

AGENDA

**PLANNING & ZONING COMMISSION REGULAR MEETING
TUESDAY, MAY 5, 2020 - 3:30 PM
MCALLEN CITY HALL, 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR**

Web: <https://zoom.us/join> or phone: [\(346\) 248-7799](tel:3462487799)
Meeting ID: [508-755-3077](https://zoom.us/join) **Meeting Password:** [878576](https://zoom.us/join)

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

CALL TO ORDER -

PLEDGE OF ALLEGIANCE -

INVOCATION -

1) MINUTES:

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

2) PUBLIC HEARING:

a) REZONING:

1. **WITHDRAWN** Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartments) District: 0.862-Acre tract of land out of Lot 151, La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) (04/07/2020) (04/21/2020)**

b) CONDITIONAL USE PERMITS:

1. Request of LT. Adolph Aguirre on behalf of the Salvation Army of McAllen for a Conditional Use Permit, for Life Of Use, for an Institutional Use at Lots E, F, G, and H, Stroud-Hunter Subdivision, Hidalgo County, Texas; 2220 Pecan Boulevard. **(CUP2020-0034)**
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)**
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)**
4. 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)**

3) ABANDONMENT:

- 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)**

4) CONSENT:

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

5) SUBDIVISIONS:

- a) Shops At Nolana Subdivision; 2901 Nolana Avenue- Ponderosa Retail, LTD. **(Final) (SUB2020-0018)** HA
- b) Genesis 2nd Subdivision; 4701 North Ware Road- Carl B and Sherri Rowland **(Final) (SUB2020-0026)** TE&MC
- 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
- d) Olvera Subdivision; 4509 Buddy Owens Boulevard - Jose Tellez Olvera **(Preliminary) (SUB2020-0022)** SEA
- 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
- f) Dale' Shine at 10th Street Subdivision; 3713 North 10th Street- Emilia G. Luebert **(Preliminary) (SUB2020-0023)** M & H
- g) Renaissance Subdivision; 4901 North 23rd Street - Sonia Denise Ramirez **(Preliminary) (SUB2020-0027)** STIG

6) INFORMATION ONLY:

- a) City Commission Actions: April 27, 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.

TATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Tuesday, April 21, 2020 at 3:31 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
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
	Omar Sotelo	Planner II
	Carlos Garza	Planner I
	Hebert Camacho	Planner I
	Kaveh Forghanparast	Planner I
	Porfirio Hernandez	Planning Technician II
	Claudia Mariscal	Administrative Secretary

CALL TO ORDER- Pepe Cabeza de Vaca, Chairperson

PLEDGE OF ALLEGIANCE

INVOCATION- Mr. Daniel Santos

1) MINUTES:

- a) Minutes for Regular Meeting held on April 7, 2020.**

The minutes for the regular meeting held on April 7, 2020 were approved as submitted. The motion to approve was made by Mr. Gabriel Kamel. Mr. Jose Saldana seconded the motion, which carried unanimously with five members present and voting.

2) PUBLIC HEARING:

- a) REZONING:**

1. 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. Continued to be tabled.

b) CONDITIONAL USE PERMITS

- 1. Request of David A. Lisauckis 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 H-1. (CUP2020-0026)**

Ms. Garza stated that the property was located at the northeast corner of Nolana Avenue and North 6th Street, and was zoned C-3 (general business) District. The adjacent zoning was 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 for this establishment was approved by the City Commission on August 11, 2008 with a variance to the distance requirement, and was renewed once after initial approval for one year. From 2009 to 2018, the property was used for a Montessori School and retail use. A conditional use permit was approved for this property by the City Commission on March 26, 2018 for a bar/barber shop with a variance to the distance requirement. The applicant applied for a conditional use permit for a bar last year and was approved with a variance to the distance by City Commission on April 22, 2019.

The applicant was proposing to continue to operate a bar (The Rockwall) from the existing 4,732 sq. ft. lease space within the shopping center. The hours of operation will be from 11:00 a.m. to 2:00 a.m. daily.

The Fire Department and Health Department have inspected the establishment, and the property is in compliance. Attached is the police report from April 1, 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 above-mentioned 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 needed to be closed as required from 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 requires 48 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 Inspections 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 Pepe Cabeza de Vaca mentioned that there are neighborhoods near the business and asked Mr. Edgar Garcia if the applicant was aware that there are restrictions and Mr. Garcia confirmed. Chairperson then asked if there were any phone calls or emails in opposition or if any one present was in opposition. There was none.

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

2. Request of Estanislada Chimeo Palmero, for a Conditional Use Permit, for one year, for a Home Occupation (Office/Massages) at Lot 73, Rowland Addition #2, Hidalgo County, Texas; 901 South 26th Street (CUP2020-0024)

Ms. Guajardo stated that the property was located at the southeast corner of South 26th Street and Ithaca Avenue. It had 53 ft. of frontage with 90 ft. of depth, which was part of Rowland Addition #2, recorded on March 31, 1951. The property was zoned R-1 (single-family residential) District, and the adjacent zoning was R-1 District in all directions. Surrounding land uses were single-family residences. A home occupation was permitted in the R-1 zone with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit for the property was approved by the Planning and Zoning Commission on March 5, 2013. The applicant renewed the permit annually through September 18, 2018; however, she failed to renew in 2019. The applicant filed a new application on March 6, 2020, and stated that the business was not operational after the permit expired.

The applicant was proposing to operate a massage business from approximately 150 sq. ft. of the existing 760 sq. ft. residence. The proposed hours of operation were daily within the hours of 9 a.m. and 9 p.m. The applicant stated that she and her husband would be the main employees; however, three of her adult children who lived elsewhere would occasionally come over to help them. At a preliminary conversation, the applicant mentioned that she lived in Weslaco, and no one lived at the property at the present moment. She intended to use the permit as proof of residency in McAllen if a police officer stopped her, due to the shelter in place mandate. However, in a follow-up conversation, she clarified that she was planning to come back and live at the property soon.

The staff verified the utility account and ownership of the property. According to the Hidalgo County Appraisal District, the applicant and Mr. Ramon Montalvo were the owners of the property, and Mr. Montalvo was the utility account holder.

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

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

Staff recommended disapproval of the request due to noncompliance with requirements #1 (residential use) and #4 (employees) of Section 138-118(1) of the Zoning Ordinance.

Chairperson Cabeza de Vaca asked if there were any calls or emails in opposition, and staff confirmed there was none. He also asked if there was anyone there in person or on the phone in opposition. Staff stated that there was none. Chairperson Cabeza de Vaca asked about the applicant stating she wanted employees. Ms. Guajardo stated that the conditional use permit requirements stated that no more than one additional unrelated employee was allowed. The applicant stated she would like to have five employees being herself, her husband, and three of her adult children who did not live at the residence. The other requirement was that they were supposed to live in the home, which they did not. Chairperson Pepe Cabeza de Vaca asked if the applicant was present to speak. He was not present. He requested to skip to the next item because the applicant had been on the line at the beginning of the meeting.

Staff moved on to the next item, as requested by Chairperson Pepe Cabeza de Vaca.

3. Request of John A. Simon, for a Conditional Use Permit, for a year, for a Bar at Lot 23, Continental Trade Center Subdivision, Hidalgo County, Texas; 2007 Orchid Avenue. **(CUP2020-0025)**

Mr. Camacho stated that the property was located on the south side of Orchid Avenue, approximately 100 ft. west of North Bicentennial Boulevard and is zoned C-3 (general business) District. The surrounding zoning is C-3 District in all directions. Surrounding land uses include the museum, gymnasium, dance studio, offices, retail, nightclubs and vacant properties. A bar was allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

The initial conditional use permit for this establishment (Simon Sez II) was approved by the Planning and Zoning Commission on March 16, 1993 and has been renewed annually. The last permit was approved for renewal on January 16, 2019.

The applicant is proposing to continue to operate a bar from the existing building. The hours of operation will continue to be from 4:00 p.m. to 2:00 a.m. Monday through Friday and 6:00 p.m. through 2:00 a.m. Saturday.

Attached is the Police Activity report for service calls from March 25, 2019 to March 25, 2020. No concerns or complaints had been received by the Planning Department. The Fire and Health Departments have inspected the location; no violations were found. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 300 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 300 ft. of the McAllen International Museum; however, staff has not received any complaints from the McAllen International Museum Board.
- 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 Orchid Avenue and is near

Nolana Avenue.

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, especially those in adjacent residential areas, by providing additional onsite parking. Based on the square footage of the building, 24 parking spaces are required. Seven parking spaces are provided on site. Parking agreements were submitted to meet parking requirements with a total of 20 spaces available, totaling 27 spaces. The parking agreements are currently valid and have an expiration date of August 31, 2021 (five-year term).

4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance. The unpaved areas (east side) cannot be used for parking. This area is not fenced off.

5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order 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 having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The allowable number of persons within the building shall be restricted to 96 persons.

Staff recommends approval of the request, for one year, subject to the conditions noted, compliance with requirements in Section 138-118(4) of the Zoning Ordinance, and Health and Fire Department requirements.

Chairperson Cabeza de Vaca asked there was anyone there in opposition of the item, there was none.

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

Chairperson Pepe Cabeza de Vaca checked to see if the applicant to CUP2020-0024 was back on to speak with her. Chairperson Pepe Cabeza de Vaca stated that there were two concerns regarding the item. One that the applicant was not living there and two that they wanted employees. Mr. Fallek then asked if there was anyone in opposition, and there was none. Mr. Fallek made a motion to approve, but Chairperson Cabeza de Vaca wanted to clarify the two concerns. Chairperson Cabeza de Vaca asked what she wanted to do with her home occupation, and Ms. Chimeo explained that she wanted to have a massage business. Then Chairperson Cabeza de Vaca asked about her not living at the residence, and she explained that with what was going on with COVID-19 (Coronavirus) that she had gone to stay with her family in Weslaco for the time being. Chairperson Cabeza de Vaca also asked who the owner of the house was because what staff had on file was different from the records. Ms. Chimeo confirmed that it was her husband Ramon Torres Montalvo, but the paperwork did say, Ramon Montalvo. Chairperson Cabeza de Vaca addressed the fact that she wanted to have more employees but explained to her that only

one employee was allowed. Chairperson Cabeza de Vaca asked the staff if we could approve subject to verification of the driver's license to confirm the name on the ID to paperwork on file.

After a brief discussion, Mr. Michael Fallek moved to approve the conditional use permit for one year subject to confirming the information required. Mr. Gabriel Kamel seconded the motion, which was approved by five members present and voting.

4. Request of Olga A. Ramirez, for a Conditional Use Permit, for one year, for a Home Occupation (Daycare) at Lot 21, Lark Crossing Subdivision, Hidalgo County, Texas; 6300 North 20th Street. **(CUP2020-0028)**

Mr. Camacho state that the property was located on the east side of North 20th Street, approximately 255 ft. south of Lark Blvd., and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land use is single family residential. A day care was allowed in the R-1 District with a Conditional Use Permit and in compliance with requirements.

There are have been no Conditional Use Permits granted for this property.

Currently there is a two story single-family residential home on the property. The applicant is proposing to operate a day care facility from a 248.75 sq. ft. area on the first floor of the existing residence. The proposed hours of operation are from 7:00 AM to 5:30 PM Monday through Friday.

The Fire Department has conducted an initial inspection; however, a follow-up inspection was needed. Follow up inspection was done on April 15, 2020. Inspections passed. The Health Department has inspected and found the property to be in compliance. The proposed use shall meet all the minimum standards and applicable ordinances. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions on the permit. The occupation may not be operational until the issuance of the certificate. The business must comply with requirements set forth in Section 138-118(8) of the Zoning Ordinance and other specific requirements as follows:

1. Meet the requirements of the Department of Human Services;
2. Provide a fenced in area for outside play of children. A fenced area is provided on site;
3. Provide paved area adjacent to street for pickup and delivery of children. The existing driveway and garage accommodate the required two parking spaces needed for the residential home and required space for the pick-up and drop off the children;
4. Area used for the day care facility should be clearly secondary to the use of the structure;
5. Person who applies for permit must reside at location for which the permit is granted. The applicant lives in the residence;
6. There shall be no more than two (2) day care facilities within 600 ft. of each other as measured over the shortest distance of street right-of-way between the facilities. There is no other day care within 600 ft;

7. No more than one day-care shall be located on a dead-end street or cul-de-sac; North 20th Street is a cul-de-sac street; no other daycare exists on this street;
8. Day care facilities shall not be located on a half street or a street that was accessed by a half street; North 20th street is not a half street or a street accessed by a half street;
9. Day care facilities that care for more than 12 children shall not be permitted in a residential zoning district. The applicant is proposing to care for up to 12 children;
10. No signs are permitted; No signs are proposed;
11. No more than one additional employee that does not reside on the premises is permitted. The applicant is proposing no additional employees; and
12. The property owner shall sign the application or the applicant shall provide a letter of authorization from the property owner.

Staff recommends approval of the request, for one year, subject to compliance with Section 138-118(8) of the Zoning Ordinance, and Health and Fire Department Requirements.

Chairperson Cabeza de Vaca asked if there was anyone there in opposition of the item, there was none; he then asked staff if they had received any calls or emails in opposition to which staff confirmed that there was none.

After a brief discussion, Mr. Gabriel Kamel moved to approve the conditional use permit for one year. Mr. Daniel Santos seconded the motion, which was approved by five members present and voting.

5. Request of Antonio Ybarra, for a Conditional Use Permit, for Life Of Use, for an Institutional Use (Church) at a 1.87 acre tract of land of Lot 257, John H. Shary Subdivision, Hidalgo County, Texas; 4902 Pecan Boulevard.
(CUP2020-0018) (Tabled 04/07/2020)

Mr. Gabriel Kamel moved to have item removed from the table and Mr. Michael Hovar seconded the motion with six members present and voting.

Mr. Camacho stated that the property was located on the north side of Pecan Boulevard, approximately 870 ft. east of N. Taylor Road. The 1.87-acre tract is zoned R-1 (single family residential) District, and C-1 (office building) District. The applicant was proposing to convert the vacant home into a church with a proposed seating of twenty four (24) in the main auditorium. The adjacent zoning is R-1 to the west, north and east, C-1 District. Also to the east and C-3 (general business) District to the south. Surrounding land uses include single-family residences, a commercial plaza (Tejas Insulation and Divine Hair Beauty Salon), vacant land and citrus fields. An institutional use was permitted in a C-1 zone with a conditional use permit and in compliance with requirements.

There is an existing building with approximately 1545 sq. ft. where the applicant is proposing to operate a church. The building consists of two classrooms, and one existing unused room, a seating area for 24 seats, and both women and men restrooms. The applicant proposes to operate

the church on Wednesdays from 7:00PM to 8:00PM and on Sundays from 10:00AM to 12:00PM and 5:00PM to 6:00PM. The applicant stated that there might be gatherings other than the hours of operation in certain Church related events.

The applicant proposes to construct a parking lot to the east of the existing building, as well as a driveway southeast of the property to comply with the parking space requirement. Based on a seating capacity of twenty four (24) in the main auditorium; 6 parking spaces are required; eight parking spaces are provided. One of the provided parking spaces must be van accessible with an 8ft. wide aisle. A right of way (ROW) permit is required. The applicant has not yet obtained a ROW permit from the City's Engineering Department. The existing house is currently on a septic tank. McAllen Public Utilities staff has informed the applicant that the request to continue using the septic tank for a church is to be considered by the Public Utility Board.

Staff has met with the applicant regarding the requirements and has submitted an updated site plan with the required van accessible parking space and the buffer (8ft. Cedar) surrounding the subject property from the residential zones/uses. In addition, a landscape plan was needed and it has been submitted.

The Fire department has conducted the necessary inspection and no violations were found. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Pecan Boulevard.
- 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 24 seats, 6 parking spaces are required. One of the provided parking spaces is required to be van accessible with an 8 ft. wide aisle; eight parking spaces are provided on site. The parking must be clear of potholes and properly striped per city requirements. A Right-of-Way Permit is required.
- 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 8 ft. cedar buffer.

At the Planning and Zoning Commission Meeting of April 7, 2020, the item was tabled as recommended by the staff.

At the Public Utility Board meeting of April 14, 2020, the Board voted to approve the request to extend a sewer line to the property. In the meantime, the applicant has been approved to continue using the existing septic tank for a church.

The applicant has since provided an updated Site Plan with the required landscape and parking. However, the applicant has submitted a ROW Permit to the Engineering Department; Engineering Department's approval is pending.

Staff recommends approval of the request, for life of the use, subject to compliance with requirements in Section 138-118 of the Zoning Ordinance, Fire and Building Permit requirements, and approval of the required ROW Permits from Engineering Department.

Chairperson Pepe Cabeza de Vaca asked if there was anyone there in opposition of this item, there were none.

After a brief discussion, Mr. Gabriel Kamel moved to approve subject to the conditions noted. Mr. Jose Saldana seconded the motion. Mr. Fallek then spoke and asked about the conditional use permit being a life of the use, which was confirmed. Mr. Fallek stated that he did not think it should be granted life of use but something shorter because of all the conditions that are required. Chairperson Cabeza de Vaca stated that the item will go to City Commission and the applicant cannot get a permit before all conditions are fixed. Chairperson Cabeza de Vaca stated that Mr. Gabriel Kamel moved to approved subject to the conditions noted. Mr. Jose Saldana seconded the motion, which was approved with six members present and voting. Mr. Fallek opposing the term of the permit.

6. Request of Nancy Gomez, for a Conditional Use Permit, for one year, for a Bar at Lot 1 and 2, Shary Gateway Subdivision, Hidalgo County, Texas; 4901 Expressway 83, Suite 150. (CUP2020-0027)

Mr. Sotelo stated that the property is located on the south side of U.S. Expressway 83, approximately 530 ft. east of South Taylor Road and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. Surrounding land uses include the commercial businesses, townhomes, and vacant land. A bar was allowed in the C-3 zone with a Conditional Use Permit and in compliance with requirements.

There is an existing 47,346.66 sq. ft. commercial building with mixed uses consisting of retail and restaurant uses on the property. There is a lease space, Suite 150, which is being utilized as a bar (Easy Eight's Billiards). The initial conditional use permit was approved for this establishment by the City Commission on July 8, 2013 with a variance to the distance requirement, and was renewed annually until 2016. Applicant failed to review in 2016 and 2017. The last permit expired on February 25, 2020. The applicant submitted their application on March 16, 2020.

The applicant is proposing to continue operating the bar (Easy Eight's Billiards) from 2:00PM to 2:00AM seven days a week.

Attached was the police activity report indicating service calls from March 2019 to present. According to the customer, Fire Department has gone out for inspection and items are pending, Health department was scheduled to go out on April 21, 2020. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of the lot of any of the above mentioned businesses 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 to the south;
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment had access to Expressway 83 and Colbath Road, and does not generate traffic into residential areas; (There's residential along Colbath to the east)
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking.; Currently there is 21,734 sq. ft. used as restaurant/bar space; requiring 290 parking spaces, 9,176 sq. ft. used as retail space; requiring 26 parking spaces, and 7,283 sq. ft. of vacant suites. The applicant is proposing to continue operating a 7,654 sq. ft. billiard hall, which 6,797 sq. ft. is actual floor area. The proposed 6,797 sq. ft. billiard hall floor area would require 68 parking spaces, for a total of 384 parking spaces required for the overall development; 393 spaces are provided on site, with a deficiency of 14 parking spaces. A parking agreement has been submitted to meet parking requirements, for an additional 14 parking spaces. The parking agreement is valid with an expiration date of February 1, 2024 (five-year term). The remaining vacant 7,283 sq. ft. of retail require 19 parking spaces when occupied. For every business to run simultaneously, 403 parking spaces are required;
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 in order 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;
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 having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The allowable number of persons within the building is 271 persons.

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 asked if there was anyone present in opposition to the item proposed, there were none. Chairperson Cabeza de Vaca asked if the applicant was present but

was not, he told staff to let the applicant know that they have to apply for the Conditional Use Permit yearly.

After a brief discussion, Mr. Gabriel Kamel moved to disapprove with a favorable recommendation with the conditions and inspections that are needed. Mr. Vice Chairperson Daniel Santos seconded the motion, which was approved with five members present and voting.

7. Request of Alberto Dominguez, for a Conditional Use Permit, for life of the use, for an Institutional Use (Church) at the West of 275.4 ft of the South 269 ft, of the North 610 ft. of Lot 129, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 2900 North Ware Road. **(CUP2019-0163)**

Mr. Sotelo stated that the property was located on the east side of North Ware Road, approximately 430 ft. south of Daffodil Avenue. The property is zoned C-1 (office building) District. The adjacent zoning was R-1 (single family residential) District in all directions. Surrounding land uses include single-family residences, a church, commercial businesses, and vacant land. An institutional use is permitted in the C-1 zone with a conditional use permit and in compliance with requirements.

The exiting Church (Iglesia del Dios Vivo Columna y Apoyo de La Verdad La Luz del Mundo) received a conditional use permit for life of the use by the City Commission on March 25, 2019 with a seating area of only 15 seats. The same applicant is requesting to amend their CUP to increase the occupancy to 43 people and to utilize the south bedrooms as living quarters for the pastor and his family.

There was an existing building with approximately 4,100 sq. ft. where the applicant is proposing to continue to operate a church. The building consists of 3 offices, seating area for 43 seats, both women and men restrooms, and two storage closets. The applicant stated that the church would operate Monday through Saturday from 6:30 PM to 7:30 PM, and from 10:00 AM to 7:00 PM on Sundays. The applicant stated that in the future they plan to develop and subdivide the property to accommodate a larger building with a larger seating capacity. The Conditional Use Permit may need to be amended in the future once additional improvements are proposed.

The applicant had added a parking lot to the north and has obtained a right of way (ROW) permit from the City's Engineering Department.

The Fire Department had re-inspected and all violations have been resolved. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts N Ware Rd.
- 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 43 seats, 11 parking spaces are required; 15 parking spaces are provided on site. The parking must be clear of potholes and properly striped per city requirements. A ROW Permit is required.

- 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 a 6 ft. opaque fence.

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

Chairperson Pepe Cabeza de Vaca asked if there was anyone present in opposition on the item proposed, there was none.

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

8. 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)**

Remained Tabled no action needed.

9. Request of Claudia J. Gonzalez for a Conditional Use Permit, for one year, for a Home Occupation (Daycare) at Lot 25, Regency Park Estates Subdivision, Unit 4, Hidalgo County, Texas, 6600 North 32nd Street. **(CUP2020-0021) (Tabled 04/07/2020)**

Mr. Jose Saldana moved to have item removed from the table and Mr. Gabriel Kamel seconded the motion with six members present and voting.

Ms. Berenice Gonzalez stated that the property is located on the east side of North 32ND Street, east of Nightingale Court, and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions, and it was surrounded by single-family residences. A day care was allowed in the R-1 zone with a Conditional Use Permit and in compliance with requirements.

There is a one story single-family residential home on the property. The applicant is proposing to operate a day care facility from the existing residence. The proposed hours of operation are from

7:00 AM to 6:00 PM Monday through Friday.

The Fire and Health Departments have follow up inspections. The proposed use shall meet all the minimum standards and applicable ordinances. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions on the permit. The daycare may not be operational until the issuance of the certificate. The daycare must comply with requirements set forth in Section 138-118(8) of the Zoning Ordinance and other specific requirements as follows:

1. Meet the requirements of the Department of Human Services;
2. Provide a fenced in area for outside play of children. A fenced area is provided on site;
3. Provide paved area adjacent to street for pickup and delivery of children. The existing driveway and garage accommodate the two required parking spaces needed for the residential home and required space for the pick-up and drop off the children;
4. Area used for the day care facility should be clearly secondary to the use of the structure;
5. Person who applies for permit must reside at location for which the permit is granted. The applicant resides at this location;
6. There shall be no more than two (2) day care facilities within 600 ft. of each other as measured over the shortest distance of street right-of-way between the facilities. There is no other day care within 600 ft.;
7. No more than one day-care shall be located on a dead-end street or cul-de-sac; N. 32nd Street is not in a cul-de-sac street; no other daycare exists on this street;
8. Day care facilities shall not be located on a half street or a street that is accessed by a half street; N. 32ND Street is not a half street or a street accessed by a half street;
9. Day care facilities that care for more than 12 children shall not be permitted in a residential zoning district. The applicant is proposing to care for up to 12 children;
10. No signs are permitted; No signs are proposed;
11. No more than one additional employee that does not reside on the premises is permitted. The applicant is proposing a total of two employees which include the applicant and her sister, both residing at this location;
12. The property owner shall sign the application or the applicant shall provide a letter of authorization from the property owner. Staff was provided an authorization letter from the property owner.

Staff received a total of four emails in opposition at time of Planning and Zoning meeting on April 7, 2020. A petition was initiated against the proposed home day care. A total of 38.5% of residents within a 75,400 sq. ft area expressed their opposition.

The Board recommended this item to be tabled due to some concerns brought forth by neighbors from adjacent properties. Mr. Cabeza de Vaca, Chairman, suggested applicant Mrs. Claudia Gonzalez, to install mesh over the fence since Mario Quintanilla, resident at 6604 N. 32nd Street indicated the fence between their properties is in poor condition. Mr. Quintanilla also indicated he is concerned his dogs could potentially harm a child.

On Friday April 17, 2020, Planning staff conducted a follow up inspection to observe recently completed repairs to the fence. Wooden boards were installed along the fence, no gaps could be observed along the fence.

Staff recommended approval of the request, for one year, subject to compliance with Section 138-118(8) of the Zoning Ordinance, and Health, and Fire Department Requirements.

Chairperson Cabeza de Vaca asked if there was anyone on the phone line or video conference in opposition, and Ms. Pesla Garcia resident at 6512 North 33rd Street was present. Ms. Garcia stated that her main concern for the daycare being in the neighborhood was the flow of traffic. Chairperson Cabeza de Vaca asked if anyone had any questions for Ms. Garcia, there were none. Mr. Mario Quintanilla who resides at 6604 North 32nd Street attended in person. Mr. Quintanilla stated that he took the time to get a petition signed, because there were many that did not know about the proposed item. Most concerns from others was traffic, as well. Mr. Quintanilla also discussed the shared fence between him and the applicant, and stated that he felt that the applicant putting the boards attached to the fence will only last for a short time and if there is rain, it will not hold for long. He also stated that he did provide a map and a list of the residents who signed the petition. After Mr. and Mrs. Quintanilla voiced their concerns, Chairperson Cabeza de Vaca asked if there was anyone else but there was not. Chairperson Cabeza de Vaca asked for the applicant Claudia J. Gonzalez 6600 North 32nd Street to come up and speak. Chairperson Cabeza de Vaca asked if she understood the concerns of her neighbors and she understood. He then asked why Ms. Claudia Gonzalez put the plywood rather than the mesh he requested. She stated that she felt the plywood was safe because of the openings but if the board wants her to change it, she will. Chairperson Cabeza de Vaca stated that he felt the mesh would help prevent the children from putting their fingers in the fence gaps and asked if she complied with all the requirements and Mr. Edgar Garcia confirmed that she did. Chairperson Cabeza de Vaca stated that because of the petition it would need to go to City Commission. He also stated that he does not oppose the permit. Chairperson Pepe Cabeza de Vaca asked if anyone had questions or comments. Vice Chairperson Daniel Santos stated that his concerns were neighbors having dogs and the traffic because of where the house is located, but did not finish his concern because he disconnected. Mr. Fallek stated that he does not have concerns, but he felt that due to the opposition to the proposed item he would move to disapprove. Mr. Gabriel Kamel stated that he understands that there are many in opposition but the applicant is applying and complies with all requirements and as stated, the item would go to City Commission for final approval.

After the discussion Mr. Gabriel Kamel moved to approved subject to conditions noted. Mr. Michael Hovar seconded the motion, which was approved with 3 members present and voting. Mr. Fallek voted in opposition.

3) SUBDIVISIONS:

- a) Krane Subdivision; 12820 North Shary Road – Jose Pablo Garza (Final)
(SUB2020-0016) SEA**

Ms. Gonzalez stated that the property was located N. Shary Road: 35 ft. ROW dedication for 60 ft. from centerline for 120 ft. ROW of 65 ft. with paving and curb & gutter on both sides. Mile 8 1/4 North Rd.: 35 ft. ROW dedication for future 70 ft. ROW with 44 ft. of paving and curb & gutter on both sides. Contractual agreement will be required. 800 ft. Block Length 600 ft. Maximum Cul-de-Sac ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Front: 60 ft. proposed, or in line with the average setbacks of existing structures, or easement, whichever is greater. Rear setback were 15 ft. proposed, or greater for easement. Interior side setbacks were 15 ft. Plat submitted March 30, 2020 shows a 15 ft. utility easement Corner setbacks along Mile 8 1/2 North Road - 35 ft. or greater for easements. Garage setbacks were 18 ft. except where greater setback is required, greater setback applies. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on N. Shary Road and along the E/W Collector street on the north side of the subdivision. Revise Note #17 to reflect requirement of 4 ft. sidewalk 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. The Planning and Zoning Commission must approve site plan 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. 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 - N. Shary Rd. Minimum lot width and lot area Existing: ETJ Proposed: ETJ Rezoning Needed Before Final Approval Land dedication in lieu of fee Park Fee of \$700 to be paid prior to recording Pending review by the Parkland Dedication Advisory Board and CC Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department, Trip Generation is waived if the proposed use is for one single-family residence only. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy

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

Being no discussion, Mr. Gabriel Kamel moved to approve base on staff recommendation. Mr. Michael Fallek seconded the motion, which was approved with four members present and voting.

b) El Dorado at Thousand Oaks Subdivision; 12500 North Ware Road – Red Rock Real Estate Development, LTD. (Preliminary) (SUB2020-0019) QHA

Mr. De La Garza noted that the property was located on North Ware Road: 70 ft. dedication by this plat for 160 ft. of ROW with paving and curb & gutter to be done by the state. As per Engineering Department, need to coordinate with TxDot to discuss future alignment of North Ware Road and if 160 ft. ROW was correct prior to final. Please indicate centerline on plat to verify ROW dedication. Please provide document for 15 ft. ROW easement granted to Sharyland Water Supply Co. Remove stripes for 46.53 ft. of existing ROW Main Interior Street had 60 ft. and 40 ft. of paving and curb & gutter on both sides Staff including Public Works has indicated that proposed public street must be "private" and elbow/knuckle design at Lot 77 for sanitation truck maneuverability. Must escrow monies if improvements are not constructed prior to recording. Interior Private Streets: 1.

Phase 1: 50 ft. ROW (if zoned R-1) Paving: 32 ft. Curb & gutter: Both sides Verify zoning prior to final to determine minimum ROW width and paving. Must escrow monies if improvements are not built at this time, prior to recording. Barricade and/or temporary turnaround at the north end of streets as needed. Street layout must be revised to not dead-end any street on the "future development" section shown north of Phase 1. Streets must extend into the Vineyards Estates Subdivision Phase 1A to the north or provide Cul-de-Sac with paving diameter 96 ft. paving diameter face-to-face within the boundaries of this development. Remove "Future Development" layout at the north side of this property since it does not pertain to this subdivision. However, when this area develops in the future, streets shown as North 41st Lane, North 38th Street, and stub out street to the east from Vineyard Estates Subdivision Phase 1A must be extended/connected into this area being developed; cannot dead-end streets. If Cul-de-Sacs were proposed, it would be within the boundaries of the area being developed with 96 ft. minimum paving diameter.

2. Phase 2: 50 ft. ROW (If zoned R-1) Paving: 32 ft. Curb & gutter: Both sides Verify zoning prior to final to determine minimum ROW width and paving. Must escrow monies if improvements are not built at this time, prior to recording. Barricade and/or temporary turnaround at the north end of streets as needed.

3. Phase 3: 60 ft. ROW Paving 40 ft. Curb & gutter: Both sides Verify zoning prior to final to determine minimum ROW width and paving. As per Traffic, Fire, and Public Works Departments please address the end of the street with an appropriate Cul-de-Sac or loop street connection for the streets adjacent to 8 Mile (Lots 1,3,4,9,10,15,16,36,37). As per Fire Dept., Cul-de-Sacs must be a minimum of 96 ft. minimum paving diameter face-to-face. As per Public Works, need elbow/knuckle design at Lot 39 for sanitation truck maneuverability. Must escrow monies if improvements are not built at this time, prior to recording.

8 Mile Road: 20 ft. ROW Abandonment of ROW will be done by separate instrument, and not by this plat.

Phase 1: Street block length for Lots 40-52 appears to exceed 800 ft. in length. Revise plat accordingly or or request variance prior to final.

Phase 3: Street block length for Lots 20-33 and Lots 65-78 appear to exceed 800 ft. in length. Revise plat accordingly or or request variance prior to final.

600 ft. Maximum Cul-de-Sac: Phase 2: Verify that Cul-de-sac length for Lots 66-78 is not more than 600 ft., or request variance prior to final. Paving diameter for Cul-de-Sac to be 96 ft. minimum as required by Fire Department with appropriate ROW of 10 ft. back of curb. ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Front: 25 ft. for R-1 Zones, 20 ft. for R-3A Zones (if applicable) Setbacks will be established prior to final. TBD Rear: In accordance with Zoning Ordinance or greater for easements. Except 25 ft. for double fronting lots in the R-1 Zone, and 20 ft. in double fronting lots in R-3A Zone. Add double fronting lots numbers to plat note. Interior Sides: In accordance with Zoning Ordinance or greater for easements. Corner: 10 ft. or greater for easements Garage setbacks were 18 ft. or greater for easements except where greater setback is required, greater setback applies. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk required on both sides of all interior streets. A 5 ft. wide minimum sidewalk might be was required by Engineering Dept. on North Ware Road prior to final. 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, and along North Ware Road and other streets as required before final. Zoning must be clarified to determine required buffers prior to final. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Zoning must be clarified to determine required buffers prior to final. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North Ware Road and other streets as needed prior to final. Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Common areas, private Streets, etc. must be maintained by the lot owners and not the City of McAllen. Please revise note # 19 as noted above. 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. Please verify subdivision name on Note #17 prior to final. 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. Must provide delta, radius, length, and lot area table for curved property lines to verify minimum frontage and lot area requirement compliance. Existing: R-1 & C-3 Proposed: R-1 & R-3A Clarify use of commercial tract of land at southwest corner of subdivision prior to final; rezoning might be required. Finalize rezoning of portion to R-3A prior to final. Rezoning Needed Before Final Approval Land dedication in lieu of fee. As per Parks Department, this proposed subdivision is subject to Park Land Advisory Board review Park Fee of \$700 to be paid prior to recording. As per Parks Department, this proposed subdivision is subject to Park Land Advisory Board review Pending review by the Parkland Dedication Advisory Board and CC. Trip Generation must be submitted to determine if Traffic Impact Analysis prior to final. Traffic Impact Analysis (TIA) required prior to final plat. Must comply with City's Access Management Policy. Remove "Future Development" layout at the north side of this property since it does not pertain to this subdivision. North 41st St., North 38th St., and any street that is applicable within Vineyard Estates Subdivision Phase 1A must be extended/connected into the proposed development areas when properties develop; cannot dead-end streets. As per Fire and Traffic Dept., submit Gate details for staff to review. Verify if variances for 800 ft. block length and 600 ft. Cul-de-sac will be required prior to final. As per Fire Department, submit site plan for fire department access drives review. Verify that all dead-end streets are revised prior to final. As per Fire Dept., Cul-de-Sacs must be a minimum of 96 ft. in diameter face-to-face. Engineer must clarify if subdivision will be recorded in phases prior to final.

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

Chairperson Pepe Cabeza de Vaca addressed the engineer Alfonso Quintanilla about the comments from staff and Mr. Quintanilla confirmed that he did receive comments and he was reviewing them and he would address them to resubmit to the planning and engineering department for further review.

Being no discussion, Mr. Michael Fallek moved to approve the subdivision in preliminary form based on staff recommendation and conditions noted. Mr. Michael Hovar seconded the motion, which was approved with four 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 North 10th Development, LLC **(Preliminary) (SUB2020-0020)** JHE

Mr. De La Garza stated that the property was located on North 10th Street: 60 ft. from centerline for 120 ft. of ROW with paving and curb & gutter to be done by the State. Frontera Road had 60 ft. ROW with 40 ft. of paving and curb & gutter on both sides. 800 ft. Block Length. 600 ft. Maximum Cul-de-Sac. ROW of 20 ft. with 16 ft. of paving for an 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. Front 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 has 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 were 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 was required on east side of North 10th 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 and along Frontera Road. To be determined prior to final. An 8 ft. masonry wall was 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 Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets. Minimum lot width and lot area. Needed Before Final Approval Land dedication in lieu of fee. Park Fee of \$700 to be paid prior to recording Pending review by the Parkland Dedication Advisory Board and CC. As per Traffic Department, Trip Generation had been waived. Traffic Impact Analysis (TIA) required prior to final plat. 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 subject to the conditions noted, and clarification regarding requested setbacks.

