

AGENDA

**PLANNING & ZONING COMMISSION REGULAR MEETING
TUESDAY, MAY 19, 2020 - 3:30 PM
MCALLEN CITY HALL, 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR**

- via teleconference due to COVID-19:

Web: <https://zoom.us/join> or phone: [\(346\) 248-7799](tel:3462487799)

Meeting ID: [508-755-3077](https://zoom.us/join?pwd=878576) Meeting Password: [878576](https://zoom.us/join?pwd=878576)

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 May 05, 2020

2) PUBLIC HEARING:

a) CONDITIONAL USE PERMITS:

1. Request of Dagoberto Quintanilla for a Conditional Use Permit, for one year, for a nightclub at the 0.66 acres out of Lot 16, Block 3, C.E Hammond Subdivision, Hidalgo County, Texas, 2203 South 23rd Street. **(CUP2020-0036)**
2. Request of Melissa Burton for a Conditional Use Permit, for life of the use, for a dog kennel at a 1.00-acre tract of land out of the South 19.39 acres of Lot 387, John H. Shary Subdivision, Hidalgo County, Texas, 6820 North Taylor Road. **(CUP2020-0008) (Tabled 04/07/2020) (Tabled 04/21/2020) (Tabled 05/05/2020)**

3) SUBDIVISIONS:

- a) Gepetto Meadows Subdivision; 16701 North Eubanks Road- Christopher Ross **(Final)** **(SUB2020-0030)** MAS
- b) Only Love Subdivision; 5500 North 29th Street - Cynthia Ann Salazar **(Revised Preliminary)** **(SUB2020-0032)** MGE
- c) Shary Manor Subdivision; 7000 North Shary Road - Shary 80 Phase I, LLC **(Preliminary)** **(SUB2020-0025)** JHE
- d) Avanti Legacy Subdivision; 220 South 1st Street - Frank A. Smith Sales, Inc. **(Preliminary)** **(SUB2020-0028)** CE

- e) Los Vecinos Subdivision; 2801 South Bentsen Road - Tres Vecinos, LLC (Revised Preliminary) **(SUB2019-0088) (Tabled: 04/07/2020) (Remained tabled: 04/21/2020)(Remained tabled: 05/05/2020)** HA

4) INFORMATION ONLY:

- a) City Commission Actions: May 11, 2020

ADJOURNMENT:

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

**NOTICE OF REGULAR MEETING TO BE HELD BY
THE MCALLEN PLANNING & ZONING COMMISSION**

DATE: Tuesday, May 19, 2020

TIME: 3:30 PM

PLACE: McAllen City Hall
1300 Houston Avenue
Commissioners' Room – 3rd Floor
McAllen, Texas 78501

SUBJECT MATTERS: SEE FOREGOING AGENDA

C E R T I F I C A T I O N

I, the undersigned authority, do hereby certify that the above agenda for the Meeting of the McAllen Planning & Zoning Commission is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the municipal building, a place convenient and readily accessible to the general public at all times, and said notice was posted on the 15th day of May, 2020 at 3:00 p.m. and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dated this the 15th day of May, 2020.

Jessica Cavazos, Administrative Supervisor

TATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Tuesday, May 5, 2020 at 3:30 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
	Rogelio Cervantes	Member
	Gabriel Kamel	Member
	Michael Fallek	Member
Absent:	Jose Saldana	Member
Staff Present:	Evaristo Garcia	Assistant City Attorney
	Michelle Rivera	Assistant City Manager
	Edgar Garcia	Director
	Kimberly Guajardo	Senior Planner
	Berenice Gonzalez	Planner III
	Jose De La Garza Jr.	Planner III
	Liliana Garza	Planner II
	Carlos Garza	Planner I
	Hebert Camacho	Planner I
	Jose Ortega	Planning Technician III
	Claudia Mariscal	Administrative Secretary

CALL TO ORDER- Pepe Cabeza de Vaca, Chairperson

PLEDGE OF ALLEGIANCE

INVOCATION- Mr. Rogelio Cervantes

1) MINUTES:

- a) Minutes for Regular Meeting held on April 21, 2020.

The minutes for the regular meeting held on April 21, 2020 were approved as submitted. The motion to approve was made by Mr. Michael Fallek. Mr. Rogelio Cervantes seconded the motion, which carried unanimously with five members present and voting.

Prior to approving the minutes, Mr. Michael Fallek suggested that staff indicate the meetings are being heard via teleconference.

2) PUBLIC HEARING:

- a) REZONING:

1. WITHDRAWN Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartment) District: 0.862 acre tract of land out of Lot 151, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 609 South Bentsen Road **(REZ2020-0001)** (Tabled 03/03/2020) (Tabled 04/07/2020)

No Action. Item withdrawn.

b) CONDITIONAL USE PERMITS

1. Request of LT. Adolph Aguirre on behalf of Salvation Army of Mcallen for a Conditional Use Permit, for Life Of Use, for an Institutional Use at Lot E, F, G, and H, Stroud-Hunter Subdivision, Hidalgo County, Texas; 2220Pecan Boulevard. **(CUP2020-0034)**

Mr. Garza stated that the property is located on the north side of Pecan Boulevard, approximately 530 ft. east of North 23rd Street and comprises a part of the Salvation Army property, and is zoned C-3 (general business) District. The adjacent zoning is C-3 District the west and south, C-2 (neighborhood commercial) District to the south east, and R-3A (multifamily residential apartments) District to the north and east. Surrounding uses include Discount Loans, Morados, Yerberia Colombia, Tax Now, Imprenta (printing shop, Pecan Village apartments and single-family residences. An institutional use is permitted in the C-3 zone with a conditional use permit and in compliance with requirements.

The initial Conditional Use Permit for life of the use was approved by City Commission on September 11, 1995.

The applicant is proposing to amend an existing Conditional Use Permit for institutional use. The applicant is proposing to add two portable storage measuring 40 ft. by 8 ft. The metal containers will be used to store bales of clothing for the Salvation Army to distribute.

The existing building is 35,195 sq. ft. in size. There is an addition of 1,325 sq. ft. on the east side of the building (rear). The center includes a thrift store and warehouse space, dining/ fellowship hall kitchen, chapel, classrooms, administrative offices, activity rooms, dormitory sleeping rooms, family rooms and restrooms. A fenced playground (76 ft. by 50 ft.) , and basketball area (60 ft. by 80 ft.) are planned in the parking lot on the north side of the lot, which will reduce the existing parking from the 178 shown to 148. Landscaped areas will remain as existing and must be maintained. There is a 4 ft. sidewalk along North 23rd Street and along Pecan Boulevard. A cedar fence is proposed along the north property line beginning at the proposed playground area. The center will use two existing 28 ft. driveways located on North 23rd Street and two driveways on Pecan Boulevard, the easternmost curb cut being 45 ft. and a second one of 25 ft. located 185 ft. to the west.

The Fire Department inspection is pending. 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. This property is located at the intersection of North 23rd Street and Pecan Boulevard, both principal arterials.
- 2) The proposed use shall comply with the off- street parking and loading ordinance, and make provisions to prevent the use of street parking especially in residential areas. Approximately 194 parking spaces are shown.
- 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. A cedar fence and landscaped strip are on the north side of the property; however, as there is a firewall and sidewalk along the north property line, a buffer fence may be unnecessary.

4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of 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 that set by the Fire Marshal ' s office.

7) Sides adjacent to a residentially zoned or used property shall be screened by a 6 ft. opaque fence. A cedar fence is proposed on the portion of the property adjacent to the R-3A zone. (See note # 3 above)

Staff recommends approval of the request, for life of the use, subject to compliance with applicable Section 138-118 of Zoning Ordinance, Building Permit, and Fire Department requirements.

Mr. Garza clarified that on the agenda it stated that staff recommended approval for one-year permit but it was a misprint and it should read that staff recommended approval for life of use. Mr. Michael Fallek asked if we were giving a life of use permit so that the Salvation Army could have the temporary trailers on site forever? Mr. Garza explained that they wanted to amend their conditional use permit so that the applicant could have two portable storage container, their storage containers are 40x8 as shown. Mr. was Garza was asked if the storage container was going to be temporary and Mr. Garza explained that it was going to be temporary. Mr. Fallek felt that a short term permit would be more practical rather than a life of use if the containers were only temporary. Director Edgar Garza explained that when there is an increase square footage of the site plan that was approved for a C.U.P. the applicant has to revise the C.U.P. and since the initial C.U.P. was life of use that is the rational for requesting a life of use. Chairperson Pepe Cabeza de Vaca clarified if the applicant already had a permit and it was confirmed that they do. Chairperson Cabeza de Vaca also asked if this amendment was just for three to five years and Mr. Garza confirmed that it was. Chairperson Cabeza de Vaca asked if there was anyone there in opposition and there was none. He then asked Mr. Garza if there were any phone calls or emails in opposition, there was none. Chairperson Cabeza de Vaca asked if there was anyone there to speak on behalf of the Salvation Army and Maggie with Salvation Army was on the phone. Mr. Fallek asked Maggie why they had applied for a Life of Use permit when they storage containers were going to be temporary. She explained that it would save them money to apply for a longer term permit to not have to be applying every year until they build the new building. Mr. Fallek asked what time frame were they looking at to be able to complete a building project. Ms. Maggie said it was estimated three to five years.

After a brief discussion, Mr. Michael Fallek moved to approve a three-year conditional use permit based on the application and conversation with the Salvation Army. Mr. Daniel Santos seconded the motion, which was approved with five members present and voting.

2. Request of Robert Wilson, for a Conditional Use Permit, for one year, for a

Bar, at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite G. **(CUP2020-0030)**

Ms. Liliana Garza stated that the property is located along the north side of Nolana Avenue between North 4th and North 6th Streets, and is zoned C-3 (general business) District. The adjacent zoning is C-1 (office building) District to the north, C-3 District to the east, south and west. There is also R-1 (single family residential) District to the east and A-O (agricultural and open space) District to the west. Surrounding land uses include commercial businesses, offices, restaurants, single and multifamily residences, vacant land, and a water tower. A bar is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit was approved for this establishment by the Planning and Zoning Commission on November 2, 1999 and had been renewed annually until September 2011. A renewal was not done for the year 2012. Code Enforcement issued a notice of violation at the time. The last permit renewal was approved for one year on March 25, 2019 by the City Commission with a variance to the distance requirement.

The applicant is proposing to continue to operate a bar/pool hall (Fast Eddie's) from the existing 14,891 sq. ft. lease space within the shopping center. The hours of operation will continue to be from 11:00 a.m. to 2:00 a.m. Monday thru Saturday and from 12:00 p.m. to 2:00 a.m. on Sundays.

The Health Department and Fire Department has inspected the establishment and found it to be in compliance. Attached is the police report from April 24, 2019 until present. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- a) The property line of the lot of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of residential zones and uses, and a water tower;
- b) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The property has direct access to Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required by other Conditional Use Permits issued in this commercial plaza;
- c) The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Currently there is a multi-tenant commercial building on the property. The shopping center consists of various uses including office, retail, vacant suites, restaurants, a children's event center, and bars. The proposed bar/pool hall requires 149 parking spaces; 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site;
- d) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including,

when necessary, the installation of fences and hedges, and the reorientation of entrances;

e) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;

f) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;

g) The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building Inspection Department as part of the building permit review process.

Staff recommends disapproval of the request based on noncompliance with requirement #1 (distance) of Section 138-118(4) of the Zoning Ordinance.

Chairperson Cabeza de Vaca wanted to clarify which address to go by because on the agenda it states the address as 400 Nolana Avenue Suite G and in the presentation the suite is H-1, Ms. Garza confirmed that it was Suite G. Chairperson Pepe Cabeza de Vaca asked if there was anyone there in opposition and there was no one. Then he asked if staff received emails or phone calls in opposition and Director Edgar Garcia received an email which he forwarded to Chairperson Pepe Cabeza de Vaca and read the email to the board members.

May 5, 2020

My name is Mel Johnstone. I own three buildings in the 200-300 block of Nolana, adjacent to the proposed night club. I am also the secretary of the Northside Nolana Property Owners' Association which includes the 24 buildings to the east. We have a very large parking lot.

For myself, I don't really have an objection to a night club providing that its presence does not affect us negatively, and that the night club owner will indemnify us from liability.

My questions are these: Will there be ample parking? Will there be parking lot security? Will that security protect us from the club's patrons?

As Secretary of the association, my experience in the past with a night club's presence included the following:

Overflow parkers attending the club parked in our lot.

Loiterers parked cars in our lot and left broken beer bottles and trash behind.

I learned that donuts are not necessarily food but also giant circles from tires burning rubber at high rates of speed in our lot.

We had to hire off-duty police officers to maintain decorum.

We had to install tow-away signs and hire a towing company to monitor the lot and tow vehicles. I don't remember how many times people called me at 2 -3 a.m. protesting the towing of their vehicles.

We had decals made that we (the owners) had to put on our cars so that they would not be towed if left after 10:00 p.m.

There was excessive activity not only in the parking lot but also in the alley behind our buildings of people going to the club. A fire was even set to a portable building at 310 Nolana - luckily it was

put out before it spread.

I'm pretty sure that many of the homeowners close to 4 street th objected to all the traffic but don't remember for sure. But I do know that the city put up signs along 4 street prohibiting parking th at that time.

Please reassure me and the rest of us that we will not have a recurrence of the nightmare we had before. It would be helpful if their security guard would monitor our parking lot and that the owners of the club respect the rights of their neighbors.

We WILL complain to the city if the night club it is a nuisance.

Respectfully submitted,

Mel Johnstone

After Mr. Garcia read the email he did stated that there was a caller on the line. Mr. Mark Montalvo on behalf of the applicant was on the line. Mr. Michael Fallek wanted to clarify that the item was a renewal for a pool hall and staff confirmed it. Mr. Montalvo explained that the pool hall has been located there for over 20 years and that they're location is not a club it is a pool hall and they do serve beer. Mr. Montalvo explained that over the years there have been night clubs opening up in that plaza and have increased traffic and some police activity. Mr. Montalvo stated that they have had minimal interaction with the police and have always had their own security. He included that they have had relative peace for the past years but as the new nightclubs have open there has been more issues. Mr. Montalvo also stated that he felt it was not the pool hall the letter was about and if it was then they would take action, he said he did understand because he has seen it as well. Chairperson Pepe Cabeza de Vaca asked if there was any others that wanted to speak, there was none.

After the discussion, Mr. Daniel Santos moved to disapprove with a favorable recommendation. Mr. Gabriel Kamel seconded the motion, which was approved by five members present and voting.

3. Request of Alberto Martinez Chontal, for a Conditional Use Permit, for One Year, for an Institutional Use (Church) at the North 120ft. of Lot 16, Alaniz Subdivision, Hidalgo County, Texas; 316 North 29th Street, Suite 60.
(CUP2020-0033)

Mr. Camacho stated that the property is located on the east side of North 29th Street, approximately 750 ft. north of U.S. Business Highway 83. The subject property is zoned I-1 (light industrial) District. The adjacent zoning is I-1 to the north, south and west and R-3A (multifamily residential apartments) District to the east. Surrounding land uses include apartments, warehouse, a commercial plaza (with a variety of restaurants, an insurance office and beauty salon), vacant land and Church Bethesda. An institutional use is permitted in the I-1 zone with a conditional use permit and in compliance with requirements.

There is an existing suite with approximately 499 sq. ft., which previously served as a retail store where the applicant is proposing to operate a church. The church is proposing seating of 32 in the main auditorium. The suite consists of an open area, and one restroom. The applicant proposes to operate a church (Porque la pequeña Belén?) on Tuesdays and Thursdays from 7:00pm to 9:15pm and on Sundays at 1:00pm to 3:00pm. The Building Permits & Inspections Department is requiring a change of use permit prior to occupancy.

Based on a seating capacity of 32 in the main auditorium, eight parking spaces are required; 23

parking spaces are provided as part of the common parking area for the retail plaza. One of the provided parking spaces must be van accessible with an 8ft. wide aisle. One van accessible parking is provided.

A follow up site inspection revealed that the parking does not comply with Section 138-400 (b) of the Zoning Ordinance, which states "pavement surface shall be maintained free of litter, debris, loose gravel, cracks, and potholes". Loose gravel is still on parking lot. If approved, a follow up inspection will be needed to ensure compliance with the parking requirement.

The Fire Department has conducted the necessary inspections for this property and two violations were found; a follow up inspection is needed. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts North 29th Street.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 32 seats, eight parking spaces are required; 32 parking spaces are provided on site. One of the provided parking spaces is required to be van accessible with an 8 ft. wide aisle. The parking must be clear of potholes and properly striped per city requirements.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the 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 an 6 ft. opaque fence.

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.

Chairperson Cabeza de Vaca asked if the customer applied for a life of use and if staff was recommending one year, but Mr. Camacho clarified that the customer applied for a one year and staff recommended one year.

After a brief discussion, Mr. Michael Hovar moved to approve subject to conditions noted. Mr.

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

After voting Chairperson Cabeza de Vaca asked if there was anyone in opposition but there was no one. He then stated that the motion carried.

4. Request of Melissa Burton, for a Conditional Use Permit, for Life Of Use, for a Dog Kennel at a 1.00 Acre tract of land out of the South 19.39 Acres of Lot 387, John H. Shary Subdivision, Hidalgo County, Texas; 6820 North Taylor Road. **(CUP2020-0028)**

Item remained tabled. No action required.

3) ABONDONMENT:

- a) Request to abandon a 20 ft. alley located at the rear of Lot 1, Sylvia's Business Center Subdivision, Hidalgo County, Texas; 3608 North McColl Road **(ABD2019-0001)**

Mr. De La Garza stated that this is a request of Ruben Hernandez, to abandon a 20 foot alley located at east side of Lot 1 out of Sylvia's Business Center Subdivision. The property is located on the east side of North McColl Road approximately 70 ft. north of East Jonquil Avenue, and is zoned C-3 (general business) District. The adjacent zoning is C-4 (commercial industrial) District to the north and C-3 District to south, east and west. Surrounding land uses include vacant land, warehouses, offices, and a car lot.

The basis for the request is that the alley is being used as a driveway for the existing buildings and the alley does not extend north. The alley is not utilized to provide city services.

The Right-of-Way Department has notified the various departments and utility companies regarding the request. The Right-of-Way Department is recommending approval of the abandonment request subject to the abandonment not taking effect and ordinance will not be recorded until the following conditions are met: 1) The applicant shall absorb all costs for installation of a new water tap outside of easement and the abandonment of the existing utility line 2) The applicant shall be responsible for the connection of their service to the water meter places at new location 3) applicant acknowledges that upon installation of new service line at location, they will be without water service until such time as they connect their service to the meter 4) No storm improvements within the easement.

Staff recommends approval of the request subject to the abandonment not taking effect and ordinance will not be recorded until the following conditions are met: 1) The applicant shall absorb all costs for installation of a new water tap outside of easement and the abandonment of the existing utility line 2) The applicant shall be responsible for the connection of their service to the water meter places at new location 3) applicant acknowledges that upon installation of new service line at location, they will be without water service until such time as they connect their service to the meter 4) No storm improvements within the easement.

Chairperson Pepe Cabeza de Vaca asked staff if the applicant was aware of the conditions, Mr. De La Garza explained that they have not spoken to the applicant, but after the meeting he was

going to explain it.

Mr. Michael Hovar asked about the last condition that states no storm improvements, he asked if staff was referring to storm water drainage improvements? He stated he did not understand what the condition mean, he also asked if it meant that they did not connect to any storm water system of the city or they may not put a dry well on the property? Mr. De La Garza stated that that condition was from another department. Mr. Hovar suggested that the condition be explained to the customer so that they better understand. Mr. De La Garza informed them that once the abandonment is approved the customer will speak to all departments to get a detailed clarification of the conditions mean. Chairperson Pepe Cabeza de Vaca asked that staff speaks to the applicant before and explain the conditions to them.

After a brief discussion, Mr. Michael Fallek moved to approve base on staff recommendation with conditions noted. Mr. Gabriel Kamel seconded the motion, which was approved with five members present and voting.

