (Chalk Ridge Dr. and Cascada Bend Road): 50 ft. ROW Paving: min. 32 ft. Curb & gutter: both sides  **Money must be escrowed if improvements are not built prior to recording  **Subdivision Ordinance: Sec. 134-105	Applied
Paving Curb & gutter	Applied
9 Mile Road: 100 ft. ROW Paving: 65 ft. Curb & gutter: both sides **Revise plat to show any existing ROW for 9 Mile Road and/or determine and required dedication, provide abandonment document number if applicable, etc. ***Subdivision ordinance: Sec. 134-105	Non-compliance
* 800 ft. Block Length: Common areas and access walks/drives provided per agreement. **Subdivision Ordinance: Section 134-118	Applied
* 600 ft. Maximum Cul-de-Sac: Cul-de-sac street length does not apply provided that the development uses the "coving method" and emergency access walks/drives are provided, per agreement.  **Subdivision Ordinance: Section 134-105	Applied
LLEYS	
ROW: 20 ft. Paving: 16 ft.  *Alley/service drive easement required for commercial properties  **Subdivision Ordinance: Section 134-105	NA
ETBACKS	
* Front: 20 ft. minimum or greater for easements  **Double fronting Lots 146-148 and 1393 & 1394 located along Mile 9 Rd.  **Zoning Ordinance: Section 138-356	Non-compliance
* Rear: 20 ft. (Lots 123-240)  **Revise note as needed since Lot ranges shown on plat do not correspond to the ranged referenced in the note  ***Zoning Ordinance: Section 138-356	Non-compliance
* Interior sides: 5 ft. or greater for easements  **Zoning ordinance: Section 138-356	Applied
* Side corner: 10 ft. or greater for easements except 20 ft. for Lots 58, 69 & 70 abutting Tres	Non-compliance
Lagos Blvd. or greater for easements.  **Revise note accordingly since Lot ranges on plat start at 123 and end in 240. Also, this subdivision does not abut Tres Lagos Blvd.  **Zoning Ordinance: Section 138-356	
**Revise note accordingly since Lot ranges on plat start at 123 and end in 240. Also, this subdivision does not abut Tres Lagos Blvd.	Applied

03/10/2021 Page 2 of 3 SUB2021-0023

	0022021 0020
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on 9 Mile Road.  **Revise Note #18 as noted above  ***Subdivision Ordinance: Section 134-120  ***City Ordinance will not apply provided a sidewalk having at least an adequate width for pedestrian and bike traffic is provided in a plan that is sealed by the registered engineer designing the unit of development, per agreement filed with City.	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and 9 Mile Road.  **Revise note as shown above  ***Landscaping Ordinance: Section 110-46	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses **Landscaping Ordinance: Section 110-46	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along 9 Mile Road.  **Revise note as noted above	Non-compliance
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common areas, private service drives, etc. must be maintained by the lot owners and not the City of McAllen **Landscaping Ordinance: Section 110-72 **Subdivision Ordinance: Section 134-168	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.	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Required
LOT REQUIREMENTS	
* Lots fronting public streets **Zoning Ordinance: Section 138-1	Applied
* Minimum lot width and lot area Lots must comply with the minimum 50 ft. and 54 ft. frontage on corner lots requirements, or in compliance per agreement.  **Provide copy of addendum/agreement regarding lot frontage  ***Zoning Ordinance: Section 138-356  ****All Lots need to be labeled accordingly prior to final approval; Lots 160-171, 227-240, 199-216, 124-159, etc. are missing dimensions, revise as needed to properly review and note comments	Non-compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1 **Zoning Ordinance: Section 138-176	Applied
* Rezoning Needed Before Final Approval **Zoning Ordinance: Section 138-176	NA
PARKS	
* Land dedication in lieu of fee: Must be in compliance with agreement	Complete

03/10/2021 Page 3 of 3 SUB2021-0023

* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation approved per Traffic Department.	Completed
* Trips from Traffic Impact Analysis (TIA) submitted in 2016 have been honored, per Traffic Department.	Completed
COMMENTS	
Comments:  **Must comply with City's Access Management Policy  ***Submit Master Plan for review  ****Revise Note #16, the * shown is not aligned  *****All Lots need to be labeled accordingly prior to final approval; Lots 160-171, 227-240, 199-216, 124-159, etc. are missing dimensions, revise as needed to provide comments  ******Need to bold subdivision boundaries	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION, SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APPROVALS.	Applied