Chairperson Cabeza de Vaca clarified that the applicant was proposing to make lots 73, 74, and 75 into Lot 73A. Mr. De La Garza confirmed.

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

d) Just A Closet #1 Subdivision Phase II; 5700 Mile 4 Road – Shary 80 Phase I, LLC- (Preliminary) (SUB2020-0015) JHE

Mr. De La Garza stated that the property was located on Lark Avenue: 30 ft. dedication for 50 ft. from centerline for 100 ft. ROW Paving: 65 ft. Curb & gutter: Both sides Must escrow monies if improvements are not constructed prior to recording. North 56th Street: 35 ft. from centerline for 70 ft. ROW of 44 ft. of paving and curb & gutter on both sides. Must label centerline to verify if ROW dedication is required prior to final. City Commission approved a variance request to allow a half street with 24 ft. of paving at their meeting of March 27, 2017. Variance would be applied to

this development. 800 ft. Block Length 600 ft. Maximum Cul-de-Sac ROW of 20 ft. and 16 ft. of paving for an alley/service drive easement required for commercial properties. 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. Lark Avenue had a 25 ft. or greater for easements. P&Z approved the subdivision in revised preliminary form, with conditions, at the P&Z meeting of November 6, 2018 with the setback variance as requested. Rear: In accordance with the Zoning Ordinance or greater for easements. Interior Side (West): 10 ft. or greater for easements. P&Z approved the subdivision in revised preliminary form, with conditions, at the P&Z meeting of November 6, 2018 with the setback variance as requested. North 56th Street: 10 ft. or greater for easements. P&Z approved the subdivision in revised preliminary form, with conditions, at the P&Z meeting of November 6, 2018 with the setback variance as requested. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on Lark Avenue and North 56th 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, and along North 56th Street. 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 North 56th Street. Site plan must be approved by the Planning and development departments prior to building permit issuance. Common Areas, service drives must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. 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. Rezoning Needed Before Final Approval Land dedication in lieu of fee Park Fee of \$700 to be paid prior to recording Pending review by the Parkland Dedication Advisory Board and CC. Per Traffic Department, Trip Generation approved; no TIA required. Per Traffic Department, Trip Generation approved; Traffic Impact Analysis (TIA) not required. Comply with City's Access Management Policy As per Public Works and Fire Departments, submit site plan to review dumpsters and service drive location. Gate Detail must be submitted for review prior to final. P&Z approved Just a Closet #1 in preliminary form with conditions and setback variance, at the meeting of November 6, 2018. P&Z approved Just a Closet #1 in final form. with conditions, at the meeting of February 5, 2019. P&Z approved Just a Closet #1 Phase 1 in revised final form at the meeting of June 4, 2019. Just A Closet #1 Phase 1 recorded on 3/13/2020 Existing plat notes remain as now exist. Note 17- Will Just A Closet #1 Phase 1 still be responsible for maintenance of 64 ft. drainage detention easement, or will it be changed to Just a Closet #1 Phase 1A? Engineer must clarify prior to final.

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

Mr. Gabriel Kamel inquired if the property was in Extra Territorial Jurisdiction, Mr. De La Garza clarified that it is in the City of McAllen city limits.

Being no discussion, Mr. Gabriel Kamel moved to approve in preliminary form subject to the conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with four

members present and voting.

e) The Villas on Freddy Phase II; 1500 Freddy Gonzalez Road – The Villas on Freddy, LLC (Preliminary) (SUB2020-0021) M & H

Ms. Gonzalez stated the property was located on Freddy Gonzalez - 20 ft. ROW dedication, for 50 ft. from center line for 100 ft. ROW Paving: 65 ft. Curb & gutter: both sides. Must escrow monies if improvements are not constructed prior to recording. N. 17th Street (Private), Xavier Ave. (Private), Zurich Ave. (Private) and N. 13th St. (Private): 30 ft. ROW Paving 30 ft. Curb & gutter both sides Variance request for 30 ft. ROW width, and 30 ft. paving back to back approved by City Commission on May 13, 2019. Fire Lanes and HOA enforcement of no parking on the streets per Fire Department requirements. Bicentennial Boulevard - 25 ft. dedication required for 150 ft. ROW, 13.37 ft. proposed paving and Curb & gutter on both sides. Finalize dedication prior to final. 800 ft. Block Length Variance request to the 800 ft. block length requirement approved by City Commission at the May 13, 2019 meeting. 600 ft. Maximum Cul-de-Sac. ROW of 20 ft. and 16 ft. of paving for an alley/service drive easement required for commercial properties. Front: Lots 96-100 shall be 23 feet (fronting west) lots 101-120 shall be 23 feet (fronting south) lots 121-138 shall be 10 feet (fronting south) lots 139-162 shall be 10 feet (fronting east) lots 163-192 shall be 23 feet (fronting east) rear: lots 96-100 shall be 10 feet (east) lots 101-120 shall be 10 feet (east) lots 121-138 shall be 23 feet (garage north) lots 139-162 shall be 23 feet (garage west) lots 163-192 shall be 10 feet (west) interior sides: lots 96-100 shall be 3 feet north side and 7 feet south side lots 101-120 shall be 3 feet east side and 7 feet west side lots 121-138 shall be 3 feet west side and 7 feet east side lots 139-162 shall be 7 feet south side and 3 feet north side lots 163-192 shall be 3 feet north side and 7 feet south side. side corner setbacks were 5 feet, or greater for easements. Garage setbacks were 23 ft. except where greater setback is required, greater setbacks applies. Garage setback proposed so vehicles do not overlap over the sidewalks Based on meetings engineer/developer and staff, garage setbacks provided to increase to assure vehicles don't overhang over the sidewalks, prior to recording. All setbacks were subject to increase for increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on Freddy Gonzalez Rd., Bicentennial Blvd. and both sides of all interior streets; however, Engineer has submitted a Walking Trails plan for the interior street, which provides for sidewalks along the front of each unit. Sidewalks are located along some streets, while others are within common areas. Revise note on plat as noted above. Variance request for sidewalk requirement approved by City Commission on May 13, 2019 as per Walking Trails Plan for the interior streets, etc. Perimeter sidewalks must be built or money escrowed if not built at this time. 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Freddy Gonzalez Dr. and Bicentennial Blvd. As may be applicable prior to final. 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 Freddy Gonzalez and/or Bicentennial Blvd. Revise Note #10 on plat as shown above. Site plan must be approved by the Planning and Zoning Commission 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. 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 Plat submitted April 3, 2020

showed Common Areas with less frontage than required, revise prior to final. Common Area H appears to be landlocked Minimum lot width and lot area - All lots must be minimum 20 ft. wide and corner lot must be minimum 24 ft. wide in R-3T district. Park Land Dedication Advisory Board approved a variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Park Fee of \$700 to be paid prior to recording Land dedication in lieu of fee Park Land Dedication Advisory Board approved a variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Land dedication in lieu of fee Park Land Dedication Advisory Board approved a variance for land dedication in lieu of fees at the meeting held on September 19, 2019. City Commission approved the variance to waive fees due to 3.9 acres of green space allocation at the meeting of October 28, 2019. Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department Trip Generation has been approved. Traffic Impact Analysis (TIA) required prior to final plat. Waived if number of units has not changed. Must comply with City's Access Management Policy Engineers to clarify required ROW for Bicentennial Blvd. and along the north side. Need to show Bicentennial Blvd. with dedication for 150 ft. ROW Must comply with secondary street access requirements for private subdivisions over 30 lots, as well as Fire Department secondary access requirements Gate detail must be submitted and approved, prior to recording

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

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

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

No Action needed, item remained tabled.

4) INFORMATION ONLY:

a) City Commission Actions: April 13, 2020.

Mr. Edgar Garcia stated that at the City Commission Meeting on April 13, 2020 a Life of Use Conditional Permit for a guesthouse was approved as recommended. The Ordinance Exempting Restaurants in the Entertainment and Cultural overlay District from certain security requirements was also approved as recommended.

ADJOURNMENT:

There being no further business to come before the Planning & Zoning Commission, Mr. Michael Hovar adjourned the meeting at 5:11 p.m., and Mr. Gabriel Kamel 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

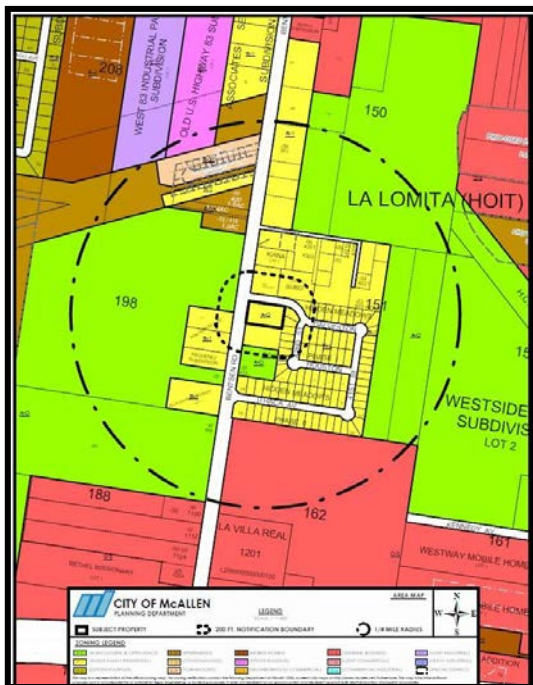
FROM: Planning Staff

DATE: April 30, 2020

SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) 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)(WITHDRAW)

LOCATION: The property is located at the southeast corner of South Bentsen Road and Galveston Avenue. The tract has 151.20 feet of frontage along South Bentsen Road and a depth of 248.21 feet of frontage on Galveston Avenue and comprises a total area of 37,548.72 square feet.

PROPOSAL: The applicant is requesting to rezone the property to R-3A (multifamily residential apartments) District in order to build apartments. A feasibility plan has been submitted to the Planning Department.



ADJACENT ZONING: The adjacent zoning is R-1 (single family residential) District in all directions and there is an A-O (agriculture and open space) District to the northwest.

LAND USE: The property is currently vacant. Surrounding land uses are single family residences

and vacant land.

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

DEVELOPMENT TRENDS: The development trend for the area along South Bentsen Road is single family residential. The property was zoned A-O (agricultural and open space) District during comprehensive zoning in 1979. A rezoning request for the subject property to R-1 (single family residential) District was approved by the City Commission on April 27, 2015 during the city initiated A-O rezoning project.

Various other rezoning requests this area of South Bentsen Road have been approved for R-1 District.

ANALYSIS: The requested zoning does not conform to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is not consistent with the development and rezoning trends for this area. The number of apartment units likely to be constructed would be limited based upon parking and landscaping requirements.

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

A recorded subdivision plat and approved site plan are required prior to building permit issuance.

RECOMMENDATION: Staff recommends disapproval of the rezoning request to R-2 (duplex-fourplex) District.

PLANNING AND ZONING COMMISSION MEETING OF MARCH 03, 2020:

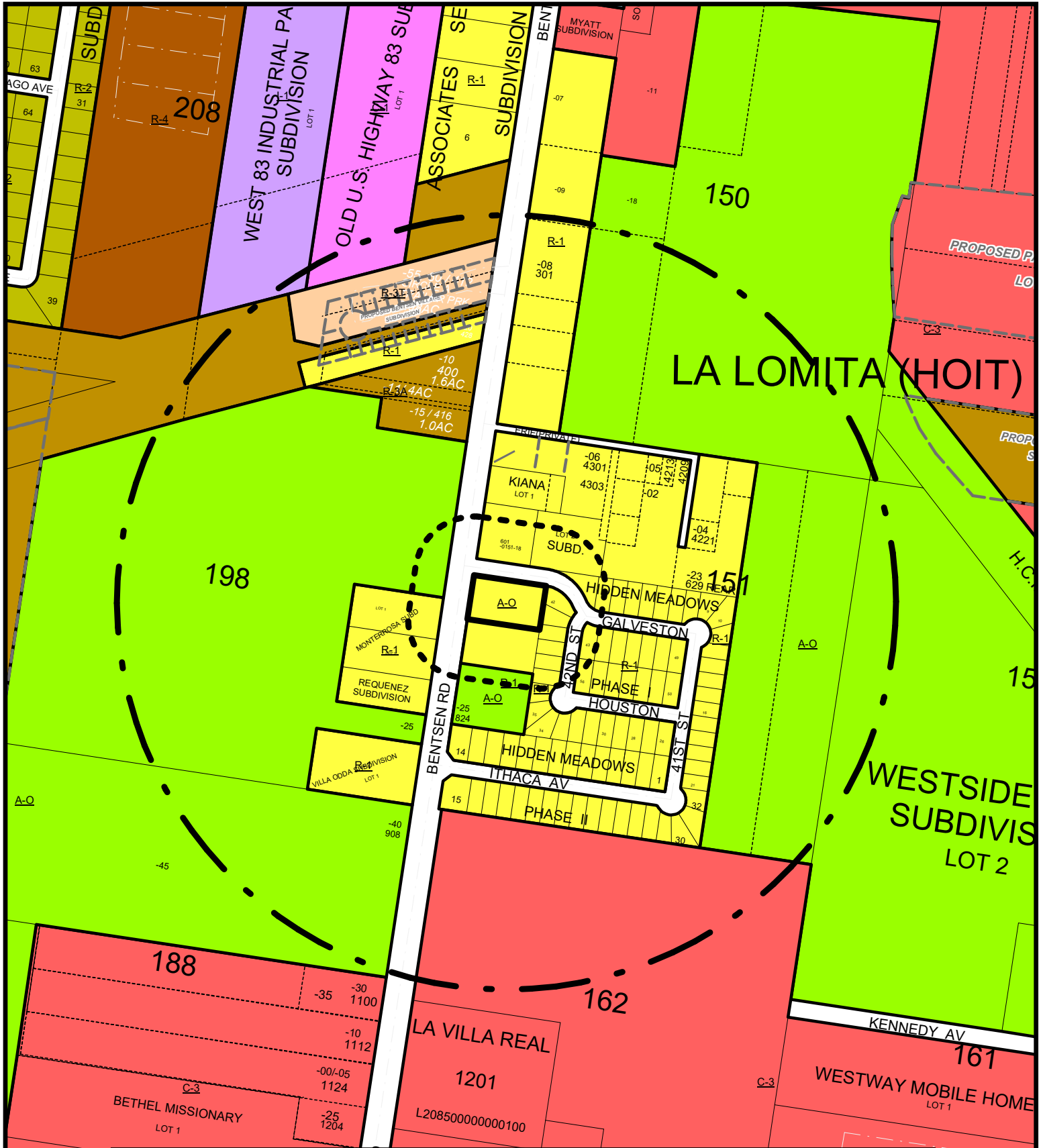
At the Planning and Zoning Commission meeting of March 03, 2020, no one appeared in opposition to the rezoning request. The applicant was present and submitted a letter of request to change the rezoning request from R-3A (multifamily residential apartments) District to R-2 (duplex-fourplex residential) District. Staff stated they recommended approval of the alternate rezoning request to R-2 District. Board member Michael Fallek stated he would like to see a feasibility plan of the proposed development since the property could still be subdivided into more than one lot which would increase density as opposed to if it were just one lot. The Board unanimously voted to table the rezoning request in order to allow the applicant time to submit a feasibility plan. There were four members present and voting.


Subsequent to the Planning and Zoning meeting of March 03, 2020, the applicant submitted a feasibility plan.

PLANNING AND ZONING COMMISSION MEETING OF APRIL 07, 2020:

At the Planning and Zoning Commission meeting of April 07, 2020, no one appeared in opposition to the rezoning request. Mr. Saldana made a motion to approve. Since there was no second to the motion, the motion died. After discussion of the applicants feasibility plan, Mr. Hovar suggested that the applicant speak with staff regarding the subdivision of the property. The Board unanimously voted to table the request in order to allow the applicant time to speak with planning staff about subdivision process. There were six members present and voting.

Subsequent to the Planning and Zoning meeting of April 21, 2020, the applicant submitted a request to withdraw the rezoning request via email. The request was submitted on April 30, 2020.








CITY OF McALLEN
PLANNING DEPARTMENT

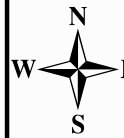
LEGEND
SCALE: 1" = 500'

AREA MAP

 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

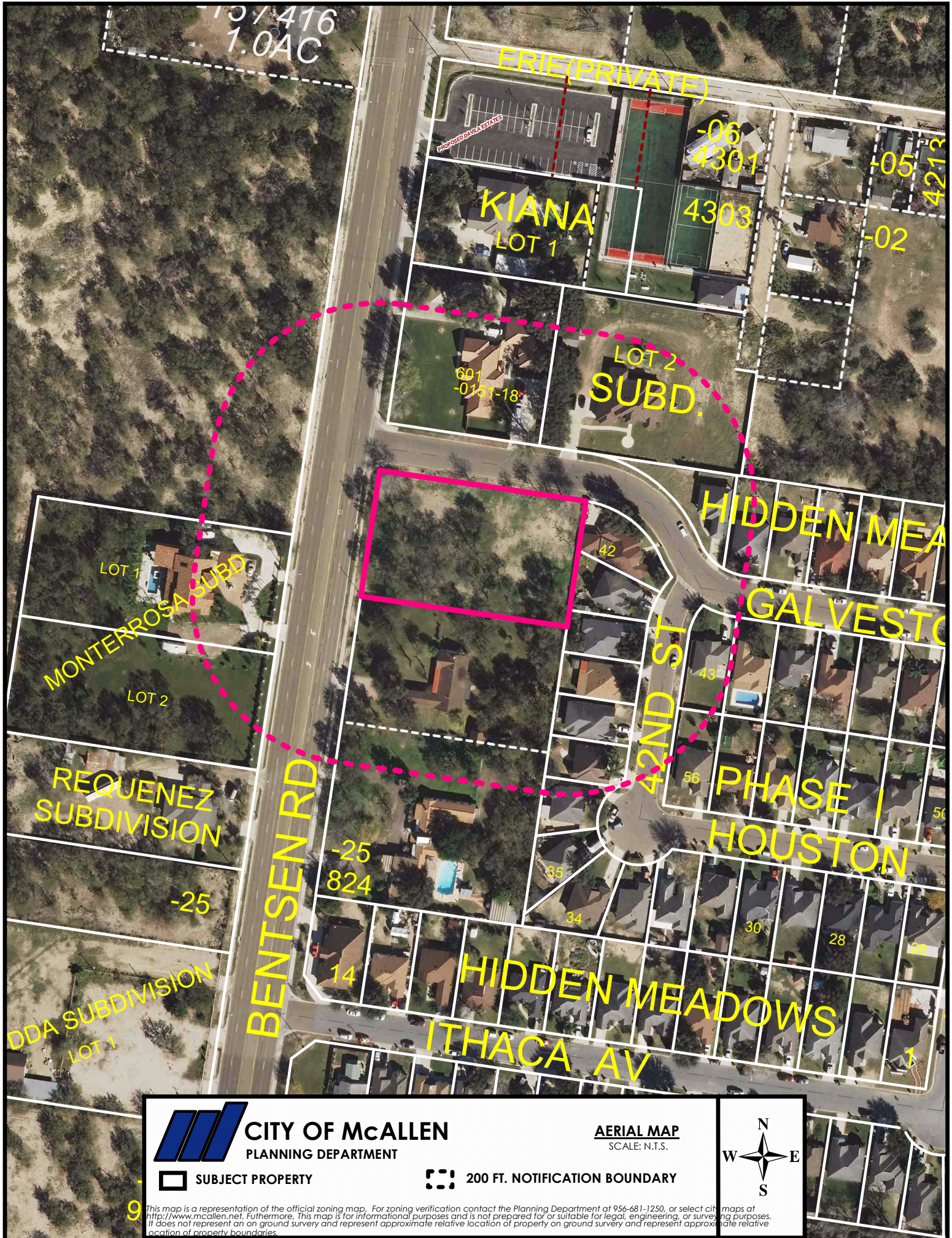
 **1/4 MILE RADIUS**



ZONING LEGEND

<p> A-0 (AGRICULTURAL & OPEN SPACE)</p> <p> R-1 (SINGLE FAMILY RESIDENTIAL)</p> <p> R-2 (DUPLEX-FOURPLEX)</p>	<p> R-3A (APARTMENTS)</p> <p> R-3C (CONDOMINIUMS)</p> <p> R-3T (TOWNHOUSES)</p>	<p> R-4 (MOBILE HOMES)</p> <p> C-1 (OFFICE BUILDING)</p> <p> C-2 (NEIGHBORHOOD COMMERCIAL)</p>	<p> C-3 (GENERAL BUSINESS)</p> <p> C-3L (LIGHT COMMERCIAL)</p> <p> C-4 (COMMERCIAL INDUSTRIAL)</p>	<p> I-1 (LIGHT INDUSTRIAL)</p> <p> I-2 (HEAVY INDUSTRIAL)</p> <p> (SPECIAL DISTRICT)</p>
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This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

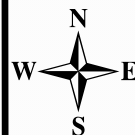
AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY

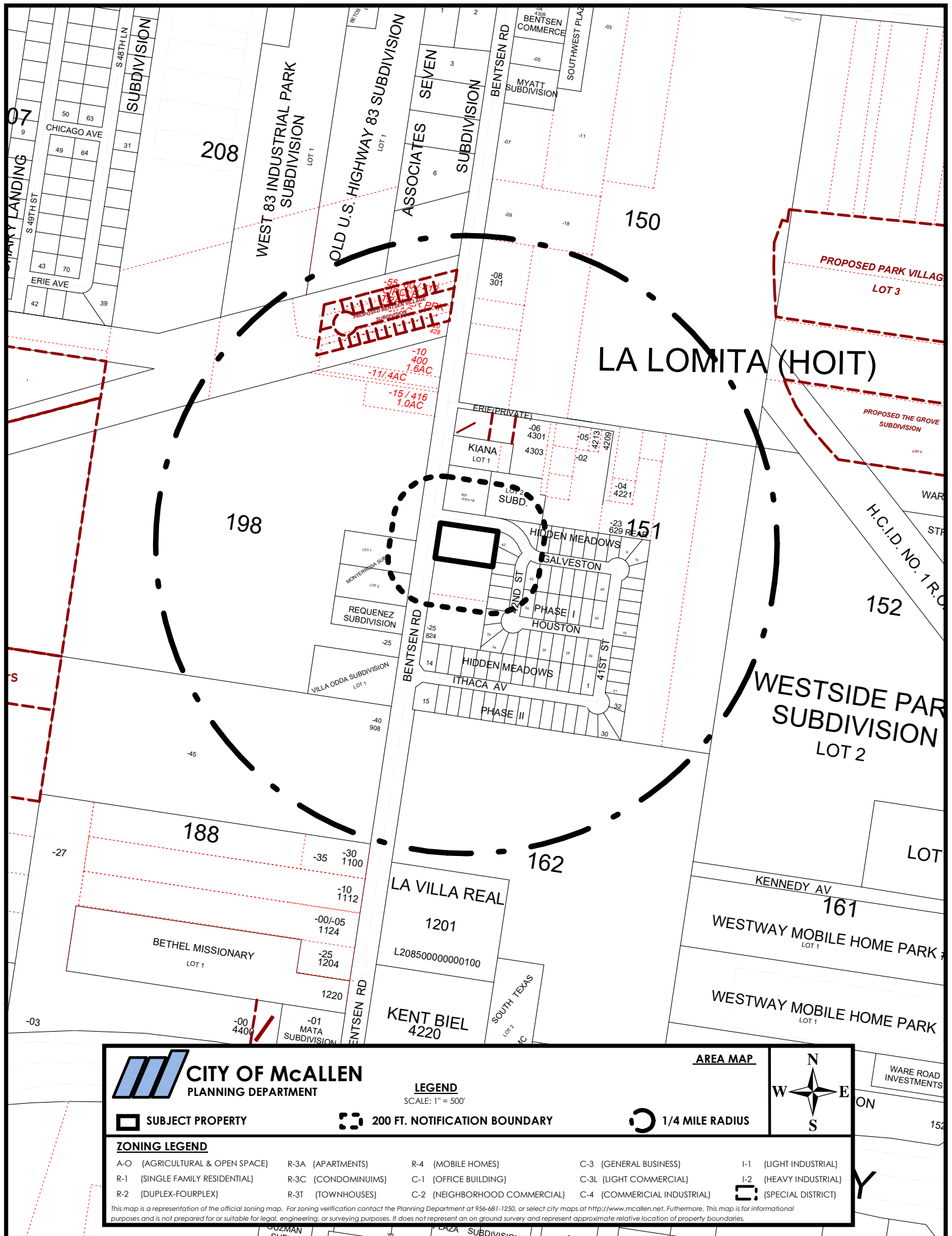


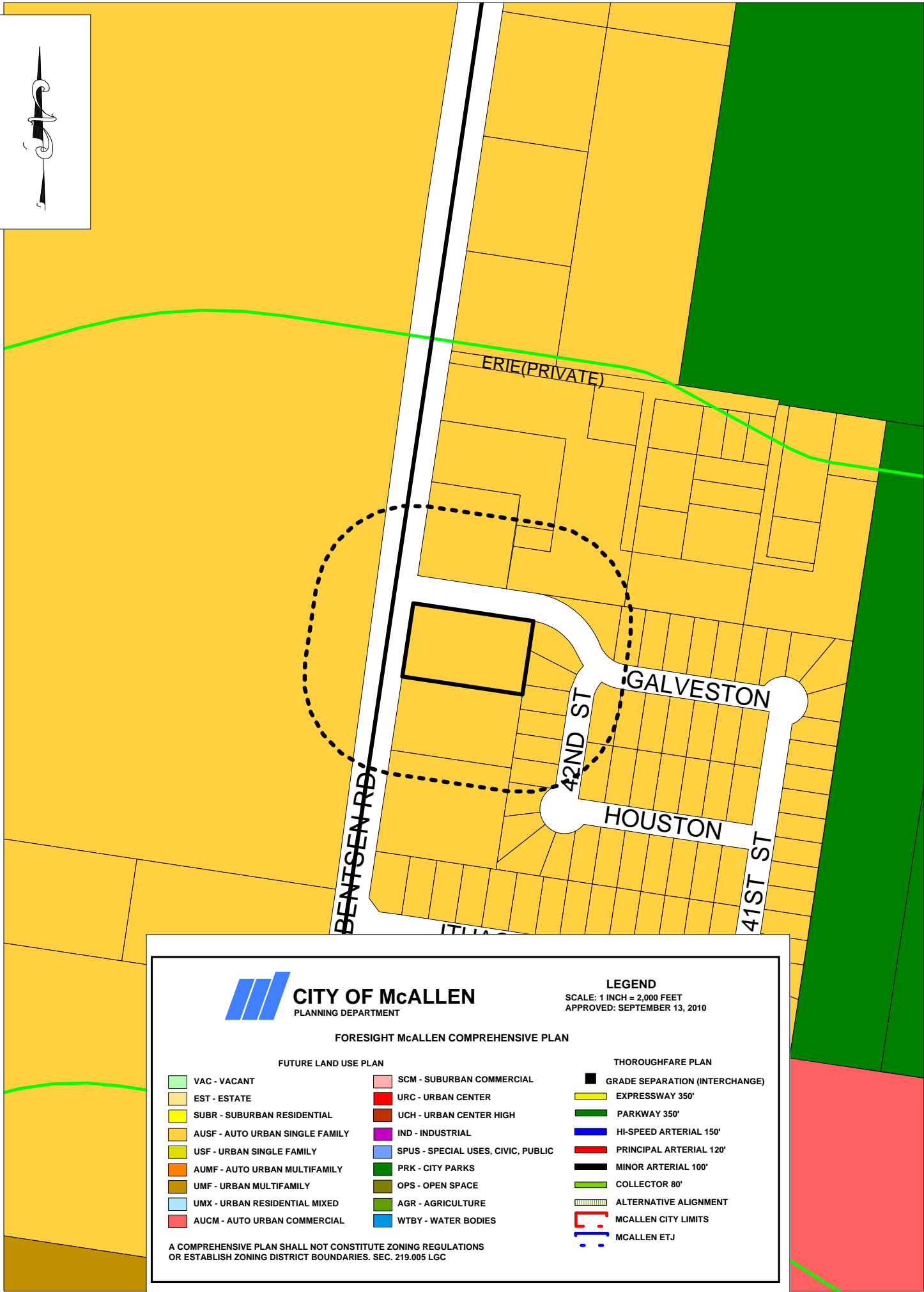
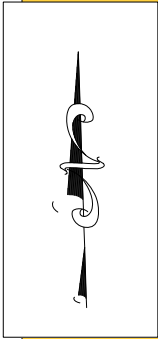
200 FT. NOTIFICATION BOUNDARY



9

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

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN

VAC - VACANT	SCM - SUBURBAN COMMERCIAL
EST - ESTATE	URC - URBAN CENTER
SUBR - SUBURBAN RESIDENTIAL	UCH - URBAN CENTER HIGH
AUSF - AUTO URBAN SINGLE FAMILY	IND - INDUSTRIAL
USF - URBAN SINGLE FAMILY	SPUS - SPECIAL USES, CIVIC, PUBLIC
AUMF - AUTO URBAN MULTIFAMILY	PRK - CITY PARKS
UMF - URBAN MULTIFAMILY	OPS - OPEN SPACE
UMX - URBAN RESIDENTIAL MIXED	AGR - AGRICULTURE
AUCM - AUTO URBAN COMMERCIAL	WTBY - WATER BODIES

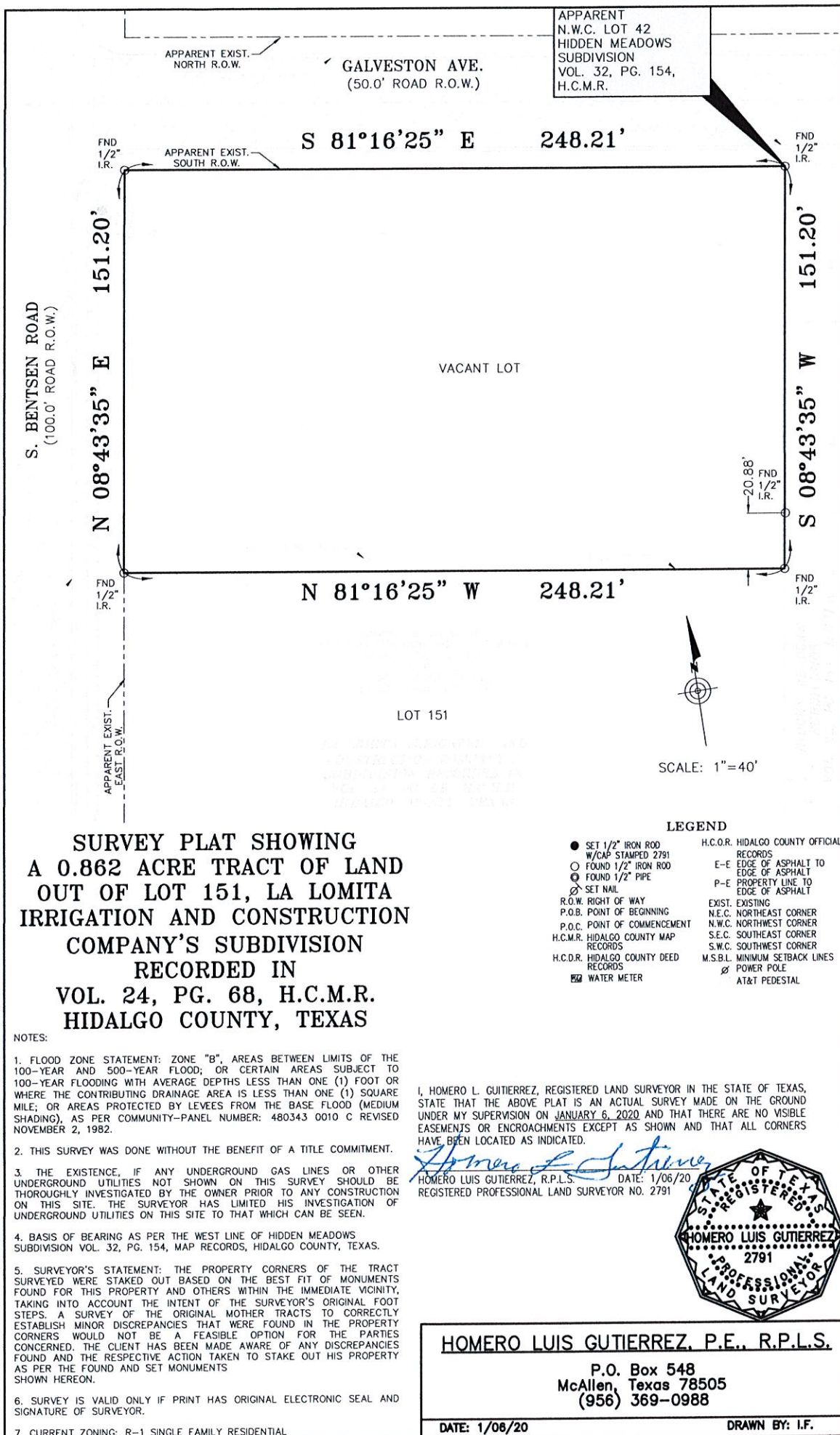
LEGEND

SCALE: 1 INCH = 2,000 FEET
APPROVED: SEPTEMBER 13, 2010

THOROUGHFARE PLAN

GRADE SEPARATION (INTERCHANGE)
EXPRESSWAY 350'
PARKWAY 350'
HI-SPEED ARTERIAL 150'
PRINCIPAL ARTERIAL 120'
MINOR ARTERIAL 100'
COLLECTOR 80'
ALTERNATIVE ALIGNMENT
McALLEN CITY LIMITS
McALLEN ETJ

A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS
OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC



PROPERTY LINE 151.20'

PROPERTY LINE 248.21'

LOT 42 HIDDEN MEADOWS SUBDIVISION

67' -4 1/4"

113' -6"

25'

67' -4 1/4"

PROPERTY LINE 151.20'

BENTSON RD.

PROPERTY LINE 248.21'

4' SIDE WALK

RETENTION POND

RETENTION POND

4' SIDE WALK

12 PARKING SPACES

ASPHALT PARKING LOT

GALVESTON AVENUE



1

PRELIMINARY SITE PLAN
SCALE: NTS



NOTES:
THE DESIGNER ASSUMES NO LIABILITY FOR ANY STRUCTURE CONSTRUCTED FROM THESE PLANS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE ACTUAL CONSTRUCTION COMMENCES.

THESE PLANS MUST BE VERIFIED AND CHECKED COMPLETELY BY THE GENERAL CONTRACTOR AND DISCREPANCY, ERROR AND/OR OMISSION, IF FOUND IS TO BE BROUGHT IMMEDIATELY TO THE OWNER BEFORE CONSTRUCTION WORK OR PURCHASE IS MADE.

FEDERAL, STATE, COUNTY AND LOCAL CITY ORDINANCES AND BUILDING CODES TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS

ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS.

FLJ DESIGNS RESERVES ITS COMMON COPYRIGHT LAW & OTHER PROPERTY RIGHTS IN THESE PLANS & DESIGNS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION FROM FLJ DESIGNS

PROJECT
SOSA
APARTMENTS

LOCATION
LOT 42
HIDDEN MEADOWS
SUBDIVISION

MCALLEN, TEXAS
DATE: 4-2-2020
PROJECT NO. 202009

AREAS:
DUPLEX 1 2,000 SQFT
DUPLEX 2 2,000 SQFT
DUPLEX 3 2,000 SQFT

TOTAL 6,000 SQFT

PRLM
DRAWN BY: FLJ

R E V I E W - N O T F O R C O N S T R U C T I O N



JAMES E. DARLING, Mayor
VERONICA WHITACRE, Mayor Pro Tem & Commissioner District 6
JAVIER VILLALOBOS, Commissioner District 1
JOAQUIN J. ZAMORA, Commissioner District 2
J. OMAR QUINTANILLA, Commissioner District 3
TANIA RAMIREZ, Commissioner District 4
VICTOR "SEBY" HADDAD, Commissioner District 5

ROEL "ROY" RODRIGUEZ, P.E., City Manager

March 3, 2020

Gabriel Sosa
704 North 49th Street
McAllen, TX 78501


RE: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) 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)

Dear Mr. Sosa:

This letter is to acknowledge your submittal of application for zoning change. Please be aware that the Staff recommendation does not support approval of the rezoning request to R-3A (multifamily residential apartments) District. This recommendation will be forwarded to the members of the Planning and Zoning Commission for their use in evaluating the proposed change at the meeting of March 3, 2020. The public hearing begins at 3:30 pm. The second public hearing is scheduled to be held before the Board of Commissioners of the City of McAllen on March 23, 2020 at 5:00 PM.

If you have any questions concerning this letter or recommendation, please contact my office at 681-1250.