4) CONSENT:

**a) 2621 South 23rd Street Subdivision; 2901 South 23rd Street – Joel De Leon
(Revised Final) (SUB2019-0096) SEA**

S. 23rd Street: 25 ft. dedication for 75 ft. from centerline for 150 ft. ROW Paving: by the state curb & gutter to be done by the state. The plat submitted February 20, 2020 provided the required 25 ft. dedication for S. 23rd Street. Engineer also submitted a letter on February 27, 2020 indicating he does not want to pursue the license agreement recommended by the P&Z Board on December 3, 2019. ROW of 20 ft. with 16 ft. of paving for an alley/service drive easement required for commercial properties. Clarify existing easement on the south, prior to final. Plat submitted on February 20, 2020 shows adjacent tracts south and east owned by the City. Front setbacks were 50 ft. or greater for approved site plan or easements. Rear setbacks were in accordance with the Zoning Ordinance, or greater for easements or approved site plan. Interior side setbacks were in accordance with the Zoning Ordinance or greater for easements or approved site plan. All setbacks were subject to increase for easements or approved site plan. A 5 ft. wide minimum sidewalk was required on S. 23rd Street. 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. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along. Engineer submitted a variance request to allow one curb cut at the entrance along the east side of S. 23rd Street. Per Traffic Department's approval; 2 driveways are to be removed and one access will be allowed thru 2621 S. 23rd St. with no letter of variance required. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common areas, private streets 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. Trip Generation to determine if TIA is required, prior to final plat. Engineer submitted a variance requesting a curb cut along S. 23rd Street Subdivision was approved in final form, with conditions at the P&Z meeting of March 3, 2020.

Staff recommended approval in revised final form, with conditions.

Being no discussion, Mr. Gabriel Kamel moved to approve the subdivision in revised final form based on staff recommendation and conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

5) SUBDIVISIONS:

a) Shops At Nolana Subdivision; 2901 Nolana Avenue- Ponderosa Retail, LTD. (Final) (SUB2020-0018) HA

Ms. Gonzalez stated that property is located on Nolana Avenue: existing 60 ft. from centerline for 120 ft. ROW of 65 ft. with paving and curb & gutter on both sides. N. 29th Street: Existing 50 ft. from centerline for 100 ft. ROW with 65 ft. of paving and curb & gutter on both sides. ROW of 25 ft. with 25 ft. of paving for an alley/service drive easement required for commercial properties. In lieu of an alley, the plat proposes a 25 ft. paved private service access easement. Reciprocal access easement agreement and drainage & utility easement agreement recorded under doc#3100864 Private service access easement will be extended to the west when adjacent Front: Nolana Avenue 60 ft. or greater for easements or approved site plan. Rear: In accordance with zoning ordinance, or greater for easements or approved site plan. Sides: In accordance with zoning ordinance, or greater for easements or approved site plan. Corner: N. 29th Street - 50 ft. or greater for approved site plan or easements. All setbacks are subject to increase for easements or approved site plan. Private Service access easement will be extended to the west when adjacent properties develop to the west. Provide barricades as needed until drive is extended westward. A 4 ft. wide minimum sidewalk was required on Nolana Avenue and North 29th Street 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. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning Department and other Development Departments prior to building permit issuance. Common areas and 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 Minimum lot width and lot area. Approval Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, Trip Generation has been approved no TIA required. Must comply with City's Access Management Policy Subdivision was previously approved in preliminary form at the P&Z meeting of January 21, 2020. The acreage for this subdivision increased from 1.484 to 1.608; which required revised preliminary approval. Reciprocal access easement and drainage & utility agreement has been recorded under doc#3100864 Revise plat to extend east/west 25 ft. private service access easement to the west property line so that it will be extended west when adjacent properties to the west develop for city services

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

Being no discussion, Mr. Gabriel Kamel moved to approve based on staff recommendation. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

b) Genesis 2nd Subdivision; 4701 North Ware Road- Carl B and Sherri Rowland (Final) (SUB2020-0026) TE&MC

Mr. De La Garza stated that the property was located on North Ware Road: 15 ft. ROW dedication required for 75 ft. from centerline for 150 ft. ROW Paving: by the state Curb & gutter: by the state Include "ROW" wording next to every dimension indicating existing or new ROW. Show ROW from centerline to new property line and total ROW after accounting for dedication Remove shading shown on the plat. Required North 38th Street: 50 ft. ROW Paving: 32 ft. Curb & gutter: Both Sides Must escrow monies if improvements are not built prior to recording ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Plat submitted April 6, 2020 shows a 20 ft. private service access easement in lieu of alley, which needs to be revised to show at least 24 ft. width. Remove any "alley" references and identify it as a private service access easement with 24 ft. of paving. Plat submitted on April 12, 2020 revised to 24 ft. private service easement. Front: 75 ft. or greater for easements or approved site plan. Rear: 25 ft. or greater for easements or approved site plan as this is a double fronting lot. Sides: In accordance with Zoning Ordinance, or greater for easements or approved site plan. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required along North 38th Street 5 ft. wide minimum sidewalk required on N. Ware Road (as per Engineering Dept.) and Compliance Perimeter sidewalks must be built or money escrowed if not built at this time 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along North 38th Street. 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North 38th Street. Site plan must be approved by the Planning Department and other development departments prior to building permit issuance. Common Areas and any 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. must be maintained by the owners and not the City of McAllen. Lots fronting public streets. Minimum lot width and lot area. As per Traffic Department, Trip Generation approved 4/9/2020; Traffic Impact Analysis not required. Must comply with City's Access Management Policy. Public Works Department has requested a site plan to establish drives, and dumpster locations, etc. Comply with Traffic Department requirements regarding access requirements for drives on site plan. As per Traffic Dept., provide shared access with the existing developments to the south as may be applicable prior to recording/site plan. 24 ft. private service easement will be extended northward when adjacent properties to the north develop. Proposed site plan for the development provides for shared access easement with property to the north. The shared access easement on the north property to be shown in the plat as may be applicable prior to recording

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

Being no discussion, Mr. Gabriel Kamel moved to approve in final form subject to the conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

- c) Vacate and resubdivision of Lots 73, 74, 75 Spanish Oaks at Frontera Subdivision to Spanish Oaks at Frontera Lot 73A Subdivision; 8412 North 10th Street – 8400/8500 N. 10th Development, LLC (**Revised Preliminary**) (**SUB2020-0020**) JHE

Mr. De La Garza stated the property was located on North 10th Street: 60 ft. from centerline for 120 ft. of ROW Paving: by the state curb & gutter to be done by the State. Frontera Road: 60 ft. ROW Paving: 40 ft. curb & gutter on both sides. ROW: 20 ft. Paving: 16 ft. Alley/service drive

easement required for commercial properties. 24 ft. private service drive easement to provide city services required. It will be maintained by the property owners, 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. North 10th Street: 60 ft. or greater for approved site plan or easements. Frontera Road: 30 ft. or greater for approved site plan or easements. Engineer had submitted a variance letter requesting 25 ft. setback on North 10th Street Rear: 35 ft. or greater for approved site plan or easements. Side setbacks were in accordance with Zoning Ordinance, or greater for approved site plan or easements. Clarify if "6 ft." note shown on plat submitted on April 2, 2020 prior to final. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on south side of Frontera Road and 5 ft. wide minimum sidewalk required on east side of North 10th Street Please revise note #7 as noted above. Perimeter sidewalks must be built or money escrowed if not built at this time 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Frontera Road. To be determined prior to final. 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses, and along east property line. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted. Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. To be determined prior to final. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, Private Service access easements must be maintained by the lot owners and not the City of McAllen. Lots fronting public streets. Minimum lot width and lot area. As per Traffic Department, Trip Generation has been waived Must comply with City's Access Management Policy .As per Traffic Department, throat length not meeting requirement of 30 ft. from ROW. Engineer must revise this prior to final. As per Traffic, and Fire Dept., please submit gate detail for staff's review prior to final.

Staff recommended approval of the subdivision in revised preliminary form, subject to conditions noted, and clarification on the requested setbacks.

Mr. Gabriel Kamel asked if the item was to be approved would they have to approve it with the variance. Chairperson Pepe Cabeza de Vaca explained it can be approved with or without the variance but it would be a decision for the board members to make. Mr. Fallek stated that it seemed that there was a variance to the setback was to allow more building, and does not see a reason for changing the setback especially for because the first development that will built there will set the setback line for everything else that is around it. If that is approved then setback that is defined for the City will have to be changed for the properties adjacent to it. Mr. Fallek also stated that when a variance is approved it is because it is needed and for this one it is so that more building can be squeezed in. Chairperson Pepe Cabeza de Vaca asked if the applicant was on the line, staff confirmed that the engineer was. Javier Hinojosa was the engineer on the line and explained that the developer is proposing a convenient storage facility. One of the reasons they are asking for the setback requirement on 10th Street is because typically what would be used for parking at retail centers is not going to be necessary for a self-storage, which is why the main access will be from Frontera. There is a median along 10th Street, which prohibits left hand turns into the property if you are going southbound. There will be an emergency exit on 10th Street that will be northbound turns and would act as a side setback on the property. Mr. Hinojosa stated that he did do some research and found that the HEB on 10th Street and Trenton Road has a setback of 32 feet. Mr. Gabriel inquired if the setback they were requesting was 25 feet. Mr. Hinojosa confirmed as per the architectural site plan. Chairperson Pepe Cabeza de Vaca stated that he understood the proposal of the 25-foot setback especially with no parking spaces and asked what Mr. Fallek's

opinion was after listening Mr. Hinojosa. Mr. Fallek stated that he did not agree with requesting to change the setback he felt it is too close and 10th Street is always the front. Mr. Fallek also stated that since this development will have a lesser setback other developments would request the same. Mr. Fallek mentioned the HEB having a set 32 setback and it still being very close to the street. Mr. De La Garza let them know that there was a variance request approved by ZBOA board in 2017. Vice Chairperson Daniel Santos asked Mr. Hinojosa if there was a way to make it in between but Mr. Hinojosa explained that the developer and Architect proposed the development that way but if changes had to be made, they would have to see what could happen. Mr. Hovar stated that he did not see a problem with a smaller set back when it came to building for the façade of the building. He also stated that he has no problem with lessening the setback.

After the discussion, Mr. Michael Hovar moved to approve with the variance. Mr. Gabriel Kamel seconded the motion, which was approved with five members present and voting.

d) Olvera Subdivision; 4509 Buddy Owens Boulevard – Jose Tellez Olvera (Preliminary) (SUB2020-0022) SEA

Mr. De La Garza stated that property is located Buddy Owens Boulevard: 10 ft. ROW dedication for 60 ft. from centerline for 120 ft. of ROW with paving and curb & gutter to be done by the State. Interior N/S Street: 50 ft. of ROW with 32 ft. of paving and curb & gutter on both sides. Cul-de-Sac was required at the south end of property. Cul-de-Sac must be a minimum of 96 ft. paving diameter face to face as per Fire Department. As per Public Works, ROW was required to be dedicated in order to provide for necessary pavement improvements and Cul-de-Sac design for residential waste collection services. Must escrow monies if improvements are not constructed prior to recording. Ownership map must be provided to verify no landlocked property exists or additional street required. Subdivision plat submitted proposes a private 20 ft. access road and utility easement. 800 ft. Block Length. Block length proposed is approximately 930 ft., which exceeds the maximum 800 ft., allowed. Engineer must verify that block length complies with requirement of maximum 800 ft. block length, or request variance prior to final. 600 ft. Maximum Cul-de-Sac. Revise length of Cul-de-Sac Street to not exceed maximum requirement of 600 ft. or request a variance prior to final. Front setbacks were 25 ft. or greater for easements on properties facing interior N/S street. Lot 1: 60 ft. or greater for easements on Buddy Owens Boulevard. Note must be included on plat prior to final. Zoning must be verified by Engineer prior to final to determine required setbacks. Rear: 10 ft. or greater for easements. (If Zoned R-1) Note must be included on plat prior to final. Zoning must be verified by Engineer prior to final to determine required setbacks. Interior Sides: 6 ft or greater for easements. (If Zoned R-1)Note must be included on plat prior to final Zoning must be verified by Engineer prior to final to determine required setbacks. Corner: 10 ft. or greater for easements. (If Zoned R-1)Note must be included on plat prior to final.Zoning must be verified by Engineer prior to final to determine required setbacks. Garage: 18 ft. or greater for easements except where greater setback is required, greater setback applies (If Zoned R-1)Note must be included on plat prior to final..Zoning must be verified by Engineer prior to final to determine required setbacks. All setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on both sides all interior streets and along Buddy Owens Boulevard.5 ft. sidewalk may be required along Buddy Owens Blvd. as per Engineering Dept. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements.

No curb cut, access, or lot frontage permitted along Buddy Owens Blvd Site plan must be approved by the Planning and Development Departments prior to building permit issuance. (For commercial lots on Buddy Owens Boulevard). Common areas, private streets must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Section 110-70 if a public subdivision. Engineer must clarify if this will be a private or public subdivision prior to final. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Engineer must clarify if subdivision will be private or public prior to final. Lots fronting public streets. Lot 1 has more than 50 ft. of frontage along Buddy Owens Blvd. Lots 2-6 only front onto a 20 ft. private access road and utility easement. Minimum lot width and lot area. Existing: C-3 & R-1 Proposed: R-1. Zoning must be verified by the engineer. If any rezoning or CUP for residence in a C-3 zone required, it must be done prior to final. Rezoning Needed Before Final Approval Park Fee of \$700 to be paid prior to recording. Plat submitted April 14, 2020 shows 6 lots. Engineer must clarify use for the 6 lots prior to final to determine amount of park fees required. 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. As per Public Works Dept., ROW must be dedicated and provide pavement improvements including a turnaround design for residential waste collection service. Minimum 96 ft. paving diameter required for Cul-de-Sac as per Fire Dept. Engineer must provide ownership map to verify that there are not landlocked properties.

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

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

- e) Dale' Shine at Business 83 Subdivision; 2301 Highway 83 – The Fritts LP & Spurgeon W. Brown and Brown Oil Co. **(Preliminary) (SUB2020-0024) M & H**

Ms. Gonzalez stated that property is located on W. Business Highway 83: 50 ft. ROW from centerline required for 100 ROW with paving and curb & gutter to be done by the State. Need to show existing ROW, total and from centerline to determine dedication for 100 ft. ROW, prior to final. Show centerline and label ROW on both sides S. 23rd Street: Approximately 16.2 ft. ROW dedication required for 50 ft. ROW from centerline for 100 ft. ROW Paving: By the state curb & gutter to be done by the State. Dedication needs to be revised/finalized prior to final Austin Avenue: 60 ft. ROW Paving: 40 ft. curb & gutter on both sides. 800 ft. Block Length. 600 ft. Maximum Cul-de-Sac. ROW with existing 20 ft. of Paving: 16 ft. Alley/service drive easement required for commercial properties Existing 20 ft. alley; must be paved Front: W. Business Highway 83: 50 ft. or greater for easements or site plan Setbacks for existing structure(s) remain; however, any new additions and/or new construction shall comply with setbacks as noted. Will the existing remain or will it be removed? Plat needs to be revised to include setbacks along W. Business Highway 83. S. 23rd Street: 50 ft. or greater for easements or approved site plan; proposing 40 ft. or greater for easements Setbacks for existing structure(s) remain; however, any new additions and/or new construction shall comply with setbacks as noted - will it remain or be removed? Variance letter required for proposed setbacks along S. 23rd St. prior to final Austin Avenue: 30 ft. or greater for easements or approved site plan Plat needs to be revised to include note as shown above Rear: In accordance with the zoning ordinance, or greater for easements or site plan Setbacks for existing

structure(s) remain; however, any new additions and/or new construction shall comply with setbacks as noted - will it remain or be removed? Sides: In accordance with the zoning ordinance, or greater for easements or site plan Setbacks for existing structure(s) remain; however, any new additions and/or new construction shall comply with setbacks as noted - will it remain or be removed? Corner: In accordance with the zoning ordinance, or greater for easements or site plan Setbacks for existing structure(s) remain; however, any new additions and/or new construction shall comply with setbacks as noted - will it remain or be removed? All setbacks are subject to increase for easements or approved site plan 5 ft. wide minimum sidewalk required on S. 23rd Street, W. Business Highway 83 and 4 ft. sidewalk required along Austin Avenue Revise Note #8 on plat as noted above Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses Perimeter buffers must be built at time of Subdivision Improvements No curb cut, access, or lot frontage permitted along Site plan required Site plan must be approved by the Planning and other Development departments prior to building permit issuance. Common Areas, Private Streets/drives and alley 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. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets Trip Generation to determine if TIA is required, prior to final plat. Need to submit a Trip Generation per Traffic Department. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy Site plan required by Traffic Department, Fire Department and Public Works to see access location and street light layout, dumpster location, and fire hydrant layout Finalize dedication required along S. 23rd St. and W. Business Highway 83. Show centerline along Business 83 and ROW on both sides and total ROW Need to clarify proposed setbacks, variance letter will be needed if proposed is less than requirement prior to final Clarify status of 17 ft. railroad easement vol. 609 page 115 H.C.D.R. shown on the plat, prior to final. will it remain in place?

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

Mr. Gabriel Kamel asked if it was already subdivided and Ms. Gonzalez confirmed. She stated that it was a resubdivision of six lots. Chairperson Pepe Cabeza de Vaca asked what kind of business was going to be there and Ms. Gonzalez stated it would be a carwash. Mr. Kamel asked why it had to be resubdivided again and Ms. Gonzalez explained that they were going to make changes to the building from what the current plat shows. Mr. Kamel asked if they wanted to have different setback from on the current one has and why they applied to resubdivide.

After a brief discussion, Mr. Gabriel Kamel moved to approve. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

f) Dale' Shine At 10th Street Subdivision; 3713 North 10th Street – Emilia g. Luebert **(Preliminary) (SUB2020-0023) M & H**

Mr. De La Garza stated that the property is located on North 10th Street: 50 ft. from center line for

100 ft. ROW Paving: by the state Curb & gutter: by the state ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties. Engineer proposing 24 ft. service drive easement. As per Public Works, Traffic, and Fire Departments, submit site plan to review service drive easement, dumpster location, throat length requirement, fire hydrant layout, etc. Clarify the use of strip of land located to the west of the property shown in vicinity map. If this strip of land is for "alley", and alley dedication might be required prior to final. Front: 75 ft per the Board of Appeals, City of McAllen, Texas November 12, 1975. Please revise plat note as noted above. Rear: In accordance with the Zoning Ordinance or greater for approved site plan or easements. Correct plat note as noted above. Sides: In accordance with the Zoning Ordinance or greater for approved site plan or easements. Correct plat note as shown above. All setbacks are subject to increase for easements or approved site plan. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and Development departments prior to building permit issuance. Common Areas, service drive easements 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. Lots fronting public streets. Minimum lot width and lot area Per Traffic Department, Trip Generation must be submitted to determine if Traffic Impact Analysis is required prior to final. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. As per Public Works, Traffic, and Fire Dept., submit site plan to review location of service drive easements and dumpsters, throat length requirement, queuing requirements, fire hydrant layout, etc. Revise Location Map on plat as the site shown to be on the ROW prior to final. Subdivision name must be revised to Palms Community Center No. 2, Lot 14C or 15A prior to final.

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

Chairperson Pepe Cabeza de Vaca wanted to clarify if this item was preliminary and Mr. De La Garza confirmed.

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

g) Renaissance Subdivision; 4901 North 23rd Street – Sonia Denise Ramirez (Preliminary) (SUB2020-0027) STIG

Ms. Gonzalez stated that the property was located at N. 23rd Street: Proposing 20 ft. additional ROW dedication. Dedication as needed for 60 ROW required from centerline for 120 ft. ROW Paving: By the state Curb & gutter: By the state Need to label centerline, and show ROW on both sides to determine dedication requirements, prior to final. Label ROW to be "dedicated by this plat" if applicable Wisteria Avenue: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides Need to label centerline and show ROW on both sides N/S interior street: Paving: 40 ft. Curb & gutter: Both sides Street name must be changed to comply with City street names, prior to final 800 ft. Block Length * 600 ft. Maximum Cul-de-Sac Revise plat to show radius and paving diameter. Should provide 10 ft. ROW back of curb around cul-de-sac paving area ROW: 24 ft. Paving: 20 ft. Alley/service drive easement required for commercial properties Plat needs to be revised to provide alley for Lot 24 Front Lots 1-23: 10 ft. or greater for easements Lot 24: 60 ft. or greater for easements or approved site plan Plat needs to be revise to include front setback for Lot 24 Rear: Lots 1-23: 10

ft. or greater for easements Lot 24: In accordance with the zoning ordinance or greater for approved site plan or easements Plat needs to be revised as noted above Sides: Lots 1-23: In accordance with the zoning ordinance or greater for easements Lot 24: In accordance with the zoning ordinance or greater for easements or approved site plan Corner: Lots 1-23: 10 ft. or greater for easements Lot 24: 10 ft. or greater for approved site plan or easements Plat needs to be revised as noted above Garage: Lots 1-23: 18 ft. except where greater setback is required, greater setback applies Plat needs to be revised as noted above ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN Once area between Lots 12-20 and 24 is identified on the plat, setbacks will be established for this area prior to final. 5 ft. wide minimum sidewalk required on N. 23rd Street and 4 ft. wide minimum sidewalk required on Wisteria Avenue and both sides of interior street Note #12 needs to be revised as noted above Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses Perimeter buffers must be built at time of Subdivision Improvements No curb cut, access, or lot frontage permitted along T Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common Areas, Private Streets/drives 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. 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 this is a public subdivision Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets Minimum lot width and lot area Existing: R-3T & C-3 Proposed: R-3T & C-3 Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Based on 23 lots x \$700 = \$16,100 due prior to recording Trip Generation to determine if TIA is required, prior to final plat per Traffic Department. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy Provide site plan to review street light layout and location of dumpsters for Public Works Remove "lot layout" reference below subdivision name Subdivision name may need to be revised, consult with staff regarding options Show radius along cul-de-sac Need to label area shown on plat between lots 12-20 and 24. Requirements such as setbacks, lot frontage, etc. will be established once this area has been identified on the plat, prior to final If interior N/S street is private, must provide gate details to assure compliance with City requirements, prior to final Need to show easement on either side of electric transmission line All lots must be buildable after accounting for easements

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

After a brief discussion, Mr. Gabriel Kamel moved to approve subject to the conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

**h) Los Vecinos Subdivision; 2801 South Bentsen Road – Tres Vecinos, LLC
(Revised Preliminary) (SUB2019-0088) (Tabled: 04/07/2020) (Remained
Tabled: 04/21/2020) HA**

Chairperson Pepe Cabeza de Vaca left the item tabled. No action needed.