# Planning Department

#### Memo

TO: Planning & Zoning Commission

FROM Edgar I. Garcia, AICP, CNU-A

**DATE:** March 11, 2021

SUBJECT: City Commission Actions on March 8, 2021

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

1. Request of Samuel Avila, for a Conditional Use Permit, for one year, for a bar: Lot 1, Nolana West Subdivision; 2200 Nolana Ave, Suites 2212 & 2214

- Planning and Zoning Commission disapproved with a favorable recommendation
- City Commission approved as recommended
- 2. Request of Merary S. Enriquez, for a Conditional Use Permit, for life of the use, for a guesthouse: .50 acres out of the north ½ of the south 9.39 acres of the north 19.39 acres of Lot 377, John H. Shary Subdivision; 5020 Selinda Drive
  - Planning and Zoning Commission recommended approval for life of the use
  - City Commission approved for life of the use as recommended
- 3. Request of Eugenio J. Garcia, on behalf of Melany Castillo, for a Conditional Use Permit, for life of the use, for a guest house: Lot 1 & south ½ of Lot 2, Trenton Village Subdivision; 7200 N 4<sup>th</sup> St.
  - Planning and Zoning Commission recommended approval for life of the use
  - City Commission approved for life of the use as recommended

#### **ORDINANCES:**

- 4. Amendment to Foresight McAllen Comprehensive Plan: Figure 4.2 Thoroughfare Plan; removing Yuma Avenue from Thoroughfare Plan from S 2<sup>nd</sup> St to S McColl
  - Planning and Zoning Commission recommended approval
  - City Commission approved as recommended

2021 ATTENDA	ANC	ER	EC	OR	D F	OR	PL	ANI	NIN	G A	ND	ZO	NIN	G C	ON	1MI	SSI	ON	ME	ETI	NG	S	
	01/05/21	01/19/21	02/02/21	02/16/21	03/02/21	03/16/21	04/06/21	04/20/21	05/04/21	05/18/21	06/01/21	06/16/21	07/06/21	07/20/21	08/03/21	08/17/21	09/07/21	09/21/21	10/02/21	10/19/21	11/02/21	11/16/21	12/02/21
Pepe Cabeza de Vaca	Р	Р	Р	Р	Р																		
Daniel Santos	Α	Α	Р	Р	Р																		
Mike Hovar	Р	Р	Р	Р	Р																		
Rogelio Cervantes	Р	Α	Α	Α	Α																		
Gabriel Kamel	Р	Р	Р	Р	Р																		
Michael Fallek	Р	Р	Р	Р	Р																		
Jose B. Saldana	Р	Α	Α	Р	Α																		
2021 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS																							
Pepe Cabeza de Vaca																							
Daniel Santos																							
Mike Hovar																							1
Rogelio Cervantes																							
Gabriel Kamel																							
Michael Fallek																							
Jose B. Saldana																							



### **PLANNING DEPARTMENT**



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

### **2021 CALENDAR**

	City Commis		Meetings:	nina & 70	ning Boar	D- Zoning/CUP Application N - Public Notification										
_	ublic Utility I			-	f Adjustmer	D- Zoning/Cor Application IN - Public Notification										
	storic Preservati		20111				* Holiday - Office is closed									
		JAN	UARY 2	021			FEBRUARY 2021									
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat			
					HOLIDAY	2		1 A- 2/16 & 2/17	2	3 N- 2/16 & 2/17 D- 3/2 & 3/3	4	5	6			
3	4 A-1/19 & 1/20	5	6 N-1/19 & 1/20 D-2/2 & 2/3	7	8	9	7	8	9	10	11	12	13			
10	11	12	13	14	15	16	14	15 A-3/2 & 3/3	16	17 N-3/2 & 3/3 D-3/16 & 3/17	18	19	20			
17	18 A-2/2 & 2/3	19	HPC N-2/2 & 2/3 D-2/16 & 2/17	21	22	23	21	22	23	HPC	25	26	27			
24 31	25	26	27	28	29	30	28									
		MA	<b>RCH 2</b> (	<b>)21</b>					AP	RIL 20	21					
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat			
	1 A-3/16 & 3/17	2	3 N-3/16 & 3/17 D-4/6 & 4/7	4	5	6					1	HOLIDAY	3			
7	8	9	10	11	12	13	4	5 A-4/20 & 4/21	6	7 N-4/20 & 4/21 D-5/4 & 5/5	8	9	10			
14	15	16	17 D-4/20 & 4/21	18	19	20	11	12	13	14	15	16	17			
21	22 A-4/6 & 4/7	23	24 <b>HPC</b> N-4/6 & 4/7	25	26	27	18	19 A- 5/5 & 5/6	20	21 <b>HPC</b> N- 5/4 & 5/5 D-5/18 & 5/19	22	23	24			
28	29	30	31				25	26	27	28	29	30				
			<b>IAY 202</b>				JUNE 2021									
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat			
						1			1	2 N-6/16 & 6/17 D-7/1 & 7/7	3	4	5			
2	3 A- 5/18 & 5/19	4	5 N-5/18 & 5/19	6	7	8	6	7	8	9	10	11	12			
9	10	11	12	13	14	15	13	14	15	16 D-7/15 & 7/21	17	18	19			
16	17 A-6/1& 6/2	18	19 N-6/1 & 6/2 D-6/16 & 6/17	20	21	22	20	21 A-7/1 & 7/7	22	23 <b>HPC</b> N-7/1 & 7/7	24	25	26			
23	24 HOLIDAY 31	25	26 HPC	27	28 A-6/16 & 6/17	29	27	28	29	30						
	es and Meetin		subject to cha	nge at any tii		ontact the	e Plannin	g Department	at (956) 681	-1250 if you h	ave any que	stions.				