Sincerely,



Edgar I. Garcia, AICP, CNU-A
Director of Planning



NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0001



NOTICE
REZONING
FOR
THIS PROPERTY
REZ2020-0001

Memo

TO: Planning and Zoning Commission

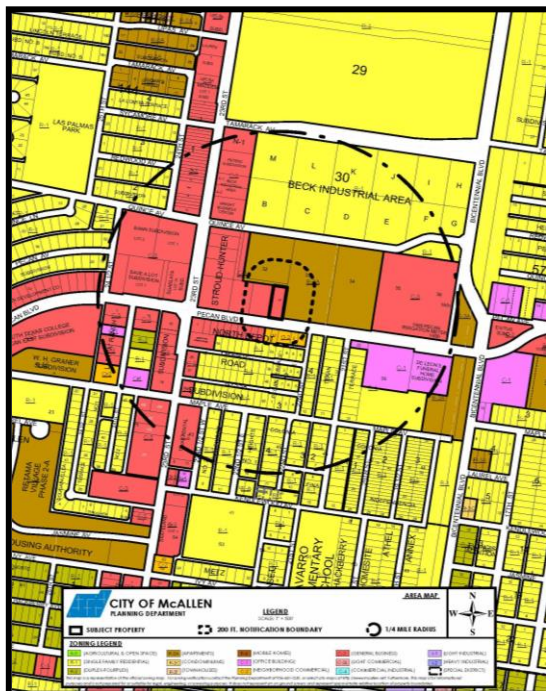
FROM: Planning Staff

DATE: May 1, 2020

SUBJECT: REQUEST OF LT. ADOLPH AGUIRRE ON BEHALF OF THE SALVATION ARMY OF MCALLEN FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE AT LOTS E, F, G, AND H, STROUD-HUNTER SUBDIVISION, HIDALGO COUNTY, TEXAS; 2220 PECAN BOULEVARD. (CUP2020-0034)

BRIEF DESCRIPTION:

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.



HISTORY:

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

REQUEST/ANALYSIS:

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:

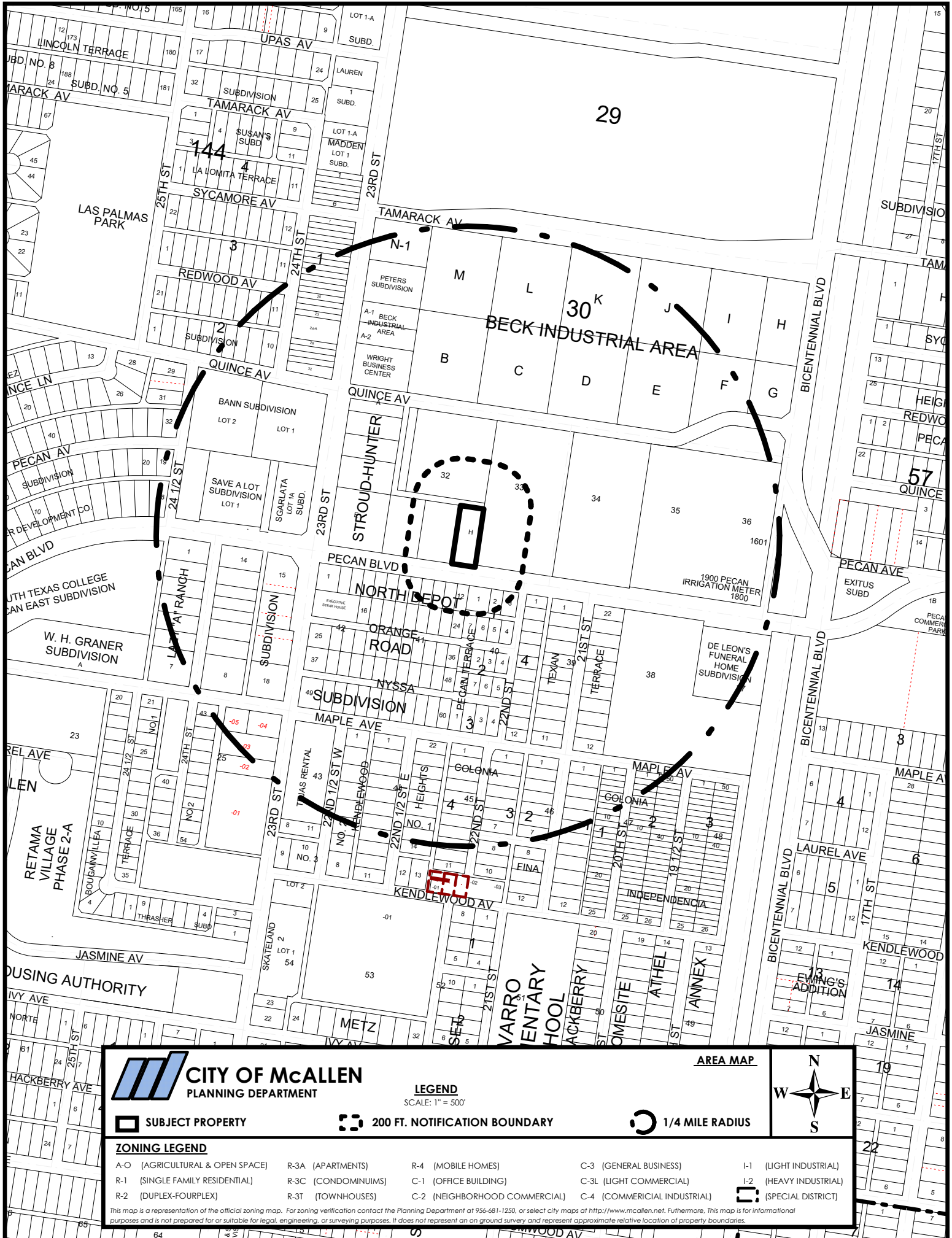
- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. This property is located at the intersection of North 23rd Street and Pecan Boulevard, both principal arterials.
- 2) The proposed use shall 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)

RECOMMENDATION:

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



CITY OF McALLEN

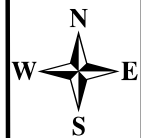
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

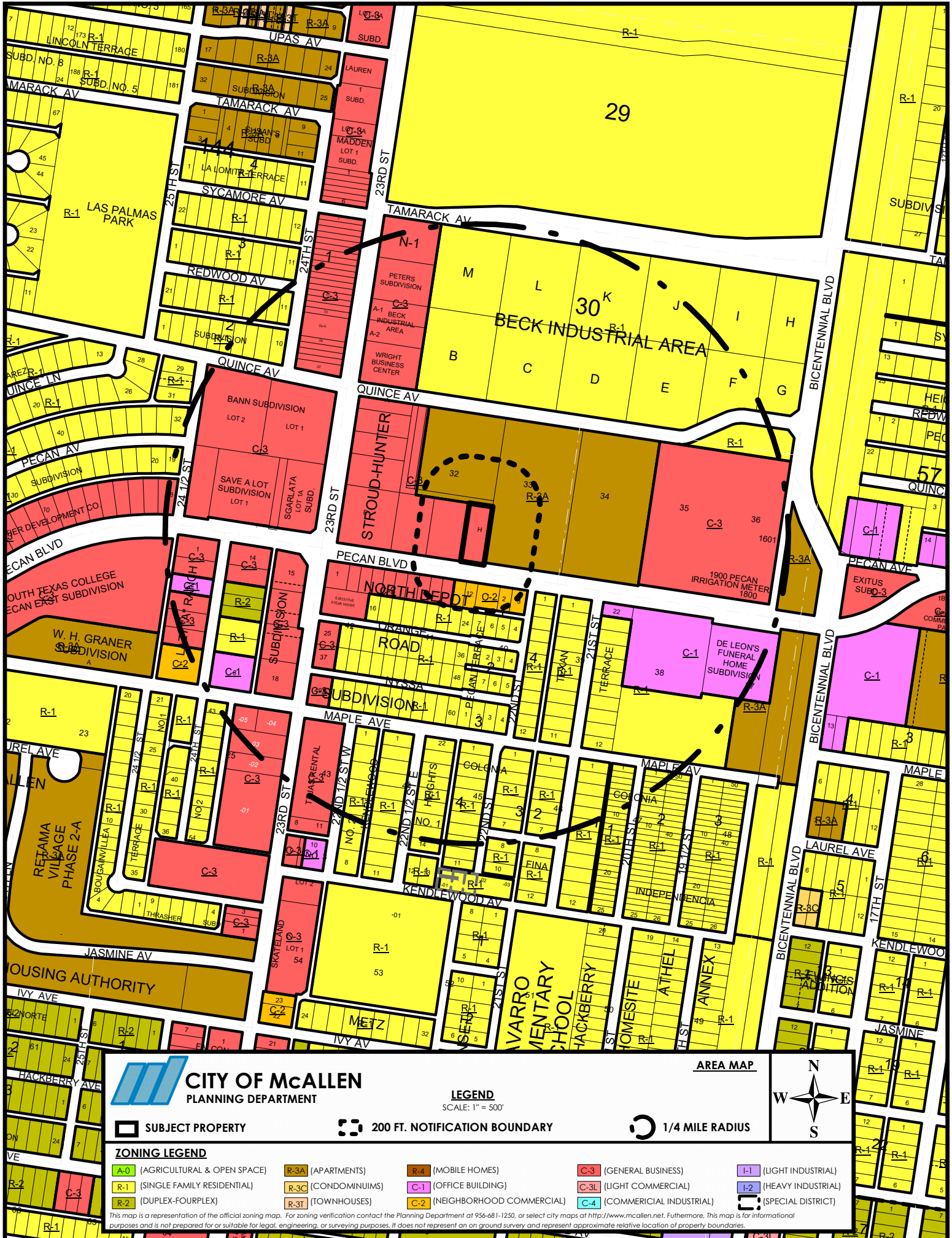
1/4 MILE RADIUS



ZONING LEGEND

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

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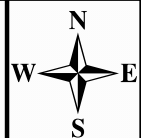
CITY OF McALLEN PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS



ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)

R-3A (APARTMENTS)
R-3C (CONDOMINIUMS)
R-3T (TOWNHOUSES)

R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)

C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERCIAL INDUSTRIAL)

I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
S (SPECIAL DISTRICT)

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CITY OF McALLEN
PLANNING DEPARTMENT

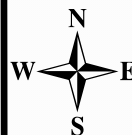
AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



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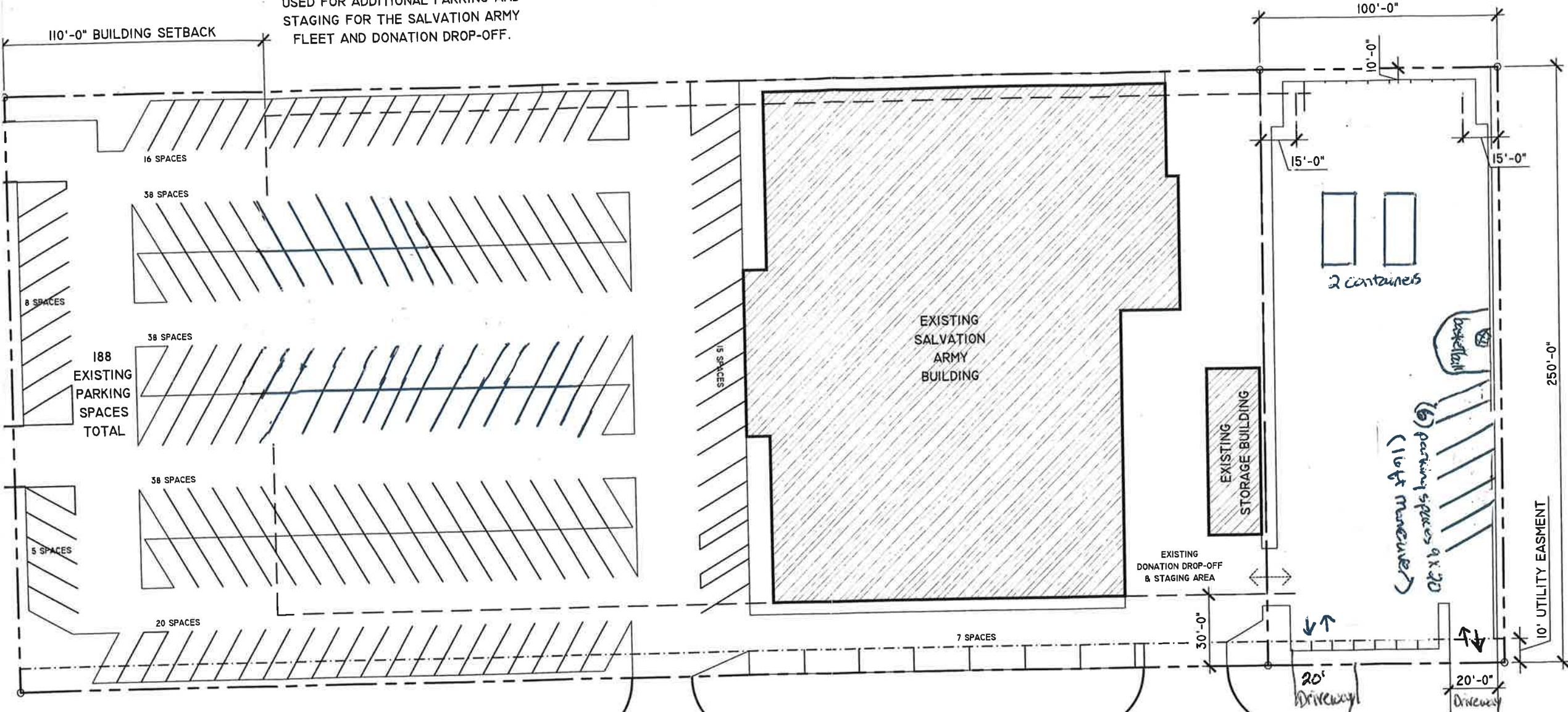
The Salvation Army
1600 N. 23rd St
McAllen, TX 78501

OPTION B

LOCATE COMMUNITY CENTER BUILDING
ON EXISTING PROPERTY TO THE WEST OF
THE EXISTING SALVATION ARMY
BUILDING.

PARKING WILL NEED TO BE
RE-ARRANGED.

THE EAST-MOST PROPERTY WILL BE
USED FOR ADDITIONAL PARKING AND
STAGING FOR THE SALVATION ARMY
FLEET AND DONATION DROP-OFF.





NOTICE OF
INSTITUTIONAL
USE
OF
THIS PROPERTY
CUP2010-0034

40ft Storage Container for

40ft. long ground level mobile storage containers with lockable swing doors on one end, are ventilated and have hardwood floors.



Ask a question about this product



Description

40ft. long, ground level, portable / mobile storage container rental come with lockable swing doors on one end, are ventilated and have hardwood floors. These 40ft. mobile storage container

- **Container Type:** 40' Container
- **Length Exterior x Interior:** 40' x 39' 5-1/2"
- **Height x Interior:** 8' 6" x 7' 9-7/8"
- **Width:** 8' x 7' 8"
- **Cubic Capacity:** 2,389 Cubic Feet



Planning Department

Memo

TO: Planning and Zoning Commission

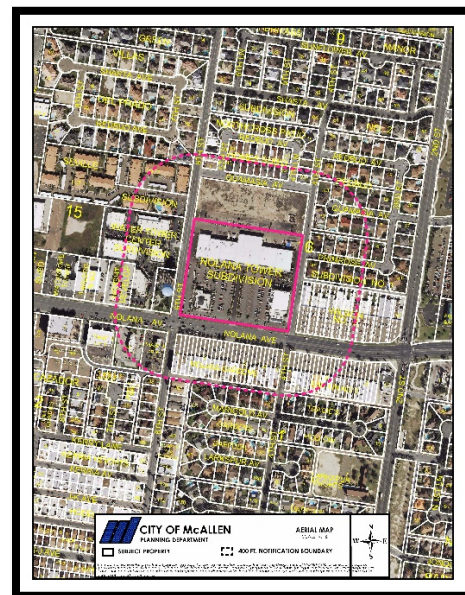
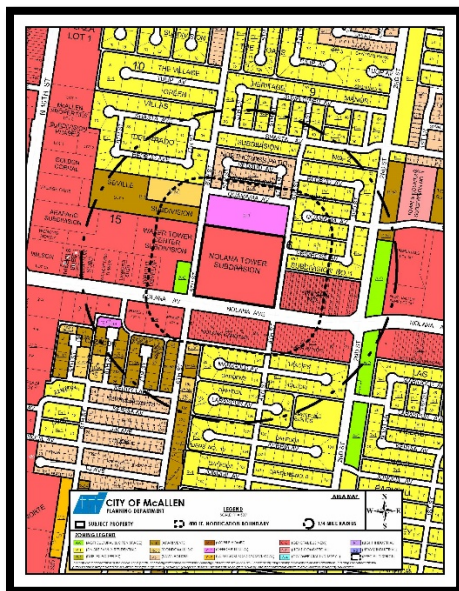
FROM: Planning Staff

DATE: April 28, 2020

SUBJECT: 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)

BRIEF DESCRIPTION:

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.



HISTORY:

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.

REQUEST/ANALYSIS:

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:

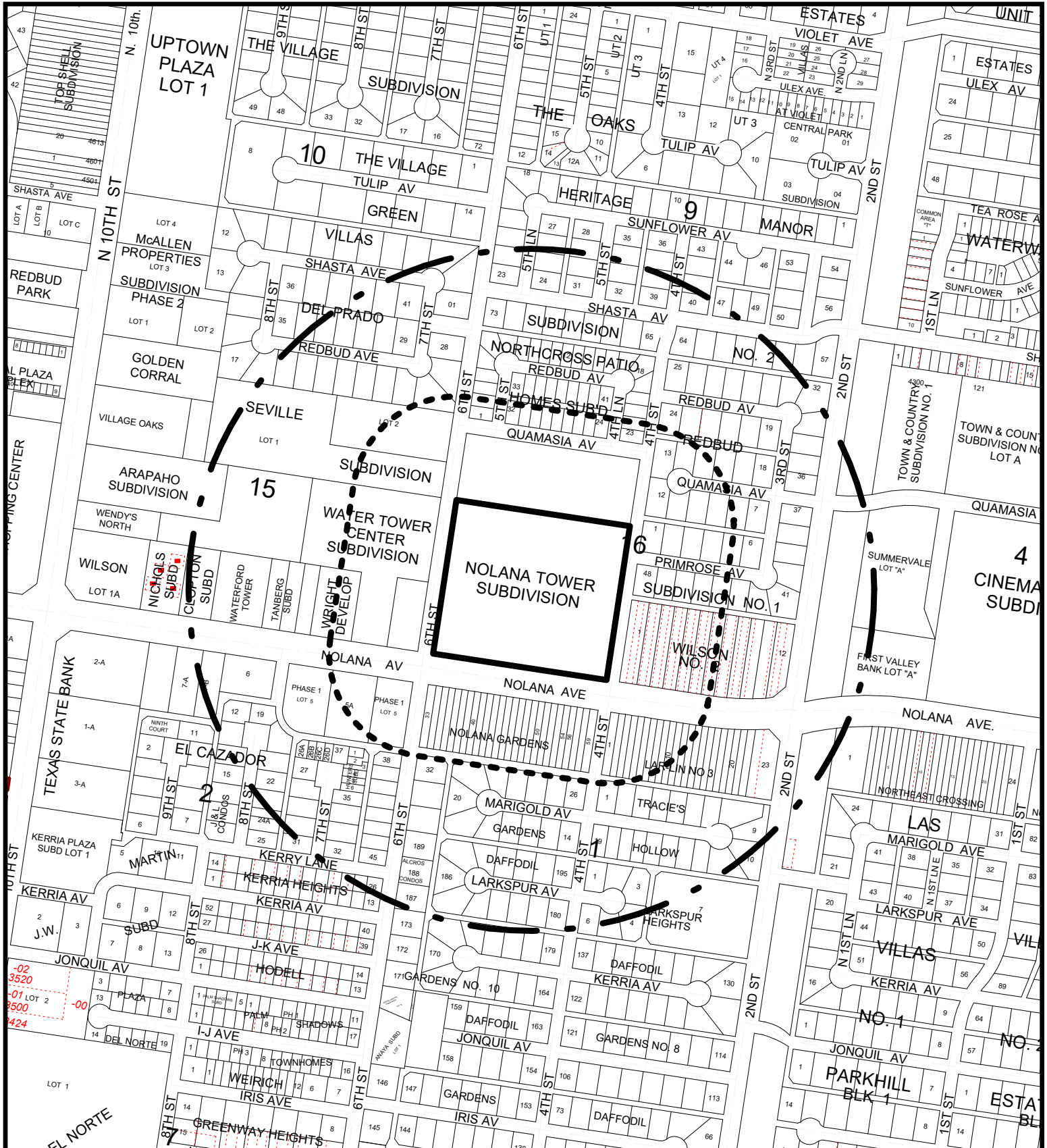
- a) The property line of the lot of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be 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.

RECOMMENDATION:

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

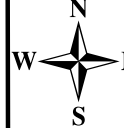





CITY OF McALLEN
PLANNING DEPARTMENT


LEGEND
SCALE: 1" = 500'

AREA MAP






SUBJECT PROPERTY



400 FT. NOTIFICATION BOUNDARY

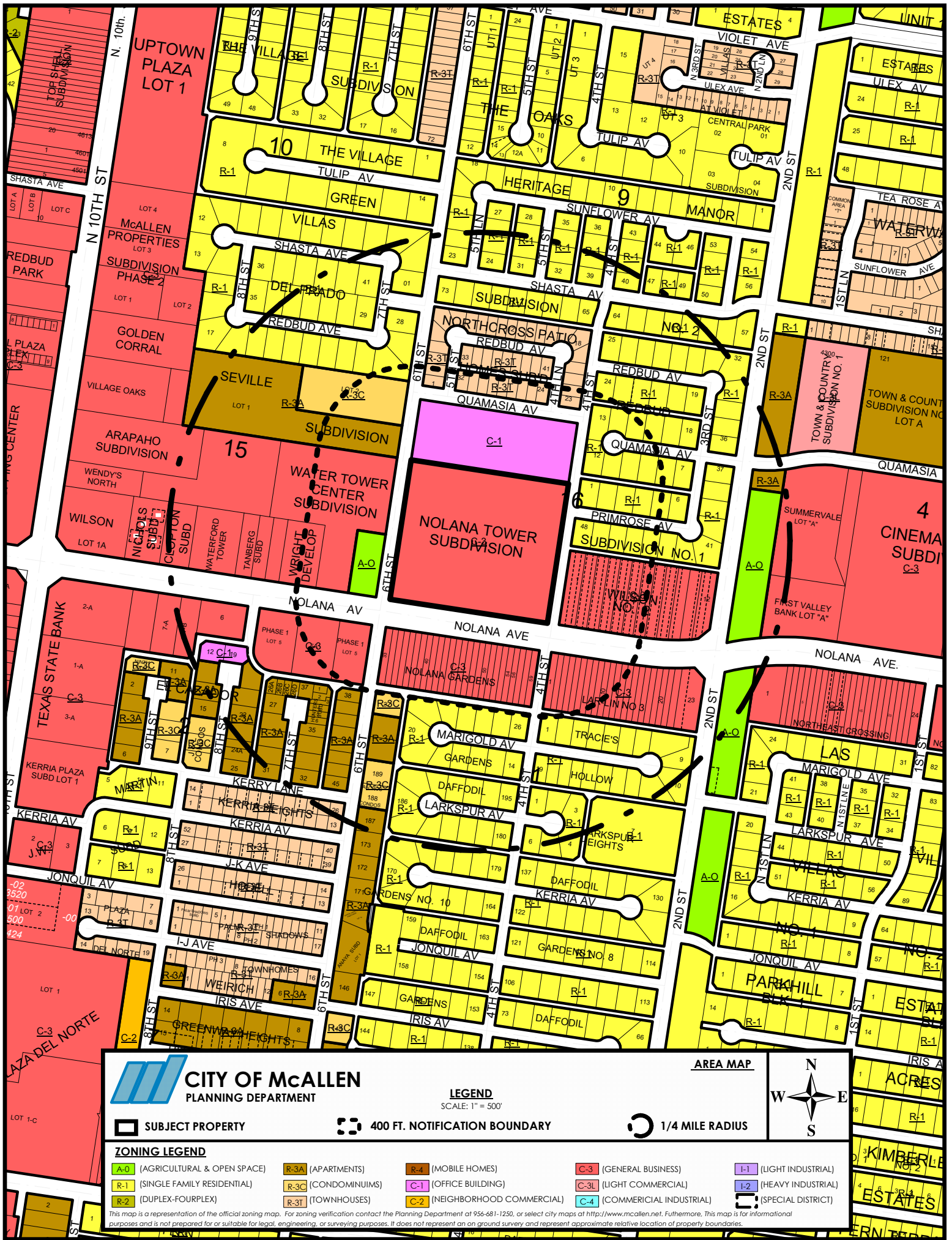


1/4 MILE RADIUS

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 (DUPLICATE-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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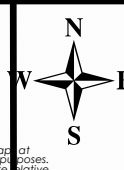


CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

 **SUBJECT PROPERTY**

 **400 FT. NOTIFICATION BOUNDARY**



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NOTICE
BAR
FOR
THIS PROPERTY
CUP2020-0030

LIMA

KUHORE

EDDY

WALMART

Sweets



Incident Analysis Report

Summary

Print Date/Time: 04/24/2020 16:40
Login ID: mcpd7004
Incident Type: All
Call Source: All

From Date: 04/24/2019 00:01
To Date: 04/24/2020 16:00

McAllen Police Department
ORI Number: TX1080800
Officer ID: All
Location: 400 NOLANA AVE G, MCALLEN

Incident Date/Time	Incident Number	Incident Type	Location
Total Matches: 0			

Planning Department

Memo

TO: Planning and Zoning Commission

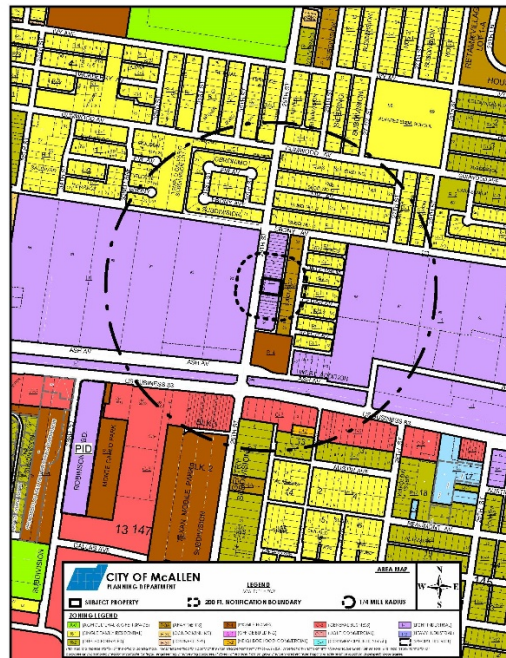
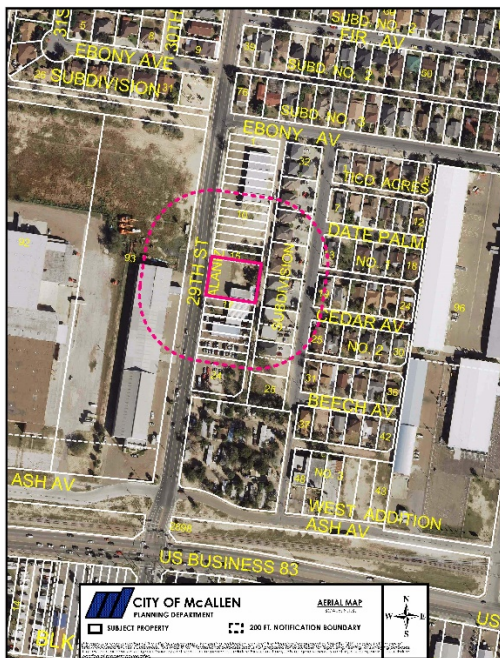
FROM: Planning Staff

DATE: May 1, 2020

SUBJECT: 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)

BRIEF DESCRIPTION:

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.



REQUEST/ANALYSIS:

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.

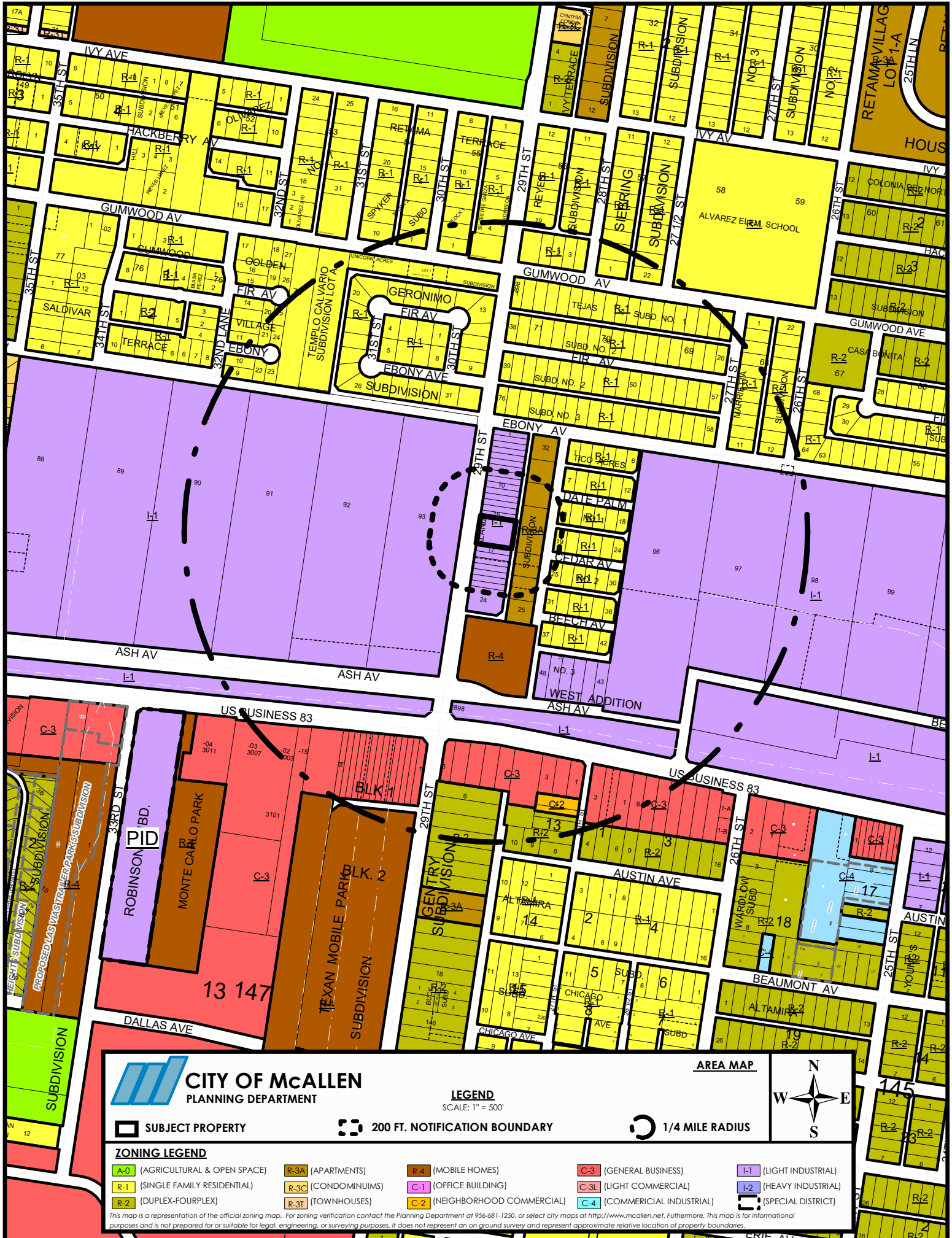
The Fire Department has conducted the necessary inspections for this property and two violations were found; a follow up inspection is needed. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. 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.

RECOMMENDATION:

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



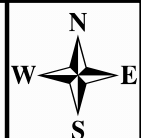
CITY OF McALLEN PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS



ZONING LEGEND

- A-0 (AGRICULTURAL & OPEN SPACE)
- R-1 (SINGLE FAMILY RESIDENTIAL)
- R-2 (DUPLEX-FOURPLEX)

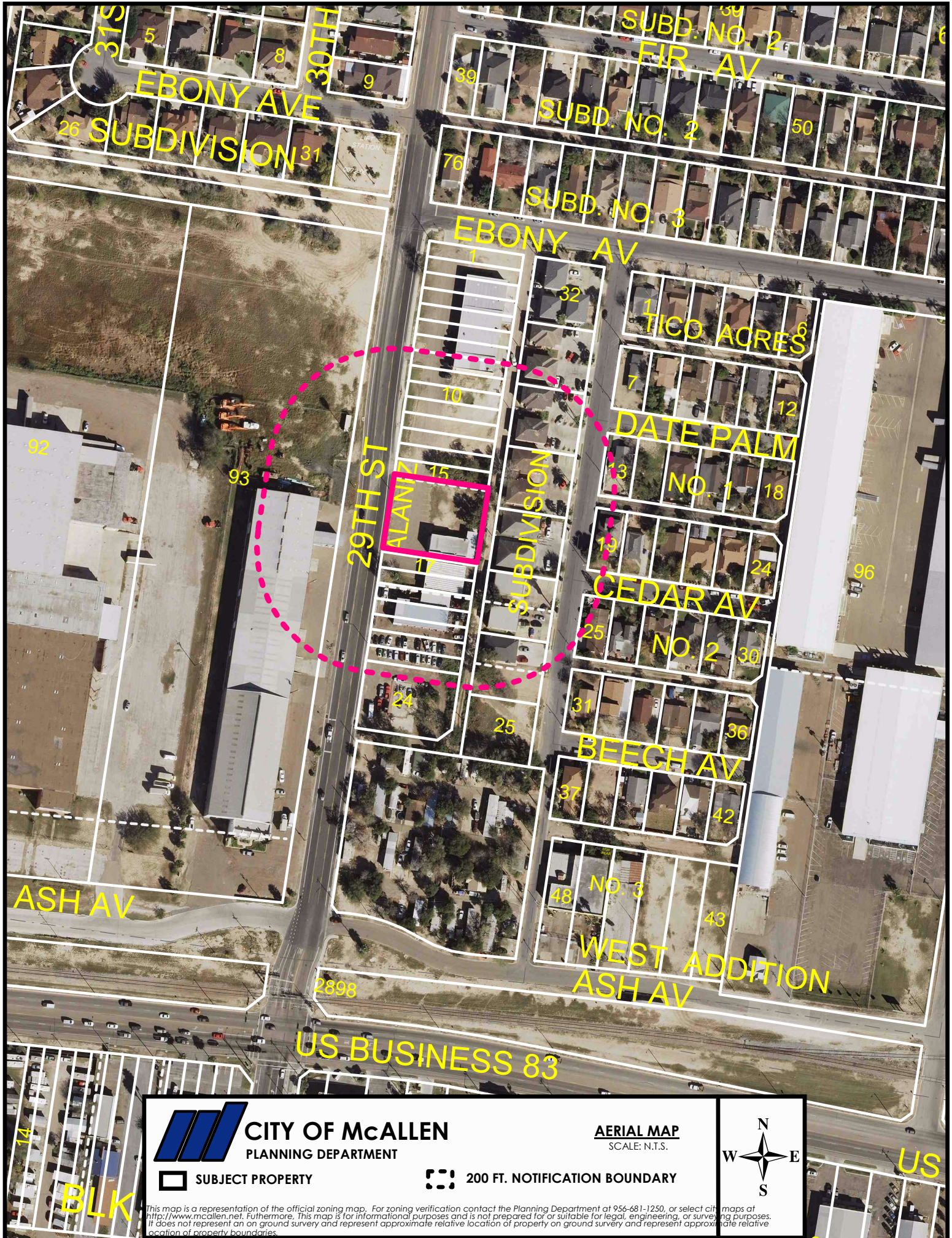
- R-3A (APARTMENTS)
- R-3C (CONDOMINIUMS)
- R-3T (TOWNHOUSES)

- R-4 (MOBILE HOMES)
- C-1 (OFFICE BUILDING)
- C-2 (NEIGHBORHOOD COMMERCIAL)

- C-3 (GENERAL BUSINESS)
- C-3L (LIGHT COMMERCIAL)
- C-4 (COMMERCIAL INDUSTRIAL)

- I-1 (LIGHT INDUSTRIAL)
- I-2 (HEAVY INDUSTRIAL)
- (SPECIAL DISTRICT)

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CITY OF McALLEN
PLANNING DEPARTMENT

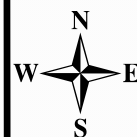
AERIAL MAP
SCALE: N.T.S.