6) INFORMATION ONLY:

a) City Commission Actions: April 27 , 2020

Mr. Edgar Garcia stated that at the City Commission Meeting on April 27, 2020 there were five rezoning items. 408 South 9th Street was approved to rezone from C-1 to R-3A as recommended. 601 North 2nd was recommended approval to rezone from R-3A to C-3 and was approved. 221 South 2nd applied to rezone from C-3 to R3A and was approved as recommended. Another rezoning from R1 to AO at Wells Springs was also approved as recommended. Last, a rezoning item for 12512 South Ware Road at the Vineyards was recommended approval but City Commission tabled it to get more information for the realignment of Ware Road. There were two Conditional Use Permits one for a church on 4902 Pecan for a Life of Use and another for a bar at 5201 North 10th Street and both were approved.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Gabriel Kamel adjourned the meeting at 4:49 p.m., and Mr. Michael Hovar seconded the motion, which carried unanimously with four members present and voting.

Chairperson, Pepe Cabeza de Vaca

ATTEST: _____
Claudia Mariscal, Secretary

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: May 15, 2020

SUBJECT: REQUEST OF DAGOBERTO QUINTANILLA FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHTCLUB AT THE 0.66 ACRES OUT OF LOT 16, BLOCK 3, C. E. HAMMOND SUBDIVISION, HIDALGO COUNTY, TEXAS; 2203 SOUTH 23RD STREET. (CUP2020-0036)

BRIEF DESCRIPTION:

The property is located on the east side of South 23rd Street, approximately 100 ft. north of Uvalde Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 to the north, south, and east, and A-O (agricultural and open space) District to the west. Surrounding land uses include auto services, medical offices, commercial businesses, the airport, and vacant land. A nightclub is allowed in a C-3 zone with a Conditional Use Permit and in compliance with the requirements.



HISTORY:

The initial Conditional Use Permit was approved for this use at this location by the Planning and Zoning Commission on July 7, 1998. The permit had been renewed annually by different tenants until August 2009. In August 2011, a new application for a conditional use permit was submitted;

therefore, the new request had to be appealed and approved by the City Commission. The permit was approved for one year with a variance to the distance requirement on September 26, 2011. The last permit renewal was approved for one year, on June 24, 2019, by the City Commission with a variance to the distance requirement.

REQUEST/ANALYSIS:

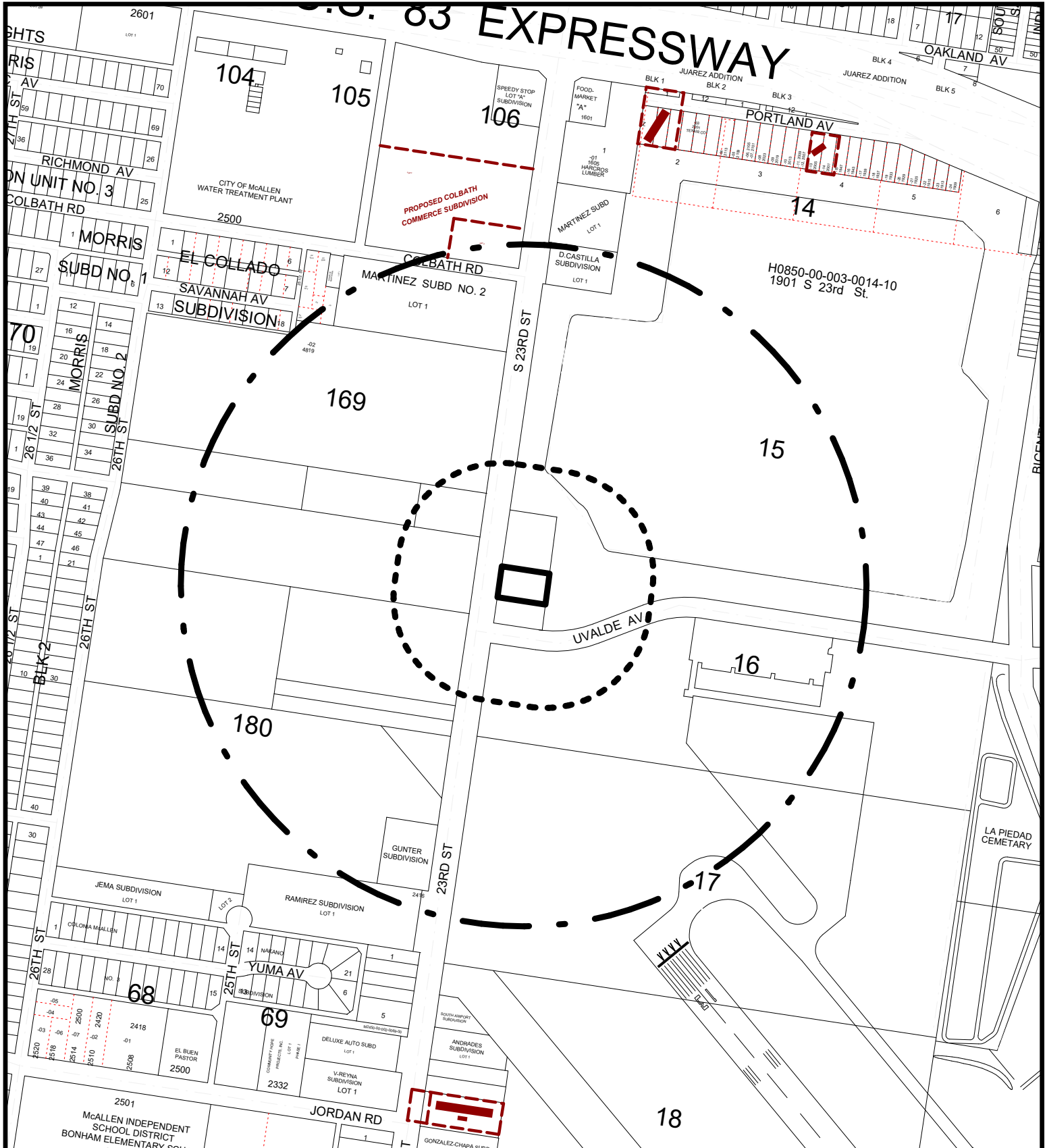
The applicant is proposing to continue to operate a night club (El Toro Club II) from the existing 3,540 sq. ft. building. The hours of operation will be from 7:00 p.m. to 2:00 a.m. daily.

A police activity report from May 2019 to present is attached. The Fire and Health Departments have inspected the establishment, which complies with the safety codes and regulations. The establishment must comply with the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 400 ft. from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 ft. of publicly owned properties (Boeye Reservoir and McAllen International Airport);
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment has direct access to South 23rd Street and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the floor area of 3,540 sq. ft., 36 parking spaces are required; 41 parking spaces are provided. However, upon the inspection, staff noticed that there are potholes in the parking lot that need to be repaired, and faded stripes need to be repainted;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance after taking into account the recommendations of the Fire Marshal, Building Official, and Planning Director. The maximum capacity for the establishment is 197 persons.

RECOMMENDATION:

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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND

SCALE: 1" = 500'

SUBJECT PROPERTY

400 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS



ZONING LEGEND

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

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



CITY OF McALLEN
PLANNING DEPARTMENT



SUBJECT PROPERTY



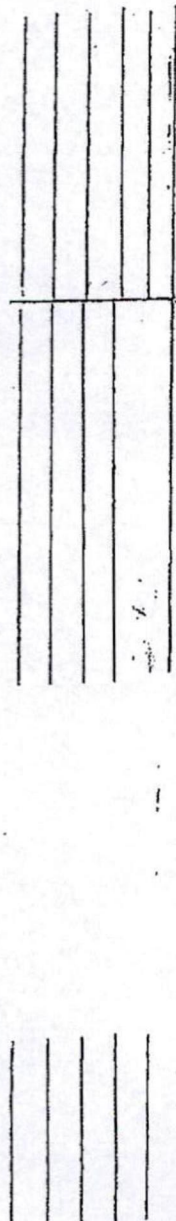
400 FT. NOTIFICATION BOUNDARY

AERIAL MAP
SCALE: N.T.S.

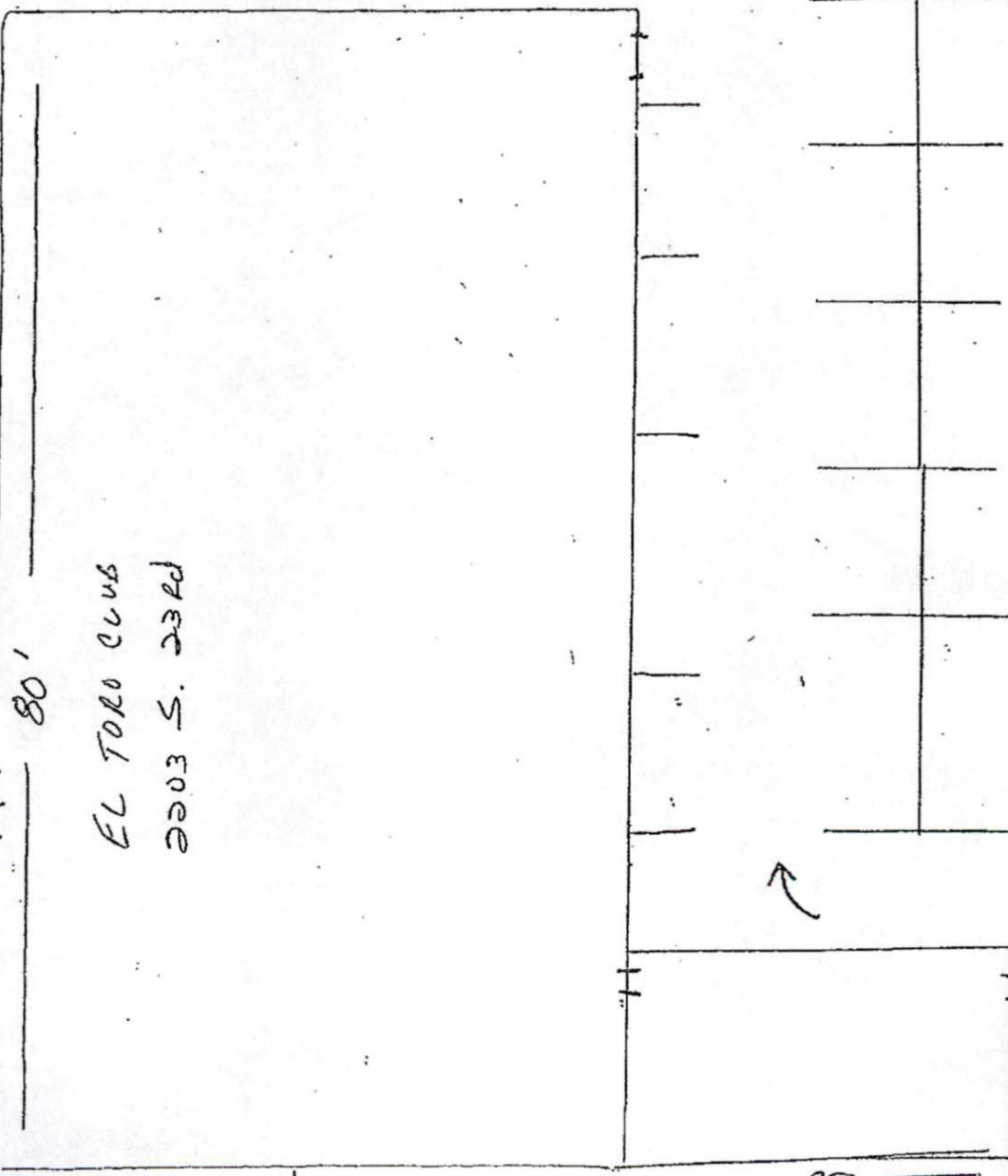


This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying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

23rd St



N
↑



30'

80'

EL TORO CLUB
2003 S. 23rd

38'

30'

Storage Room

25
EXISTING
PARKING
SPACES

16 parking
spaces
added

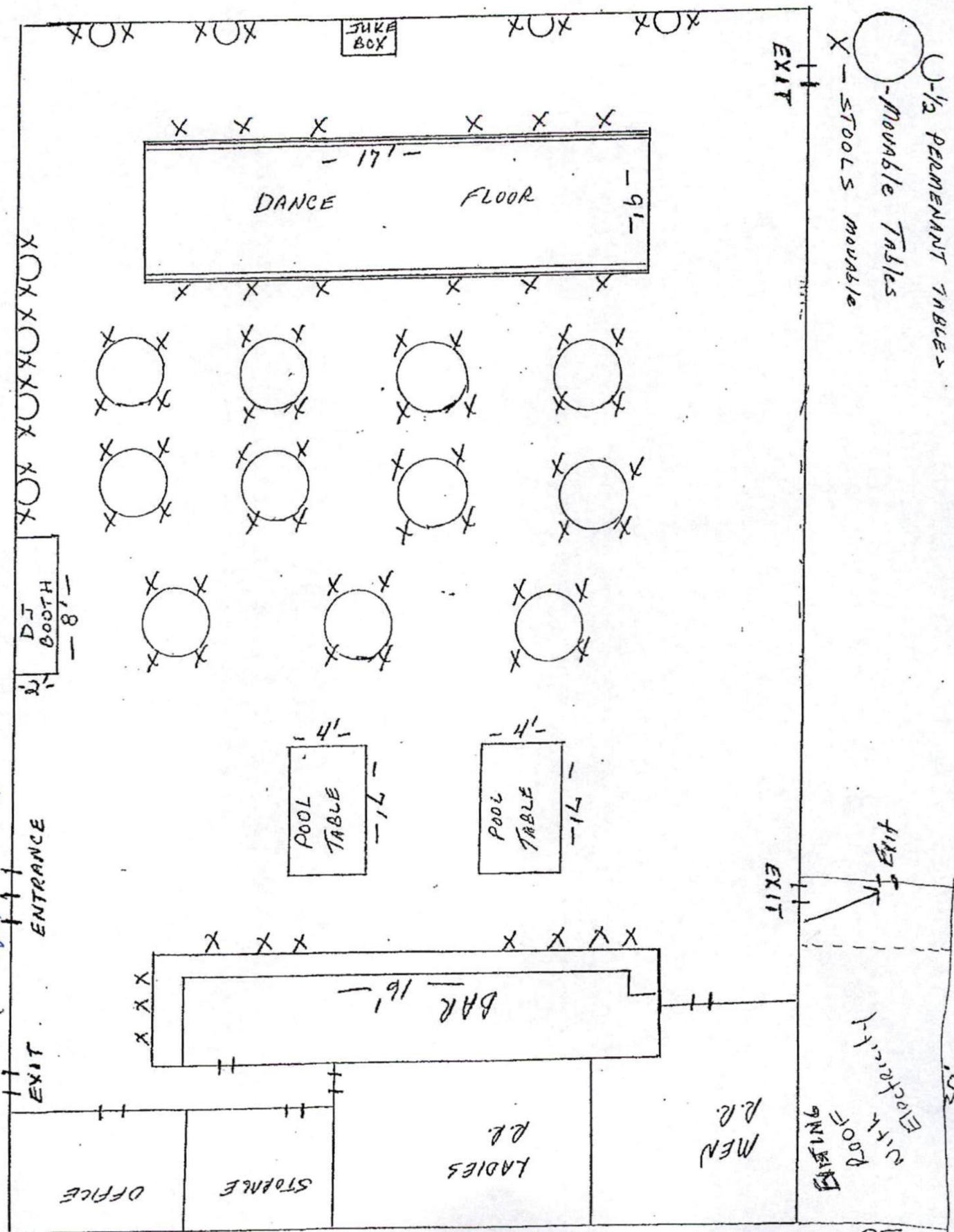
04/06/20

2203 So. 23rd St.

copy to [unclear]

-80'-

1 N





PARKING
IN REAR

J

POOL TOURNAMENT
WEDNESDAYS - SUNDAYS
9:30 PM.

Live D.J.

WHERE THE PARTY
NEVER ENDS

OPEN

NOTICE
BAR
FOR
THIS PROPERTY
CUP2020-0036



Incident Analysis Report

Summary

Print Date/Time: 04/29/2020 16:41
Login ID: mcpd7004
Incident Type: All
Call Source: All

From Date: 05/01/2019 00:01
To Date: 04/29/2020 16:00

McAllen Police Department
ORI Number: TX1080800
Officer ID: All
Location: 2203 S 23RD ST, MCALLEN

Incident Date/Time	Incident Number	Incident Type	Location
05/01/2019 00:23	2019-00030503	Hit and Run	2203 S 23RD ST
06/07/2019 18:37	2019-00040573	MINOR ACC	2203 S 23RD ST
10/17/2019 00:24	2019-00074684	Narcotics	2203 S 23RD ST
12/12/2019 19:00	2019-00089320	Theft	2203 S 23RD ST
12/12/2019 20:02	2019-00089330	Domestic Disturbance	2203 S 23RD ST
01/12/2020 01:23	2020-00002807	Domestic Disturbance	2203 S 23RD ST
02/15/2020 01:38	2020-00011032	Domestic Disturbance	2203 S 23RD ST
02/27/2020 22:54	2020-00014339	911 Investigation	2203 S 23RD ST
02/27/2020 22:57	2020-00014340	Accident Property Damage	2203 S 23RD ST

Total Matches: 9

Memo

TO: Planning and Zoning Commission

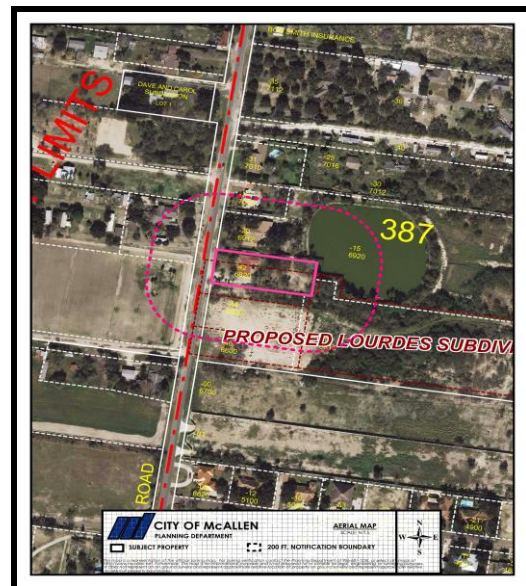
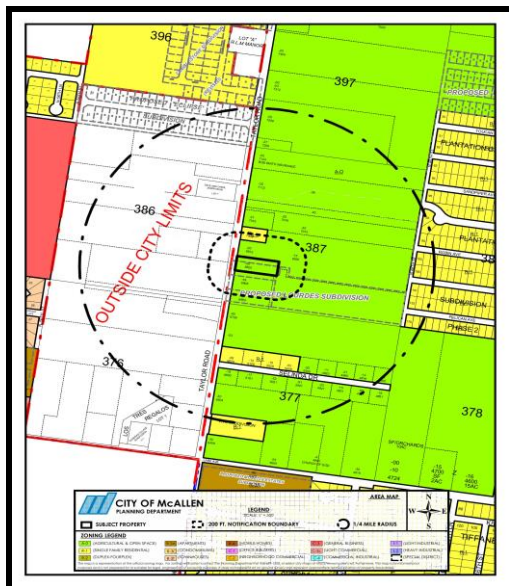
FROM: Planning Staff

DATE: May 15, 2020

SUBJECT: REQUEST OF MELISSA BURTON FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A DOG KENNEL AT A 1.00 ACRE TRACT OF LAND OUT OF THE SOUTH 19.39 ACRES OF LOT 387, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6820 NORTH TAYLOR ROAD. (CUP2020-0008)

BRIEF DESCRIPTION:

The property is located on the east side of North Taylor Road, approximately 1,400 ft. north of Lark Avenue and is zoned A-O (agricultural-open space) District. The adjacent zoning is A-O District to the north, south and east. The properties to the west are outside city limits. Surrounding land uses include single family residences and vacant land. A dog kennel is allowed in an A-O District with a Conditional Use Permit and in compliance with requirements.