### **PLANNING DEPARTMENT**



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

# 2021 CALENDAR

	ity Commis		Meetings:	Dlanning	& Zoning I	Deadlines: D- Zoning/CUP Application N - Public Notification									
	iblic Utility E			•	oard of Adju		D- Zoring/Oor Application IV - Fubilic Notification								
	Historic Pre				,		* Holiday - Office is closed								
		J					AUGUST 2021								
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat		
				1	A-7/20 & 7/21	3	1	2 A- 8/18 & 819	3	4 N- 8/18 & 8/19 D-9/1 & 9/2	5	6	7		
4	5 HOLIDAY	6	7 N-7/20 & 7/21 D-8/4 & 8/5	8	9	10	8	9	10	11	12	13	14		
11	12	13	14	15	16	17	15	16	17	18 N-ZBA 9/1	19	20	21		
18	19	20	21 <b>HPC</b> N-8/4 & 8/5	22	23	24	22	A-ZBA 9/1 23	24	HPC	26	27	28		
25	A-8/4 & 8/5 26	27	D-8/18 & 8/19 28	29	30	31	29	A-PZ 9/7 30	31	N-PZ 9/7					
		SEPT	N-8/18 & 8/19	9091				A-ZBA 9/15		OBER 2	2021				
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat		
10 1111			1	2	3	4	15 1222					1	2		
<u> </u>	0	-	N-ZBA 9/15 D-10/5 & 10/6		A-PZ 9/21	11	3		-	0	7	8	9		
5	HOLIDAY	7	8 N-PZ 9/21	9	10	11	3	A-10/19& 10/20	5	N-10/19& 10/20 D-11/2 & 11/3	7	8	9		
12	13	14	D-10/19 & 10/20	16	17	18	10	11	12	13	14	15	16		
19	20 A-10/5 & 10/6	21	22 <b>HPU</b> N-10/5 & 10/6	23	24	25	17	18 A- 11/2 & 11/3	19	20 N- 11/2 & 11/3 D-11/16 & 11/1	21 7	22	23		
26	27	28	29	30			24	25	26		28	29	30		
		NOVI	MBER	2021	L		DECEMBER 2021								
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat		
	1 A-11/16 & 11/1	2 7	3 N-11/16 & 11/1 D-12/1 & 12/7	4 <b>7</b>	5	6				<b>HPC</b> N-ZBA 12/15 D-1/4 & 1/5	2	3	4		
	_	9	10	11	12	13	5	6 A-PZ 12/21	7	8 N- PZ 12/21	9	10	11		
	15	16	17 N-ZBA 12/1	18	19	20	12	13	14	15	16	17	18		
21		23	D-PZ-12/21 24	25 HOLIDAY	26	27	19	20		D-1/18 & 1/19 22	23 HOLIDAY		25		
	A-PZ 12/7 29	30	N-PZ 12/7	-			26	A- 1/4 & 1/5 27	28	N- 1/4 & 1/5 29	30	31 HOLIDAY			
Deadline	A-ZBA 12/15	n Datos ara	subject to cha	nge of any fir	me Places	ontact the	Dlannin	n Department	at (056) 694	1250 if you b					
Deadiine	s and Meeting	y Dates are	subject to cha	ige at any til	ne. Flease C	บาเลยเ เกิ	rialiliin(	Department	at (900) 001	- 1200 II you na	ave any ques	suUIIS.			