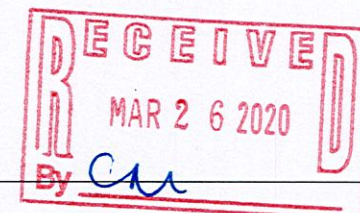
SUBJECT PROPERTY

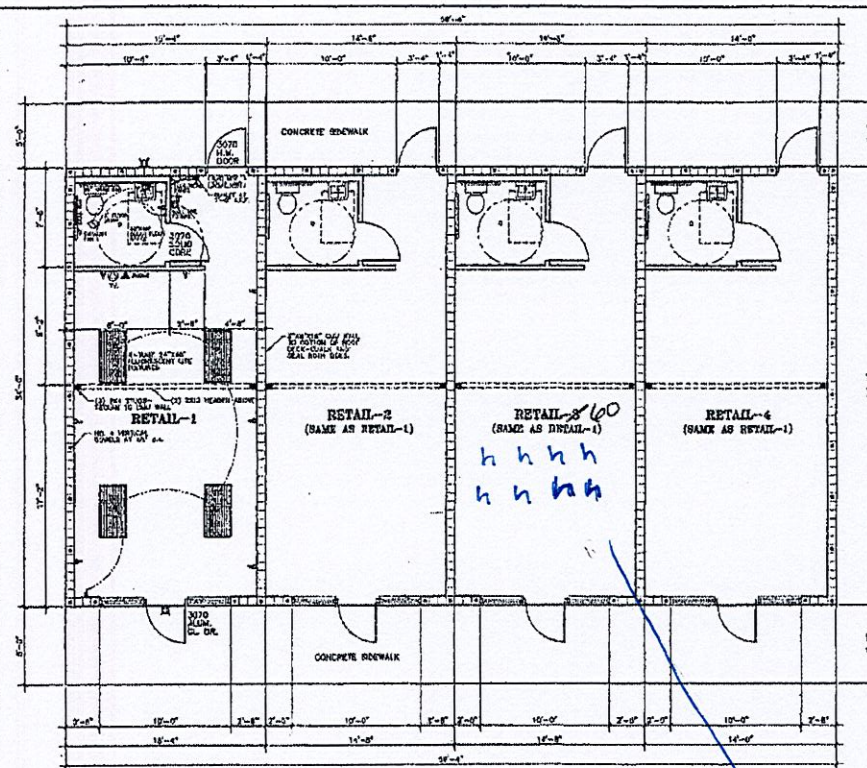


200 FT. NOTIFICATION BOUNDARY

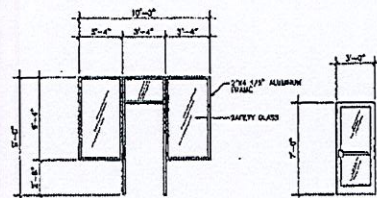


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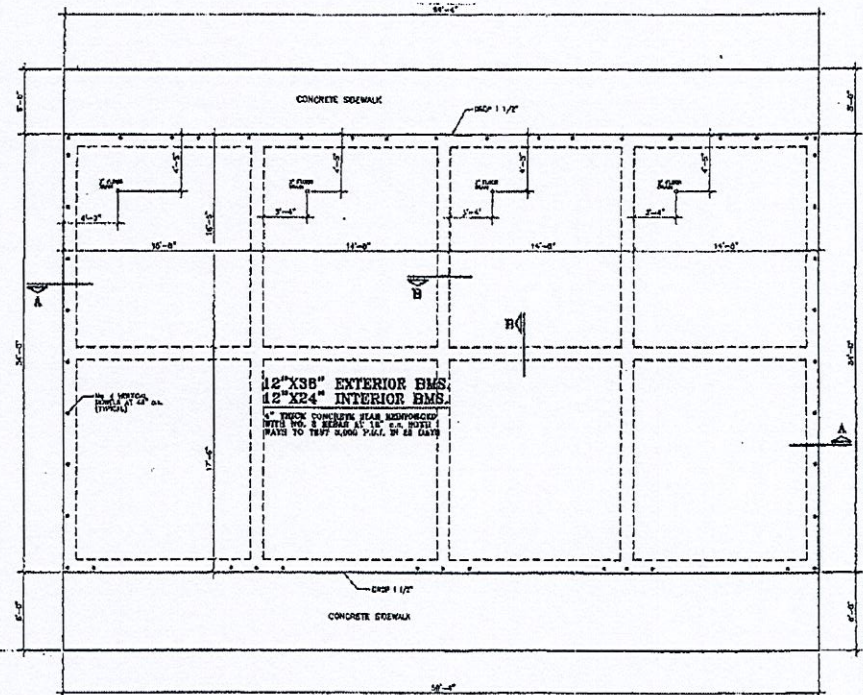
FLOOR PLAN
SCALE: 1/4" = 1'-0"



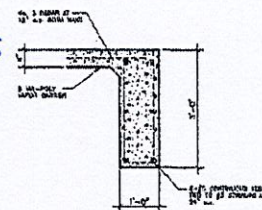
ALUMINUM FRAME
SCALE: 1/4" = 1'-0"

ALUMINUM GLASS DOOR
SCALE: 1/4" = 1'-0"

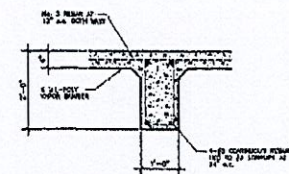
8 bancas
4 x por personas
1 banca para
4 personas
A.M.Ch.



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

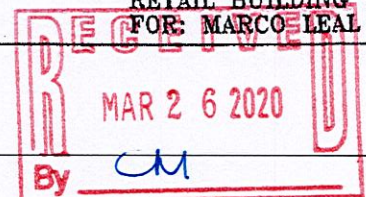


SECTION-A
SCALE: 3/4" = 1'-0"



SECTION-B
SCALE: 3/4" = 1'-0"

RETAIL BUILDING
FOR: MARCO LEAL





GLAM GIRL
NAILS & HAIR

PORQUE LA
PEQUEÑA
BELÉN?
VIA DE RESTAURACIÓN

Southern Superior
INSURANCE

FLASH INCOME TAX
ELECTRONIC FILING • FAST REFUNDS • NOTARY PUBLIC

Cocinita

NOTICE
INSTITUTIONAL
USE
FOR
THIS PROPERTY
CUP2020-0033

Memo

TO: Planning and Zoning Commission

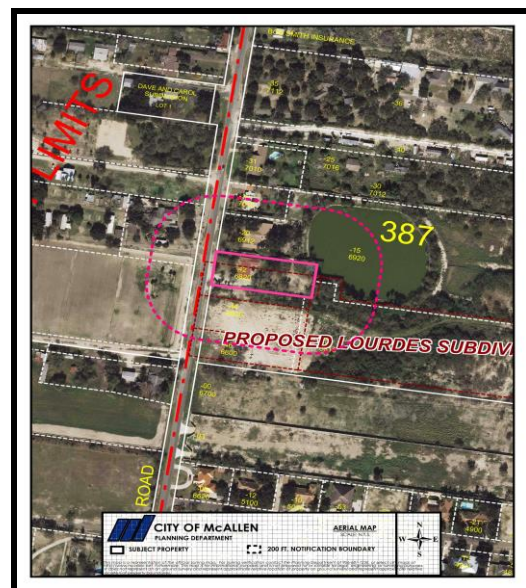
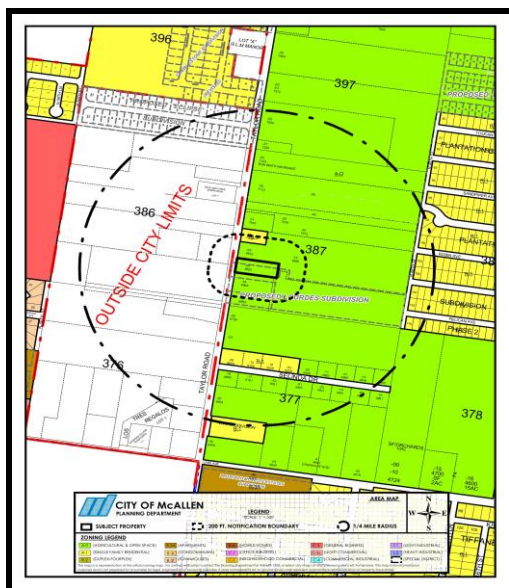
FROM: Planning Staff

DATE: April 28, 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:

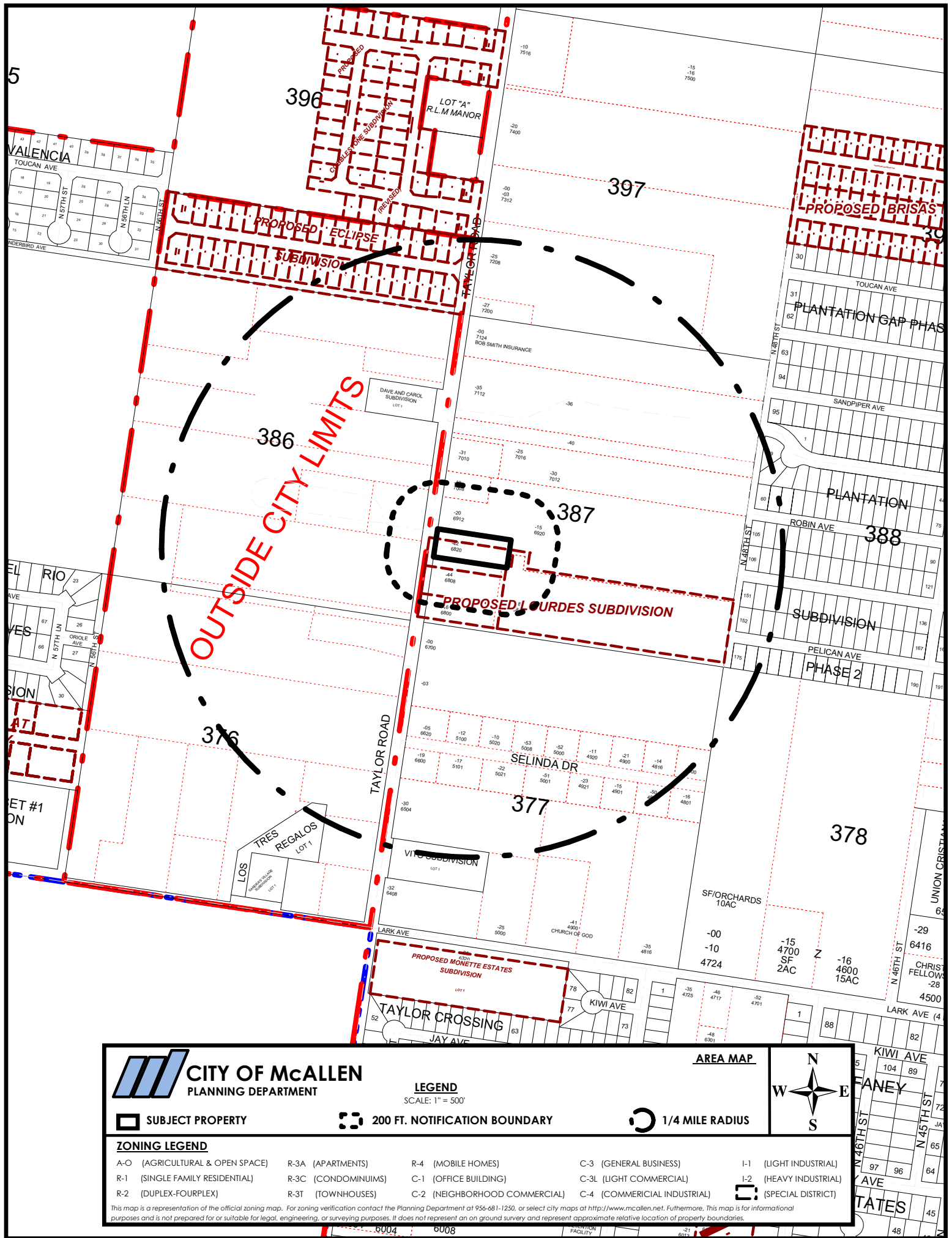
At the Planning and Zoning Commission meeting of April 7, 2020 staff recommended to table item as requested by the applicant. The Board voted unanimously to table the item with 7 members present and voting.

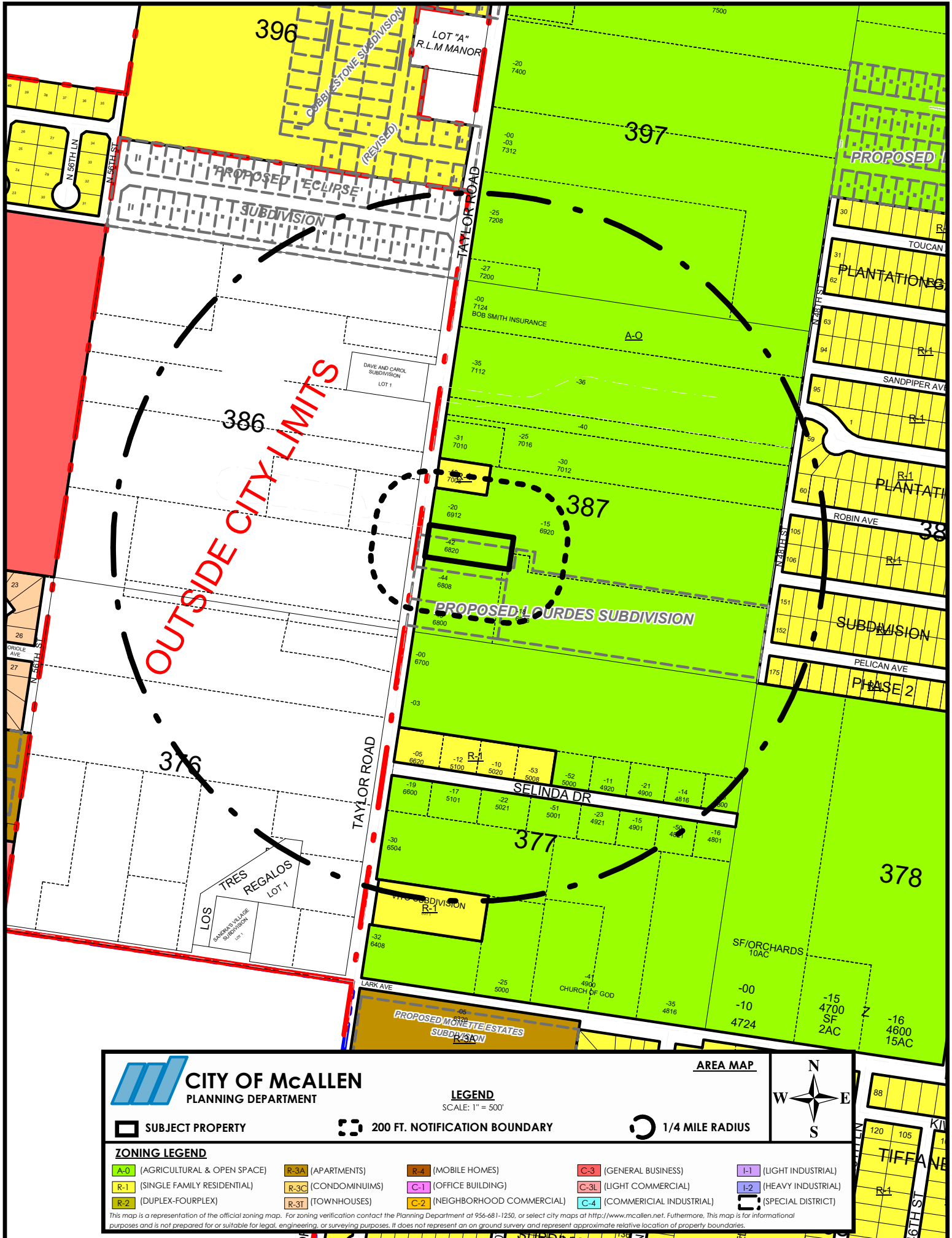
PLANNING AND ZONING COMMISSION MEETING OF APRIL 21, 2020:

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.

RECOMMENDATION:

Staff recommends to table item as requested by the applicant.

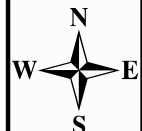




CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500'

AREA MAP



SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)

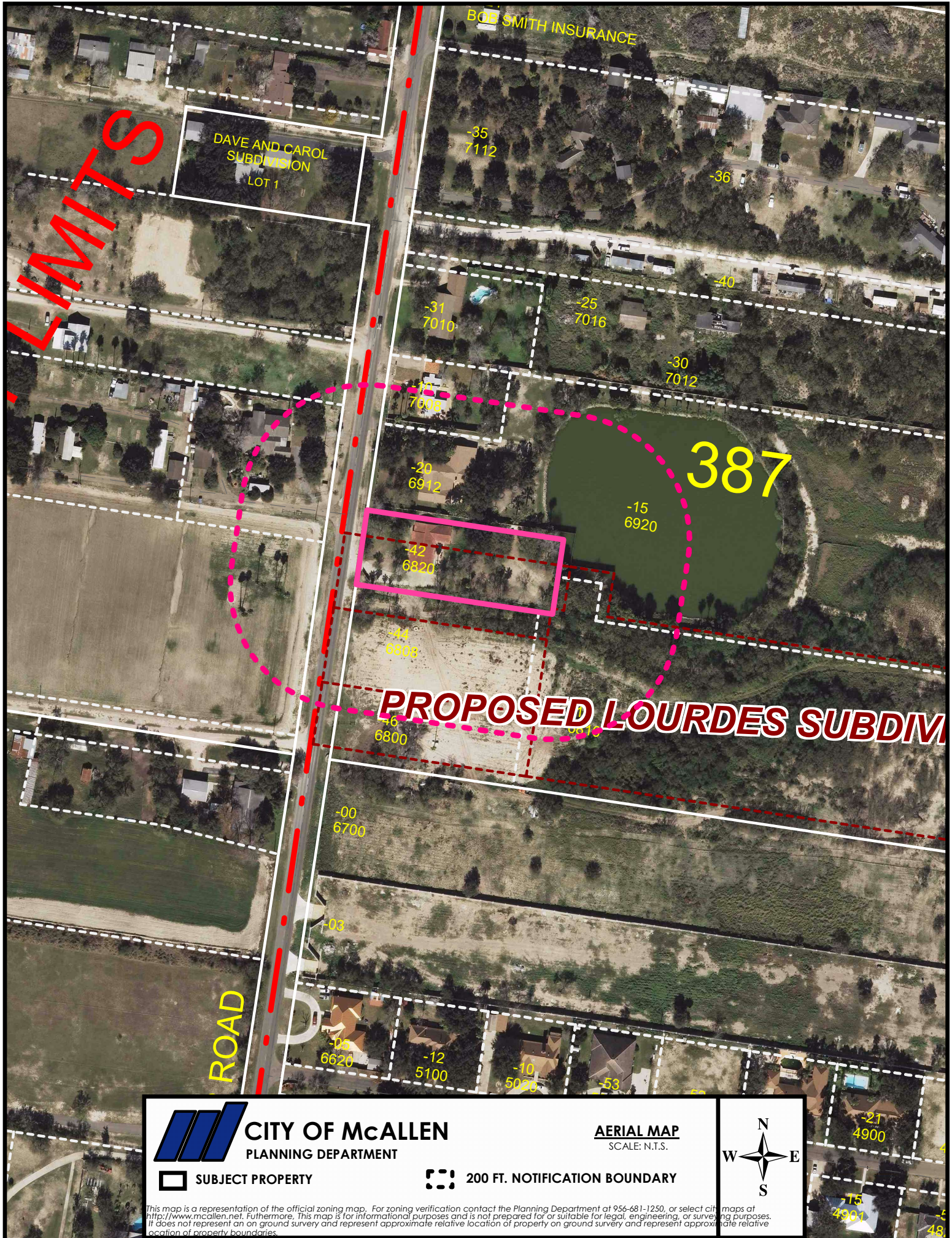
R-3A (APARTMENTS)
R-3C (CONDOMINIUMS)
R-3T (TOWNHOUSES)

R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)

C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERCIAL INDUSTRIAL)

I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
S-D (SPECIAL DISTRICT)

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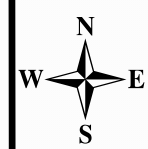


CITY OF McALLEN
PLANNING DEPARTMENT

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.



ART SALINAS

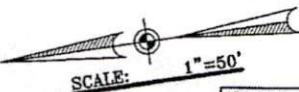
ENGINEERING & SURVEYING

1524 DOVE AVENUE,

McALLEN, TEXAS 78504

PH: (956) 618-5565

FAX: (956) 618-5540



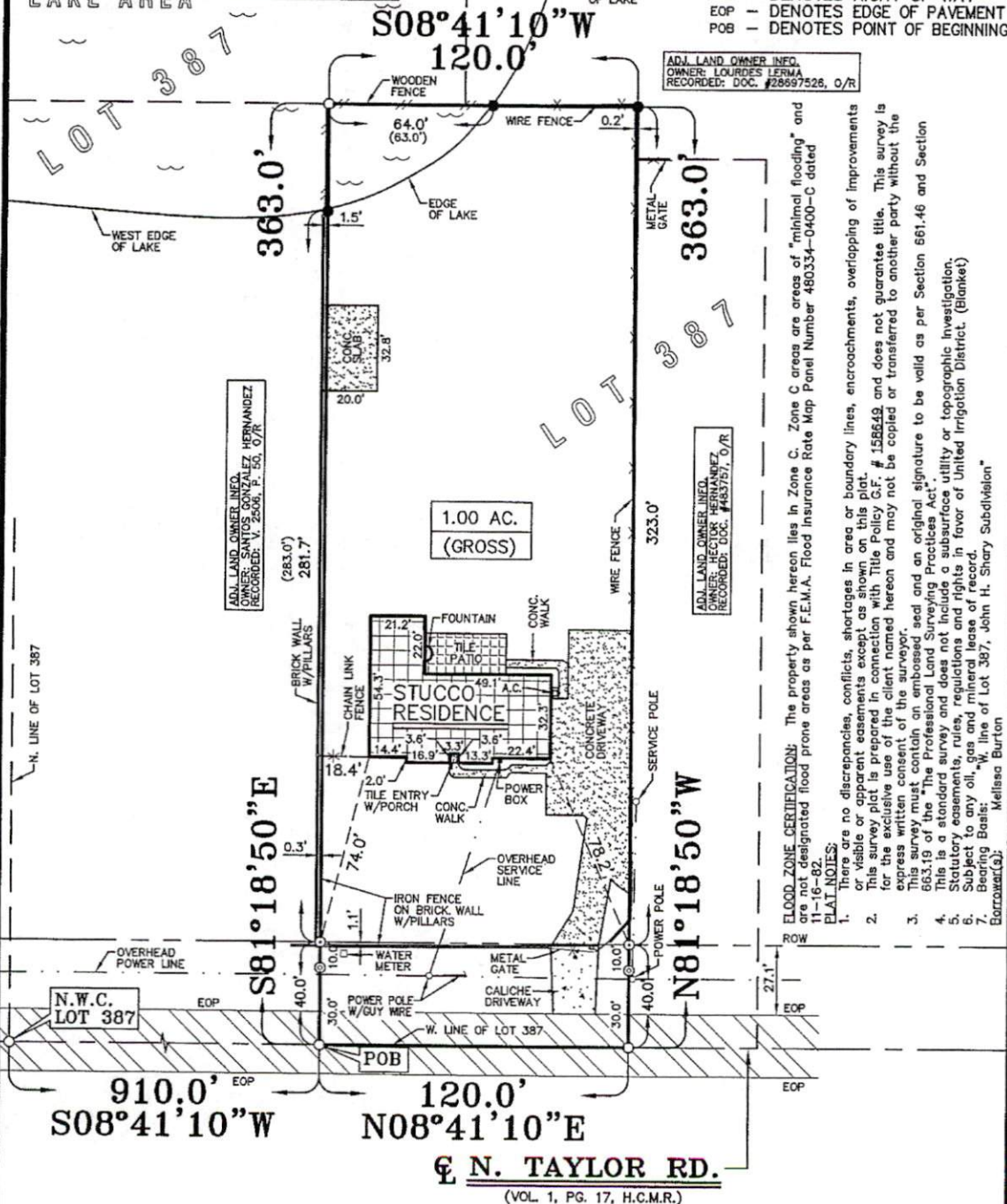
LAKE AREA

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

SOUTH EDGE
OF LAKE

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 herein 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:

- 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.
- This survey plat is prepared in connection with Title Policy G.P. # 1588449 and does not guarantee title. This survey is for the exclusive use of the client named herein and may not be copied or transferred to another party without the express written consent of the surveyor.
- This survey must contain an embossed seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
- This is a standard survey and does not include a subsurface utility or topographic investigation.
- Statutory easements, rules, regulations and rights in favor of United Irrigation District. (blanket)
- Subject to any oil, gas and mineral lease of record.
- Bearing Basis: "W. line of Lot 387, John H. Shary Subdivision"

Borrower(s): Melissa Burton

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)

18-54468
Job No.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

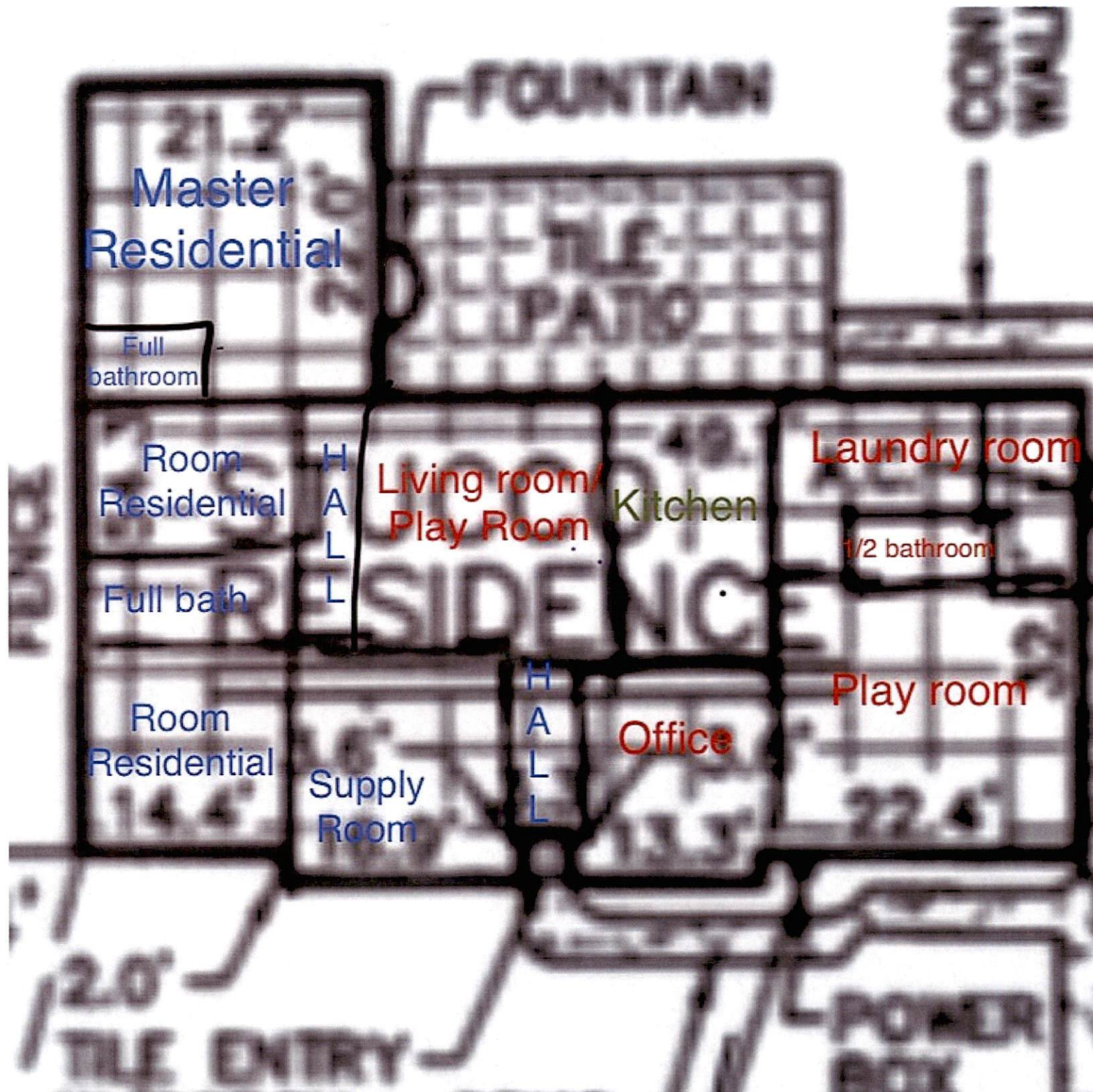


Arturo A. Salinas, R.P.L.S. #4802



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

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







NOTICE
DOG KENNEL
FOR
THIS PROPERTY
CUP2020-0008

CITY OF
McALLEN 215537

DO NOT
PARK

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: May 1, 2020

SUBJECT: 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)

BRIEF DESCRIPTION:

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.

RECOMMENDATION:

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.

ORDINANCE NO. 2019-_____

AN ORDINANCE ABANDONING A 0.045 ACRE TRACT OF LAND, MORE OR LESS, BEING ALL OF THAT 20 FOOT ALLEY RIGHT OF WAY LYING EAST OF AND ADJACENT TO LOT 1, SYLVIA'S BUSINESS CENTER PHASE I, AN ADDITION TO THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 33, PAGE 28A, OF THE MAP RECORDS OF SAID COUNTY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

SECTION I: The 0.045 acre tract of land, more or less, being all of that 20 foot alley right of way lying east of and adjacent to Lot 1, Sylvia's Business Center Phase I, an addition to the City of McAllen, Hidalgo County, Texas, according to plat recorded in Volume 33, Page 28A, of the map records of said County is hereby declared to be abandoned by the City of McAllen as being of no use to the public; more particularly described on EXHIBIT "A", attached hereto and incorporated herein.

Such abandonment shall not take 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. Applicant shall be responsible for the connection of their service to the water meter placed 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.**

SECTION II: The above described tract of land is no longer used by or useful to the public and the vacating of such tract of land will relieve the City from maintenance and expenses relating thereto.

SECTION III: Upon the effective date, the City Manager is hereby authorized to record this ordinance in the Official Records of Hidalgo County, Texas, upon the payment of \$100, which said sum represents the market value of the property herein abandoned and vacated. This action shall

be to the benefit of the adjoining property owner(s) of said tract of land as their interests are reflected according to law.

SECTION IV: The abandonment of the City of McAllen's and the public's interest in the property described herein has been accomplished in accordance with Chapter 272 of the Local Government Code and all other laws, statutes, ordinances or constitutional provisions applicable to such abandonments.

SECTION V: This Ordinance shall become effective upon compliance with the provisions and requirement as set forth herein.

SECTION VI: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

SECTION VII: This ordinance shall not be published in the Code of Ordinances of the City of McAllen, Texas, as it is not amendatory thereof.

SECTION VIII: This ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners and execution by the City.

CONSIDERED, PASSED and APPROVED this _____ day of _____, 2020, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government.

SIGNED this _____ day of _____, 2020.

CITY OF McALLEN

By: _____
James E. Darling, City Mayor

ATTEST:

By: _____
Perla Lara, City Secretary

CORPORATE ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF HIDALGO §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, _____ of the City of McAllen, Texas, a municipal corporation of the State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as an act of said corporation for the purposes and consideration therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my official seal this _____ day of _____, 2020.

Notary Public - State of Texas

Approved as to form:

Mark Swaim
Assistant City Attorney

PHASE IIIA

LOT 2

NOLANA TOWN CENT

PHASE IIIA

PHASE III
LOT 2



LOS ARBOLES 1

PHASE 1A

TO BE

ABANDONED SUBD

**PROPOSED SAC
COMMERCIAL SUBD
LOT 1**

MCCOLL RD

1
SYLVIA'S BUSINESS
CENTER PHASE 1
3

LOT 2

E JONQUIL AVE

SUBDIVISION
-A

50-00-008-0002-02

1

NO. 3

R-3A

4

27

3408 11

3400 10

3330 9

PHASE 2

**PROPOSED THE DIST
MCALLEN PHASE 3 SUB**

C-4



McCOLL RD

UBDIVISION
-A

50-00-008-0002-02

NO. 3

4

27

McCOLL RD

SYLVIA'S BUSINESS CENTER PHASE 1

**PROPOSED SAC
COMMERCIAL SUBD
LOT 1**

TO BE
ABANDONED

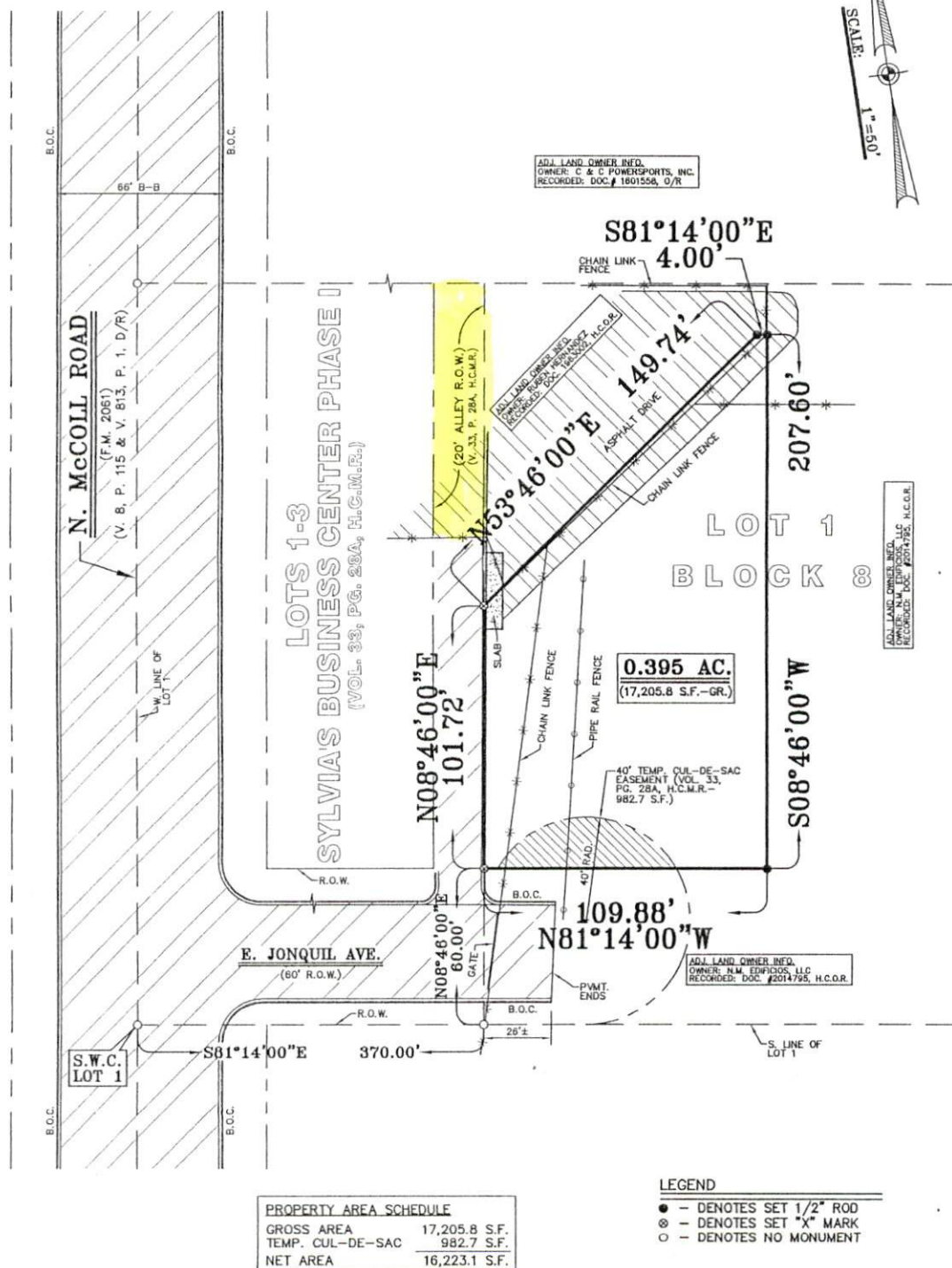
E JONQUIL AVE

**PROPOSED THE DISTRICT
MCCALLEN PHASE 3 SUB**

PHASE 2

ENGINEERING & SURVEYING

FAX: (958) 618-5540



THIS IS TO CERTIFY TO THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE STANDARD LAND SURVEY ON THE GROUND OF PROPERTY WHICH IS LOCATED AT N. McCOLL ROAD, in MCALLEN, TEXAS, DESCRIBED AS FOLLOWS: A TRACT OF LAND OUT OF LOT 1, BLOCK 8, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS OF HIDALGO COUNTY, TEXAS. (SEE METES AND BOUNDS DESCRIPTION)

11-40514
Job No.