HISTORY:

The Code Enforcement Department responded to a complaint on February 4, 2019 for a possible business running from a residential area with a sign erected. On May 2019, the Code Enforcement Department received another complaint and requested a "complaint

and summons". The applicant has appeared at Municipal Court several occasions to resolve this issue since then.

REQUEST/ANALYSIS:

There is a single family residence consisting of approximately 2,700 sq. ft. located on the one-acre tract. The applicant's family lives in the existing residence. The applicant is proposing to continue operating a dog daycare from the existing residence and the outdoor playgrounds in the property.

The applicant divided the backyard and front yard into 4 different playgrounds for the dogs. The submitted floor plan and the inspection made by Planning staff indicate that there are two play rooms and a feeding/supply room within the residence. There are 1-2 employees/volunteers in the location. Boarding is also available and no grooming services are offered.

The Health Department has inspected the establishment, and the property is in compliance. A final inspection from the Fire Department is pending. The establishment must also meet the requirements set forth in Section 138-163 (8) of the Zoning Ordinance and specific requirements as follows:

- 1) Located a minimum of 300 feet from the nearest residence. The operations take place inside the residence and outdoors in the different dog playgrounds.
- 2) On parcels of 5 acres or more. This property is a 1-acre parcel.

PLANNING AND ZONING COMMISSION MEETING OF APRIL 7, 2020:

At the Planning and Zoning Commission meeting of April 7, 2020 staff recommended to table item as requested by the applicant. The Board voted unanimously to table the item with 7 members present and voting.

PLANNING AND ZONING COMMISSION MEETING OF APRIL 21, 2020:

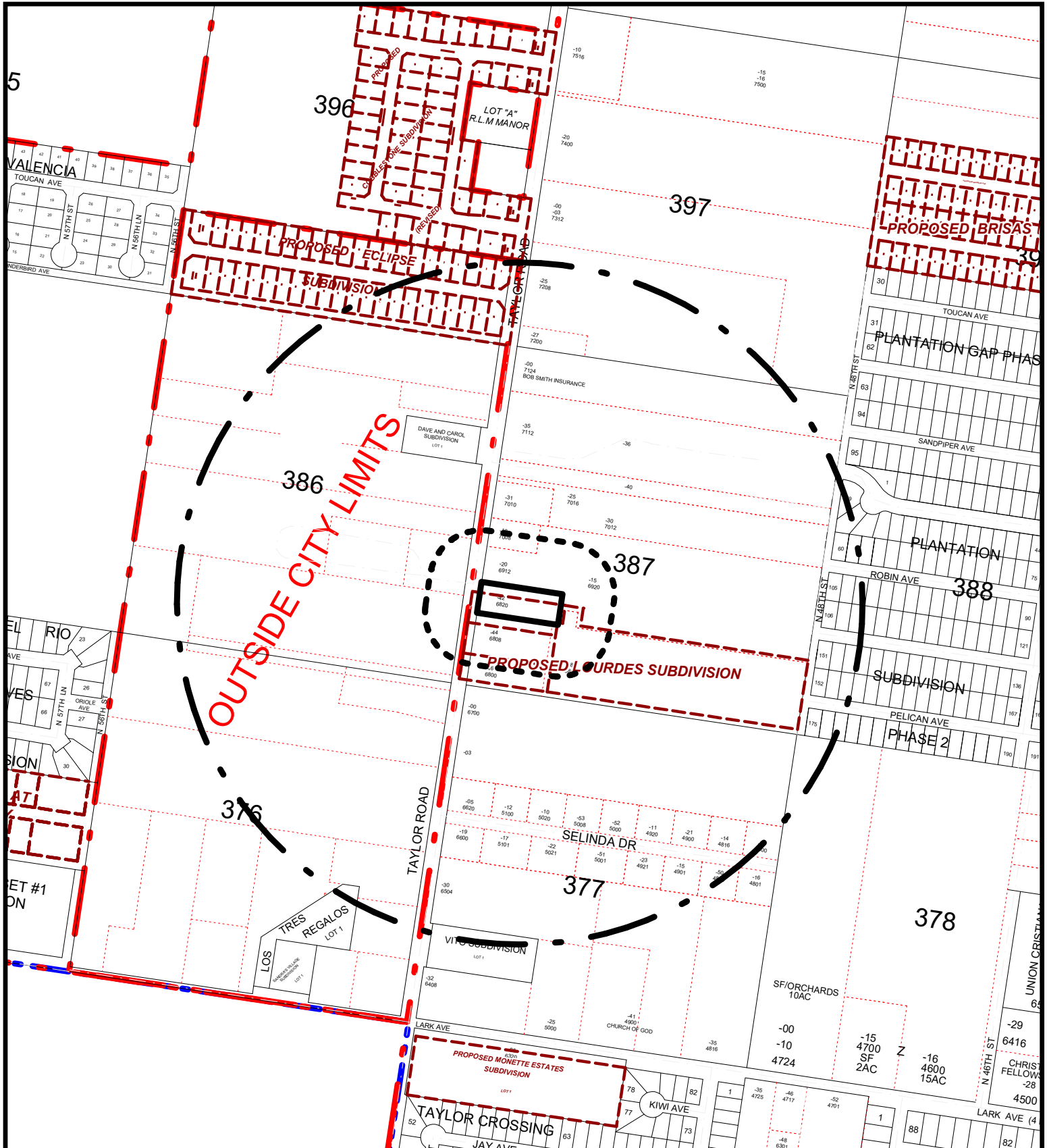
At the Planning and Zoning Commission meeting of April 21, 2020 staff recommended to table item as requested by the applicant. The Board voted unanimously to table the item with 7 members present and voting.


PLANNING AND ZONING COMMISSION MEETING OF MAY 5, 2020:

At the Planning and Zoning Commission meeting of May 5, 2020 staff recommended to table item as requested by the applicant. The Board voted unanimously to table the item with 6 members present and voting.

RECOMMENDATION:

Staff recommends to table item as requested by the applicant.







CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'


AREA MAP



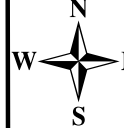
SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



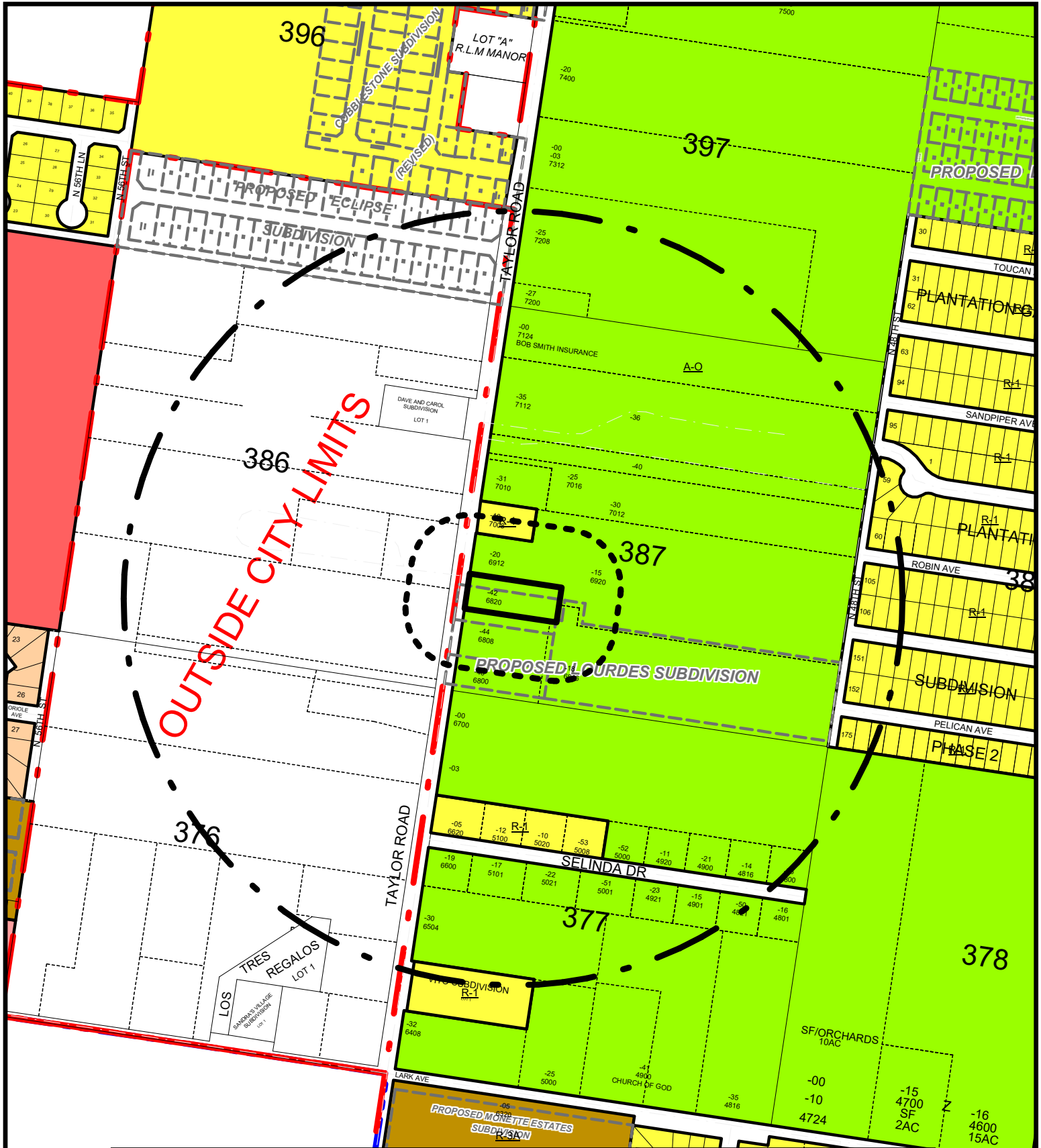
1/4 MILE RADIUS




ZONING LEGEND

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


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







CITY OF McALLEN
PLANNING DEPARTMENT
















LEGEND
SCALE: 1" = 500'

 **SUBJECT PROPERTY**

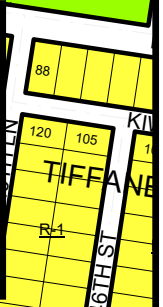
 **200 FT. NOTIFICATION BOUNDARY**

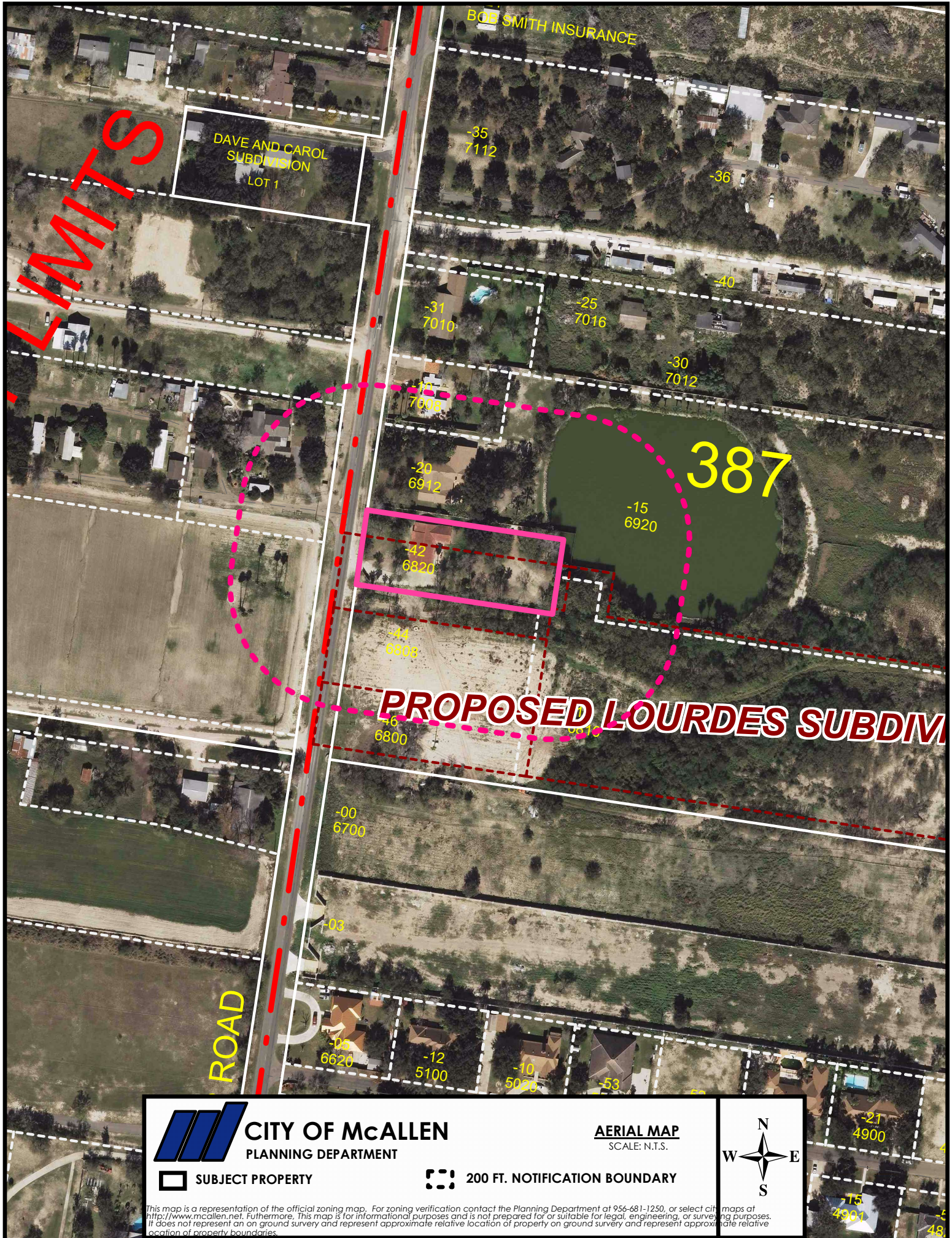
 **1/4 MILE RADIUS**

ZONING LEGEND

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

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





CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



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

FAX: (958) 618-5540

1"=50'

ADJ. LAND OWNER INFO.
OWNER: HECTOR HERNANDEZ
RECORDED: DOC. #483757, O/R

S08°41'10"W
120.0'

ADJ. LAND OWNER INFO.
OWNER: LOURDES LERMA
RECORDED: DOC. #28697526, O/R

LEGEND

- - DENOTES FOUND 1/2" ROD
 ⊙ - DENOTES SET 1/2" ROD
 ⊗ - DENOTES FOUND 1/2" PIPE
 ○ - DENOTES NO MONUMENT
 ROW - DENOTES RIGHT OF WAY
 EOP - DENOTES EDGE OF PAVEMENT
 POB - DENOTES POINT OF BEGINNING

FLOOD ZONE CERTIFICATION: The property shown hereon lies in Zone C. Zone C areas are areas of "minimal flooding" and are not designated flood prone areas as per F.E.M.A. Flood Insurance Rate Map Panel Number 480334-0400-C dated 11-16-82.

PLAT NOTES:

1. There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements except as shown on this plat.
2. This survey plat is prepared in connection with Title Policy Cat. # 158649 and does not guarantee title. This survey is for the exclusive use of the client and is not to be copied or transferred to another party without the express written consent of the surveyor.
3. This survey must contain an embossed seal and an original signature to be valid as per Section 561.46 and Section 663.19 of the "The Professional Land Surveying Practice Act".
4. This is a standard survey and does not include a subsurface utility or topographic investigation.
5. Statutory easements, rules, regulations and rights in favor of United Irrigation District. (Blanket)
6. Subject to any oil, gas and mineral lease of record.
7. Bearing Basis: "W. line of Lot 387, John H. Shary Subdivision"
8. Drawn by: Melissa Burton

1. Bearing Basis: Mellisa Burton
Borrower(s):

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE PROPERTY WHICH IS LOCATED AT 6820 N. TAYLOR RD., in MCALLEN, TEXAS, DESCRIBED AS FOLLOWS:
A 1.00 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE SOUTH 19.39 ACRES OF LOT 387, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 42A, (DEED RECORD: VOLUME 1, PAGE 17), MAP RECORDS, HIDALGO COUNTY, TEXAS AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT No. 358132, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS. (SEE METES AND BOUNDS DESCRIPTION)

10-10-18
Date

© COPYRIGHT 2018 ART SALINAS ENGINEERING INC. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMED HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.



ART SALINAS ENGINEERING & SURVEYING

1524 DOVE AVENUE

McALLEN, TX 78504

PH: (956) 618-5565

FAX: (956) 618-5540

ARTURO A. SALINAS, P.E., R.P.L.S.

METES AND BOUNDS DESCRIPTION: 1.00 Gross Acre Tract

A 1.00 acre tract of land, more or less, out of the South 19.39 acres of Lot 387, JOHN H. SHARY SUBDIVISION, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 1, Page 42A, (Deed Record: Volume 1, Page 17), Map Records, Hidalgo County, Texas and according to Warranty Deed with Vendor's Lien recorded under County Clerk's Document No. 358132, Official Records, Hidalgo County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the West line of Lot 387, and in the centerline of N. Taylor Rd. for the Northwest corner of this tract, said point bears South 08 degrees 41 minutes 10 seconds West, 910.0 feet from the Northwest corner of Lot 387;

THENCE, South 81 degrees 18 minutes 50 seconds East, along the South line of the Santos Gonzalez Hernandez 1.00 acre tract (1.00 acre out of the South 19.39 acres of Lot 387, John H. Shary Subdivision, according to Deed recorded in Volume 2506, Page 50, Official Records, Hidalgo County, Texas), passing a 1/2 inch iron pipe found at 30.0 feet in line for reference, passing a 1/2 inch iron rod set at 40.0 feet for the East right-of-way line of N. Taylor Rd., passing a 1/2 inch iron rod 24 inches in length found at 321.7 feet (deed: 323.0 feet) for the West edge of a Lake, a total distance of 363.0 feet to a point on the West line of the Hector Hernandez Tract (Tract II: 8.619 acres out of Lot 387, John H. Shary Subdivision, according to the Deed recorded under County Clerk's Document No. 483757, Official Records, Hidalgo County, Texas), for the Southeast corner of the Santos Gonzalez Hernandez 1.00 acre tract, and the Northeast corner of this tract;

THENCE, South 08 degrees 41 minutes 10 seconds West, along the West line of the Hector Hernandez Tract, and the West line of the Lourdes Lerma 6.167 acre tract (6.167 acres out of the South 19.39 acres of Lot 387, John H. Shary Subdivision, according to Deed recorded under County Clerk's Document No. 2869756, Official Records, Hidalgo County, Texas), passing a 1/2 inch iron rod 24 inches in length found at 64.0 feet (deed: 63.0 feet) for the South edge of a Lake, a total distance of 120.0 feet to a 1/2 inch iron rod 24 inches in length found for the Southeast corner of this tract;

THENCE, North 81 degrees 18 minutes 50 seconds West, along the North line of the Lourdes Lerma 6.167 acre tract, and the North line of the Hector Hernandez Tract (Tract I: A 0.393 acre tract out of Lot 387, John H. Shary Subdivision, according to the Deed recorded under County Clerk's Document No. 483757, Official Records, Hidalgo County, Texas), passing a 1/2 inch iron rod set at 323.0 feet for the East right-of-way line of N. Taylor Rd., passing a 1/2 inch iron pipe found at 333.0 feet in line for reference, a total distance of 363.0 feet to a point on the West line of Lot 387, and in the centerline of N. Taylor Rd. for the Northwest corner of the Hector Hernandez Tract, and the Southwest corner of this tract;

THENCE, North 08 degrees 41 minutes 10 seconds East, along the West line of Lot 387, and the centerline of N. Taylor Rd., a distance of 120.0 feet to the POINT OF BEGINNING, and containing 1.00 acre of land, more or less.

Bearing Basis: "W. line of Lot 387, John H. Shary Subd."