03-30-11
Date

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Registered Professional Land Surveyor No. 4802

RECEIVED
JAN 10 2019
BY: PCB:40pm

A 2.443 ACRE TRACT OF LAND OUT OF LOT
1, BLOCK 8, STEELE AND PERSHING SUBDIVISION
AS RECORDED IN VOLUME 8, PAGE 115 OF THE
MAP RECORDS OF HIDALGO COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF HIDALGO

WE, THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS SYLVIA'S BUSINESS CENTER PHASE I, AN ADDITION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBMITTED HERETO HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, SEWER LINES, WATER COURSES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH WE WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

OWNERS: SYLVIA'S BUSINESS CENTER CORPORATION
5307 N. McCOLL ROAD
McALLEN, TEXAS 78504

MCALLEN, TEXAS 78504


Pedro A. Gutierrez PEDRO ARMANDO GUTIERREZ, PARTNER

Rodrigo Elizondo Jr. RODRIGO ELIZONDO, JR., PARTNER

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY
PERSONALLY APPEARED PEDRO ARMANDO GUTIERREZ, PARTNER AND
RODRIGO ELIZONDO, PARTNER KNOWN TO ME TO BE THE PERSONS
WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT,
AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR
PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE
CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE

THIS THE 31st DAY OF Oct A.D. 1997

 ARSENIO ALFARO, JR.
Notary Public, State of Texas
My Commission Expires

NOTARY PUBLIC, TEXAS
EXPIRATION DATE: 9-21-01


 AUG. 21, 2001
 THIS PLAT APPROVED BY PINALDO COUNTY IRRIGATION DISTRICT
 No. TWO

THIS THE 20th DAY OF Nov. A.D. 1997

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D.
#2 RIGHTS-OF-WAY OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN
PERMISSION OF THE H.C.I.D. #2.

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

THIS SUBDIVISION PLAT OF SYLVIA'S BUSINESS CENTER PHASE HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF McALLEN, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 11th DAY OF DEC. A.D. 1947

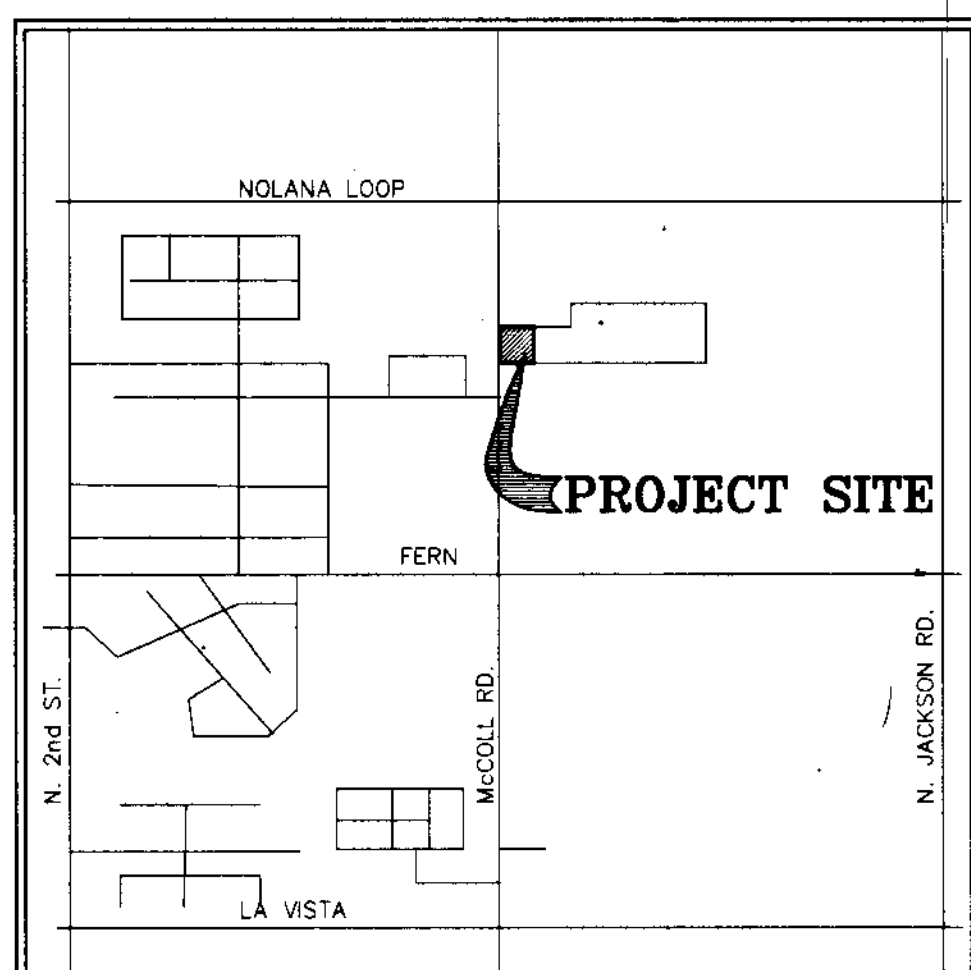
STATE OF TEXAS
COUNTY OF HIDALGO

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

JAVIER PINOJOSA, P.E.
REGISTERED PROFESSIONAL ENGINEER No. 74808

LEO L. RODRIGUEZ, JR., A REGISTERED PROFESSIONAL LAND
SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS
PLAN IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL

LEO L. RODRIGUEZ, JR., R.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR No. 2448



LOCATION MAP

JH **JAVIER HINOJOSA ENGINEERING**
CONSULTING ENGINEERS
612 NOLANA LOOP, SUITE 320 McALLEN, TEXAS 78504
PHONE (956) 688-1587

GENERAL NOTES:

1. THIS PROPERTY IS LOCATED WITHIN ZONE "B" ON A FLOOD INSURANCE MAP - COMMUNITY PANEL NO. 480343 0005 C; REVISED NOV. 2, 1982.
2. MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE 18 INCHES ABOVE THE TOP OF THE CURB AS MEASURED AT THE CENTER OF EACH LOT.
3. A 4.00 FOOT WIDE SIDEWALK IS REQUIRED ALONG THE EAST SIDE OF N. McCOLL ROAD AND THE NORTH SIDE OF E. JONQUIL AVENUE.
4. A TOTAL OF 0.51 ACRE FEET OF DETENTION IS REQUIRED FOR THIS PROPERTY. AN ENGINEERED DETENTION PLAN APPROVED BY THE CITY'S ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO BUILDING PERMIT.
5. A SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO ISSUANCE OF BUILDING PERMITS. THE SITE PLAN/Common AREA PLAN TO INCLUDE PARKING, SETBACKS, CURB CUTS, LANDSCAPING, ETC. FOR THE BENEFIT OF ALL OWNERS FOR INGRESS AND EGRESS. THIS COMMON AREA TO BE MAINTAINED BY THE LOT OWNERS.
6. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS: *

N. McCOLL ROAD:	50.00 FEET OR GREATER FOR APPROVED SITE PLAN
REAR:	LOTS 1-3; 24.00 FEET
SIDE CORNER:	10 FEET ON LOT 3 ALONG E. JONQUIL AVENUE
7. A 6.00 FOOT BUFFER IS REQUIRED FROM ADJACENT RESIDENTIAL ZONE/USE.
8. ALL TEMPORARY TURN-AROUND EASEMENTS ARE DEDICATED BY THE PLAT UNTIL ADJACENT PROPERTY IS DEVELOPED.
9. A 25'x25' CORNER CLIP EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
10. A 10'x10' CORNER CLIP EASEMENT IS REQUIRED AT ALL STREET/AL
- * 11. OTHER SIDE SETBACKS: AS PER ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.

Recorded In Volume 33 Page 287
of the map records of Hidalgo
County, Texas
Melden and Hunt, Inc.

APPROVED: Don Walker 12/18/77
Hidalgo County ROW DEPT.

APPROVED: 12/15/97
[Signature]
Idalgo County
and HCDD #1

APPROVED FOR RECORDING
HIDALGO CO. PLANNING DEPT.
BY: Amelia Garcia
DATE: 12-30-97

DATE OF PREPARATION: OCTOBER 29, 1997

METES AND BOUNDS DESCRIPTION

A 2.443 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 8, STEELE AND
PERSHING SUBDIVISION AS RECORDED IN VOLUME 8, PAGE 115 OF THE
MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING MORE SPECIFICALLY
DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 8 FOR THE SOUTHWEST CORNER OF THIS TRACT; SAID POINT BEING IN THE CENTER-LINE OF McCOLL ROAD (F.M. 2061);

THENCE N08°46'00"E ALONG THE CENTERLINE OF McCOLL ROAD A
DISTANCE OF 287.60 FEET TO A POINT FOR THE NORTHWEST CORNER OF
THIS TRACT:

THENCE S81°14'00"E AT 40.00 FEET THE EAST RIGHT-OF-WAY OF SAID McCOLL ROAD, IN ALL A TOTAL DISTANCE OF 370.00 FEET TO A POINT FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S08°46'00"W A DISTANCE OF 287.60 FEET TO A POINT FOR THE
SOUTHEAST CORNER OF THIS TRACT:

THENCE N81°14'00"W ALONG THE SOUTH LINE OF SAID LOT 1 AT 330.00 FEET THE EAST RIGHT-OF-WAY LINE OF McCOLL ROAD IN ALL A DISTANCE OF 370.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.443 ACRES OF LAND, MORE OR LESS.

CHECKED FOR DRAWING
BY: [Signature]
12-18-97

STATE OF TEXAS
COUNTY OF HIDALGO

I / WE, THE UNDERSIGNED, HOLDEER(S) (OR DULY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS SYLVIA'S BUSINESS CENTER, OF THE CITY OF MCALISTER, OKAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY, PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

STATE OF TEXAS
COUNTY OF HIDALGO

DAVID DENDA
EXECUTIVE VICE PRESIDENT
LONE STAR NATIONAL BANK

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY
PERSONALLY APPEARED Dana Delgado
KNOWN TO ME TO BE THE PERSONS
WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT,
AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR
PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE
CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE

THIS THE 29th DAY OF Oct. A.D. 1997

NOTARY PUBLIC, TEXAS
EXPIRATION DATE: 12-5-98



SUB2019-0041



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 <u>2621 S. 23RD</u> Location <u>S. 23RD @ JORDAN ROAD, EAST SIDE OF</u> City Address or Block Number <u>2621 S. 23RD ST.</u> <u>S. 23RD ST.</u> Number of lots <u>1</u> Gross acres <u>1.00</u> Net acres <u>0.89</u> Existing Zoning <u>C-3</u> Proposed <u>C-3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>COMMERCIAL</u> Proposed Land Use <u>COMMERCIAL</u> Irrigation District # _____ Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>1500</u> Legal Description <u>1.0 AC. 0/0 LOT 18, Bk. 3, C.E.</u> <u>HAMMOND'S SUBD., H.C.T.</u>
Owner	Name <u>JOEL DELEON</u> Phone <u>956-605-2680</u> Address <u>2621 S. 23RD ST.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> E-mail _____
Developer	Name <u>BIG STAR MGMT.</u> Phone <u>(713) 823-8786</u> Address <u>303 S. 66TH ST.</u> City <u>HOUSTON</u> State <u>TX</u> Zip <u>77011</u> Contact Person <u>ADNAN MOHAMMAD</u> E-mail <u>MAIL@BIGSTARMGMT.COM</u>
Engineer	Name <u>DAVID SALINAS</u> Phone <u>682-9081</u> Address <u>2221 DAFFODIL AVE.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>DAVID</u> E-mail <u>dsalinas@salinasengineering.com</u>
Surveyor	Name <u>SAME AS ENGR.</u> Phone _____ Address _____ City _____ State _____ Zip _____

RECEIVED
JUN 14 2019
BX 18:45pm

LOCATION

SOUTH AIRPORT
SUBDIVISION

INDRADES
SUBDIVISION
LOT 1

PROPOSED 2621 S. 23RD STREET
SUBDIVISION
LOT 1

LOT 1

DELUXE AUTO SUBD
LOT 1

V-REYNA
SUBDIVISION
LOT 1

JORDAN RD

SOUTH DEPOT ROAD
SUBDIVISION

23RD ST

GONZALEZ-CHAPA SUBD
LOT A

ALONZO BARRERA
LOT 1

1

14

BLK 1

AZTECA AV

BLK 2

**LA LINDA HEIGHTS
SUBDIVISION**



City of McAllen

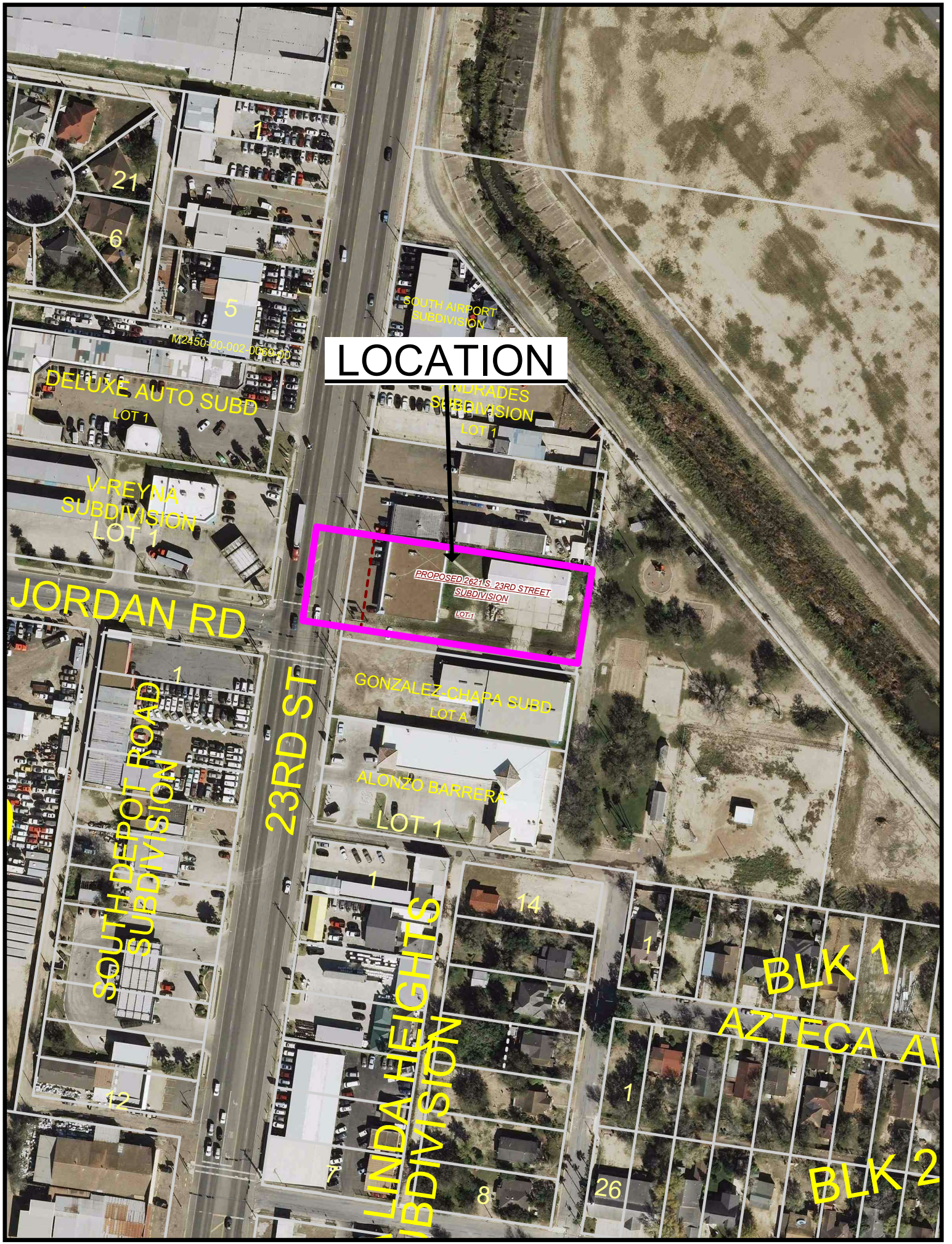
SUBDIVISION PLAT REVIEW

Reviewed On: 5/1/2020

SUBDIVISION NAME: 2621 S. 23RD STREET	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
S. 23rd Street: 25 ft. dedication for 75 ft. from centerline for 150 ft. ROW Paving: by the state Curb & gutter: by the state **Plat submitted February 20, 2020 provides 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.	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. ***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.	Applied
SETBACKS	
* Front: 50 ft. or greater for approved site plan or easements.	Applied
* Rear: In accordance with the Zoning Ordinance, or greater for easements or approved site plan.	Applied
* Interior Sides: In accordance with the Zoning Ordinance or greater for easements or approved site plan.	Applied
* Corner	NA
* Garage **Revise Note #1 on plat submitted February 20, 2020 since garage setbacks do not apply for commercial properties.	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 5 ft. wide minimum sidewalk required on S. 23rd Street.	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	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* 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.	Complete

* Site plan must be approved by the Planning 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	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-3 Proposed: C-3	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per lot/dwelling unit to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Complete
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: **Remove reference to garage setback ***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.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL IN REVISED FINAL FORM, WITH CONDITIONS.	Applied

LOCATION



SUBADAD-0005



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 Shops at Nolana - Lot 1

Location Southwest corner of the intersection between N 29th St and W Nolana Ave

City Address or Block Number 2901 NOLANA AVE

Number of lots 1 Gross acres 1.484 Net acres 1.484

Existing Zoning C-3 Proposed C-3 Rezoning Applied For ☐ Yes ☒ No Date _____

Existing Land Use Undev. Proposed Land Use General Bus. Irrigation District # _____

Residential Replat Yes ☐ No ☐ Commercial Replat Yes ☐ No ☐ ETJ Yes ☐ No ☐

Agricultural Tax Exempt Yes ☐ No ☐ Estimated Rollback tax due _____

Parcel No. L130000000011715 Tax Dept. Review _____

Legal Description BEING a 1.484 acre tract (64,663 sq. ft.) out of Lot 118, of LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 24, Page 68, Deed Records Hidalgo County, Texas, (D.R.H.C.T.), same being out of that certain called 13.987 acre tract conveyed to Ponderosa Retail, LTD, as described in Document No. 2009-1959277 of the Official Records Hidalgo County, Texas (O.R.H.C.T.):

Owner

Name Ponderosa Retail, Ltd. Phone 210-630-0480

Address 900 E. Lakeview Dr

City McAllen State TX Zip 78501

E-mail jwcollins@rioco.com

Developer

Name Terracor Phone 210-541-2005

Address 10101 Reunion Place, Suite 500

City San Antonio State TX Zip 78216

Contact Person Will Collins

E-mail will.collins@terracortx.com

Engineer

Name Halff Associates Inc Phone 956-445-5235

Address 5000 W Military Hwy Suite 100

City McAllen State TX Zip 78503

Contact Person Raul Garcia Jr., PE and Robert Saenz, PE

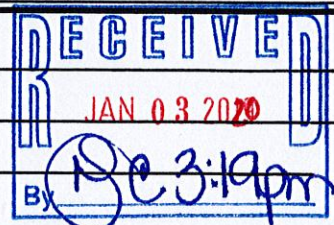
E-mail rgarcia@halff.com , rsaenz@halff.com

Surveyor

Name Same as Engineer Phone _____

Address _____

City _____ State _____ Zip _____



Ret # 484008 pd \$300

SOCCER FIELD

OMITA 111
(HOIT)

ROAD SU 1

110

LOCATION

PROPOSED SHOPS AT
NOLANA SUBDIVISION
(REVISED)
LOT 1

NOLANA AVE

29TH PLACE
SUB'D

1 ASIAN 2

3A

VALLEY

4

5

6

8A

7

SUBD

3612
L1300-00-000-0119-04

119

BRYN-MAR TERRACE

JONQUIL AV

39

30

29

28 1/2 ST

67

44

29TH LN

PHASE 1

60

61

69

70

29TH ST

IRIS AV
SUBDIVISION

10

IRIS AV.

30TH ST

31ST ST

41

42

1

PONDEROSA

PHASE 2

101

100

22

91

31

32

51

52

1

LIFE CL

METES AND BOUNDS DESCRIPTION:

BEING a 1.608 acre tract (70,058 sq. ft.) out of Lot 118, of LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 24, Page 68, Deed Records Hidalgo County, Texas, (O.R.H.C.T.), same being out of that certain called 13.987 acre tract conveyed to Ponderosa Retail, LTD., as described in Document No. 2009-1959277 of the Official Records Hidalgo County, Texas (O.R.H.C.T.); said 1.608 acre tract being more particularly described as follows:

BEGINNING at 1/2-inch iron rod found at the common corner of the PONDEROSA PARK PHASE I SUBDIVISION, as recorded in Volume 31, Page 121, Map Records Hidalgo County, Texas (M.R.H.C.T.) and said 1.608 acre tract, same being in the existing west right of way line of N. 34th Street (60.0' right of way), for the southeast corner of the herein described tract;

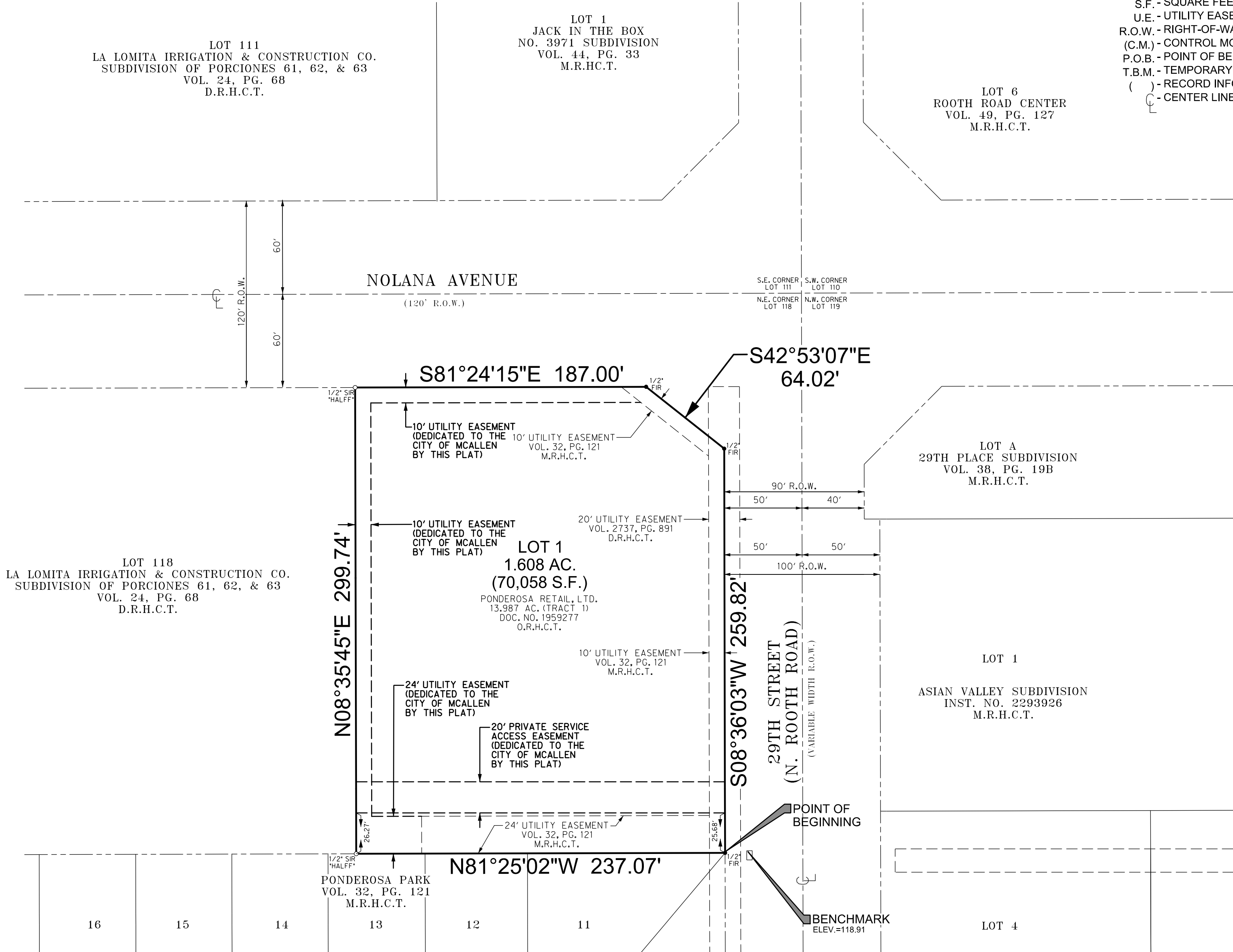
THENCE, North 81° 25' 02" West, along the north line of said PONDEROSA PARK PHASE I SUBDIVISION, a distance of 237.07 feet to a 1/2-inch iron rod with stamped "Half" set, for the southwest corner of the herein described tract;

THENCE, North 08° 35' 45" East, over and across said 13.987 acre tract, a distance of 299.74 feet to a 1/2-inch iron rod with stamped "Half" set in the south right of way line of Nolana Loop (120' right of way); for the northwest corner of the herein described tract;

THENCE, South 81° 24' 15" East, along said south right of way line, a distance of 187.00 feet to 1/2-inch iron rod found, for the most northerly northeast corner of the herein described tract;

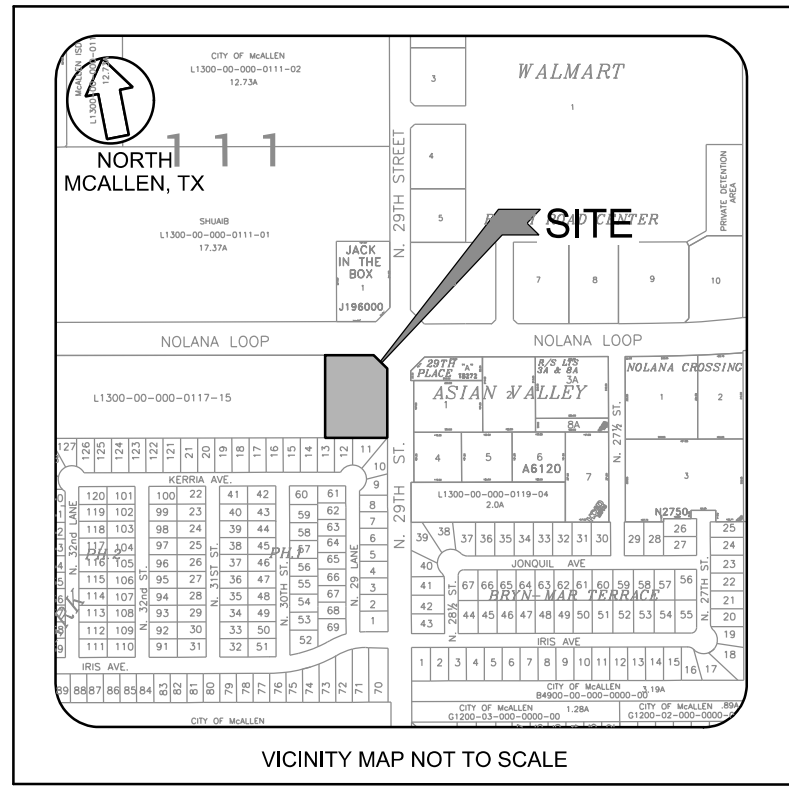
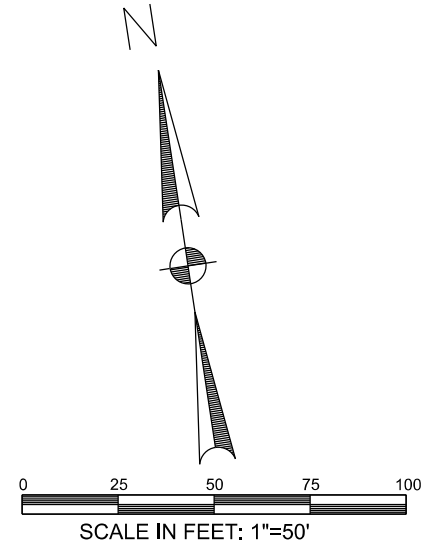
THENCE, South 42° 53' 07" East, continuing along said south right of way line, a distance of 64.02 feet to 1/2-inch iron rod found with cap stamped "M&H" in the west right of way line of said 34th Street, for the most easterly northeast corner of the herein described tract;

THENCE, South 08° 36' 03" West, along said west right of way line, a distance of 259.82 feet to the POINT OF BEGINNING and containing an area of 1.608 acre tract (70,058 sq. ft.), more or less.



LEGEND

- - 1/2-INCH FOUND IRON ROD OR AS NOTED
- - 1/2-INCH SET IRON ROD WITH CAP STAMPED "HALFF"
- * - 1/2-INCH FOUND IRON PIPE
- Δ - CALCULATED POINT
- M.R.H.C.T. - MAP RECORDS HIDALGO COUNTY TEXAS
- D.R.H.C.T. - DEED RECORDS HIDALGO COUNTY TEXAS
- O.R.H.C.T. - OFFICIAL RECORDS HIDALGO COUNTY TEXAS
- M.B.S.B.L. - MINIMUM BUILDING SETBACK LINE
- VOL. - VOLUME
- PG. - PAGE
- S.F. - SQUARE FEET
- U.E. - UTILITY EASEMENT
- R.O.W. - RIGHT-OF-WAY
- (C.M.) - CONTROL MONUMENT
- P.O.B. - POINT OF BEGINNING
- T.B.M. - TEMPORARY BENCHMARK
- () - RECORD INFORMATION
- C - CENTER LINE OF ROAD



STATE OF TEXAS:
COUNTY OF HIDALGO:

I, the undersigned owner of the land shown on this plat and designated herein as SHOPS AT NOLANA LOT 1 SUBDIVISION to the City of McAllen, Texas and whose name is subscribed hereto, hereby dedicated to the use of the public all streets, alleys, parks, water courses, drains, easements, waterlines, sanitary sewer lines, storm sewers, fire hydrants and public places which are installed or which I will cause to be installed thereon shown or not shown and required otherwise to be installed or dedicated under the subdivision approval process of the process of the City of McAllen all the same for the purposes therein expressed, either on the plat herein or on the official minutes of the applicable authorities of the City of McAllen.

James W. Collins
President
Ponderosa Retail, LTD.
900 E. Lakeview Dr.
McAllen, Texas 78501

STATE OF TEXAS:
COUNTY OF HIDALGO:

Before me, the undersigned authority on this day personally appeared James W. Collins and acknowledged to me that he executed the same for the purposes and consideration therein expressed and, in the capacity, therein stated. Given under my hand and seal of office.

Dated this _____ day of _____, A.D. 2020.

STATE OF TEXAS:
COUNTY OF HIDALGO:

I, the undersigned Chairman of the Planning and Zoning Commission of the City of McAllen, do hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of this city wherein my approval is required.

Given under my hand and seal of office, this the _____ day of _____, 2020.

Chairman, Planning and Zoning Commission

STATE OF TEXAS:
COUNTY OF HIDALGO:

I, the undersigned Mayor of the City of McAllen, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of this City wherein my approval is required.

Given under my hand and seal of office, this the _____ day of _____, 2020.

Attested: Secretary, City of McAllen Mayor, City of McAllen

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATION

Hidalgo County Drainage District No. 1 hereby certifies that the drainage plans for this subdivision comply with the minimum standards of the district adopted under Tex. Water Code 49.211(c). The district has not reviewed and does not certify that the drainage structures described are appropriate for the specific subdivision, based on generally accepted engineering criteria. It is the responsibility of the developer of the subdivision and its engineer to make these determinations.

Raul E. Sesin, P.E., C.F.M.
General Manager
Hidalgo County Drainage District No. 1

DATE



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

PRELIMINARY PLAT

SHOPS AT NOLANA
LOT 1
SUBDIVISION

A SUBDIVISION OF 1.608 ACRES
SITUATED IN THE CITY OF MCALEN
HIDALGO COUNTY, TEXAS
OUT OF LOT 118
LA LOMITA IRRIGATION & CONSTRUCTION CO.
SUBDIVISION OF PORCIONES 61, 62 & 63
AVO: 037174.001

DATE OF PREPARATION: 1/31/2020
BY

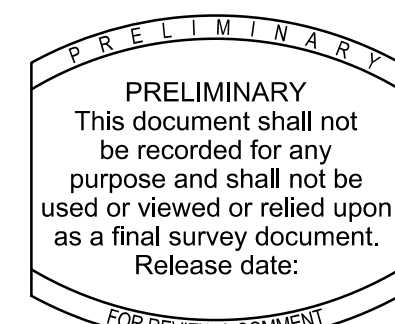
HALFF
5000 WEST MILITARY, SUITE 100
MCALEN, TX 78503
(956) 664-0286
TBPLS NO. 10194444

STATE OF TEXAS:
COUNTY OF HIDALGO:

I, Juan M. Castillo, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat was prepared from an actual survey of the property made under my supervision on the ground.

Juan M. Castillo
Registered Professional Land Surveyor
State of Texas No. 6146

Date

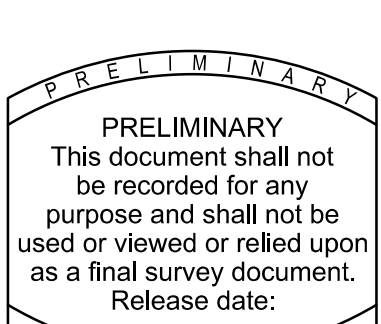


STATE OF TEXAS:
COUNTY OF HIDALGO:

I, Raul Garcia, Jr., a Licensed Professional Engineer in the State of Texas, do hereby certify that proper engineering consideration has been given to this plat.

Raul Garcia, Jr.
Licensed Professional Engineer
P.E. Registration No. 94855

Date



PRINCIPAL CONTACTS
OWNER: PONDEROSA RETAIL, LTD.
ENGINEER: HALFF ASSOCIATES
SURVEYOR: HALFF ASSOCIATES

900 E. LAKEVIEW DR.
5000 W. MILITARY STE. 100
5000 W. MILITARY STE. 100

MCALEN, TX 78501
MCALEN, TX 78503
MCALEN, TX 78503

PH: (956) 664-0286
PH: (956) 664-0286
PH: (956) 664-0286

RECEIVED

By Nikki Marie Cavazos at 11:45 am, Feb 05, 2020

RECEIVED VIA EMAIL 01/31/2020 AT 9:11 AM



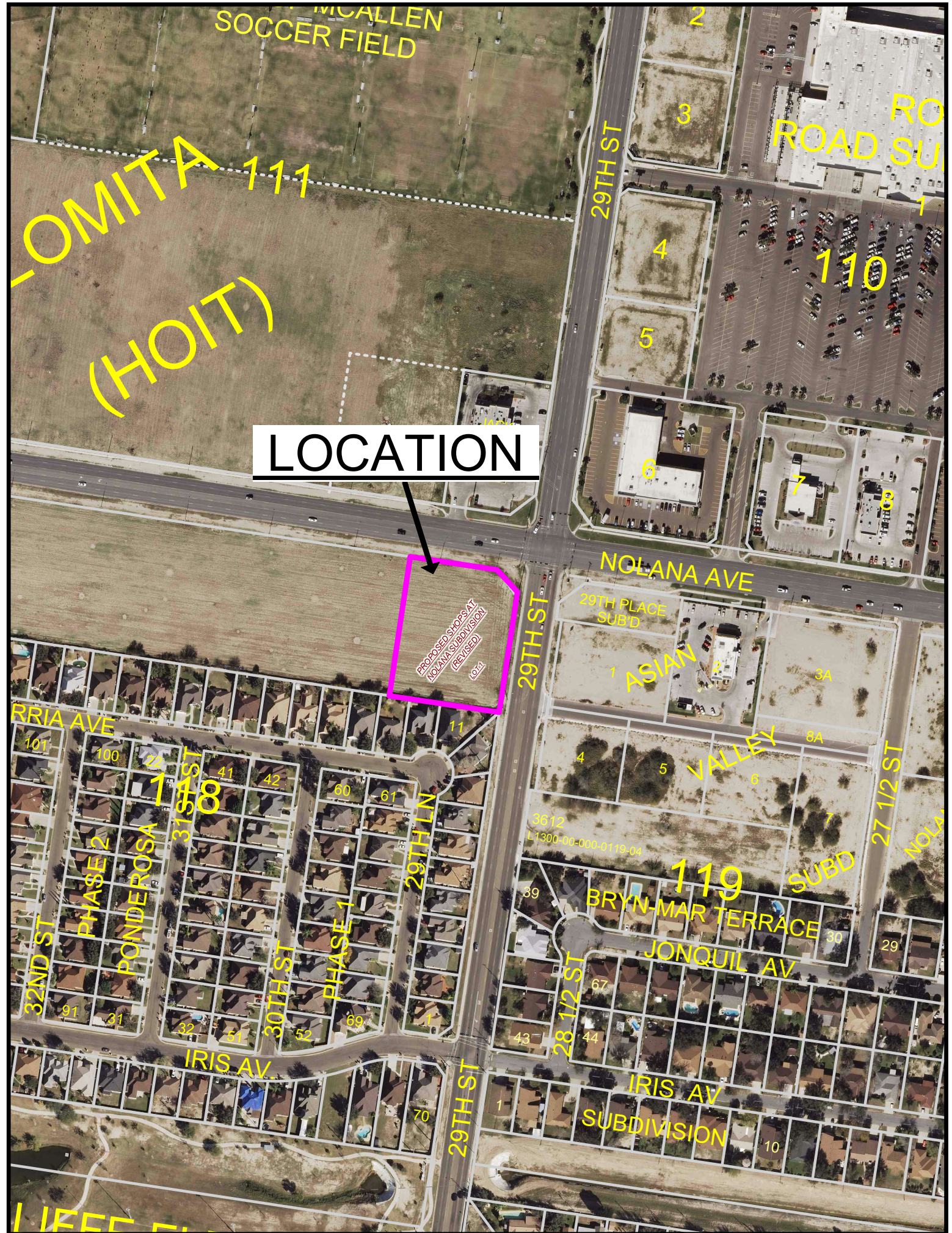
City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 4/30/2020

SUBDIVISION NAME: SHOPS AT NOLANA- LOT 1	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Nolana Avenue: existing 60 ft. from centerline for 120 ft. ROW Paving: 65 ft. Curb & gutter: Both sides	Applied
N. 29th Street: Existing 50 ft. from centerline for 100 ft. ROW. Paving: 65 ft. Curb & gutter: Both sides	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length	Applied
* 600 ft. Maximum Cul-de-Sac	Applied
ALLEYS	
ROW: 25 ft. Paving: 25 ft. *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 properties develop to the west *****Provide barricades as needed until drive is extended westward.	Compliance
SETBACKS	
* Front: Nolana Avenue - 60 ft. or greater for easements or approved site plan.	Compliance
* Rear: In accordance with zoning ordinance, or greater for easements or approved site plan.	Compliance
* Sides: In accordance with zoning ordinance, or greater for easements or approved site plan.	Compliance
* Corner: N. 29th Street - 50 ft. or greater for approved site plan or easements	Compliance
* Garage	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Nolana Avenue and North 29th Street	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along	NA
* Site plan must be approved by the Planning Department and other Development Departments prior to building permit issuance.	Required

* Common Areas and service 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.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 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 has been approved no TIA required.	Completed
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: * 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 requires 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	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO CONDITIONS NOTED.	Applied



Sub 2020-0014

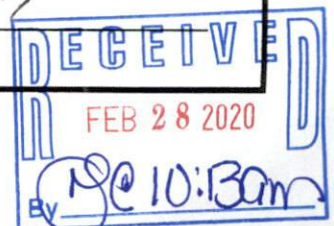


City of McAllen
Planning Department
APPLICATION FOR

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>Genesis 2nd</u></p> <p>Location <u>West of North Ware Road (See UMAP on plat)</u></p> <p>City Address or Block Number _____</p> <p>Number of lots <u>1</u> Gross acres <u>1.5022</u> Net acres <u>1.5022</u></p> <p>Existing Zoning <u>C-3</u> Proposed _____ Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>AG</u> Proposed Land Use <u>Commercial</u> Irrigation District # _____</p> <p>Residential Replat Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>yes</u></p> <p>Parcel No. <u>B2050-00-000-0001-10</u> Tax Dept. Review <u>Aguesia</u></p> <p>Legal Description <u>See legal description on lower right hand corner of plat below name of plat</u></p>
Owner	<p>Name <u>CARL BISHERRI ROWLAND</u> Phone <u>956-330-2657</u></p> <p>Address <u>5509 N. WARE RD</u></p> <p>City <u>McALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>carlbudrowland@gmail.com</u></p>
Developer	<p>Name <u>Same as owner info</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>Chad Nervadba</u> Phone <u>281-491-2525</u></p> <p>Address <u>12718 Century Drive</u></p> <p>City <u>Stafford</u> State <u>Texas</u> Zip <u>77477</u></p> <p>Contact Person <u>Chad Nervadba w/ Texas Engineering and Mapping Company</u></p> <p>E-mail <u>cnervadba@team-civil.com</u></p>
Surveyor	<p>Name <u>Brian Nervadba</u> Phone <u>284-491-2525</u></p> <p>Address <u>12718 Century Drive</u></p> <p>City <u>Stafford</u> State <u>Texas</u> Zip <u>77477</u></p> <p><u>b.nervadba@team-civil.com</u></p>



Proposed Plat Submittal

Minimum Developer's Requirements Submitted with Application

- ☒ \$225 Preliminary Review Fee and \$75 Final Approval Fee
- ☒ Title Report
- ☒ 8 1/2" by 11" Original Sealed Survey showing existing structures/easements or 3 blueline copies
- ☒ 2 Location Maps
- ☒ 2 8 1/2" 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 1/2" by 11" copies/legible copy of the plat, affected by changes.

Owner's Signature

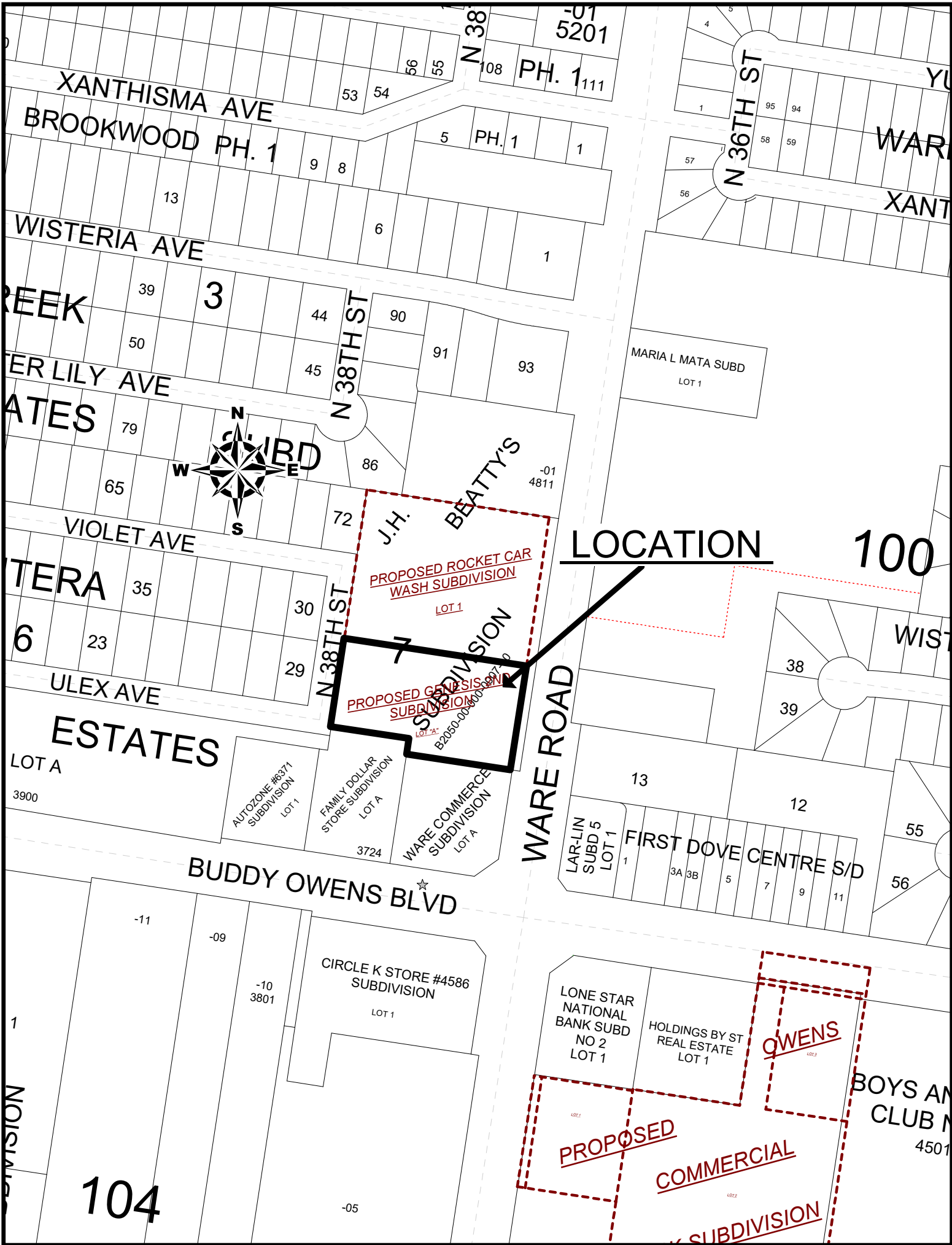
I certify that I am the actual owner of the property described above and (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature *Carl B. Rowland* Date 1/17/2020

Print Name CARL B. Rowland

Owner ☒

Authorized Agent ☐



XANTHISMA AVE
BROOKWOOD PH. 1

WISTERIA AVE

REEK
ER LILY AVE
ATES

VIOLET AVE

TERA

ULEX AVE

ESTATES

BUDDY OWENS BLVD

N 38

N 38TH ST

N 38TH ST

N 36TH ST

WARE ROAD

J.H. BEATTY'S

PROPOSED ROCKET CAR
WASH SUBDIVISION

PROPOSED GENESIS ONE
SUBDIVISION

MARIA L MATA SUBD
LOT 1

AUTOZONE #6371
SUBDIVISION
LOT 1

FAMILY DOLLAR
STORE SUBDIVISION
LOT A

WARE COMMERCE
SUBDIVISION
LOT A

LONE STAR
NATIONAL
BANK SUBD
NO 2
LOT 1

HOLDINGS BY ST
REAL ESTATE
LOT 1

OWENS

PROPOSED
COMMERCIAL

SUBDIVISION

BOYS AN
CLUB N
4501

LOCATION

100

104



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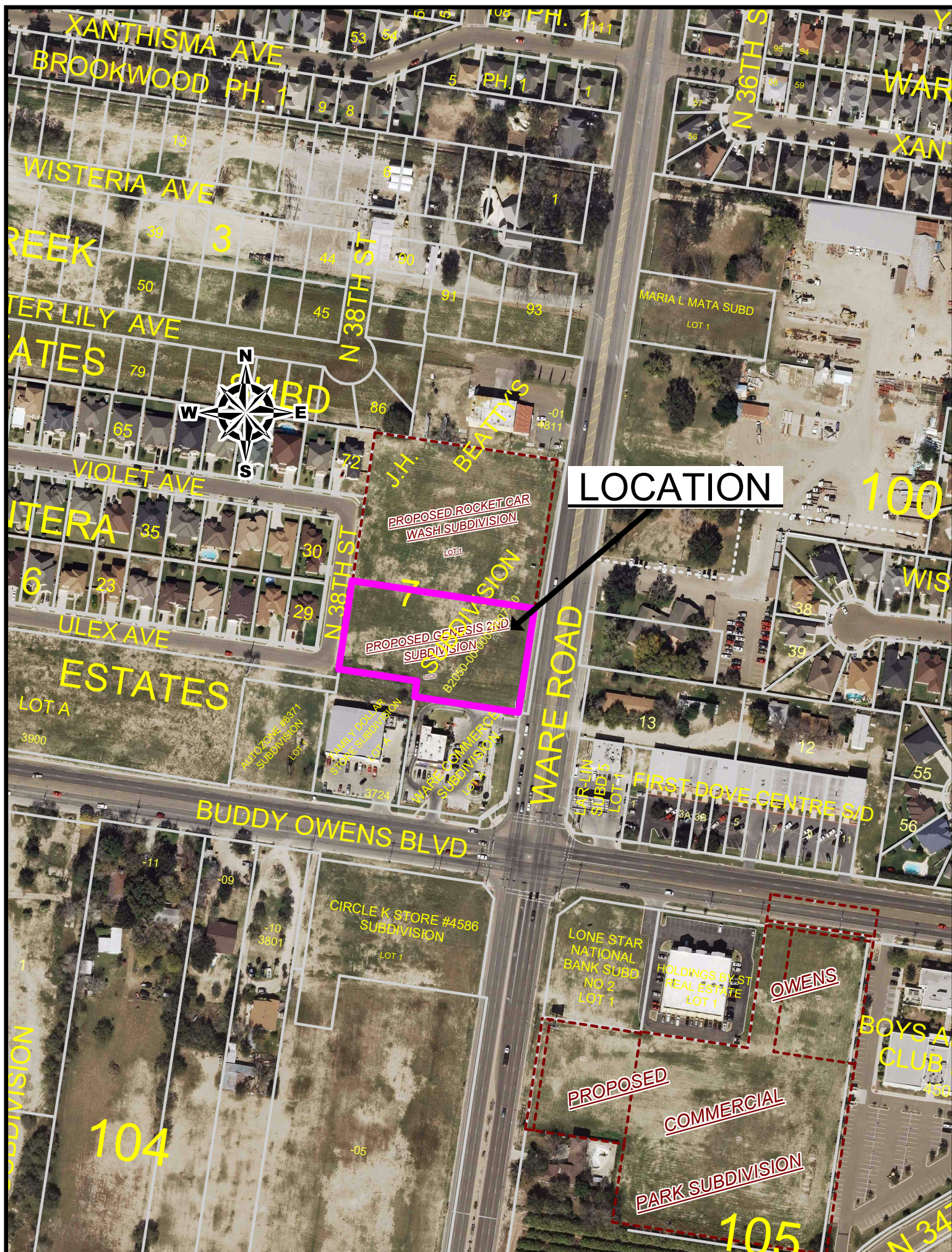


Reviewed On: 5/1/2020

SUBDIVISION NAME: GENESIS 2ND	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
*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.	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 **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.	Applied
SETBACKS	
* Front: 75 ft. or greater for easements or approved site plan.	Compliance
* Rear: 25 ft. or greater for easements or approved site plan as this is a double fronting lot.	Compliance
* Sides: In accordance with Zoning Ordinance, or greater for easements or approved site plan.	Compliance
* Corner:	NA
* Garage:	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
*4 ft. wide minimum sidewalk required along North 38th Street	Compliance
**5 ft. wide minimum sidewalk required on N. Ware Road (as per Engineering Dept.) and	
* 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 38th Street.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance

*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along North 38th Street.	Compliance
* Site plan must be approved by the Planning Department and other development departments prior to building permit issuance.	Applied
* Common Areas and any private 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. must be maintained by the owners and not the City of McAllen.	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets.	Compliance
* Minimum lot width and lot area.	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3	Complete
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee.	NA
* Park Fee of \$700 to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* As per Traffic Department, Trip Generation approved 4/9/2020; Traffic Impact Analysis not required.	Compliance
* Traffic Impact Analysis (TIA) not required.	NA
COMMENTS	
Comments: 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.	Applied

RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied



SUB 2020-0020

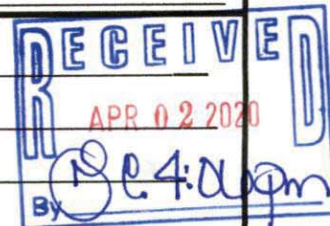


City of McAllen
Planning Department

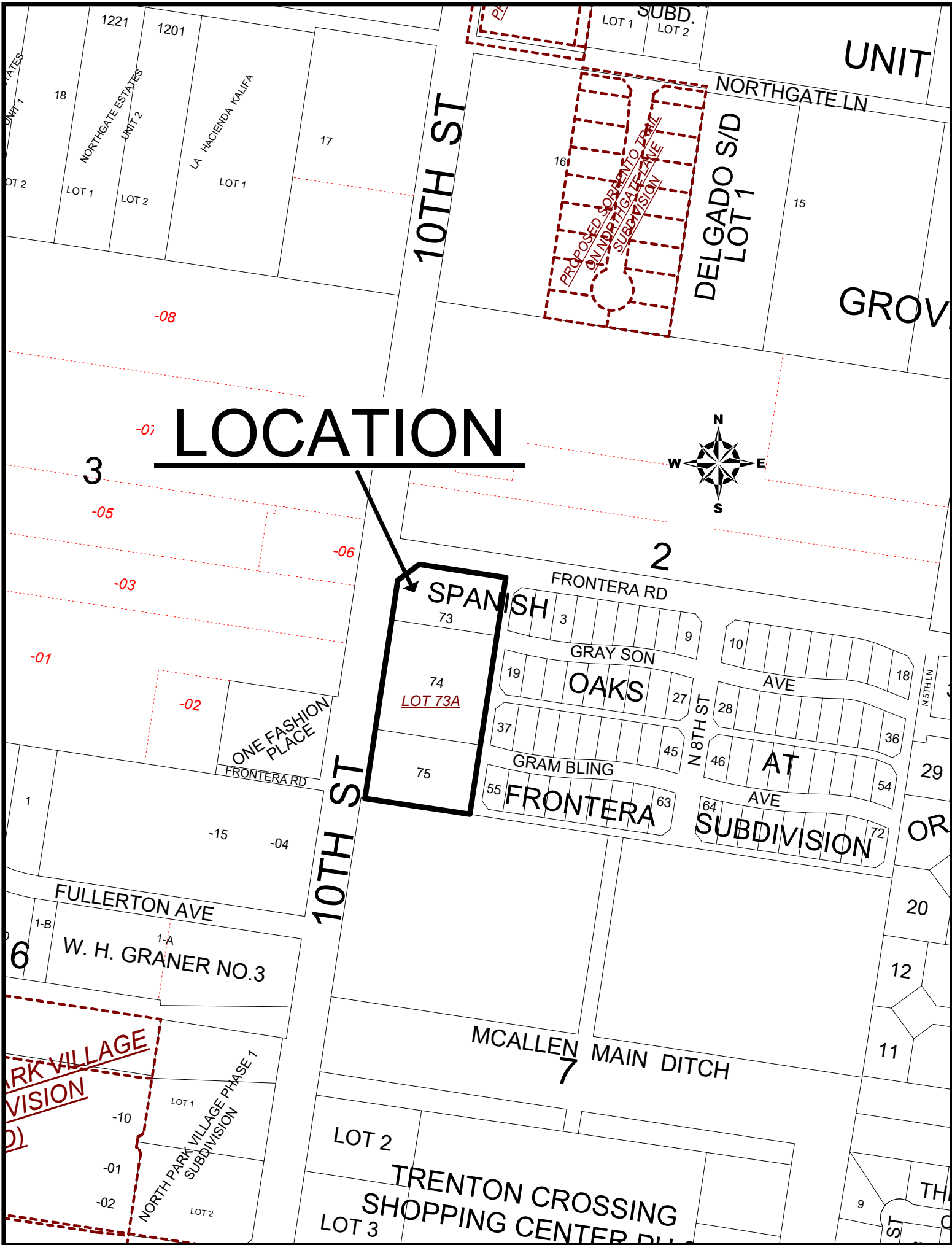
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

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>Spanish Oaks @ Frontera Lot 73A Subdivision</u></p> <p>Location <u>Southeast corner N. 10th Street and Frontera Road</u></p> <p>City Address or Block Number _____</p> <p>Number of lots <u>1</u> Gross acres <u>4.03</u> Net acres <u>4.03</u></p> <p>Existing Zoning <u>C-3</u> Proposed <u>C-3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>Open</u> Proposed Land Use <u>Storage Units</u> Irrigation District # _____</p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input 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>4.03 acres being of all Lots 73, 74 & 75 Spanish Oaks @ Frontera as recorded in Document No. 2914397 Hidalgo County Map Records.</u></p>
Owner	<p>Name <u>8400 / 8500 N. 10th Development, 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>8400 / 8500 N. 10th Development, 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 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> E-mail: <u>cvq@cvqls.com</u></p>

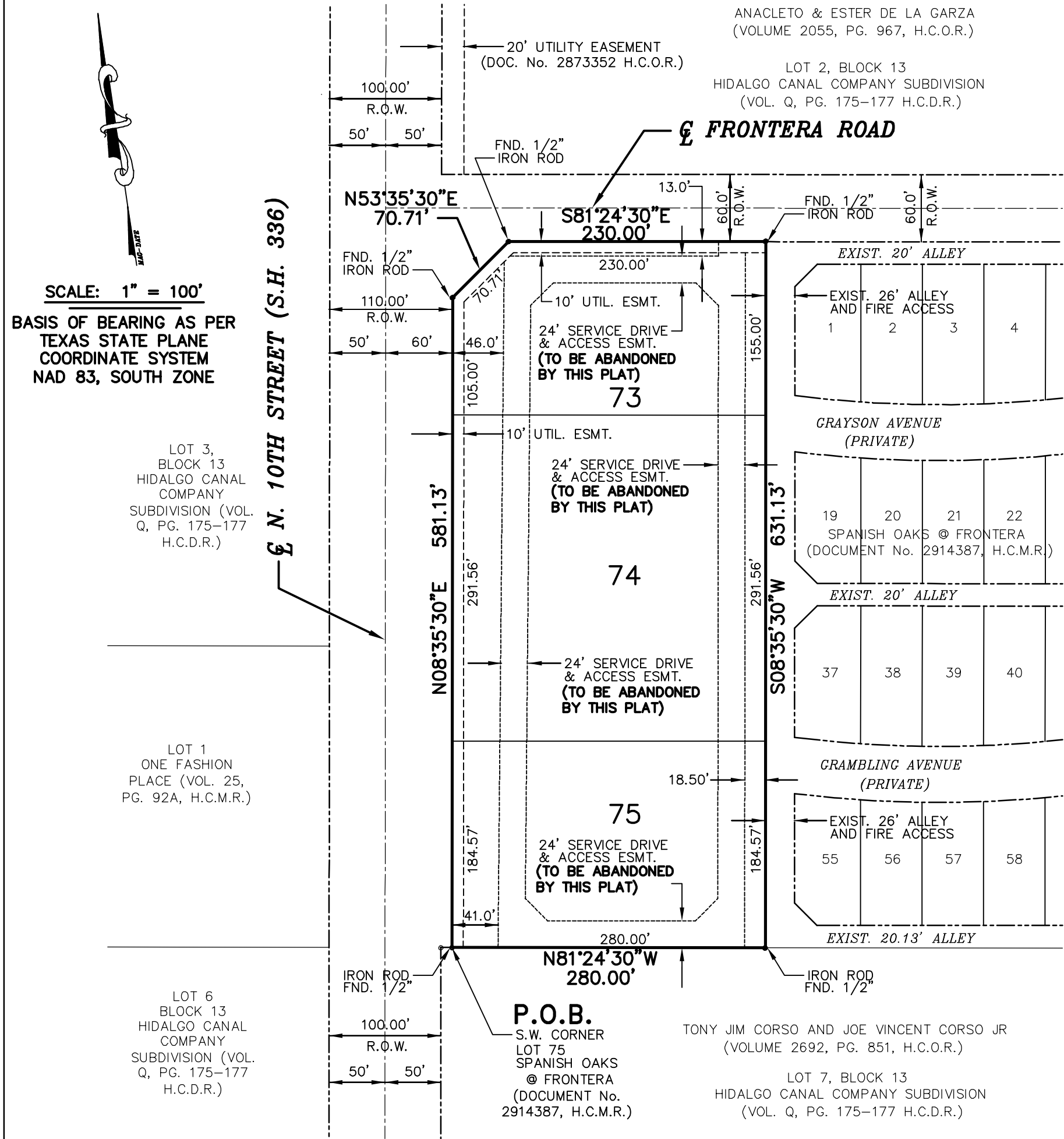


Ret # 710918 pd \$300

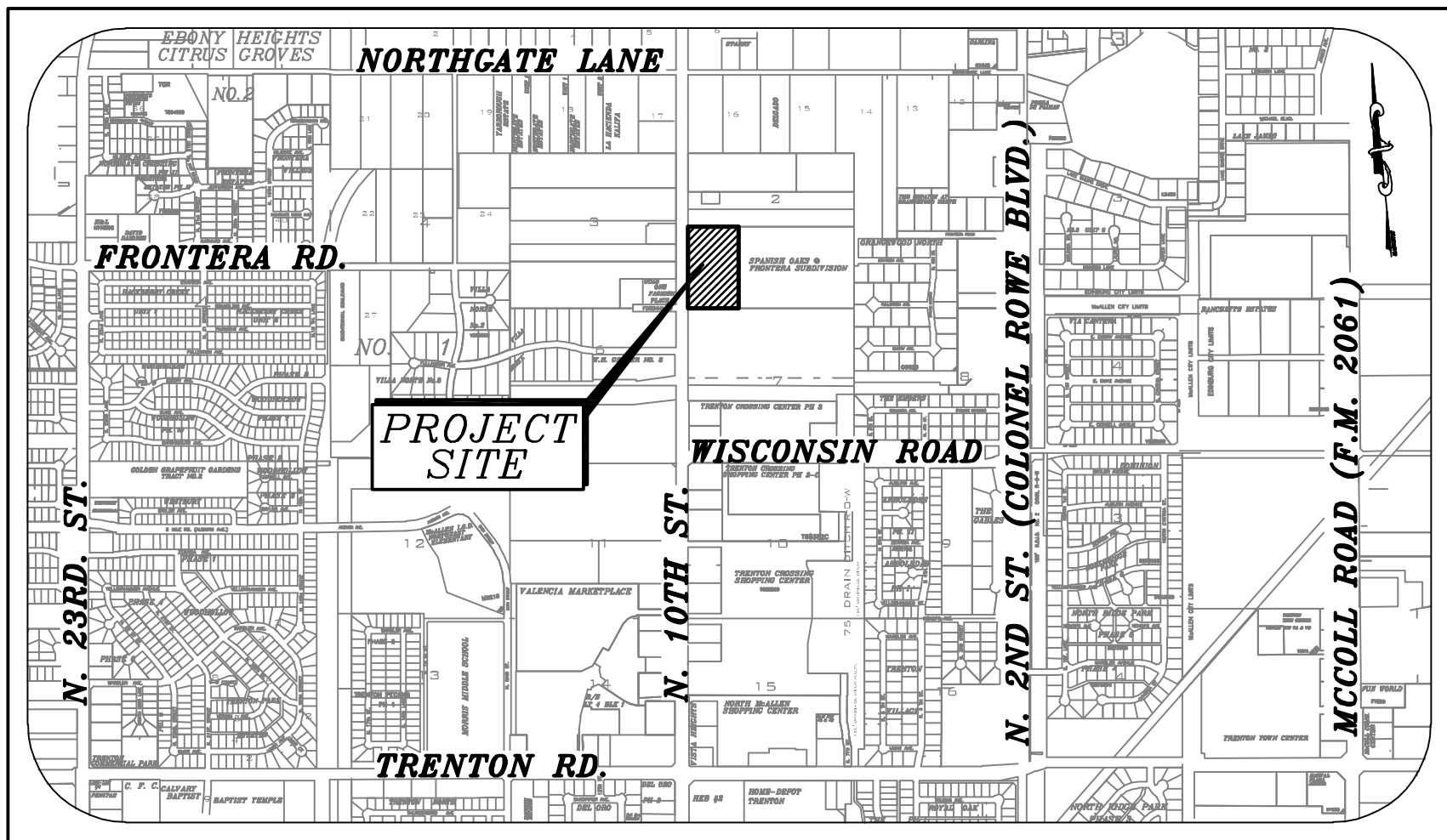


LOCATION

SPANISH
73
74
LOT 73A
75



VACATING LOTS 73, 74, AND 75 SPANISH OAKS @ FRONTERA SUBDIVISON



LOCATION MAP N.T.S.

DATE OF PREPARATION: FEBRUARY 20, 2020

DRAWN BY: P.GONZALEZ



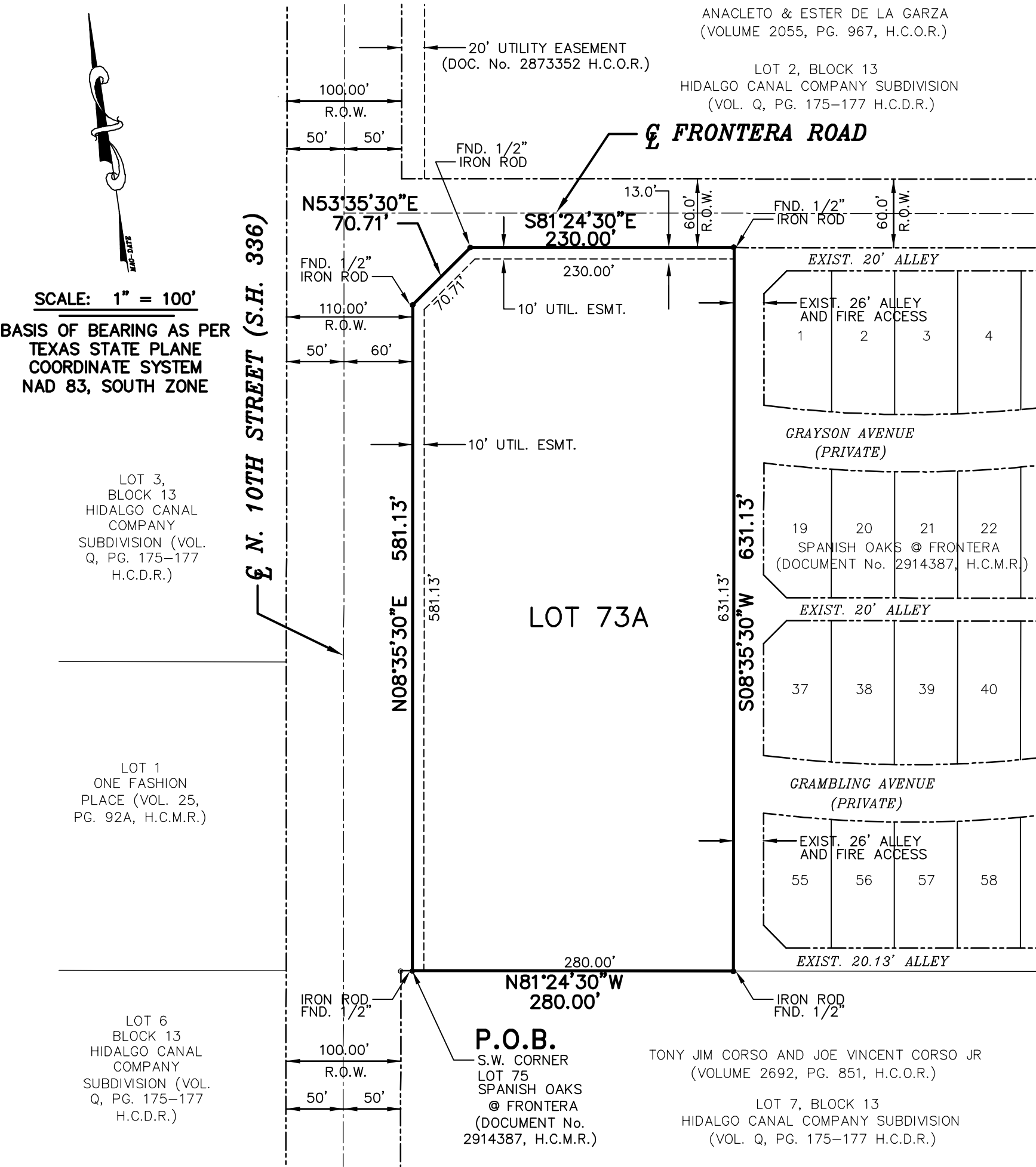
JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS

416 E. DOVE AVENUE McALLEN, TEXAS 78504

PHONE (956) 668-1588

javin@rgv.rr.com

TBPE FIRM NUMBER F-1295



SUBDIVISION PLAT OF SPANISH OAKS @ FRONTERA LOT 73A SUBDIVISION

A TRACT OF LAND CONTAINING 4.03 ACRES OF LAND, MORE OR LESS, SITUATED IN HIDALGO COUNTY, TEXAS, BEING LOTS 73, 74, AND 75, SPANISH OAKS @ FRONTERA SUBDIVISION, HIDALGO COUNTY, TEXAS, MAP REFERENCE: DOCUMENT NUMBER 2914387, MAP RECORDS, HIDALGO COUNTY, TEXAS.

GENERAL NOTES

- THIS PROPERTY IS LOCATED IN ZONE "AH" ON A FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 480334 0425 C; REVISED NOVEMBER 16, 1982 AND MAP COMMUNITY PANEL No. 480334 0325 D; REVISED JUNE 6, 2000. WHICH ARE AREAS OF 100-YEAR SHALLOW WHERE DEPTHS ARE BETWEEN ONE AND THREE FEET; BASE FLOOD ELEVATION ARE SHOWN, BUT NO FLOOD HARZARD FACTORS ARE DETERMINED (EL 107.50).
- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT MID POINT OF THE LOT.
- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
FRONT:
N. 10TH STREET..... 25 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
FRONTERA ROAD..... 30 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
REAR..... 35 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
SIDES..... IN ACCORDANCE WITH ZONING ORDINANCES, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
- NO STRUCTURES PERMITTED OVER ANY EASEMENTS.
- A TOTAL OF 0.870 ACRE FEET (37,892 CUBIC FEET) OF STORM WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION. THIS DETENTION IS PROVIDED WITHIN THE PREVIOUSLY WIDENING OF THE McALLEN LATERAL DRAIN DITCH AS APPROVED FOR THE SPANISH OAKS @ FRONTERA SUBDIVISION.
- NEAREST CITY OF McALLEN BENCHMARK: (MC-50) IS A 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP, SAID BENCHMARK IS LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF N. 10TH STREET AND FULLERTON AVENUE, 26 FEET WEST FROM THE EDGE OF PAVEMENT OF 10TH STREET AND 188 FEET NORTH FROM CENTER LINE OF FULLERTON AVENUE. BENCH MARK ELEVATION = 106.63
- A 5 FOOT WIDE MINIMUM SIDEWALK IS REQUIRED ON THE EAST SIDE OF N. 10TH STREET AND A 4 FOOT WIDE MINIMUM SIDEWALK IS REQUIRED ALONG THE SOUTH SIDE OF FRONTERA ROAD.
- SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE FOR LOT 73A.
- A 25'x25' SIGHT OBSTRUCTION EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
- AN 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES, AND ALONG EAST PROPERTY LINE. A 6 FT OPAQUE BUFFER IS REQUIRED FORM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG FRONTERA ROAD.

RECEIVED

By Nikki Marie Cavazos at 11:30 am, Apr 23, 2020

RECEIVED VIA EMAIL 04/23/2020 AT 10:24 AM

METES AND BOUNDS

A TRACT OF LAND CONTAINING 4.03 ACRES OF LAND, MORE OR LESS, SITUATED IN HIDALGO COUNTY, TEXAS, BEING LOTS 73, 74, AND 75, SPANISH OAKS @ FRONTERA SUBDIVISION, HIDALGO COUNTY, TEXAS, MAP REFERENCE: DOCUMENT NUMBER 2914387, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND SAID 4.03 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING, AT A 1/2" IRON ROD FOUND ON THE SOUTHWEST CORNER OF SAID LOT 75, AND THE EAST RIGHT-OF-WAY LINE OF N. 10TH STREET (S.H. 336), FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 08° 35' 30" E, ALONG THE WEST LINE OF SAID LOTS 75, PASS AT A DISTANCE OF 184.57 FEET, THE NORTHWEST CORNER OF SAID LOT 75, SOUTHWEST CORNER OF SAID LOT 74; PASS AT A DISTANCE OF 476.13 FEET THE NORTHWEST CORNER OF SAID LOT 74, SOUTHWEST CORNER OF SAID LOT 73, CONTINUING ALONG THE WEST LINE OF SAID LOT 73, A TOTAL DISTANCE OF 581.13 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "M & H" FOUND ON A CORNER CLIP AND THE SOUTH RIGHT-OF-WAY LINE OF FRONTERA ROAD, FOR A CORNER HEREOF;

THENCE N 53° 35' 30" E, CONTINUING ALONG SAID CORNER CLIP AND SOUTH RIGHT-OF-WAY LINE OF SAID FRONTERA ROAD A DISTANCE OF 70.71 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "M & H" FOUND, FOR A CORNER HEREOF;

THENCE S 81° 24' 30" E, ALONG THE NORTH LINE OF SAID LOT 73 AND THE SOUTH RIGHT-OF-WAY LINE OF SAID FRONTERA ROAD (60.00 FOOT RIGHT-OF-WAY) A DISTANCE OF 230.00 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "M & H" FOUND, ON THE NORTHEAST CORNER OF SAID LOT 73, FOR THE NORTHEAST CORNER HEREOF;

THENCE S 08° 35' 30" W, ALONG THE EAST LINE OF SAID LOT 73, AT A DISTANCE OF 155.00 FEET PASS THE SOUTHEAST CORNER OF SAID LOT 73, NORTHEAST CORNER OF SAID LOT 74, AT A DISTANCE OF 446.56 FEET PASS THE SOUTHEAST CORNER OF SAID LOT 74, NORTHEAST CORNER OF SAID LOT 75, CONTINUING A TOTAL DISTANCE OF 631.13 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "M & H" FOUND, ON THE SOUTHEAST CORNER OF SAID LOT 75, FOR THE SOUTHEAST CORNER HEREOF;

THENCE N 81° 24' 30" W, ALONG THE SOUTH LINE OF SAID LOT 75, A DISTANCE OF 280.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4.03 ACRES LAND, MORE OR LESS.