Job No. 18-54468

Date: 10-10-18

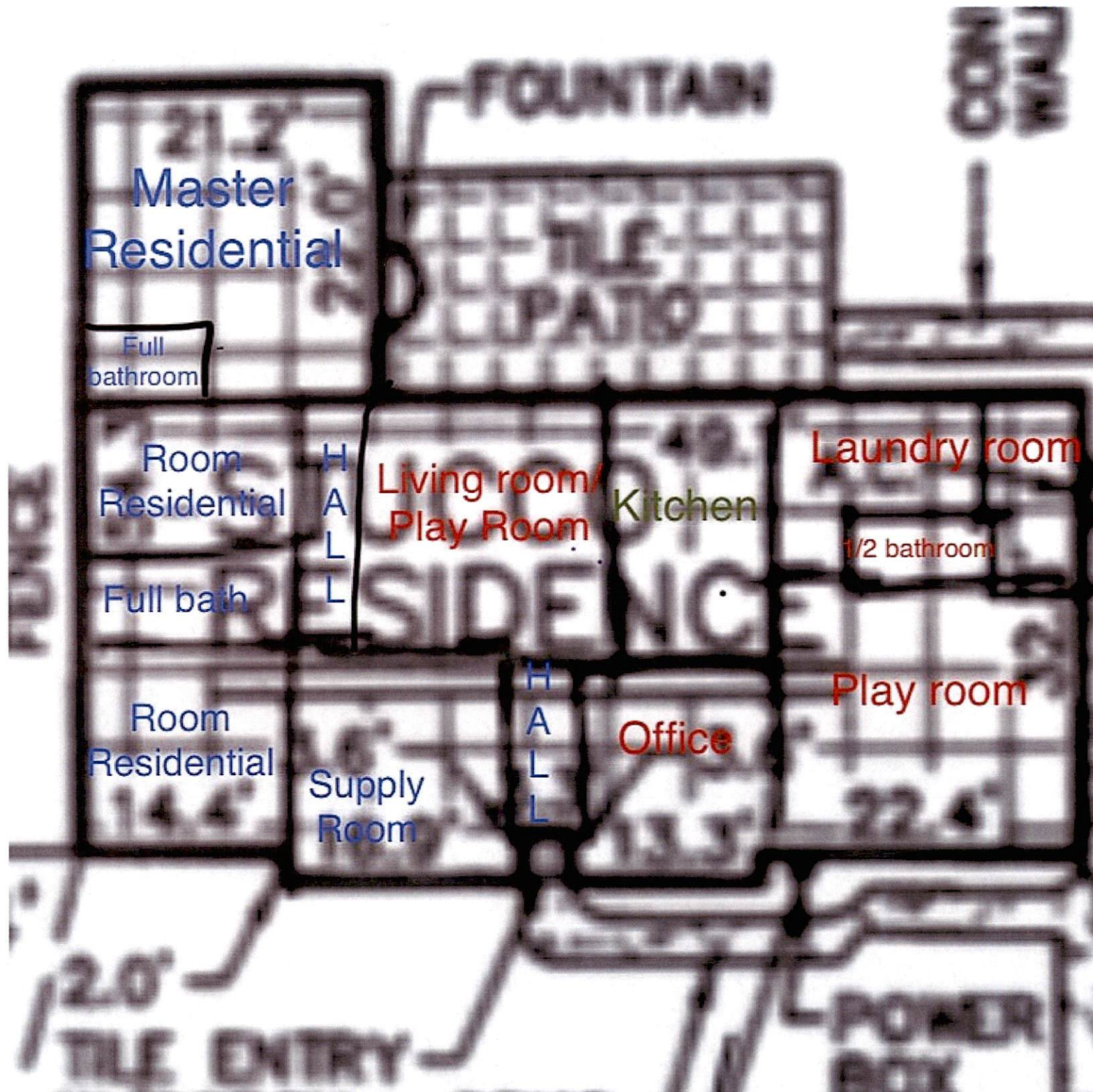


Arturo A. Salinas, R.P.L.S. #4802



T.B.P.E. FIRM REG. NO. F-5154

T.B.L.S. FIRM REG. NO. 10004000





6820 N Taylor Rd

PG #1

PG #2

PG #3



NOTICE
DOG KENNEL
FOR
THIS PROPERTY
CUP2020-0008

CITY OF
McALLEN 215537

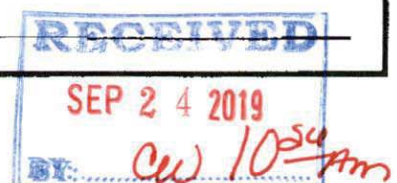
DO NOT
PARK

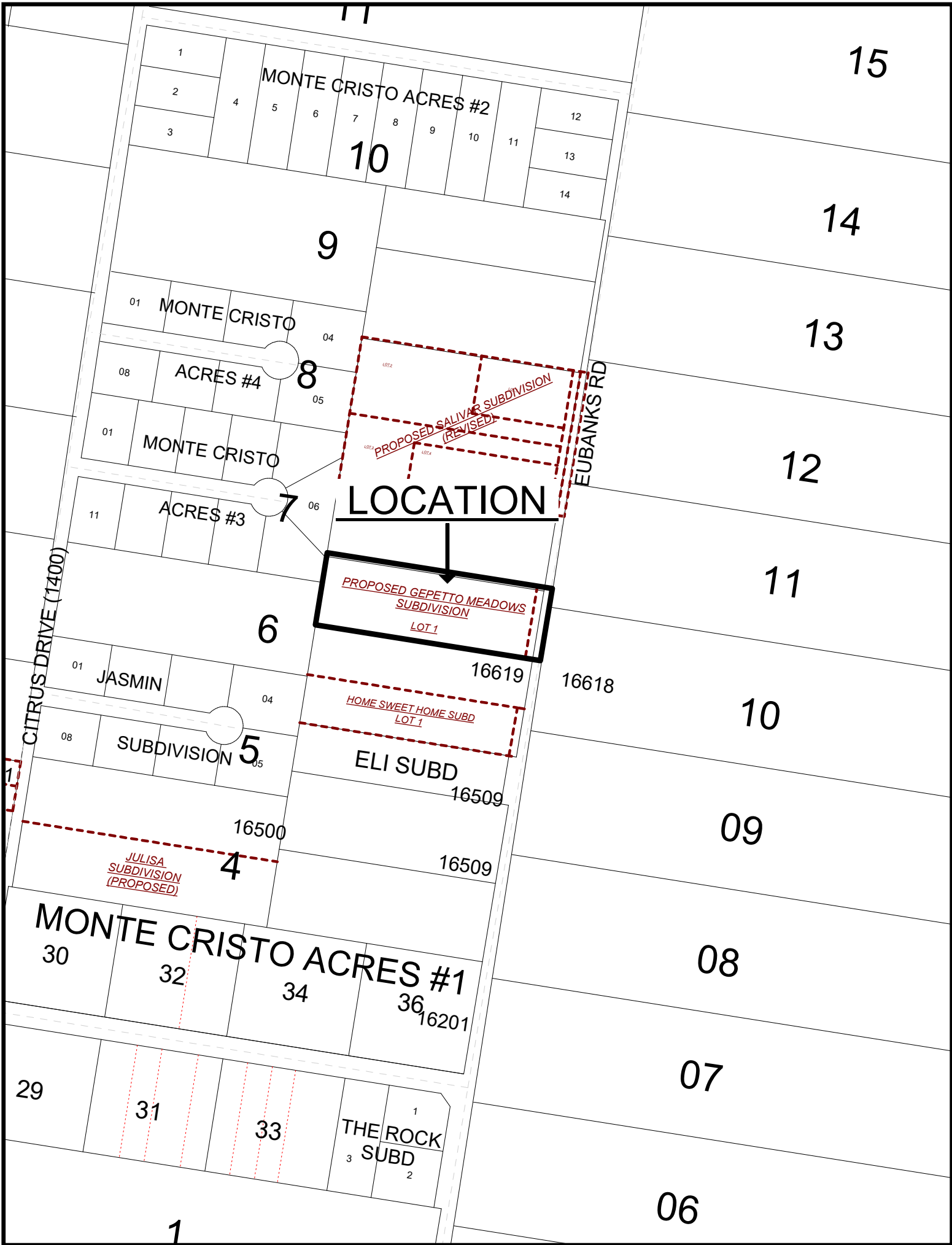


City of McAllen
Planning Department
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

SUB2019-0071
1300 Houston Avenue
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project Description	<p>Subdivision Name <u>Gepetto Meadows Subdivision</u> Location <u>Eubanks Road 2800ft north of Montecristo Road</u> City Address or Block Number _____ Number of lots <u>1</u> Gross acres <u>2.65</u> Net acres _____ Existing Zoning _____ Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use _____ Proposed Land Use _____ Irrigation District # <u>1</u> Residential Replat Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u> Legal Description <u>Being a 2.65 Ac. gross tract of land, more or less out of and forming of the south half of that 5.31 Ac. of land doc. # 682062</u> <u>Official Records, out of Cts 687 City's Properties Subdiv. Vol. 13, Page 23.</u></p>
Owner	<p>Name <u>Christopher Ross</u> Phone _____ Address <u>219 Delia Dr.</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u> E-mail _____</p>
Developer	<p>Name <u>Same as Above</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____</p>
Engineer	<p>Name <u>MAS Engineering LLC</u> Phone <u>956 537-1311</u> Address <u>3911 N. 10th Street Suite H</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>Mario A Salinas</u> E-mail <u>msalinas6973@att.net</u></p>
Surveyor	<p>Name <u>Ivan Garcia Rio De H</u> ^{Engineering} Phone <u>(956) 263-0934</u> Address <u>921 S 10th St</u> City <u>Edinburg</u> State <u>TX</u> Zip _____ E-mail _____</p>



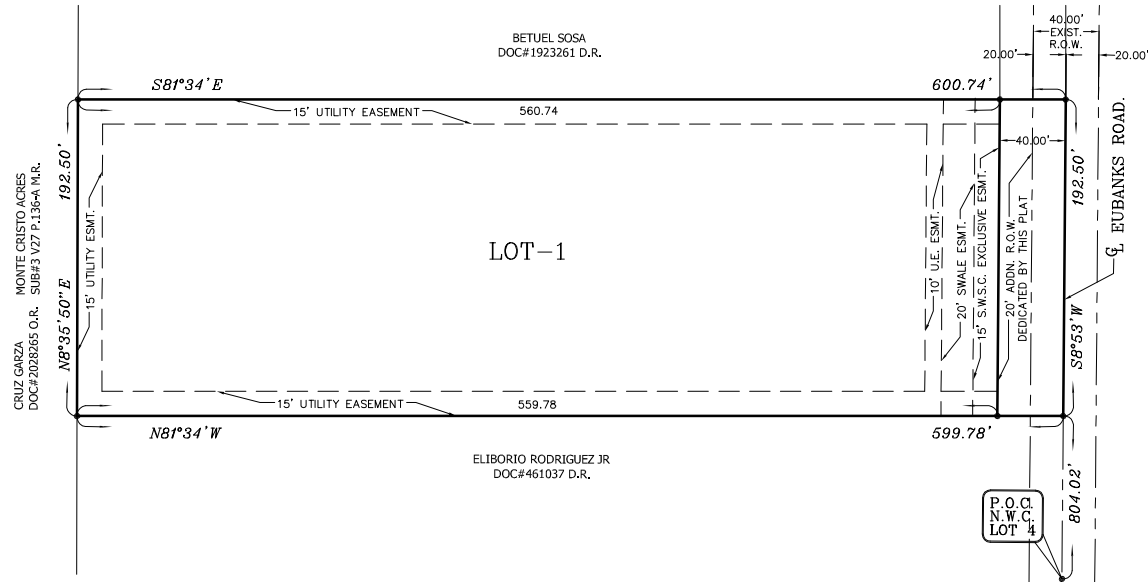


MAP
OF
GEPETTO MEADOWS SUBDIVISION
HIDALGO COUNTY, TEXAS



SCALE 1"=60'
DATE OF
PREPARATION:
12-19-2014

BEING A 2.65 GROSS ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND FORMING A PART OF THE SOUTH HALF OF THAT 5.31 ACRE OF LAND DESCRIBED IN DOCUMENT NUMBER 682062 OF THE OFFICIAL RECORDS OF SAID COUNTY, OUT OF LOTS 6 AND 7, CITRUS PROPERTIES SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP THERE RECORDED IN VOLUME 13, PAGE 23, OF THE MAP RECORDS OF SAID COUNTY; SAID SOUTH HALF BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



RECEIVED

By Nikki Marie Cavazos at 10:14 am, Apr 29, 2020

RECEIVED VIA EMAIL 04/28/2020 AT 2:03 PM

DATE OF PREPARATION 4-17-20

MAS ENGINEERING LLC.
CONSULTING ENGINEERING
FIRM NO. F-15499

3911 N. 10TH STREET, SUITE H
MCALLEN, TEXAS 78501
PH. (956) 537-1311
E-MAIL: MSALINAS6973@ATT.NET



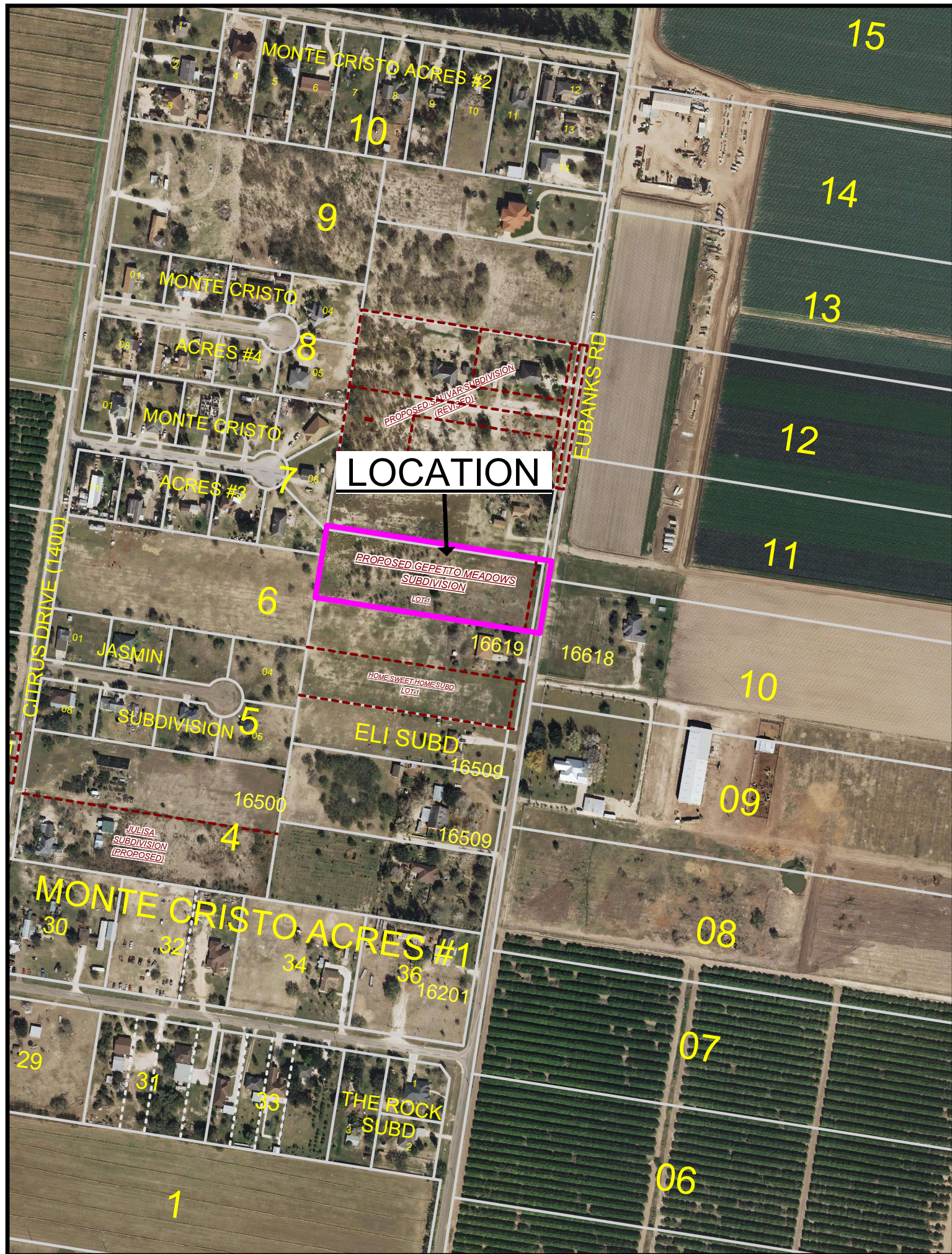
City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 5/15/2020

SUBDIVISION NAME: GEPETTO MEADOWS	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Eubanks Rd. - 20 ft. additional ROW dedicated for 40 ft. Centerline - 80 ft. ROW Paving: 52 ft. Curb & gutter: Both sides *Must escrow monies if improvements are not constructed prior to recording. **Show total ROW on plat after accounting for ROW dedication	Applied
10 1/2 Mile Rd. - 40 ft. for centerline - 80 ft. ROW Paving: 52 ft. Gutter: both sides *Engineer provided map showing future 10 1/2 Mile Rd. will not affect the proposed subdivision.	NA
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
SETBACKS	
* Front: 45 ft.	Applied
* Rear: 30 ft. or greater for easements.	Applied
* Sides: 15 ft. or greater for easements proposed. * Plat submitted February 3, 2020 references a 15 ft. utility easement surrounding the property. **Setbacks will be established prior to final once use is clarified, but not less than required by ordinance.	TBD
* Corner: Will apply if Mile 10 1/2 is required along the property. **Setbacks will be established prior to final once use is clarified, but not less than required by ordinance.	TBD
* Garage: 18 ft. except where greater setback is required	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Eubanks Rd.	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	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.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along	NA

* Site plan must be approved by the Planning Department and other development departments prior to building permit issuance.	Applied
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	NA
**Plat submitted February 3, 2020 does not show any common areas, and proposed use is 1 single lot in the City's ETJ.	
* 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.	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: ETJ Proposed: ETJ - Engineer must clarify use prior to final to finalize requirements.	Applied
* Rezoning Needed Before Final Approval	Applied
PARKS	
* Land dedication in lieu of fee.	NA
** Applies if annexed, as may be applicable prior to final/recording.	
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording	NA
** Applies if annexed, as may be applicable prior to final/recording.	
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
** Applies if annexed, as may be applicable prior to final/recording.	
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Compliance
** Per Traffic Department Trip Generation has been waived. No TIA required.	
* Traffic Impact Analysis (TIA) required prior to final plat. Per Traffic Department, no TIA will be required.	NA
COMMENTS	
Comments: *Must comply with City's Access Management Policy **Engineer must clarify use to establish requirements prior to final ***Engineer has indicated proposed use is one single family residential lot ****Engineer to determine 10 1/2 Mile Rd. location to determine any dedication and escrows required, prior to final. *****Engineer provided map showing future 10 1/2 Mile Rd. will not affect the proposed subdivision *****Per Engineering Department future location of Mile 10 1/2 Rd. will not affect the proposed subdivision	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO CONDITIONS NOTED.	Applied





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

1300 Houston Avenue
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project Description

Subdivision Name PPEC McAllen Only Love Home Care Subdivision
Location Southwest corner of Dove Avenue and 29th Street
City Address or Block Number 5500 North 29th
Number of lots 1 Gross acres 1.64 Net acres 1.36
Existing Zoning C-1 Proposed C-1 Rezoning Applied For ☐ Yes ☒ No Date 06-10-19
Existing Land Use Home Proposed Land Use Office Irrigation District # 1
Residential Replat Yes ☐ No ☒ **Commercial** Replat Yes ☐ No ☒ **ETJ** Yes ☐ No ☒
Agricultural Tax Exemption Yes ☐ No ☒ Estimated Rollback tax due 0
Legal Description 1.64 acres o/o Lot 95, La Lomita Irrigation & Constrcution Co.
Hidalgo County, Texas (Vol. 24, Page 68 H.C.D.R.)

Owner

Name Cynthia Ann Salazar Phone (956) 537-7790
Address 1320 Oriole Ave.
City McAllen State TX Zip 78504
E-mail cynthiaann10@aol.com

Developer

Name Cynthia Ann Salazar Phone (956) 537-7790
Address 1320 Oriole Ave.
City McAllen State TX Zip 78504
Contact Person Cynthia Ann Salazar
E-mail cynthiaann10@yahoo.com

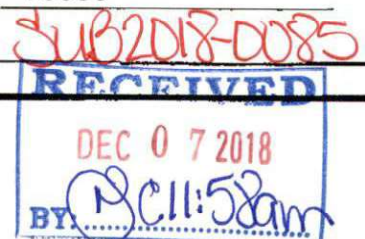
Engineer

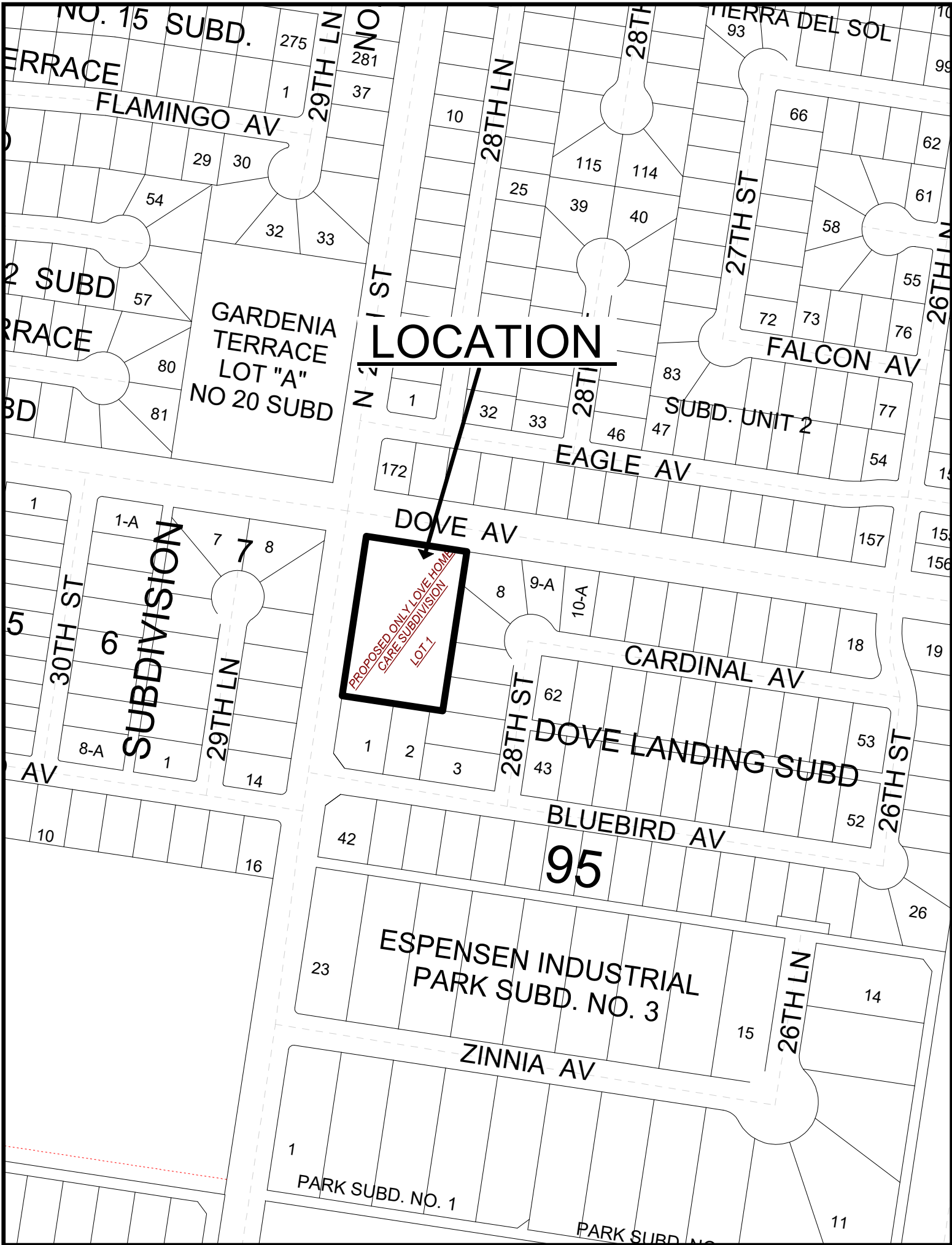
Name M Garcia Engineering, LLC Phone (956) 687-9421
Address 400 Nolana, Suite H2
City McAllen State TX Zip 78501
Contact Person Mariano Garcia, P.E.
E-mail mariano@mgarciaengineering.com

Surveyor

Name Mario Gonzalez, RPLS Phone (956) 380-5154
Address 24593 FM 88
City Monte Alto State TX Zip 78538
E-mail jmgonzalezrpls@msn.com

Rec # 594884 pd \$2250





LOCATION

PROPOSED ONLY LOVE HOME
CARE SUBDIVISION
LOT 1

95



City of McAllen

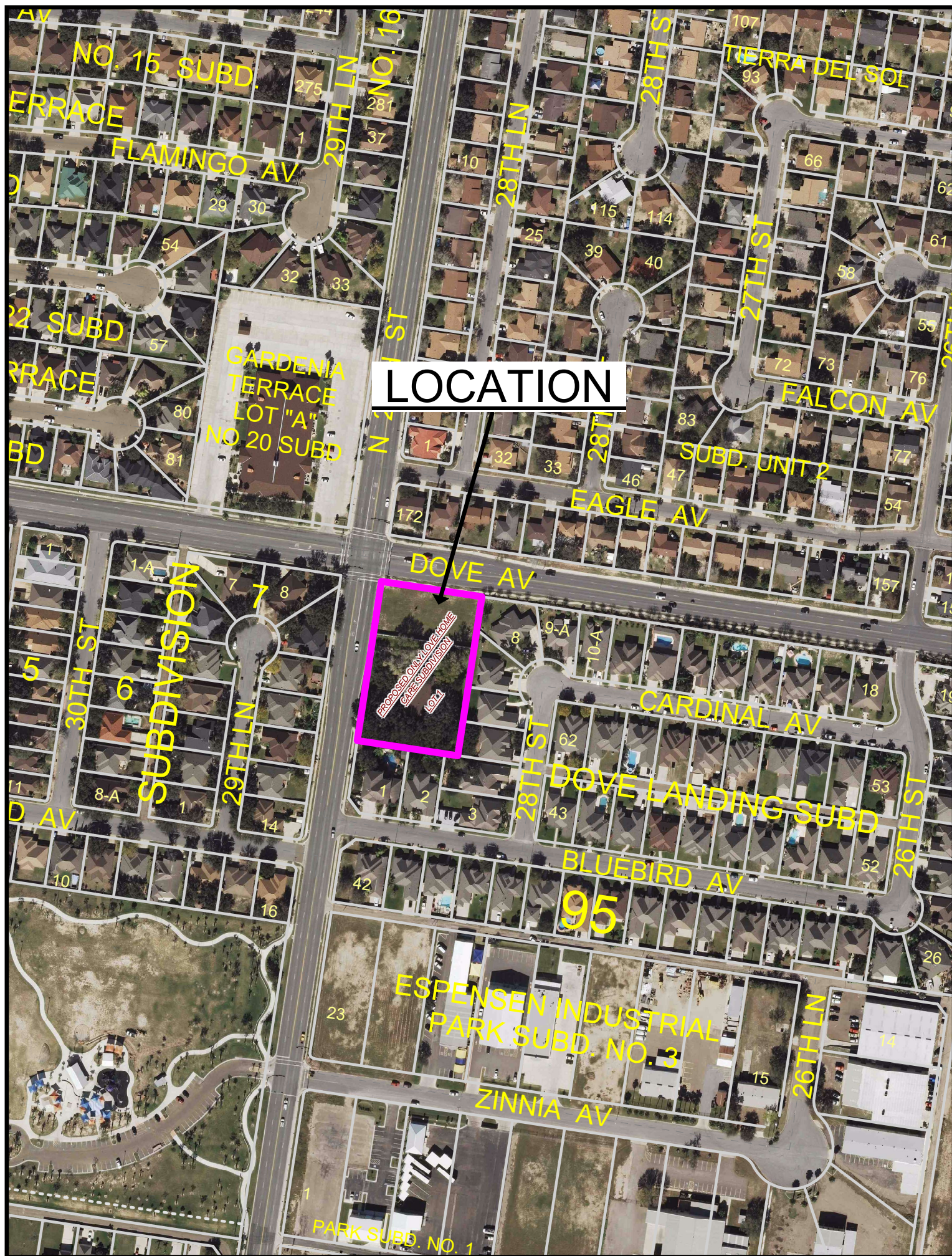
SUBDIVISION PLAT REVIEW

Reviewed On: 5/15/2020

SUBDIVISION NAME: ONLY LOVE HOME CARE	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Dove Ave.: min. 30 ft. dedication for 75 ft. from centerline for 150 ROW Paving: min. 65 ft. Curb & gutter: both sides **Show centerline and 75 ft. from centerline on the plat, prior to final.	Applied
N. 29th Street: min. 10 ft. dedication for 50 ft. from centerline for 100 ft. ROW Paving: 65 ft. Curb & gutter: both sides **Show centerline and 50 ft. ROW from centerline on the plat, prior to final.	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: 24 ft. Paving: 20 ft. *Alley/service drive easement required for commercial properties	Non-compliance
SETBACKS	
* Front: Dove Ave.: Proposing 50 ft. or greater for easements. **Variance letter submitted by Engineer on May 12, 2020 proposes 50 ft. front setback for Dove Ave., instead of 75 ft.	Non-compliance
N. 29th Street: Proposing 45 ft. or greater for easements. **Variance letter submitted by Engineer on May 12, 2020 proposes 45 ft. front setback for N. 29th St, instead of 50 ft.	
* Rear: In accordance with the Zoning Ordinance, or greater for easement. **Plat submitted May 12, 2020, shows 10 ft. for rear setback, need to revise prior to final.	Non-compliance
* Sides: In accordance with the Zoning Ordinance or greater for easements. **Plat submitted May 12, 2020 needs to be revised as noted above.	Non-compliance
* Corner: Dove Avenue: Proposing 50 ft. or greater for easements **Variance letter submitted by Engineer on May 12, 2020 proposes 50 ft. corner setback on Dove Ave. instead of 75 ft.	Applied
N. 29th Street: Proposing 45 ft. or greater for easements **Variance letter submitted by Engineer on May 12, 2020 proposes 45 ft. corner setback on N. 29th St. instead of 75 ft.	
* Garage: **Plat submitted May 12, 2020 needs to be revised to remove garage setback reference.	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Dove Ave. and N. 29th Street.	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. **Note #7 on plat submitted May 12, 2020 needs to be revised as noted above.	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Plat submitted May 12, 2020 needs to be revised to reflect this requirement.	Non-compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along **On May 12, 2020, a variance request was submitted regarding the proposed driveway location.	TBD
* Site plan must be approved by the Planning Department and other development departments prior to building permit issuance.	Applied
* Common Areas, service drives must be maintained by the lot owners and not the City of McAllen	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	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-1 Proposed: C-1 **Application indicates the proposed use to be for office use.	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 per dwelling unit 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. Per Traffic Department, Trip generation waived.	Complete
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	

<p>Comments: Must comply with City's Access Management Policy. **Traffic Department, Fire Department and Public Works have indicated they need a site plan for review. ****Engineer submitted a variance request on May 12, 2020 for the proposed setbacks shown on plat.</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED AND CLARIFICATION ON THE REQUESTED VARIANCES.</p>	Applied



May 8th, 2020

Berenice Mariel Gonzalez - Planner III
City of McAllen Planning Department
311 N. 15th Street
McAllen, TX 78501
(956) 681-1250

RE: Only Love Subdivision

Dear Ms. Gonzalez:

Please allow this letter to serve as a formal request for a variance from the City's setback requirements for the proposed plat of Only Love Subdivision, a one-lot subdivision.

At this point, the City is currently requiring Only Love Subdivision the following setbacks after the dedication of 30 feet of additional right of way for Dove Avenue for a total of 75 feet from center of road and a dedication of 10 feet of additional right of way for N. 29th Street for a total of 50 feet from center of road:

Front: Dove Avenue: 75 ft front setback or greater for easements.
N. 29th Street: 50 ft front setback or greater for easements.
Rear: In accordance with the Zoning Ordinance, or greater for easements.
Sides: In accordance with the Zoning Ordinance, or greater for easements.
Corner: Dove Avenue: 75 ft. or greater for easements.
N. 29th Street: 50 ft. or greater for easements.

We are respectfully requesting a variance as follows:

Front: Dove Avenue: 50 ft front setback or greater for easements.
N. 29th Street: 45 ft front setback or greater for easements.
Rear: In accordance with the Zoning Ordinance, or setbacks for easements.
Sides: In accordance with the Zoning Ordinance, or greater for easements.
Corner: Dove Avenue: 50 ft. or greater for easements.
N. 29th Street: 45 ft. or greater for easements.

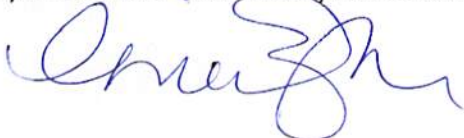
In consideration of this variance request, these proposed setbacks would allow:

- The proposed construction necessary for the reasonable use of the property.
- The proposed construction would not alter the essential character of the neighborhood.
- The proposed construction represents the least intrusive solution possible.

For these reasons, we respectfully request that the McAllen Planning and Zoning Commission grant our request for variance from the current setback requirements.

Thank you for your consideration to this request.

Cynthia Salazar - Owner Only Love Subdivision



SUB2020-0025

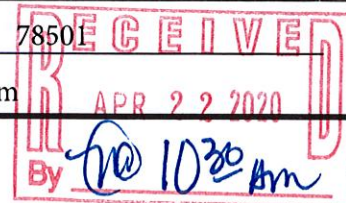


City of McAllen
Planning Department
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

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

Project Description	<p>Subdivision Name <u>Shary Manor Subdivision</u></p> <p>Location <u>East side of N. Shary Road approx. 2,000 feet north of Lark Avenue</u></p> <p>City Address or Block Number _____</p> <p>Number of lots <u>106</u> Gross acres <u>38.27</u> Net acres <u>38.27</u></p> <p>Existing Zoning <u>C-3</u> Proposed <u>R3A</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>Open</u> Proposed Land Use <u>Duplex/Fourplex</u> Irrigation District # <u>UID</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>N/A</u></p> <p>Legal Description <u>38.27 acres of land out of Lot 385 John H. Shary Subdivision</u></p>
Owner	<p>Name <u>Shary 80 Phase I, LLC</u> Phone <u>956-213-8244</u></p> <p>Address <u>P.O. Box 610</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u></p> <p>E-mail <u>jwholand@verturointerests.com</u></p>
Developer	<p>Name <u>Shary 80 Phase I, LLC</u> Phone <u>956-213-8244</u></p> <p>Address <u>P.O. Box 610</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u></p> <p>Contact Person <u>Joseph W. Holand</u></p> <p>E-mail <u>jwholand@verturointerests.com</u></p>
Engineer	<p>Name <u>Javier Hinojosa Engineering</u> Phone <u>956-668-1588</u></p> <p>Address <u>416 E. Dove Avenue</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u></p> <p>Contact Person <u>Javier Hinojosa, P.E.</u></p> <p>E-mail <u>javhin@rgv.rr.com</u></p>
Surveyor	<p>Name <u>CVQ Land Surveyors, LLC</u> Phone <u>956-618-1551</u></p> <p>Address <u>517 Beaumont</u></p> <p>City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u></p> <p>Contact Person: <u>Carlos Vasquez, R.P.L.S.</u> Email: <u>cvq@cvqls.com</u></p>

Act # 713343 pd \$3000



Proposed Plat Submittal

Minimum Developer's Requirements 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 (Identifying owner on application)
- _____ Autocad 2005 DWG file and PDF of plat
- _____ Letter of Authorization from the owner, if applicable
- _____ Proof of authority of person signing application on behalf of partnership/corporation, if applicable

PLAT TO SHOW:

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

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission 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 _____ Date 4/21/20