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

ON: _____ AT _____ AM/PM

INSTRUMENT NUMBER _____

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE

STATE OF TEXAS COUNTY OF HIDALGO

WE, THE UNDERSIGNED, HOLDERS (OR DULY AUTHORIZED OFFICERS OF THE HOLDERS) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS SPANISH OAKS @ FRONTERA LOT 73A SUBDIVISION OF THE CITY OF McALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

SECURITY INTEREST HOLDER

SIGNATURE
MARK VOSS, SENIOR VICE-PRESIDENT
PLAINSCAPITAL BANK
2323 VICTORY AVENUE, SUITE 1400
DALLAS, TEXAS 75219

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MARK VOSS KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE. THIS THE DAY OF _____, 2020 A.D.

NOTARY PUBLIC FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON: _____

STATE OF TEXAS COUNTY OF HIDALGO

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS SUBDIVISION PLAT OF SPANISH OAKS @ FRONTERA LOT 73A SUBDIVISION AN ADDITION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATED TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, SEWER LINES, WATER COURSES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH WE WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

8400 / 8500 N. 10TH DEVELOPMENT, LLC
A TEXAS LIMITED LIABILITY COMPANY
JOSEPH W. HOLAND, MANAGER
P.O. BOX 610
McALLEN, TX 78505

DATE

8400 / 8500 N. 10TH DEVELOPMENT, LLC
A TEXAS LIMITED LIABILITY COMPANY
ANNIE HOLAND MILLER, MANAGER
P.O. BOX 610
McALLEN, TX 78505

DATE

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY THE OWNERS PERSONALLY APPEARED ARE JOSEPH W. HOLAND AND ANNIE HOLAND MILLER KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. ALL GIVEN UNDER MY HAND AND SEAL OF OFFICE

THIS THE _____ DAY OF _____, 2020 A.D.

NOTARY PUBLIC FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON: _____

MAYOR, CITY OF McALLEN

DATE

THIS SUBDIVISION PLAT OF SPANISH OAKS @ FRONTERA LOT 73A SUBDIVISION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF McALLEN, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, 2020 A.D.

CHAIRMAN, PLANNING AND ZONING COMMISSION

STATE OF TEXAS COUNTY OF HIDALGO

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

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

DATE

STATE OF TEXAS COUNTY OF HIDALGO

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

CARLOS VASQUEZ, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4608
C.V.Q. LAND SURVEYORS, LLC
517 BEAUMONT AVE.
McALLEN, TEXAS 78501
TEL. (956) 618-1551
TBPLS FIRM NO. 10119600

DATE

DATE SURVEYED: FEBRUARY 11, 2020



Reviewed On: 5/1/2020

SUBDIVISION NAME: SPANISH OAKS AT FRONTERA, LOT 73A**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

*North 10th Street: 60 ft. from centerline for 120 ft. of ROW
Paving: by the state Curb & gutter: by the state

Compliance

*Frontera Road: 60 ft. ROW
Paving: 40 ft. Curb & gutter: Both sides

Compliance

Paving _____ Curb & gutter _____

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.

****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.

Non-compliance

SETBACKS

* Front:

**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 has submitted a variance letter requesting 25 ft. setback on North 10th Street

* Rear: 35 ft. or greater for approved site plan or easements.

Non-compliance

* Sides:

**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.

* Corner:

* Garage:

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

Compliance

Required

NA

NA

Applied

SIDEWALKS

* 4 ft. wide minimum sidewalk 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.

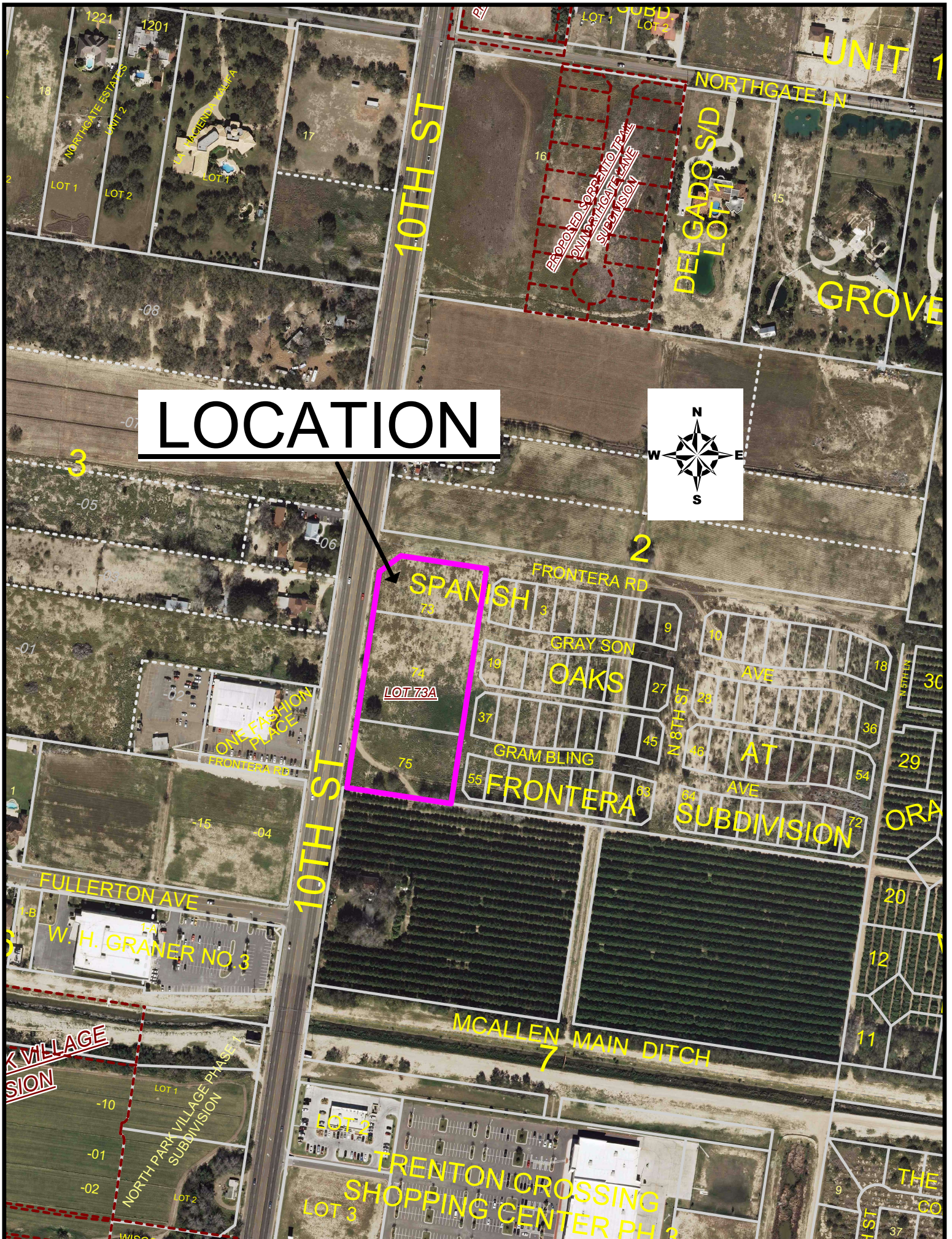
* Perimeter sidewalks must be built or money escrowed if not built at this time.

Non-compliance

Applied

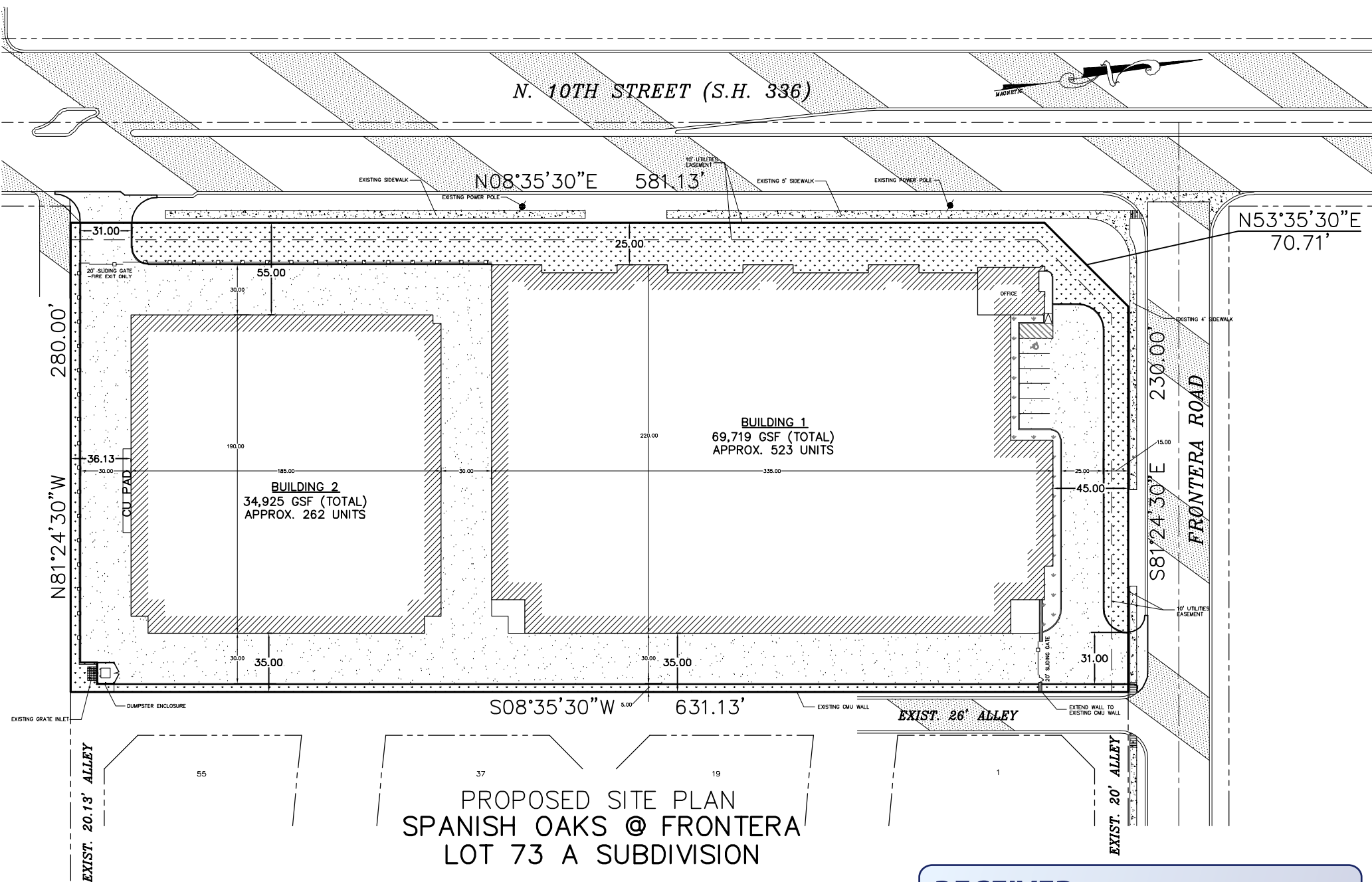
BUFFERS	
<ul style="list-style-type: none"> * 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along Frontera Road. **To be determined prior to final. 	Applied
<ul style="list-style-type: none"> * 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses, and along east property line. 	Compliance
<ul style="list-style-type: none"> *Perimeter buffers must be built at time of Subdivision Improvements. 	Applied
NOTES	
<ul style="list-style-type: none"> * No curb cut, access, or lot frontage permitted. 	Applied
<ul style="list-style-type: none"> *Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. 	TBD
<ul style="list-style-type: none"> **To be determined prior to final. 	
<ul style="list-style-type: none"> * Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. 	Applied
<ul style="list-style-type: none"> * Common Areas, Private service access easements must be maintained by the lot owners and not the City of McAllen 	Required
<ul style="list-style-type: none"> * Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. 	NA
<ul style="list-style-type: none"> * Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. 	NA
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * Lots fronting public streets. 	Compliance
<ul style="list-style-type: none"> * Minimum lot width and lot area. 	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * Existing: C-3 Proposed: C-3 	Compliance
<ul style="list-style-type: none"> * Rezoning Needed Before Final Approval 	NA
PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. 	NA
<ul style="list-style-type: none"> * Park Fee of \$700 to be paid prior to recording 	NA
<ul style="list-style-type: none"> * Pending review by the Parkland Dedication Advisory Board and CC. 	NA
TRAFFIC	
<ul style="list-style-type: none"> * As per Traffic Department, Trip Generation has been waived. 	Compliance
<ul style="list-style-type: none"> * Traffic Impact Analysis (TIA) required prior to final plat. 	NA
COMMENTS	
<p>Comments: Must comply with City's Access Management Policy.</p> <p>**As per Traffic Department, throat length not meeting requirement of 30 ft. from ROW. Engineer must revise this prior to final.</p> <p>***As per Traffic, and Fire Dept., please submit gate detail for staff's review prior to final.</p>	Applied

RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED AND CLARIFICATION ON REQUESTED SETBACKS.	Applied



LOCATION





RECEIVED

By Nikki Marie Cavazos at 11:58 am, Apr 29, 2020

RECEIVED VIA EMAIL 04/24/2020 AT 2:27 PM

JAVIER HINOJOSA ENGINEERING/Consulting Engineers

416 E. Dove Avenue • McAllen, Texas 78504

Tel: (956) 668-1588 • Fax: (956) 994-8102

javhin@rgv.rr.com
TBPE FIRM NO. F-1295

April 17, 2020

Mr. Luis Mora, Senior Planner
City of McAllen
311 N. 15th Street
McAllen, Texas 78505

Re: Spanish Oaks @ Frontera Lot 73A Subdivision

Dear Luis,

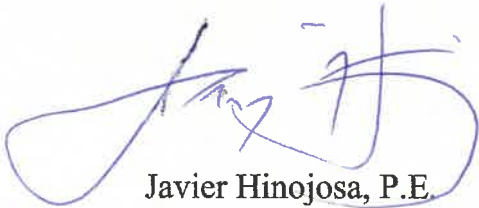
Please accept this letter as a request on behalf of the owner of the Spanish Oaks @ Frontera Lot 73A Subdivision for the following setback variance for the subdivision:

Front (10th Street): 25 feet

Please process this request at your earliest convenience. If you have any questions or require further information, please feel free to contact me at your convenience.

Sincerely,

JAVIER HINOJOSA ENGINEERING



Javier Hinojosa, P.E.

RECEIVED

By Nikki Marie Cavazos at 9:33 am, Apr 17, 2020

RECEIVED VIA EMAIL 04/17/2020 AT 9:25 AM

SUB 2020-0022



City of McAllen
Planning Department

APPLICATION FOR
SUBDIVISION PLAT REVIEW

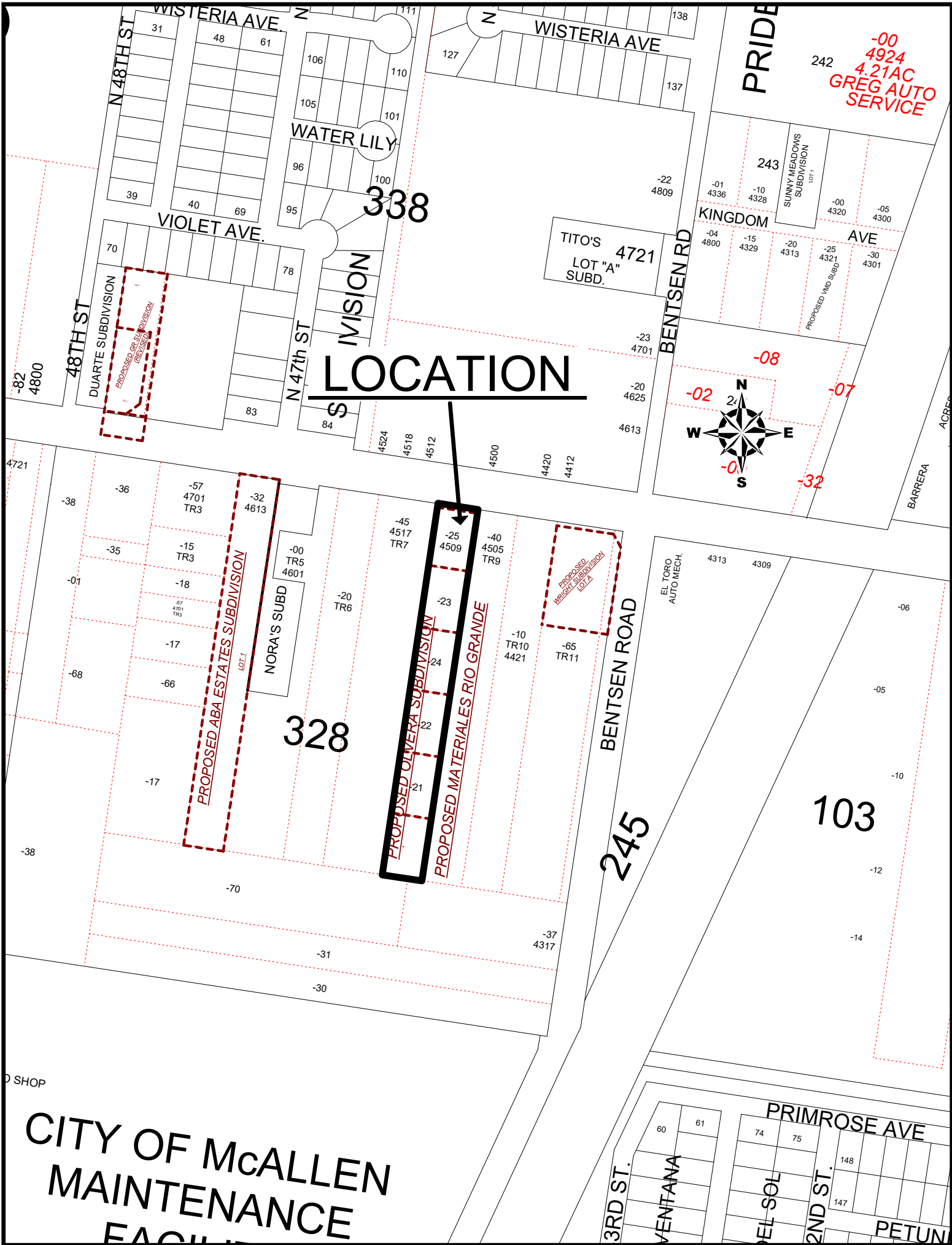
311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project Description	<p>Subdivision Name <u>OLVERA SUBD.</u> <u>OF BUDDY OWENS</u></p> <p>Location <u>1/4 475' WEST OF BENTLEY ROAD ALONG SOUTH SIDE</u></p> <p>City Address or Block Number <u>4509 BUDDY OWENS BLVD.</u></p> <p>Number of lots <u>6</u> Gross acres <u>2.15</u> Net acres <u>2.15</u></p> <p>Existing Zoning <u>C3/R-1</u> Proposed <u>C3/R-1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____</p> <p>Existing Land Use <u>OPEN/RESIDENTIAL</u> Proposed Land Use <u>RESIDENTIAL</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>1500⁰⁰</u></p> <p>Parcel No. <u>PROP. I.D. # 281799</u> Tax Dept. Review _____</p> <p>Legal Description <u>2.15 AC. 0/0 LOT 328, JOHN. D. SHARP SUBD., D.C.T.</u></p>
Owner	<p>Name <u>JOSE TALLEZ OLVERA</u> Phone <u>776-9268</u></p> <p>Address <u>4509 BUDDY OWENS BLVD.</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>None</u></p>
Developer	<p>Name <u>SHARPS AS OWNER</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p> <p>Contact Person _____</p> <p>E-mail _____</p>
Engineer	<p>Name <u>DAVID O. SALINAS</u> Phone <u>682-9001</u></p> <p>Address <u>2221 DAFFODIL AVE.</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78501</u></p> <p>Contact Person <u>DAVID</u></p> <p>E-mail <u>dsalinas@salinasengineering.com</u></p>
Surveyor	<p>Name <u>SHARPS AS ENGR.</u> Phone _____</p> <p>Address _____</p> <p>City _____ State _____ Zip _____</p>

RECEIVED
APR 14 2020

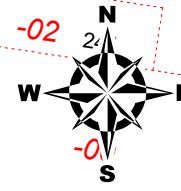
BY: NC 4:00 pm

RC# 712517



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4924
4.21AC
GREG AUTO
SERVICE

LOCATION



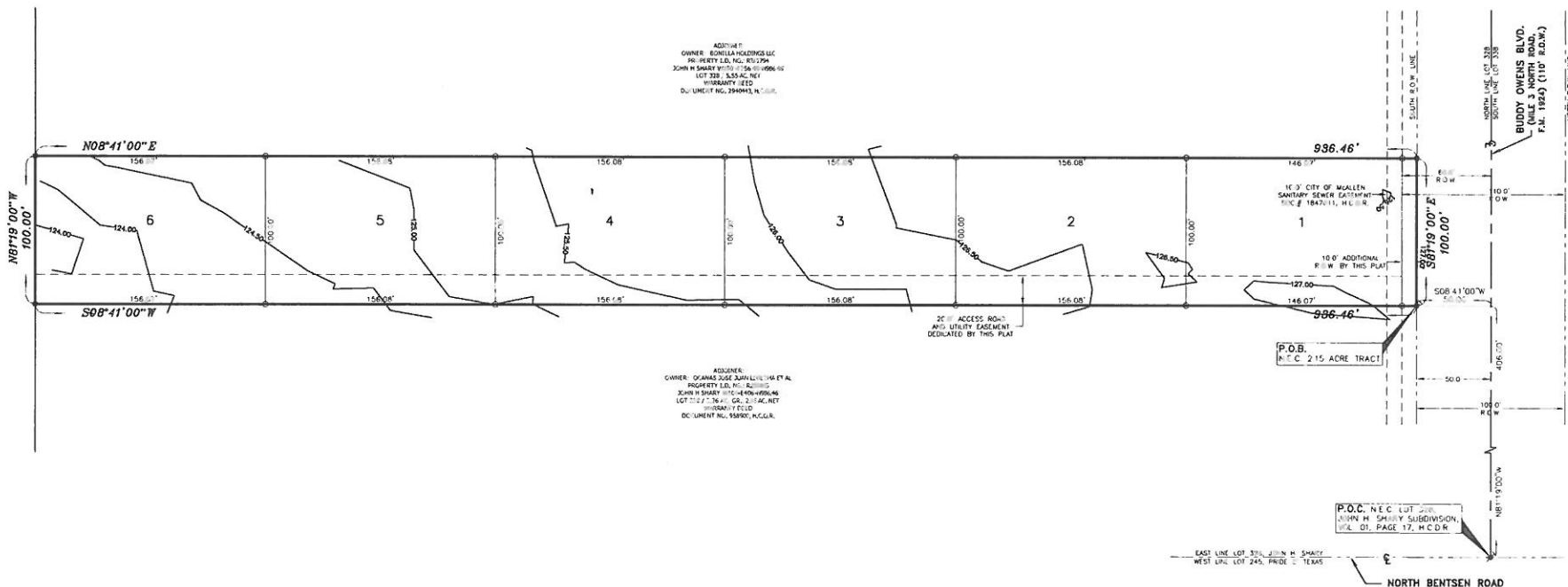
CITY OF McALLEN
MAINTENANCE
EACH

OWNER: BODILLA HOLDINGS LLC
 100% INTEREST IN THE
 JOHN H. SHARY SUBDIVISION
 LOT 328, 1/4 SEC. 10, T.14N, R.10E, S.4E
 DOCUMENT NO. 2019-01, A.C.G.A.

ADDITIONAL
 OWNER: BODILLA HOLDINGS LLC
 100% INTEREST IN THE
 JOHN H. SHARY SUBDIVISION
 LOT 328, 1/4 SEC. 10, T.14N, R.10E, S.4E
 DOCUMENT NO. 2019-01, A.C.G.A.

ASSIGNEE
 OWNER: OMAR SALINAS, P.E., REG. NO. 71673
 JOHN H. SHARY SUBDIVISION
 LOT 328, 1/4 SEC. 10, T.14N, R.10E, S.4E
 DOCUMENT NO. 2019-01, A.C.G.A.

ADDITIONAL
 OWNER: OMAR SALINAS, P.E., REG. NO. 71673
 JOHN H. SHARY SUBDIVISION
 LOT 328, 1/4 SEC. 10, T.14N, R.10E, S.4E
 DOCUMENT NO. 2019-01, A.C.G.A.



OLVERA SUBDIVISION

AN ADDITION TO THE CITY OF McALLEN,
 HIDALGO COUNTY, TEXAS
 BEING A 2.15 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF LOT
 328, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO
 THE MAP OR PLAT THEREOF RECORDED IN VOLUME 01, PAGE 17, MAP
 RECORDS OF HIDALGO COUNTY, TEXAS.

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY
 THE CITY OF McALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF
 DAVID OMAR SALINAS, P.E., TX. REG. NO. 71673 ON APRIL 09, 2020.
 IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

RECEIVED

By Nikki Marie Cavazos at 2:26 pm, Apr 15, 2020

RECEIVED VIA EMAIL 04/14/2020 AT 9:29 AM

SEA
SALINAS ENGINEERING & ASSOC.
 (F-6675) (10065700)
 CONSULTING ENGINEERS & SURVEYORS
 2221 DAFFODIL AVE. - McALLEN, TEXAS 78501
 (956) 648-6500 (956) 648-6501 (FAX)
 1815 12100 PARK 35 CIRCLE BLDG. A, SUITE 150, MC-230, AUSTIN, TEXAS 78753 (512) 239-5263



Reviewed On: 5/1/2020

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

Buddy Owens Boulevard: 10 ft. ROW dedication for 60 ft. from centerline for 120 ft. of ROW
Paving: by the state Curb & gutter: by the state

Applied

Interior N/S Street: 50 ft. of ROW

Paving: 32 ft. Curb & gutter: Both sides

*Cul-de-Sac is required at the south end of property.

**Cul-de-Sac must be a minimum of 96 ft. paving diameter face to face as per Fire Department.

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

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

***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

Paving _____ Curb & gutter _____

Applied

Paving _____ Curb & gutter _____

Applied

Paving _____ Curb & gutter _____

Applied

* 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.

Non-compliance

* 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.

Non-compliance

ALLEYS

ROW 20 ft. Paving: 16 ft.

*Alley/service drive easement required for commercial properties

NA

SETBACKS

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

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

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

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

Non-compliance

* 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.

Non-compliance

* 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.

Non-compliance

* 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.

Non-compliance

<ul style="list-style-type: none"> * 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 	Non-compliance
	Applied
SIDEWALKS	
<ul style="list-style-type: none"> * 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. 	Required
	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. * 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
	Compliance
	Applied
NOTES	
<ul style="list-style-type: none"> * 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 * 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 110-70 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. 	TBD
	TBD
	Applied
	NA
	Applied
	Applied
LOT REQUIREMENTS	
<ul style="list-style-type: none"> * 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. 	Non-compliance
	Compliance
ZONING/CUP	
<ul style="list-style-type: none"> * 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 	TBD
	TBD

PARKS	
<ul style="list-style-type: none"> * Land dedication in lieu of fee. * 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. Parks fees apply at a rate of \$700 per dwelling unit (6 lots X \$700= \$4,200) * Pending review by the Parkland Dedication Advisory Board and CC. 	NA
	Required
	NA
TRAFFIC	
<ul style="list-style-type: none"> * 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 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. ***Ownership map must be provided to verify no landlocked property exists or additional streets required.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO CONDITIONS NOTED, AND UTILITY AND DRAINAGE APPROVALS.	Applied



LOCATION



338

328

245

103

CITY OF MCALLEN
MAINTENANCE
FACILITY

SUB2020-0024



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>DALE' SHINE AT BUSINESS 83 SUBDIVISION</u></p> <p>Location <u>SOUTHWEST CORNER 23RD ST. & U.S. BUSINESS HIGHWAY 83</u></p> <p>City Address or Block Number <u>2301 U.S. BUSINESS HIGHWAY 83</u></p> <p>Number of lots <u>1</u> Gross acres <u>0.963</u> Net acres <u>0.963</u></p> <p>Existing Zoning <u>L1</u> Proposed <u>L1</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u> </u></p> <p>Existing Land Use <u> </u> Proposed Land Use <u>CARWASH</u> Irrigation District # <u>1</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due \$ <u>0</u></p> <p>Parcel No. <u>331744/331745</u> Tax Dept. Review <u> </u></p> <p>Legal Description <u> </u></p> <p>APPROX. 0.963 AC BEING ALL OF LOTS 1 THRU 6 BLK 1 JOHN J. YOUNG SUBDIVISION (W/592-594 H.C.M.R.)</p>
Owner	<p>Name <u>1.) THE FRITTS LP & SPURGEON W. BROWN</u> <u>2.) BROWNIE'S OIL CO.</u> Phone <u>C/O (956) 381-0981</u></p> <p>Address <u>1.) 315 VICTORIA - 2.) 208 E. KIWI</u></p> <p>City <u>MCALLEN</u> State <u>TX</u> Zip <u>78504</u></p> <p>E-mail <u>C/O MARIO@MELDENANDHUNT.COM</u></p>
Developer	<p>Name <u>7B BUILDING & DEVELOPMENT, LLC</u> Phone <u>C/O (956) 381-0981</u></p> <p>Address <u>13105 DOVER AVENUE</u></p> <p>City <u>LUBBOCK</u> State <u>TX</u> Zip <u>79424</u></p> <p>Contact Person <u>MARIO A. REYNA, P.E.</u></p> <p>E-mail <u>MARIO@MELDENANDHUNT.COM</u></p>
Engineer	<p>Name <u>MELDEN & HUNT, INC.</u> Phone <u>956-381-0981</u></p> <p>Address <u>115 W. McIntyre St.</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u></p> <p>Contact Person <u>MARIO A. REYNA, P.E.</u></p> <p>E-mail <u>MARIO@MELDENANDHUNT.COM</u></p>
Surveyor	<p>Name <u>MELDEN & HUNT, INC.</u> Phone <u>956-381-0981</u></p> <p>Address <u>115 W. McIntyre St.</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u></p>

1.) owners of ALL OF LOTS 1, 2, 3 & 4 BLK 1

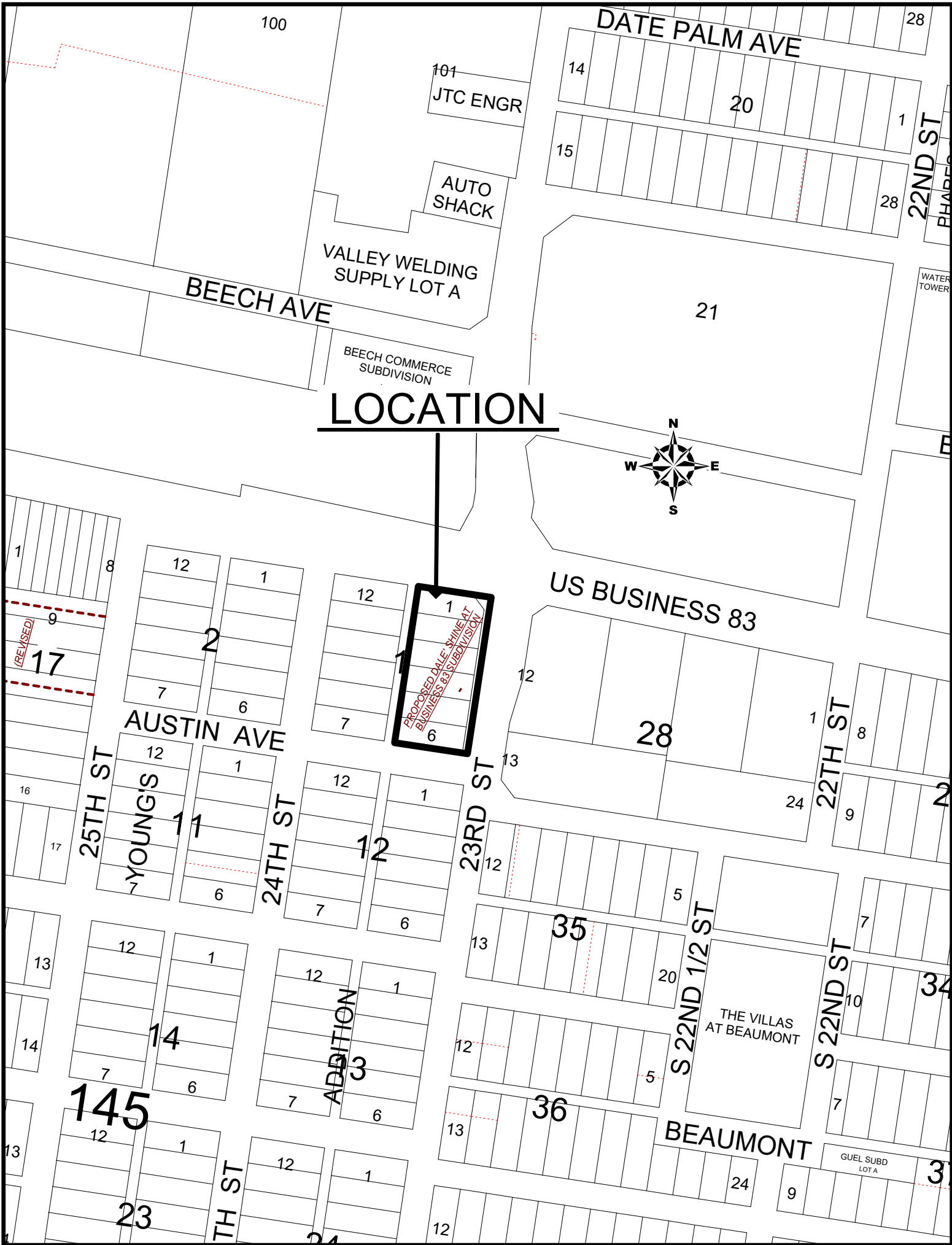
2.) owners of " " " 5 & 6, BLK 1

RECEIVED

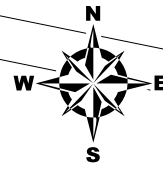
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BY: HC/cw 3:30 pm

POT# 712550



LOCATION



Y:\Land Development\Commercial\McAllen\20049 - Dale Shine (2301 US Bus 83)\Autocad files\20049.00.dwg, 4/17/2020 2:13:58 PM, DWG To PDF.pc3



City of McAllen

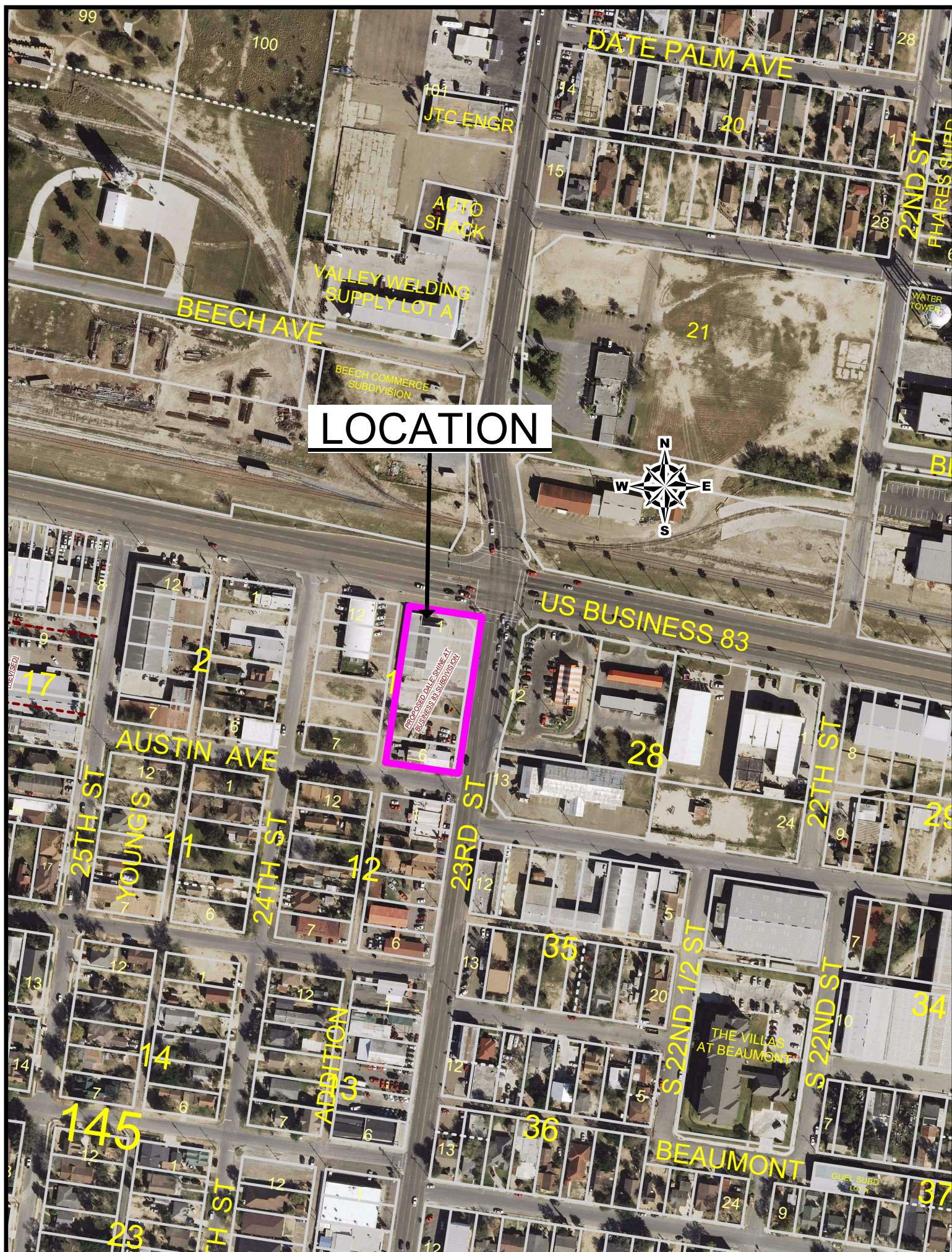
SUBDIVISION PLAT REVIEW

Reviewed On: 4/29/2020

SUBDIVISION NAME: DALE' SHINE AT BUSINESS 83 SUBDIVISION	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
W. Business Highway 83: 50 ft. ROW from centerline required for 100 ROW Paving: By the state Curb & gutter: 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	Non-compliance
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: By the state **Dedication needs to be revised/finalized prior to final	Non-compliance
Austin Avenue: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides	Applied
Paving _____ Curb & gutter _____	Applied
Paving _____ Curb & gutter _____	Applied
* 800 ft. Block Length	Applied
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: Existing 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties **Existing 20 ft. alley; must be paved	Applied
SETBACKS	
* 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.	Non-compliance
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?	Applied
* 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?	Applied
* Corner: In accordance with the zoning ordinance, or greater for easements or site plan	Applied