Print Name Joseph W. Holand

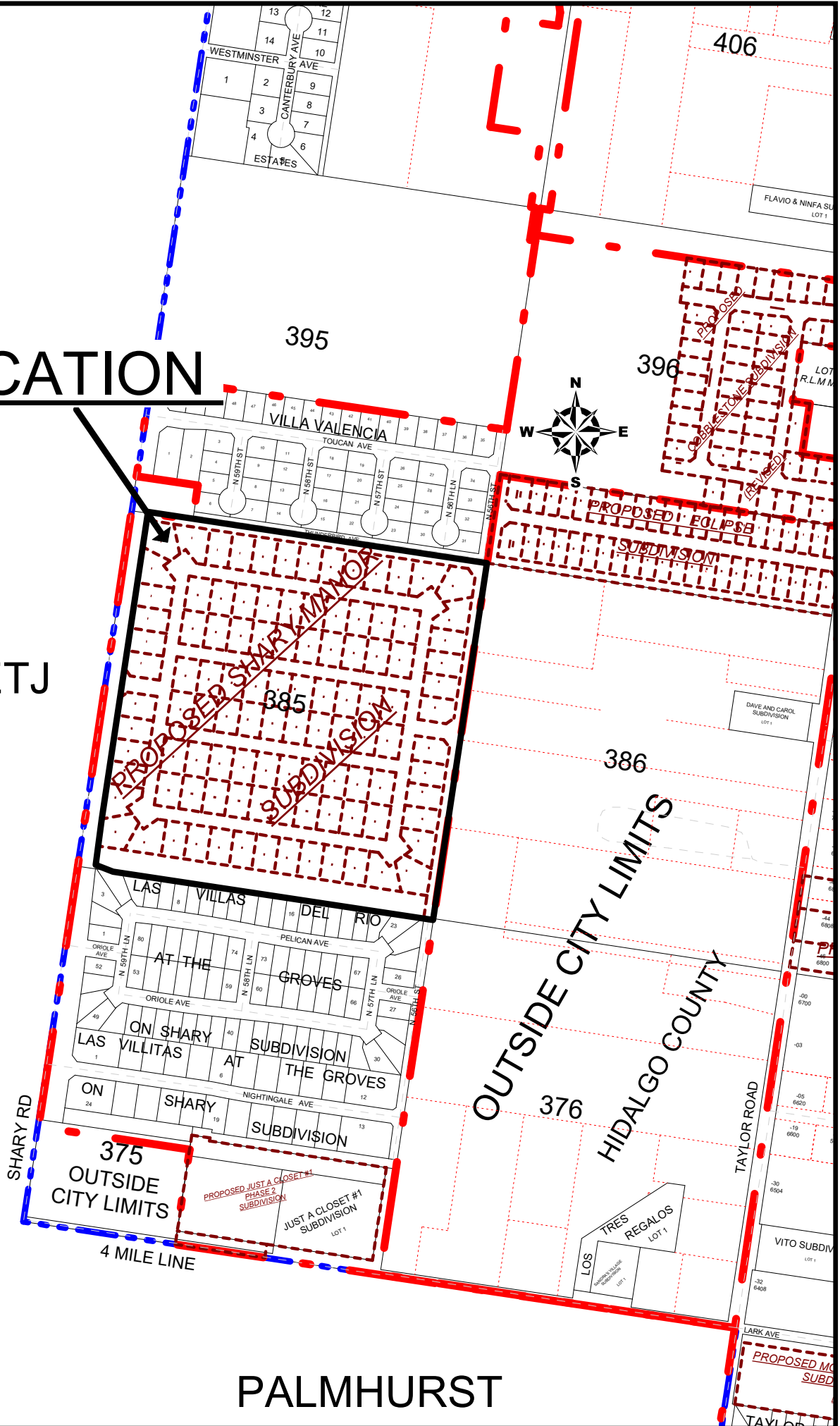
Owner ☒

Authorized Agent ☐

09/15

LOCATION

ALTON ETJ

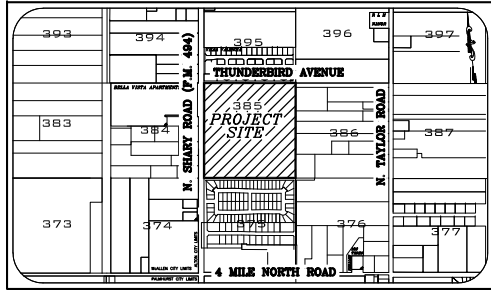


PALMHURST

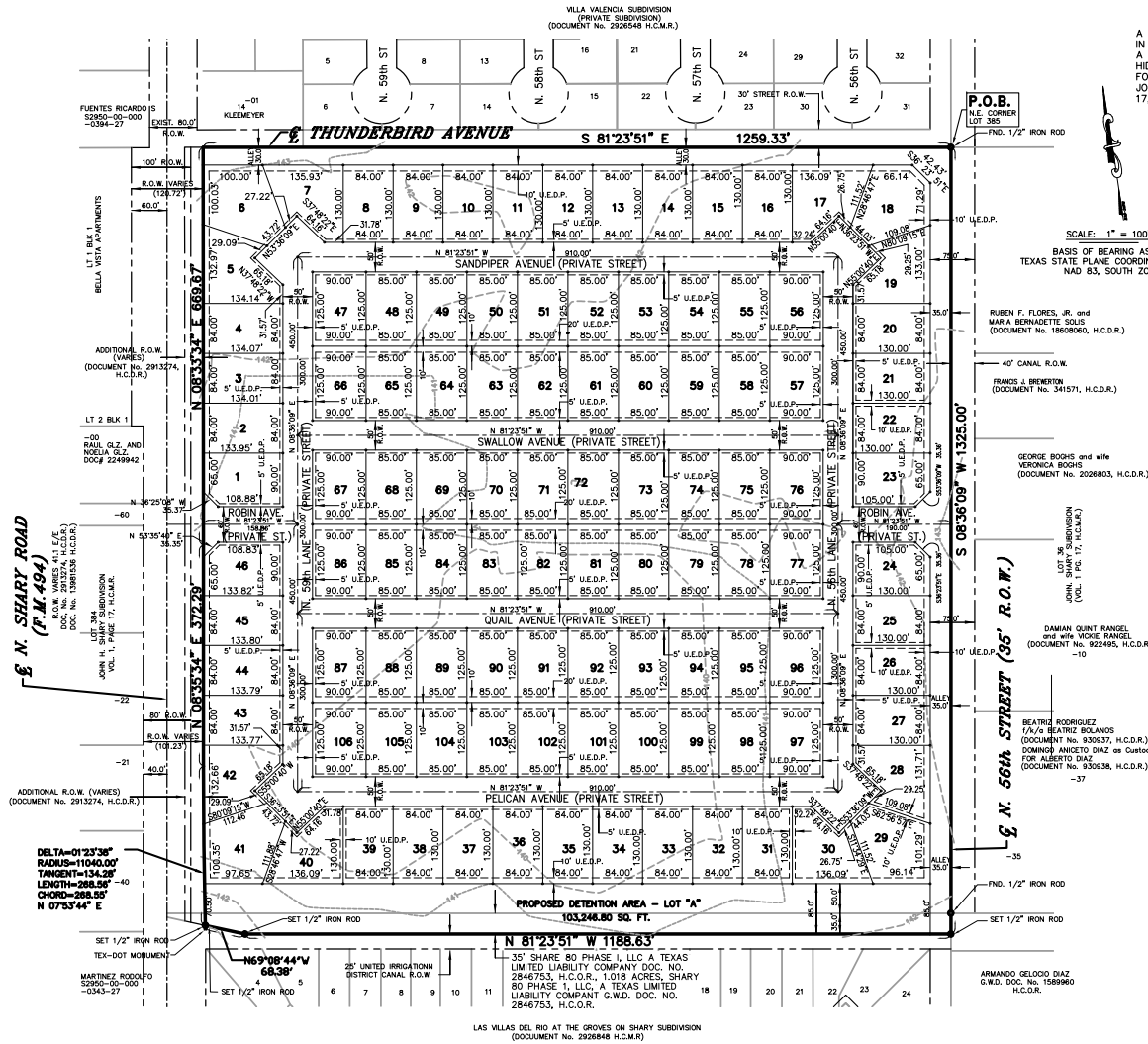
LOT #	SQ. FT.	ACRES
2	11,740	0.27
3	11,254	0.26
4	11,259	0.26
5	11,265	0.26
6	13,135	0.30
7	13,077	0.30
8	13,077	0.30
9	13,077	0.30
10	13,077	0.30
11	13,077	0.30
12	13,077	0.30
13	13,077	0.30
14	13,077	0.30
15	13,077	0.30
16	13,077	0.30
17	13,077	0.30
18	13,077	0.30
19	13,077	0.30
20	13,077	0.30
21	13,077	0.30
22	13,077	0.30
23	13,077	0.30
24	13,077	0.30
25	13,077	0.30
26	13,077	0.30
27	13,077	0.30
28	13,077	0.30
29	13,077	0.30
30	13,077	0.30
31	13,077	0.30
32	13,077	0.30
33	13,077	0.30
34	13,077	0.30
35	13,077	0.30
36	13,077	0.30
37	13,077	0.30
38	13,077	0.30
39	13,077	0.30
40	13,077	0.30
41	13,077	0.30
42	13,077	0.30
43	13,077	0.30
44	13,077	0.30
45	13,077	0.30
46	13,077	0.30

LEGEND

U.E.D.P. = UTILITY EASEMENT DEDICATED BY THIS PLAT
N.T.S. = NOT TO SCALE
P.O.B. = POINT OF BEGINNING
H.C.D.R. = HIDALGO COUNTY DEED RECORDS
H.C.M.R. = HIDALGO COUNTY MAP RECORDS
VOL. = VOLUME
PG. = PAGE
R.O.W. = RIGHT OF WAY
FND. = FOUND 1/2" IRON ROD
o = SET 1/2" IRON ROD



LOCATION MAP
N.T.S.



SUBDIVISION PLAT OF SHARY MANOR SUBDIVISION (PRIVATE SUBDIVISION)

A TRACT OF LAND CONTAINING 38.27 ACRES OF LAND, SITUATED IN HIDALGO COUNTY, TEXAS, SAID 38.27 ACRES OF LAND, BEING A PART OR PORTION OF LOT 385, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, AND PART OR PORTION OF A 60.0 FOOT CANAL RIGHT-OF-WAY BETWEEN LOT 375 AND LOT 385, JOHN H. SHARY SUBDIVISION, MAP REFERENCE: VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS

SCALE: 1" = 100'
BASIS OF BEARING AS PER
TEXAS STATE PLANE COORDINATE SYSTEM
NAD 83, SOUTH ZONE

RUBEN F. FLORES, JR. and
MARIA BERNADETTE SOLIS
(DOCUMENT NO. 15608566, H.C.D.R.)

RANDY & BRENDA
(DOCUMENT NO. 341571, H.C.D.R.)

GEORGE BOGGS and wife
VERONICA BOGGS
(DOCUMENT NO. 2026803, H.C.D.R.)

JOHN SHARY SUBDIVISION
(VOL. 1 PG. 17, H.C.M.R.)

DAMIAN QUINT RANGEL
and wife VOICE RANGEL
(DOCUMENT NO. 822665, H.C.D.R.)

BEATRIZ RODRIGUEZ
A/O BEATRIZ SOLANOS
(DOCUMENT NO. 930937, H.C.D.R.)
DOMINGO ANICETO DIAZ as Custodian
FOR ALBERTO DIAZ
(DOCUMENT NO. 930938, H.C.D.R.)

ARMANDO DELCOSO DIAZ
G.W.D. DOC. NO. 1589960
H.C.D.R.

RECEIVED

By Nikki Marie Cavazos at 11:10 am, Apr 23, 2020

RECEIVED VIA EMAIL 04/21/2020 AT 3:05 PM

PRINCIPAL CONTACTS:			
NAME	ADDRESS	CITY & ZIP	PHONE #
OWNER: SHARY 80 PHASE I, LLC,	P.O. BOX 610	MCALLEN, TX 78505	(956) 213-8244
ENGINEER: JAVIER HINOJOSA	416 E. DOVE AVENUE	MCALLEN, TX 78504	(956) 668-1588
SURVEYOR: CARLOS VASQUEZ	517 BEAUMONT AVE.	MCALLEN, TX 78501	(956) 618-1551



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

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

DATE OF PREPARATION: APRIL, 2020

DRAWN BY: L. HERNANDEZ



JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
416 E. DOVE AVENUE MCALLEN, TEXAS 78504
PHONE (956) 668-1588
javin@jeh-engineering.com
TIPELS FIRM NUMBER P-1286

SHEET 1 OF 2



Reviewed On: 5/15/2020

SUBDIVISION NAME: SHARY MANOR**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

North Shary Road: 60 ft. from centerline for 120 ft of ROW

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

*Provide copy of document for ROW dedication (Doc. #2913274)

**Provide range of dedication along North Shary Road, including ROW from centerline to new property line to verify if additional dedication required prior to final.

Non-compliance

Thunderbird Avenue: 30 ft. dedication from centerline for 60 ft. ROW

Paving: 40 ft. Curb & gutter: both sides

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

***Correct plat to indicate 30 ft. additional ROW dedicated by this plat.

*****Revise reference to an alley where ROW is being dedicated.

Non-compliance

Robin Avenue (entrance Streets): 60 ft. ROW

Paving: 40 ft. Curb & gutter: both sides

*Escrow monies if improvements not built prior to plat recording.

**Provide gate details prior to final to assure compliance with requirements.

Applied

Other Interior Streets: 60 ft. ROW

Paving: 40 ft. Curb & gutter: both sides

**Engineer must clarify use prior to final. As per application, R-3A zones require 60 ft. of ROW with 40 ft. of paving. 50 ft. of ROW is being proposed.

**As per Engineering Department, Square knuckles, in lieu of round cul-de-sacs, may pose an issue with placement of inlets in the future and are therefore not recommended.

***Must escrow monies if improvements are not built prior to final.

****As per Fire Department, Cul-de-Sac minimum of 96 ft. paving diameter face-to-face.

Non-compliance

N. 56th Street: 35 ft. ROW dedication for 70 ft. ROW

Paving: 50 ft. Curb & gutter: both sides

*Clarify "35 ft. Alley" indicated on the North 56th. St. ROW.

**Indicate the total and dedicated ROW on North 56th St.

***City Commission approved a variance request to allow a half street with 24 ft. of paving at their meeting of March 27, 2017. Variance will be applied to this subdivision.

****Escrow monies if improvements not built prior to plat recording

*****Revise reference to alley where ROW is being dedicated.

Non-compliance

* 800 ft. block length:

**City Commission approved a variance request to allow block lengths greater 800 ft. at their meeting of March 27, 2017. Variance will be applied to this subdivision.

Applied

* 600 ft. Maximum Cul-de-Sac.

**As per Engineering Department, Square knuckles, in lieu of round cul-desacs, may pose an issue with placement of inlets in the future and are therefore not recommended.

***As per Fire Department, 96 ft. minimum diameter face-to-face for Cul-de-Sac

Applied

ALLEYS

ROW: 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties.

**Clarify use/zone prior to final and reference on plat to alleys where streets are located;

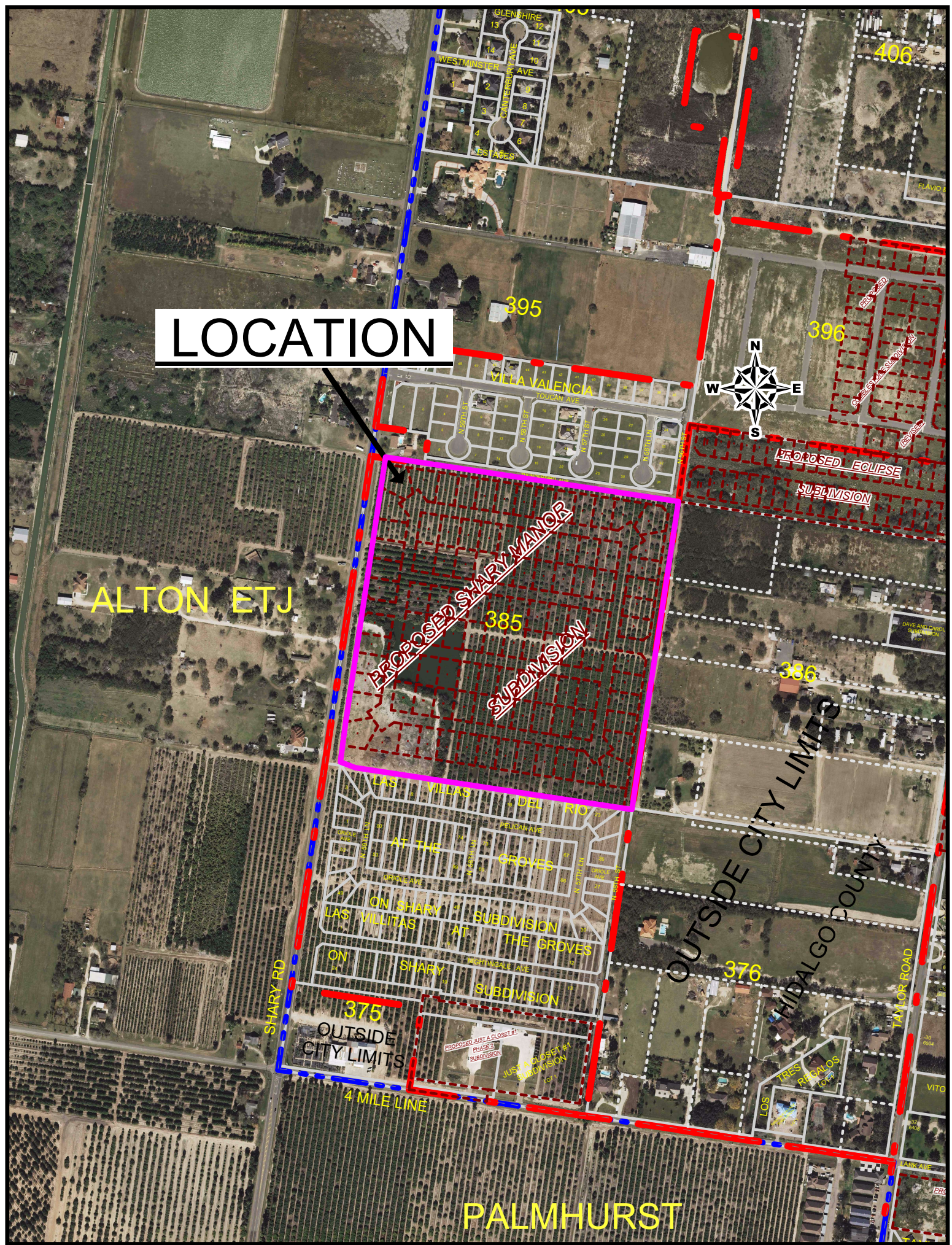
Thunderbird Avenue and North 56th Street.

TBD

SETBACKS	
* Front: 20 ft. or greater for easements. ****Please revise plat Note #3 as shown above.	Non-compliance
* Rear: In accordance with the Zoning Ordinance or greater for easements. **Please revise plat Note #3 as shown above.	Non-compliance
* Sides: In accordance with the Zoning Ordinance or greater for easements. **Please revise plat Note #3 as shown above.	Non-compliance
* Corner: 10 ft. or greater for easements.	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on N. 56th Street, and on both sides of all interior streets. **5 ft. wide minimum sidewalk on North Shary Road as may be required by the Engineering Department.	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 and along North Shary Road, North 56th Street, and Thunderbird Avenue. **Engineer must verify use and zoning before final to determine what type of buffer will be required.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Engineer must verify use and zoning before final to determine what type of buffer will be required.	TBD
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along North Shary Road, North 56th Street and Thunderbird Avenue.	Not Applied
* Site plan must be approved by the Planning and Development Departments prior to building permit issuance.	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen	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.	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. **HOA will be recorded simultaneously with subdivision plat.	Required
LOT REQUIREMENTS	
* Lots fronting public streets. Interior streets proposed to be private.	Applied

<ul style="list-style-type: none"> * Minimum lot width and lot area, **Lots 6, 18, 29, 41 do not have the required minimum 50 ft. of frontage along a street. Please revise plat and verify that all lots comply with minimum frontage prior to final. 	Non-compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: C-3 Proposed: R-3A **Rezoning needed prior to final. * Rezoning Needed Before Final Approval 	Non-compliance
	Required
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. Subdivision will be subject to review by the McAllen Park Land Dedication Advisory Board. * Park Fee of \$700 per dwelling unit to be paid prior to recording. Subdivision is subject to the McAllen Park Land Dedication Advisory Board review to determine land dedication or fee prior to final. * Pending review by the Parkland Dedication Advisory Board and CC. 	Required
	TBD
	Required
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Dept., Trip Generation must be submitted to determine if TIA is required, prior to final plat. * Traffic Impact Analysis (TIA) required prior to final plat. 	Non-compliance
	TBD
COMMENTS	
<p>Comments: Must comply with City's Access Management Policy</p> <p>**As per Traffic and Fire Departments, please submit gate detail for staff's review prior to final.</p> <p>***As per Traffic Dept., please show no parking for edges of knuckles in subdivision.</p> <p>****As per Engineering Dept., square knuckles, in lieu of round cul-de-sacs, may pose an issue with placement of inlets in the future and are therefore not recommended.</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND UTILITIES AND DRAINAGE APPROVALS.</p>	Applied

LOCATION



SUB2020-0028



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)

Project Description

Subdivision Name Avanti Legacy Valor Heights
 Location East side of Col. Rowe Blvd. (S. 2nd St.) approximately 330 ft. south of U.S. Business 83
 City Address or Block Number Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Phase One Office Park Subdivision, Hidalgo County, Texas 201, 205, 209, 213, 217, 225, 229, 233, and 221 South 2nd Street
 Number of lots 9 Gross acres 3.93 Net acres 3.93
 Existing Zoning R-3A Proposed R-3A Rezoning Applied For ☒ Yes ☐ No Date 4/27/2020 ^{Approved}
 Existing Land Use vacant Proposed Land Use Residential MF Irrigation District # 2
 Residential Replat Yes ☐ No ☒ Commercial Replat Yes ☒ No ☐ ETJ Yes ☐ No ☒
 Agricultural Tax Exempt Yes ☐ No ☒ Estimated Rollback tax due N/A
 Parcel No. 639013-639021 Tax Dept. Review _____
 Legal Description Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Phase One Office Park Subdivision

Owner

Name Frank A Smith Sales, Inc. Phone 956-343-0725
 Address PO BOX 2947
 City McAllen State TX Zip 78502
 E-mail Rsmith@franksmith.us

Developer

Name Avanti Legacy Valor Heights, LP Phone 512-982-1359
 Address 8500 Shoal Creek blvd, Building 4, Suite 208
 City Austin State TX Zip 78757
 Contact Person Enrique Flores
 E-mail henry@madhousedevlopment.net

Engineer

Name Carney Engineering, PLLC Phone 469-443-0861
 Address 5700 Granite Parkway, Suite 200
 City Plano State TX Zip 75024
 Contact Person Craig Carney
 E-mail Craig@Eng-Firm.com

Surveyor

Name Canada Bass Phone 361-881-8044
 Address 710 Buffalo St #700
 City Corpus Christi State TX Zip 78401



Pct# 714489 pd \$300

Proposed Plat Submittal

Minimum Developer's Requirements 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 (Identifying owner on application)
- ☒ Autocad 2005 DWG file and PDF of plat
- ☒ Letter of Authorization from the owner, if applicable
- ☒ Proof of authority of person signing application on behalf of partnership/corporation, if applicable

PLAT TO SHOW:

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

Note: Though the original submittal for application to process a subdivision plat does not require the drainage report or utility plans, it is advisable that they be included with the original submittal to expedite the review process. Complying with the minimum requirements for the original plat submittal does not constitute meeting the deadline for drainage and utility review by the appropriate boards. Additional information will be required during the review to properly complete the subdivision process. Any revisions would require resubmission 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 Enrique Flores Date 4/30/20

Print Name Enrique Flores

Owner ☐

Authorized Agent ☒

LOCATON



Reviewed On: 5/15/2020

SUBDIVISION NAME: AVANTI LEGACY VALOR HEIGHTS**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

South 2nd Street: 40 ft. from centerline for 80 ft. of ROW
 Paving: 65 ft. Curb & gutter: both sides
 *Engineer must indicate centerline to verify if any ROW dedication is needed prior to final.
 **Provide copy of Document No. 1005365 from HCID No. 2 Permit which allows access onto South 2nd Street.

Applied

South 1st Street: 30 ft. from centerline existing for 50 ft. of ROW
 Paving: 32 ft. Curb & gutter: Both sides
 **Monies must be escrowed if improvements are not built prior to recording.

Applied

Beaumont Avenue: 25 from centerline for 50 ft. of ROW
 Paving: 32 ft. Curb & gutter: Both sides
 **Monies must be escrowed if improvements are not built prior to final.

Applied

Paving _____ Curb & gutter _____

Applied

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

NA

SETBACKS

**South 1st Street: 25 ft. or greater for easements or approved site plan shown on current plat. Engineer is proposing 40 ft. To be established prior to final.

Non-compliance

***Beaumont Avenue: To be established prior to final, but no less than the Ordinance requirements. Existing plat requires 10 ft. corner setback on Beaumont Avenue, or 10 ft. or greater for approved site plan.

****South 2nd Street: 40 ft. or greater for easements.

* Rear: In accordance with Zoning Ordinance or greater for easements or approved site plan.

Applied

* Sides: In accordance with Zoning Ordinance or greater for easements or approved site plan.

Applied

* Corner: In accordance with Zoning Ordinance, or greater for easements or approved site plan.

Non-compliance

**Add plat note as shown above.

* Garage: 18 ft. except where greater setback is required, greater setback applies.

Applied

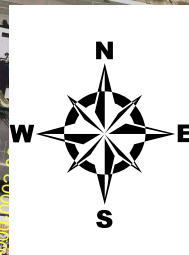
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN

Applied

SIDEWALKS	
<ul style="list-style-type: none"> * 4 ft. wide minimum sidewalk required on South 2nd Street, South 1st Street and Beaumont Avenue. **Add note on plat as shown above. * Perimeter sidewalks must be built or money escrowed if not built at this time. 	Non-compliance
	Applied
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along South 1st Street. **please revise plat note as shown above. * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along the south property line. **Please revise plat note as shown above prior to final. *Perimeter buffers must be built at time of Subdivision Improvements. 	Non-compliance
	Non-compliance
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along South 1st Street. **Please revise plat note as shown above. ***Access to South 2nd. Street existing/permitted for Life of Use from H.C.I.D. #2 (Document #1005365). * Site plan must be approved by the Planning and Zoning Commission prior to Building Permit issuance. **Please revise note as shown above. * Common Areas, private streets/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. * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. 	Non-compliance
	Non-compliance
	Applied
	Applied
	Non-compliance
	NA
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. * Minimum lot width and lot area 	Compliance
	Applied
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-3A Proposed: R-3A **P&Z approved rezoning to R-3A April 7, 2020 ***C.C. approved rezoning to R-3A April 27, 2020 * Rezoning Needed Before Final Approval 	Compliance
	NA
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. Subject to Park Land Advisory Board review * Park Fee of \$700 per dwelling unit to be paid prior to recording. Subdivision is subject to Park Land Advisory Board review to determine land dedication or fee prior to final. * Pending review by the Parkland Dedication Advisory Board and CC. 	Required
	TBD
	Required

TRAFFIC	
* As per Traffic Dept., must submit Trip Generation to determine if TIA is required, prior to final plat. * Traffic Impact Analysis (TIA) required prior to final plat.	Required
	TBD
COMMENTS	
Comments: *Must comply with City's Access Management Policy **As per Traffic Department, please clarify location of accesses prior to final. **Submit gate detail if applicable prior to final for staff's review to assure compliance. ***Engineer must clarify if any of the existing easements will be abandoned. If abandonment is required, it must be done by separate document/instrument prior to final. ****Please remove references to "Landscape Easement" prior to final.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, UTILITIES AND DRAINAGE APPROVALS.	Applied

LOCATION



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200' NOTIFICATION BOUNDARY



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



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

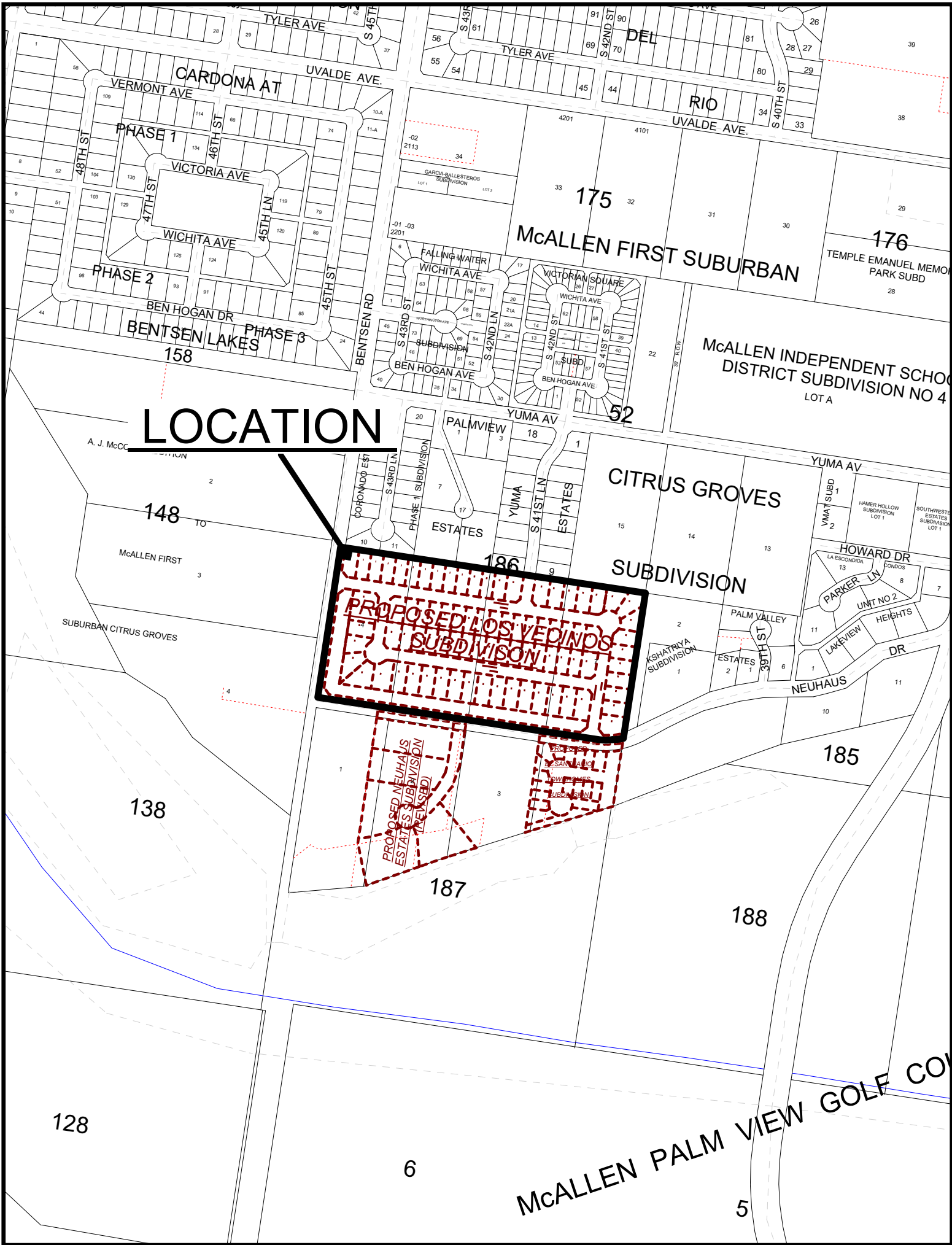
8082019-0088

1300 Houston Avenue
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project Description	Subdivision Name <u>Los Vecinos Subdivision</u> At the northeast corner of the intersection of Location <u>Neauhaus Road and Bensten Road</u> City Address or Block Number <u>Lots 4,5,6 & 7 of the McAllen First Suburan</u> <u>Citrus Grove</u> Number of lots <u>83</u> Gross acres <u>19.106</u> Net acres <u>19.106</u> Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>N/A</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>1</u> Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due _____ Legal Description <u>A subdivision of 19.106 acres situated in the City of McAllen</u> <u>Hidalgo County, Texas and being out of Lots 4,5,6 & 7 of the</u> <u>McAllen First Suburan Citrus Groves Subdivision</u>
Owner	Name <u>Tres Vecinos, LLC</u> Phone <u>956-802-9070</u> Address <u>P.O. Box 1258</u> City <u>Mission</u> State <u>Tx</u> Zip <u>78573</u> E-mail <u>dannydoublea@aol.com</u>
Developer	Name <u>Same as Owner</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Engineer	Name <u>Halff Associates Inc</u> Phone <u>956-445-5227</u> Address <u>5000 W Military Hwy Suite 100</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u> Contact Person <u>Raul Garcia, PE or Roxxie Mann, EIT</u> E-mail <u>rgarcia@halff.com or rmann@halff.com</u>
Surveyor	Name <u>Same as Engineer</u> Phone _____ Address _____ City _____ State _____ Zip _____ E-mail _____

Rct# L071450pd \$3000





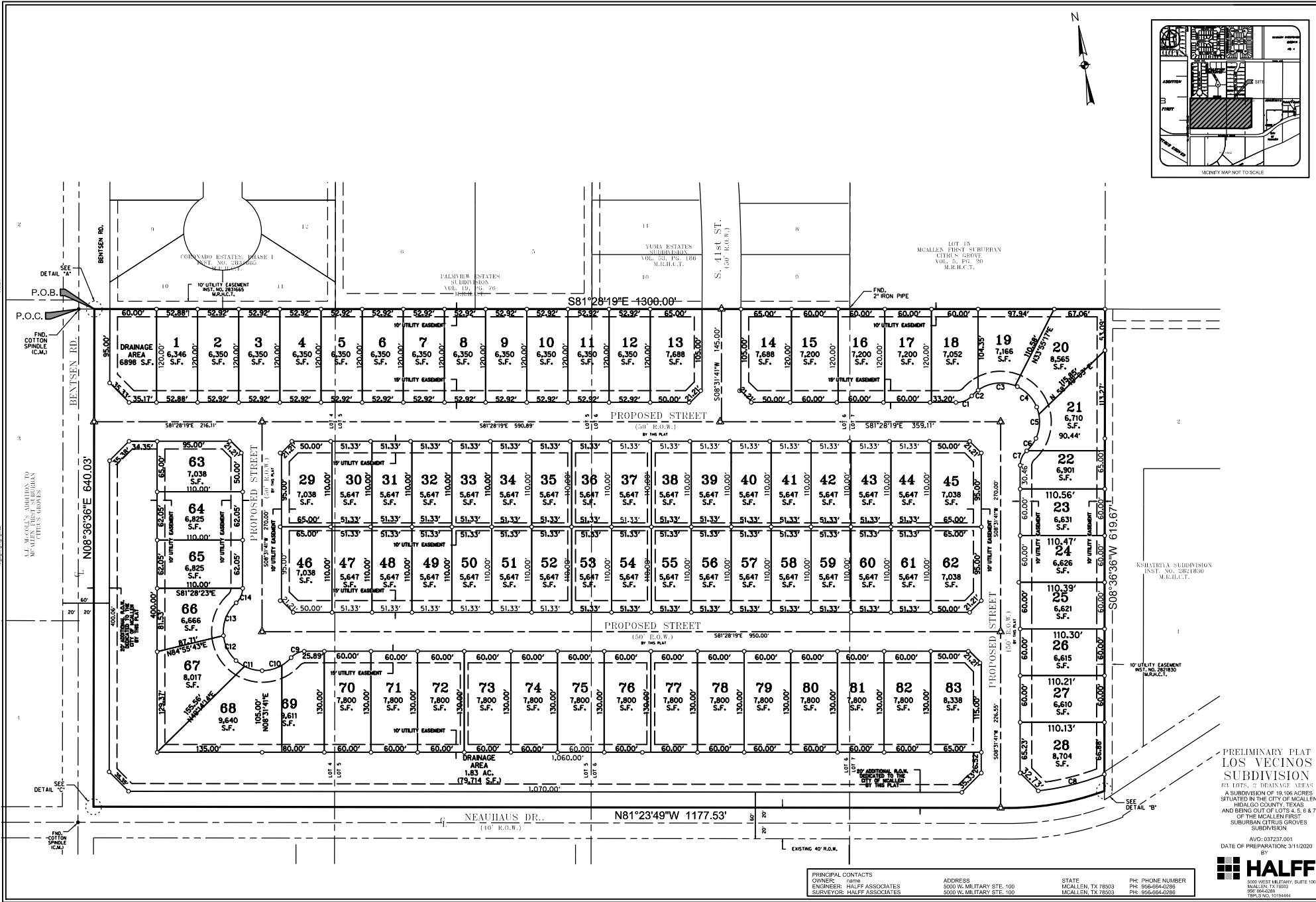
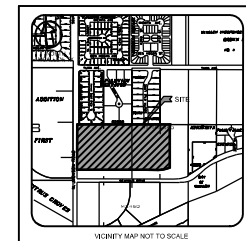
LOCATION

PROPOSED LOS YEPINDO
SUBDIVISION

PROPOSED NEUHAUS
ESTATES SUBDIVISION
(REVISED)

VALERIES
BY SAINTE LUCIE
SUBDIVISION

McALLEN PALM VIEW GOLF COURSE



PRELIMINARY PLAT
LOS VECINOS
SUBDIVISION
83 LOTS, 2 DRAINAGE AREAS
A SUBDIVISION OF 19.106 ACRES
SITUATED IN THE CITY OF McALLEN,
HIDALGO COUNTY, TEXAS
AND BEING OUT OF LOTS 4, 5, 6 & 7
OF THE McALLEN FIRST
SUBURBAN CITRUS GROVES
SUBDIVISION

AVO: 037237.001
DATE OF PREPARATION: 3/11/2020
BY:





City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 4/3/2020

SUBDIVISION NAME: LOS VECINOS	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
S. Bentsen Rd. 20 ft. ded. for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: Both sides **Must escrow monies if improvements are not built prior to recording.	Required
Neuhaus Drive - min. 10 ft. dedication for 60 ft. ROW, and must match existing to east Paving: 40 ft. Curb & gutter: Both sides **Must escrow monies if improvements are not built prior to recording. ***Plat submitted January 7, 2020 provides for a 20 ft. dedication	Required
S. 41st Street - 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides **Align/match with existing street to the north.	Applied
Other interior streets - 50 ft. ROW Paving: 32 ft. Curb & gutter: Both sides	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length - As proposed block length is approximately 900 ft. without cross streets or stub out streets. **Engineer has submitted a variance request to the block length which exceeds the 800 ft., and it will be presented at P&Z meeting of April 7, 2020.	Non-compliance
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
SETBACKS	
* Front: 25 ft. or greater for easements. **Clarify reference to 30 ft. setback on Bentsen Road and 40 ft. on Neuhaus Drive, Note will be finalized prior to final once this has been clarified.	Applied
* Rear: In accordance with the Zoning Ordinance, or greater for easements, except 25 ft. for double fronting lots as may be applicable. **Note #5 to be revised once established, prior to final.,	Applied
* Interior sides: In accordance with the Zoning Ordinance, or greater for easements.	Compliance
* Corner: 10 ft. or greater for easements. **Revise Note #5 as noted above.	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on: S. Bentsen Road, Neuhaus Drive and both sides of all interior streets.	Compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	

<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along S. Bentsen Road and Neuhaus Drive. **Plat submitted January 7, 2020 includes such requirement. * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. *Perimeter buffers must be built at time of Subdivision Improvements. 	Compliance
	Applied
	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted along S. Bentsen Road and Neuhaus Drive. * Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. * Common Areas, any private streets, detention areas, etc, must be maintained by the lot owners and not the City of McAllen. **Note on the plat will be required once established, prior to final/recording. * 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. **If a public subdivision, section 110-72 applies. * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. 	Compliance
	NA
	Required
	NA
	Required
	Applied
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. * Minimum lot width and lot area. Plat submitted January 7, 2020 shows that some lots appear to have less than the required lot frontage width. Verify that all lots meet minimum 50 ft. wide frontage requirement with corner lots minimum 54 ft. frontage for R-1 zone requirements, prior to final. 	Compliance
	Non-compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: R-1 Proposed: R-1 **Not all lots appear to meet minimum requirements; revise plat as needed. * Rezoning Needed Before Final Approval 	Applied
	NA
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee: Pending review by the Parkland Dedication Advisory Board and City Commission to establish requirements, prior to final. * Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Pending review by the Parkland Dedication Advisory Board and City Commission to establish requirements, prior to final. * Pending review by the Parkland Dedication Advisory Board and CC. Required prior to final to establish requirements, etc. 	TBD
	TBD
	Required
TRAFFIC	
<ul style="list-style-type: none"> * Trip Generation to determine if TIA is required, prior to final plat. **Per Traffic Department need to submit Trip Generation to determine if TIA will be needed prior to final. * Traffic Impact Analysis (TIA) required prior to final plat. 	Non-compliance
	TBD
COMMENTS	
<ul style="list-style-type: none"> Comments: Drainage area needs to have lot # or common lot A, B, etc. **Need note on plat regarding maintenance of common lots, detention areas, etc., prior to final/recording. ***HOA notes also required on plat, prior to final/recording. 	Applied

****Subdivision disapproved in preliminary form at the meeting of November 19, 2019; due to missing ownership documentation.	
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED AND DRAINAGE AND UTILITY APPROVALS.	Applied

LOCATION

PROPOSED LOS VECINOS
SUBDIVISION

PROPOSED PALM
ESTATE SUBDIVISION

McALLEN PALM VIEW GOLF CO



March 24, 2020

City of McAllen – Planning and Zoning
311 N. 15th Street
McAllen, Texas 78501

Attn: Ms. Berenice Gonzalez

Re: Los Vecinos Subdivision – Variance for Block Length

Dear Ms. Gonzalez:

Los Vecinos Subdivision is a 19.106 acre tract of land in the City of McAllen, Hidalgo County, Texas located at the northeast corner of the intersection of South Bentsen and Neuhaus Drive. The subdivision will be utilized for a residential use.

As stated in the Planning and Zoning Commission packet for the 1-21-2020 meeting, the block length is not to exceed 800 ft therefore the proposed south driveway will need to be revised to reduce the current 950 ft block length and a stub out street will need to be added in between Lots 29-45 and 46-62.

If we are required to relocate the proposed south driveway westward to accommodate the 800 ft block length requirement, then the perimeter detention area will be broken into two sections and this breakage will affect the detention volume and earthwork fill quantities. Currently the existing conditions for the proposed site are the following: the northwest portion averages an elevation of 108 ft and the southeast portion averages an elevation of 106 ft. Based on these existing conditions, the current detention pond design utilizes a minimal to no slope along the flowline to allow connection to the proposed outfall at the northwest corner of the subdivision. Due to the current elevations the additional culvert that will be required for the new driveway location will cause extremely steep driveway slopes. See attached Exhibit A.

If we are required to provide a stub out street in between Lots 29-45 and 46-62 to accommodate the 800 ft block length requirement, then the stub out street will be fairly close to the other two neighborhood streets; because of the tight proximity we believe that there's no need for this extra stub out street in this area. Also, by providing a stub out street as an extension to S 41st St. it will attract vehicles to drive at a faster speed which has the potential for vehicle accidents. The current design does force drivers to come to a complete stop before proceeding with their travel in the west and east directions because of the lots currently placed perpendicular to S 41st St. See attached Exhibit A.

The request for a variance for 'Section 134 -118 - Blocks' is to grant the subdivision block length to exceed the 800 ft requirement, which will result in granting no required stub out street in between Lots 29-45 and 46-62 and no relocation of the south driveway off Neuhaus Drive.

Respectfully,



Raul Garcia, Jr., PE, CFM
Land Development/Public Works Team Leader

Memo

TO: Planning & Zoning Commission
FROM: Edgar I. Garcia, AICP, CNU-A
DATE: May 15, 2020
SUBJECT: City Commission Actions on May 11, 2020

REZONINGS:

1. Rezone from R-1 to R-3A District: 39.83 acres out of Lots 13, 14, 16, 17, and 18 Section 234; Texas-Mexican Railway Company Survey; 12512 N. Ware Road
 - Planning and Zoning Commission recommended approval
 - City Commission maintained the item tabled pending traffic study by applicant

CONDITIONAL USE PERMITS:

1. Request of David Lisauckis, for a Conditional Use Permit, for one year, for a bar: Lot A-1, Nolana Tower Subdivision; 400 Nolana Ave, Suite H-1
 - Planning and Zoning Commission disapproved with favorable recommendation
 - City Commission approved as recommended
2. Request of John A Simon, for a Conditional Use Permit, for one year , for a bar: Lot 23; Continental Trade Center Subdivision; 2007 Orchid Ave
 - Planning and Zoning Commission disapproved with a favorable recommendation
 - City Commission approved as recommended
3. Request of Alberto Dominguez, for a Conditional Use Permit, for life of the use, for an institutional use (church): La Lomita (HOIT) Subdivision; 2900 N Ware Rd
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended
4. Request of Nancy Gomez, for a Conditional Use Permit, for one year , for a bar: Lot 1 and 2; Shary Gateway Subdivision; 4901 Expressway 83, Suite 150
 - Planning and Zoning Commission disapproved with a favorable recommendation
 - City Commission approved as recommended

5. Request of Claudia J. Gonzalez, for a Conditional Use Permit, for one year , for a Home Occupation (daycare): Lot 25; Regency Park Estates Subdivision, Unit 4; 6600 N. 32nd St.
 - Planning and Zoning Commission recommended approval
 - City Commission tabled item



PLANNING DEPARTMENT

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



2020 CALENDAR

Meetings:

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

Deadlines:

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

JANUARY 2020

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

FEBRUARY 2020

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

MARCH 2020

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

APRIL 2020

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

MAY 2020

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

JUNE 2020

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

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



PLANNING DEPARTMENT

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



2020 CALENDAR

Meetings:

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

Deadlines:

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

* Holiday - Office is closed

JULY 2020

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

AUGUST 2020

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

SEPTEMBER 2020

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

OCTOBER 2020

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

NOVEMBER 2020

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

DECEMBER 2020

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

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

2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]