<p>**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?</p> <p>* Garage</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN</p>	
	NA
	Applied
SIDEWALKS	
<p>* 5 ft. wide minimum sidewalk required on S. 23rd Street, W. Business Highway 83 and 4 ft. sidewalk required along Austin Avenue</p> <p>**Revise Note #8 on plat as noted above</p> <p>* Perimeter sidewalks must be built or money escrowed if not built at this time.</p>	Non-compliance
	Required
BUFFERS	
<p>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses</p> <p>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses</p> <p>*Perimeter buffers must be built at time of Subdivision Improvements.</p>	Required
	Required
	Applied
NOTES	
<p>* No curb cut, access, or lot frontage permitted along</p> <p>**Site plan required</p> <p>* Site plan must be approved by the Planning and other Development departments prior to building permit issuance.</p> <p>* Common Areas, Private Streets/drives and alley must be maintained by the lot owners and not the City of McAllen</p> <p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p> <p>* 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.</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	TBD
	Required
	Applied
	Applied
	NA
	NA
LOT REQUIREMENTS	
<p>* Lots fronting public streets</p> <p>* Minimum lot width and lot area</p>	Compliance
	Compliance
ZONING/CUP	
<p>* Existing: I-1 Proposed: I-1</p> <p>* Rezoning Needed Before Final Approval</p>	Applied
	NA
PARKS	
<p>* Land dedication in lieu of fee</p> <p>* Park Fee of \$700 to be paid prior to recording</p> <p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	NA
	NA
	NA
TRAFFIC	
<p>* Trip Generation to determine if TIA is required, prior to final plat. **Need to submit a Trip Generation per Traffic Department.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	Non-compliance
	TBD
COMMENTS	

<p>Comments:</p> <p>*Must comply with City's Access Management Policy</p> <p>**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</p> <p>****Finalize dedication required along S. 23rd St. and W. Business Highway 83.</p> <p>*****Show centerline along Business 83 and ROW on both sides and total ROW</p> <p>*****Need to clarify proposed setbacks, variance letter will be needed if proposed is less than requirement prior to final</p> <p>*****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?</p>	Applied
RECOMMENDATION	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS, UTILITY AND DRAINAGE APPROVALS.</p>	Applied



Sub 2020-0023



City of McAllen
Planning Department
APPLICATION FOR

SUBDIVISION PLAT REVIEW

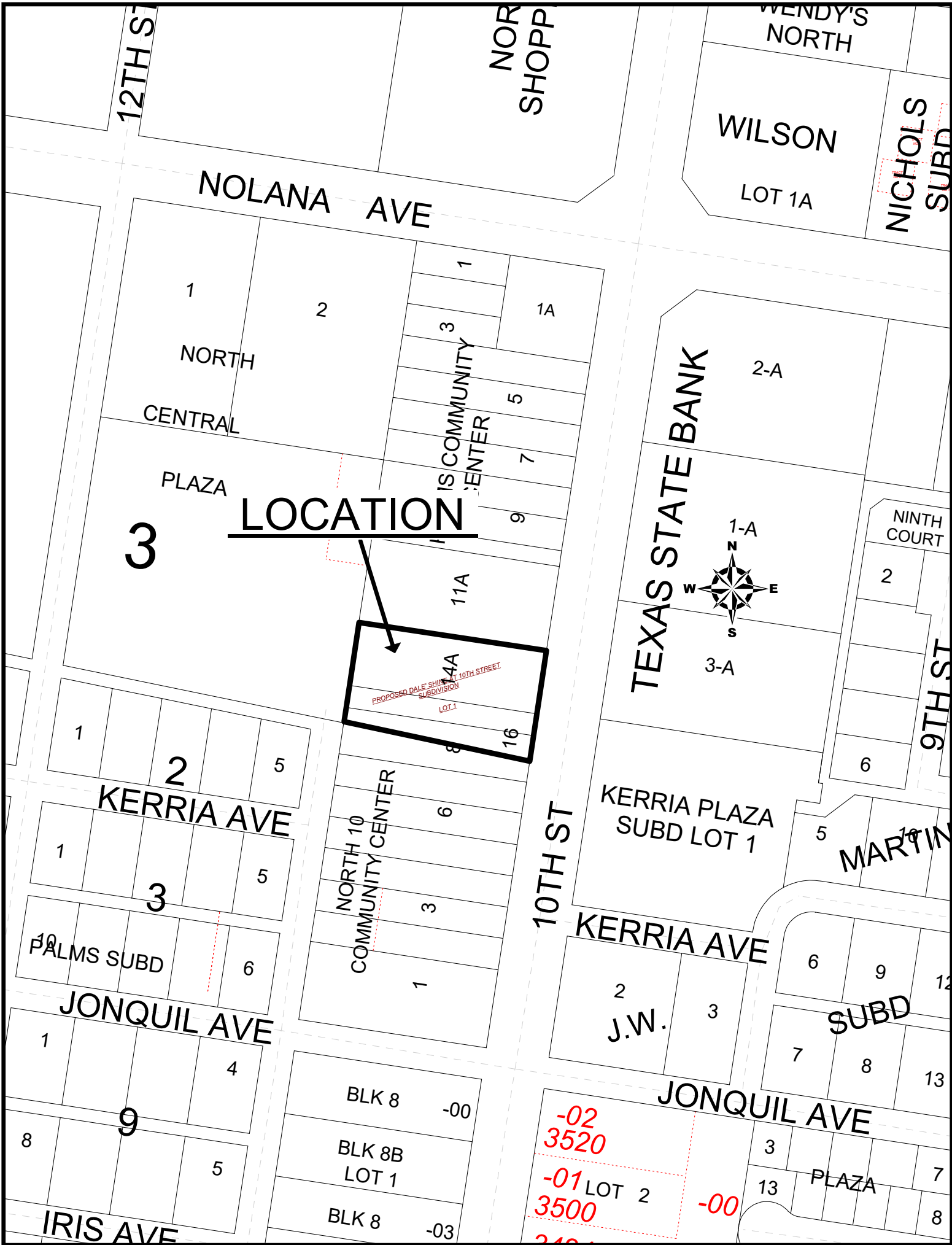
311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project Description	<p>Subdivision Name <u>DALE' SHINE AT 10TH ST. SUBDIVISION</u></p> <p>Location <u>WEST SIDE OF N. 10TH ST. - APPROX. 650 FT SOUTH OF NOLANA AVE.</u></p> <p>City Address or Block Number <u>3801 N. 10TH ST.</u></p> <p>Number of lots <u>1</u> Gross acres <u>1.155</u> Net acres <u>1.155</u></p> <p>Existing Zoning <u>C3</u> Proposed <u>C3</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date <u> </u></p> <p>Existing Land Use <u>VACANT</u> Proposed Land Use <u>CARWASH</u> Irrigation District # <u>3</u></p> <p>Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Agricultural Tax Exempt Yes <input type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>\$0</u></p> <p>Parcel No. <u>535896/255122</u> Tax Dept. Review <u> </u></p> <p>Legal Description <u>1.16 AC BEING ALL OF LOT 14A PALMS COMMUNITY CENTER 2, THE SOUTH 37.5 FT. OF LOT 15 & ALL OF LOT 16, PALMS COMMUNITY CENTER</u></p>
Owner	<p>Name <u>EMILIA G. LUEBBERT</u> Phone <u>C/O (956) 381-0981</u></p> <p>Address <u>2605 SAN MIGUEL</u></p> <p>City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u></p> <p>E-mail <u>C/O MARIO@MELDENANDHUNT.COM</u></p>
Developer	<p>Name <u>7B BUILDING & DEVELOPMENT, LLC</u> Phone <u>C/O (956) 381-0981</u></p> <p>Address <u>13105 DOVER AVENUE</u></p> <p>City <u>LUBBOCK</u> State <u>TX</u> Zip <u>79424</u></p> <p>Contact Person <u>MARIO A. REYNA, P.E.</u></p> <p>E-mail <u>MARIO@MELDENANDHUNT.COM</u></p>
Engineer	<p>Name <u>MELDEN & HUNT, INC.</u> Phone <u>956-381-0981</u></p> <p>Address <u>115 W. McIntyre St.</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u></p> <p>Contact Person <u>MARIO A. REYNA, P.E.</u></p> <p>E-mail <u>MARIO@MELDENANDHUNT.COM</u></p>
Surveyor	<p>Name <u>MELDEN & HUNT, INC.</u> Phone <u>956-381-0981</u></p> <p>Address <u>115 W. McIntyre St.</u></p> <p>City <u>EDINBURG</u> State <u>TX</u> Zip <u>78541</u></p>

RECEIVED

APR 17 2020

BY: MC/cw 3:50 pm



12TH ST

NOR SHOPP

WENDY'S NORTH

WILSON

LOT 1A

NICHOLS SUBD

NOLANA AVE

1
2
NORTH

CENTRAL

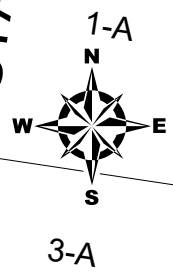
3

LOCATION

1
3
5
7
9
11A
16
1A
IS COMMUNITY CENTER

TEXAS STATE BANK

2-A



NINTH COURT

9TH ST

KERRIA AVE

10TH ST

KERRIA PLAZA SUBD LOT 1

MARTIN

3

NORTH 10 COMMUNITY CENTER

KERRIA AVE

SUBD

PALMS SUBD

JONQUIL AVE

JONQUIL AVE

IRIS AVE

BLK 8 -00

BLK 8B LOT 1

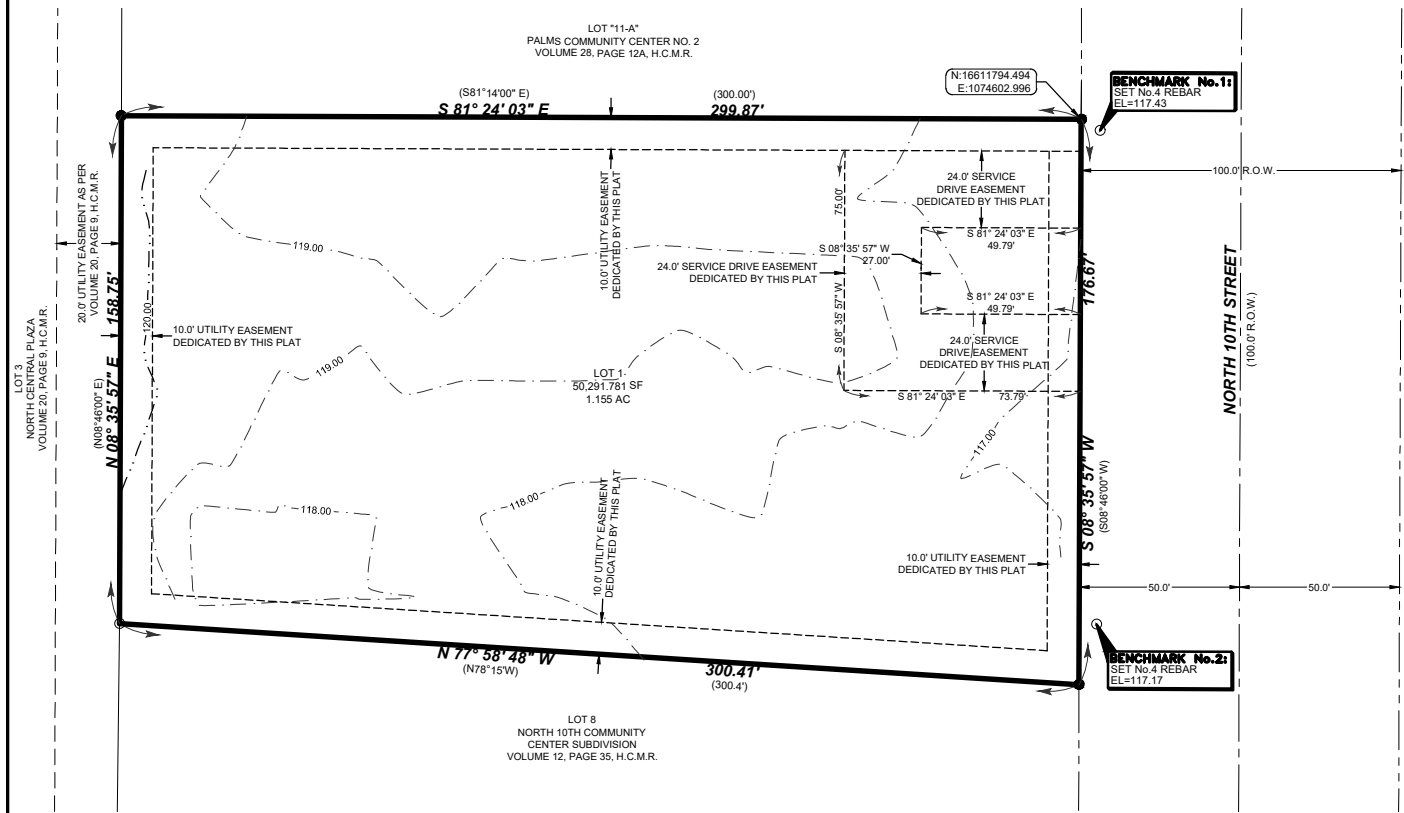
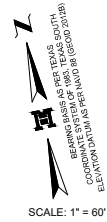
BLK 8 -03

-02
3520

-01
3500 LOT 2

-00

PLAZA



- LEGEND**
- FOUND No. 4 REBAR
 - FOUND PIPE
 - SET No. 4 REBAR WITH PLASTIC CAP STAMPED MILDEN & HUNT
 - H.C.M.R. - HIDALGO COUNTY MAP RECORDS
 - H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
 - Sq. Ft. - SQUARE FEET
 - AC. - OF ONE ACRE
 - P.O.B. - POINT OF BEGINNING
 - N.E. COR. - NORTHEAST CORNER
 - () - RECORDED MAP CALLS

SUBDIVISION MAP OF
**DALE SHINE AT 10TH STREET
SUBDIVISION**

BEING A SUBDIVISION OF 1.154 ACRES [50,291.781 SQ. FT.]

CONSISTING OF:

TRACT I:

0.679 OF ONE ACRE [29,573.362 SQ. FT.]
BEING ALL OF LOT 14A,
BLOCK 1 MAP OF LOT 14A BLOCK 1
PALMS COMMUNITY CENTER No.2
VOLUME 29, PAGE 102, H.C.M.R.

AND

TRACT II:

0.475 OF ONE ACRE [20,718.419 SQ. FT.]
BEING THE SOUTH 37.5 FEET OF
LOT 15 AND ALL OF LOT 16
PALMS COMMUNITY CENTER No.2
VOLUME 16, PAGE 9, H.C.M.R.
CITY OF McALLEN
HIDALGO COUNTY, TEXAS

RECEIVED
By Nikki Marie Cavazos at 8:53 am, Apr 22, 2020

RECEIVED VIA CD 04/17/2020 AT 3:50 PM



Reviewed On: 4/30/2020

SUBDIVISION NAME: DALE' SHINE AT 10TH STREET**REQUIREMENTS****STREETS AND RIGHT-OF-WAYS**

North 10th Street: 50 ft. from center line for 100 ft. ROW
 Paving: by the state Curb & gutter: by the state

Paving _____ Curb & gutter _____

Paving _____ Curb & gutter _____

Paving _____ Curb & gutter _____

Paving _____ Curb & gutter _____

* 800 ft. Block Length.

* 600 ft. Maximum Cul-de-Sac.

Applied

Applied

Applied

Applied

Applied

NA

NA

ALLEYS

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.

TBD

SETBACKS

* 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.

* Corner

* Garage

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

Applied

Applied

Applied

NA

NA

Applied

SIDEWALKS

* 5 ft. wide minimum sidewalk required along North 10th Street.

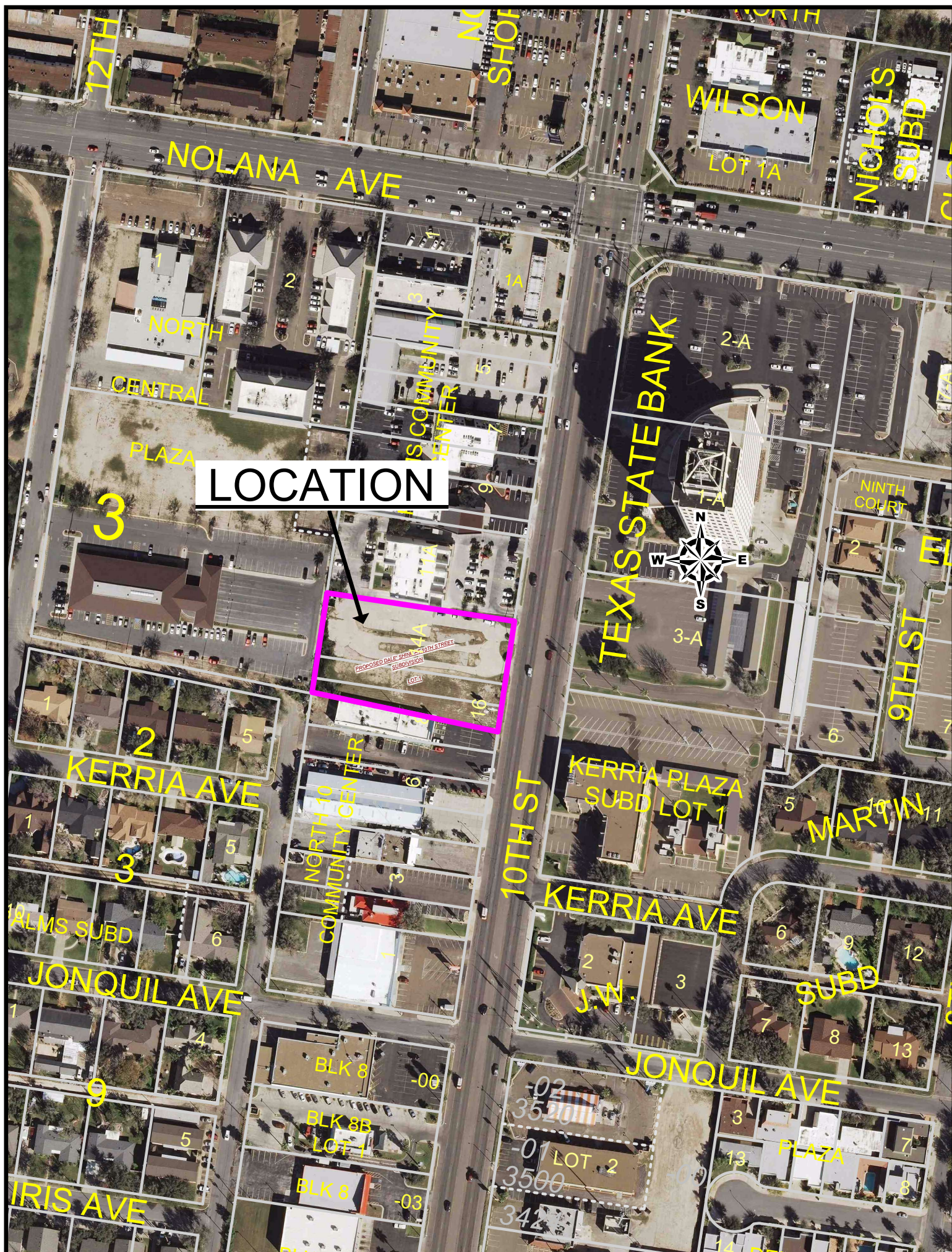
* Perimeter sidewalks must be built or money escrowed if not built at this time.

Compliance

Applied

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
* Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along	NA
* Site plan must be approved by the Planning and Development departments prior to building permit issuance.	Applied
* 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.	Required
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: C-3 Proposed: C-3	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 to be paid prior to recording	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Per Traffic Department, Trip Generation must be submitted to determine if Traffic Impact Analysis is required prior to final.	Required
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD

COMMENTS	
<p>Comments: 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.</p>	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS NOTED, AND UTILITY AND DRAINAGE APPROVALS.	Applied





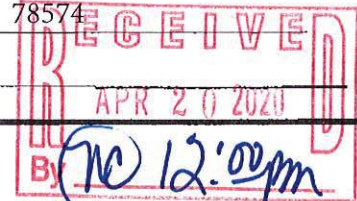
City of McAllen
Planning Department
**APPLICATION FOR
SUBDIVISION PLAT REVIEW**

Sub 2020-0027

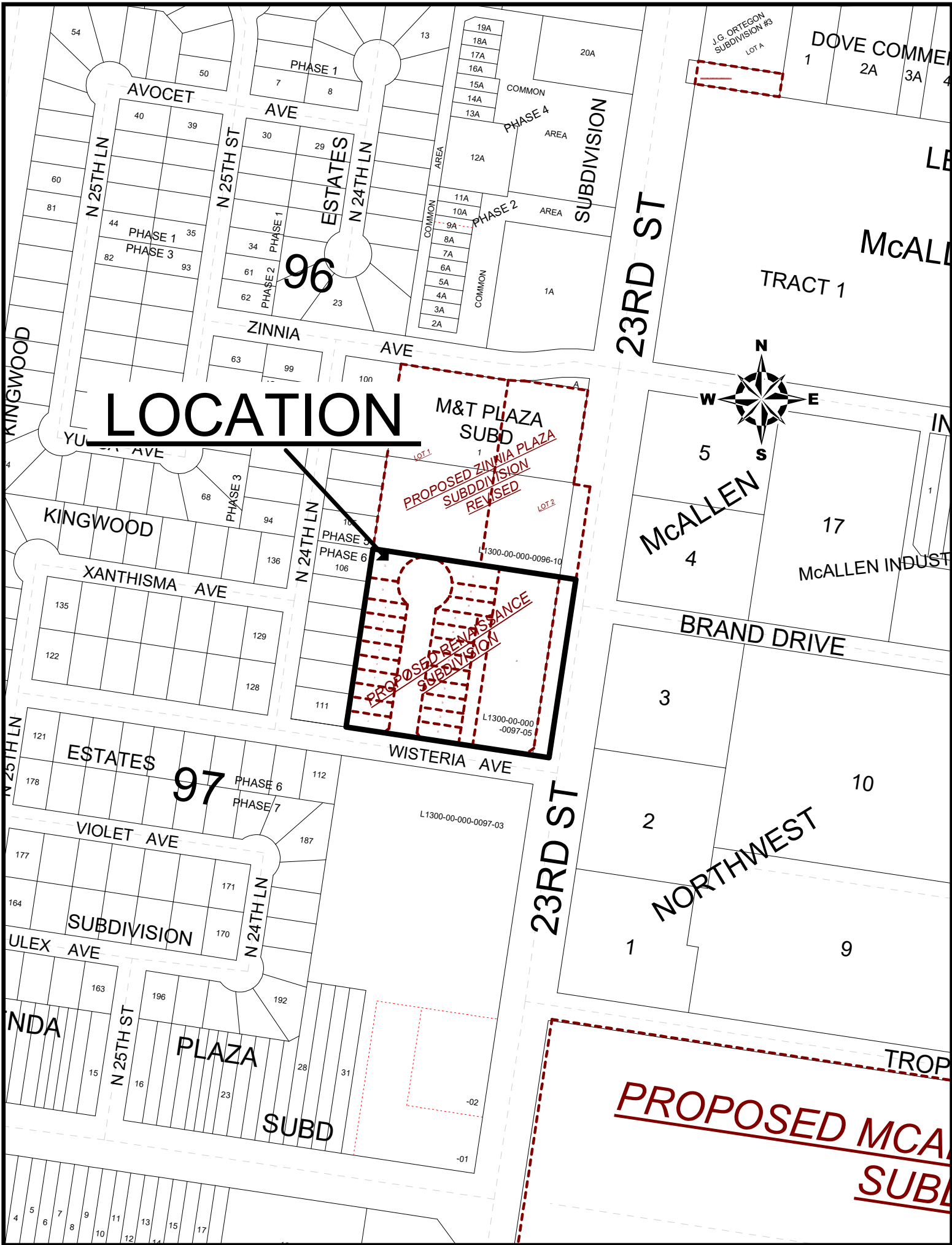
1300 Houston Avenue
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

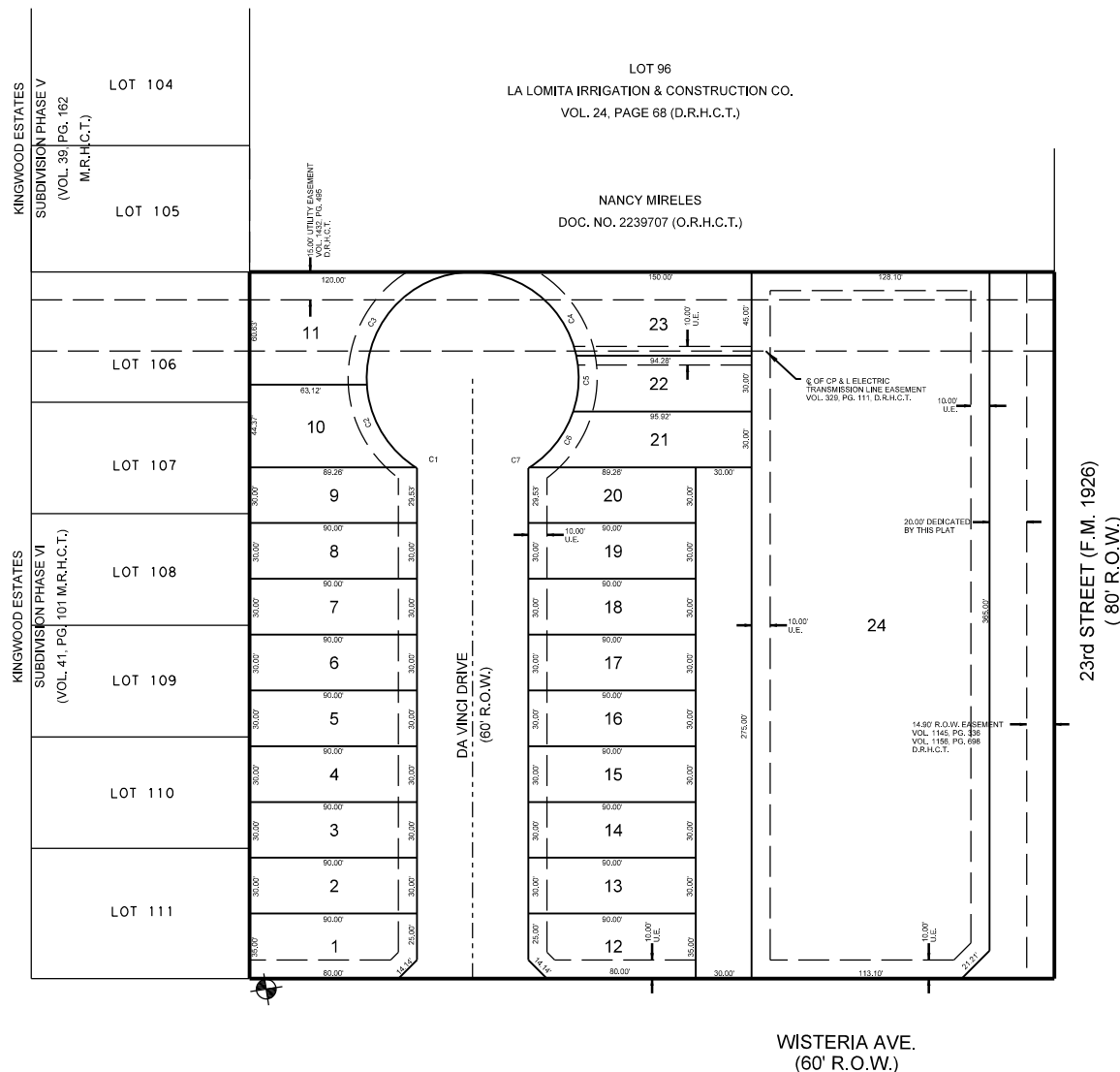
Project Description	Subdivision Name	Renaissance Subdivision		
	Location	23rd Street & Wisteria Ave.		
	City Address or Block Number	4905 N. 23rd Street		
	Number of lots	24	Gross acres	3.77
			Net acres	3.47
	Existing Zoning	R-3T	Proposed	
	Rezonning Applied For	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date		
	Existing Land Use	Empty Lot	Proposed Land Use	Townhouse & Commercial
	Irrigation District #	1		
	Residential Replat	Yes <input type="checkbox"/> No <input type="checkbox"/>	Commercial Replat	Yes <input type="checkbox"/> No <input 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	Not known			
Legal Description	Lot Ninety-seven (97), La Lomita Irrigation and Construction Company's Subdivision			
Owner	Name	Sonia Denise Ramirez		
	Phone			
	Address	813 Travis Street		
	City	Mission	State	Texas
	Zip	78574		
Developer	Name	Sonia Denise Ramirez		
	Phone			
	Address	813 Travis Street		
	City	Mission	State	Texas
	Zip	78574		
Engineer	Name	South Texas Infrastructure Group		
	Phone	956-424-3335		
	Address	900 S. Stewart Rd Suite 13		
	City	Mission	State	Texas
	Zip	78574		
Surveyor	Name	R.O.W Surveying Services		
	Phone	956-424-3335		
	Address	900 S. Stewar Rd Suite 13		
	City	Mission	State	Texas
	Zip	78574		

Act # 713348 pd \$ 2250



LOCATION





ANTIGUA INVESTEMENTS LLC
DOC. NO. 2655384 (O.R.H.C.T.)

RECEIVED
By Nikki Marie Cavazos at 3:51 pm, Apr 28, 2020


RECEIVED VIA EMAIL 04/27/2020 AT 12:06 PM

PRINCIPAL CONTACTS:				
	NAME	ADDRESS	CITY & ZIP	PHONE FAX
OWNER:	SONIA GARCIA	813 TRAVIS STREET	MISSION, TEXAS 78574	(956) 627-0988
ENGINEER:	VECTOR ENGINEERING, P.C.	600 S. STEWART RD., STE. 13	MISSION, TEXAS 78572	(956) 424-3335 (956) 424-3132
SURVEYOR:	JUAN E. GALVAN, R.P.L.S.	600 S. STEWART RD., STE. 13	MISSION, TEXAS 78572	(956) 424-3335 (956) 424-3132

SOUTH TEXAS INFRASTRUCTURE GROUP
800 S. STEWART, SUITE 13
MISSION, TEXAS 78572
PH: (956) 424-3335
FAX: (956) 424-3132
TYPE REG. # 1602

RENAISSANCE SUBDIVISION
LOT LAYOUT

BEING A 3.47 ACRE TRACT OF LAND SITUATED IN THE CITY OF
MCALLEN, HIDALGO COUNTY, TEXAS, OUT OF LOT 97, LA
LOMITA IRRIGATION AND CONSTRUCTION COMPANY,
RECORDED BY MAP IN VOLUME 24, PAGE 68, OF THE DEED
RECORDS, HIDALGO COUNTY, TEXAS

 SOUTH
TEXAS
INFRASTRUCTURE
GROUP

PLAT PAGE
1
OF 3



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 4/30/2020

SUBDIVISION NAME: RENAISSANCE	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
<p>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</p>	Non-compliance
<p>Wisteria Avenue: 60 ft. ROW Paving: 40 ft. Curb & gutter: Both sides **Need to label centerline and show ROW on both sides</p>	Non-compliance
<p>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</p>	Applied
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	Non-compliance
**Revise plat to show radius and paving diameter.	
***Should provide 10 ft. ROW back of curb around cul-de-sac paving area	
ALLEYS	
<p>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</p>	Non-compliance
SETBACKS	
<p>* 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</p>	Non-compliance
<p>* 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</p>	Non-compliance
<p>* 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</p>	Non-compliance
<p>* 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</p>	Non-compliance
<p>* Garage: Lots 1-23: 18 ft. except where greater setback is required, greater setback applies **Plat needs to be revised as noted above</p>	Non-compliance
<p>*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.</p>	Applied

SIDEWALKS	
* 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	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Required
NOTES	
* No curb cut, access, or lot frontage permitted along	TBD
* Site plan must be approved by the Planning and other Development Departments prior to building permit issuance.	Applied
* 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.	Applied
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Section 110-72 applies if this is a public subdivision	Required
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets	Compliance
* Minimum lot width and lot area	Compliance
ZONING/CUP	
* Existing: R-3T & C-3 Proposed: R-3T & C-3	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Based on 23 lots x \$700 = \$16,100 due prior to recording	Required
* 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.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: *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	Applied

*****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	
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM, SUBJECT TO CONDITIONS AND UTILITY AND DRAINAGE APPROVALS.	Applied

LOCATION



Memo

TO: Planning & Zoning Commission
FROM: Edgar I. Garcia, AICP, CNU-A
DATE: April 30, 2020
SUBJECT: City Commission Actions on April 27, 2020

REZONINGS:

1. Rezone from C-1 to R-3A District: the north ½ of Lot 18 and all of Lots 19 & 20, Waldron's Subdivision; 408 S. 9th Street
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended
2. Rezone from R-3A to C-3 District: the south 230 ft. (0.58 acre) out of Lot 1, Block 1; Coddington Addition Subdivision; 601 N. 2nd Street
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended
3. Rezone from C-3 to R-3A District: Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9; Phase One Office Park Subdivision; 201, 205, 209, 213, 217, 225, 229, 233, and 221 S. 2nd Street
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended
4. 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 tabled the item for more information
5. Rezone from R-1 to A-O District: an irregular tract of land being the west 315 ft. of the east 530 ft. of the south 199.27 ft. (1.035 acres) out of Lot 368; John H. Shary Subdivision; 6001 N. Well Spring Road
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended

CONDITIONAL USE PERMITS:

1. Request of Antonio Ybarra, for a Conditional Use Permit, for life of use, for an Institutional Use (church): a 1.87 acre tract of land of lot 257, John H. Shary Subdivision; 4902 Pecan Boulevard
 - Planning and Zoning Commission recommended approval
 - City Commission approved as recommended

2. Request of Roel Buentello Jr., for a Conditional Use Permit, for a bar, for one year: Lot A – Phase I and Lot B Phase II; Town & Country Subdivision; 5201 N. 10th Street
 - Planning and Zoning Commission disapproved with a favorable recommendation
 - City Commission approved as recommended

2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION MEETINGS

[illegible]

2020 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION WORKSHOPS

[illegible]



PLANNING DEPARTMENT

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



2020 CALENDAR

Meetings:

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

Deadlines:

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

* **Holiday** - Office is closed

JANUARY 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 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.

2020 CALENDAR

Meetings:

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

Deadlines:

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

* **Holiday** - Office is closed

JULY 2020

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

AUGUST 2020

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

SEPTEMBER 2020

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

OCTOBER 2020

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

NOVEMBER 2020

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

DECEMBER 2020

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