AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING TUESDAY, APRIL 7, 2020 - 3:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR

Planning and Zoning Commission meeting will be held via video and teleconference due to COVID-19

Video:

https://mcallen.webex.com/mcallen/j.php?MTID=mbaa0308daf3af2610153246ec7f83ce6

Password: Zoning

Phone: (408)-418-9388

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

- 1) MINUTES:
 - a) Minutes for Regular Meeting held on March 3, 2020
 - b) Minutes for Special Meeting held on March 10, 2020

2) PUBLIC HEARING

- a) REZONING:
 - Rezone from R-1 (single family residential) District to A-O (agricultural-open space)
 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, Hidalgo County,
 Texas; 6001 North Well Springs Road. (REZ2020-0004)
 - Rezone from R-3A (multifamily residential apartments) District to C-3 (general business) District: the South 230 ft. (0.58 acres) out of Lot 1, Block 1, Coddington Addition, Hidalgo County, Texas; 601 North 2nd Street. (REZ2020-0005)
 - 3. Rezone from C-1 (office building) District to R-3A (multifamily residential apartments) District: the North ½ of Lot 18 and all of Lots 19 & 20, Waldron's Subdivision, Hidalgo County, Texas; 408 South 9th Street. (REZ2020-0006)
 - **4.** Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Phase One Office Park Subdivision, Hidalgo County, Texas; 201,205,209,213,217,225,229,233,and 221 South 2nd Street. **(REZ2020-0003)**

- **5.** Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartments) District: 39.83 acres out of Lots 13, 14, 16, 17, and 18, Section 234, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 12512 North Ware Road (REZ2020-0008)
- **6.** 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)

b) CONDITIONAL USE PERMITS:

- 1. Request of Roel Buentello Jr., for a Conditional Use Permit, for one year, for a bar at Lot A Phase I and Lot B Phase II, Town & Country Subdivision, Hidalgo County, Texas; 5021 North 10th Street. (CUP2020-0022)
- 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)
- Request of Miguel Carlos Macias Padilla for a Conditional Use Permit, for one year, for an Institutional Use (Beauty School) at a 0.12 acre tract of land out of Lot 5, Block 9, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 1214 North 10th Street. (CUP2020-0013)
- **4.** 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)**
- Request of Sarahi Cardoza, for a Conditional Use Permit, for one year, for a portable food concession stand at Lot 1, All in One Subdivision No. 4, Hidalgo County, Texas; 6101 North 23rd Street. (CUP2020-0020)
- **6.** 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)**
- 7. Request of Maria E. Garcia for a Conditional Use Permit, for one year, for a Home Occupation (Daycare) at Lot 50, Bedford Park Estates, Hidalgo County, Texas, 3929 Quail Avenue. (CUP2020-0023)
- 8. Request of Hershal B. Patel for a Conditional Use Permit, for life of the use, for a Guest House at Lot 49, Via Cantera (Amended) Subdivision, Hidalgo County, Texas, 216 East Duke Avenue. (CUP2020-0017)

c) DISCUSSION:

 Consideration and Possible Approval on Ordinance Exempting Restaurants From Certain ECOD Requirements

3) SITE PLAN:

a) Site plan approval for Lot 4B, North McAllen Shopping Center Lots 4A & 4B Subdivision; 7301 North 7th Street. **(SPR2020-0005)**

4) SUBDIVISIONS:

- a) JR Frontera Subdivision; 1701 Frontera Road John Rodriguez (Tabled 02/18/2020) (Remained Tabled 03/03/2020) (SUB2020-0004) UIG
- b) Zavi Estates Subdivision; 3601 South McColl Road- Zaida and Benigno Villarreal (Final) (SUB2020- 0017) MAS
- c) Loma Prieta Subdivision; 3420 North Mile 6 1/2 Road Andres L. Kalifa Sr. and Andres L. Kalifa Jr. (Final) (SUB2017-0001) PE
- d) Los Vecinos Subdivision; 2801 South Bentsen Road- Tres Vecinos, LLC (Revised Preliminary) (SUB2019-0088) HA

5) INFORMATION ONLY:

a) City Commission Actions: March 23, 2020

ADJOURNMENT:

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

STATE OF TEXAS COUNTY OF HIDALGO CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Tuesday, March 3, 2020 at 3:31 p.m. in the McAllen City Hall City Commission Room at 1300 Houston Avenue, McAllen, Texas.

Present: Daniel Santos Vice-Chairperson

Rogelio Cervantes Member Gabriel Kamel Member Michael Fallek Member

Absent: Pepe Cabeza de Vaca Chairperson

Jose B. Saldana Member Michael Hovar Member

Staff Present: Evaristo Garcia Assistant City Attorney

Edgar Garcia Planning Director
Luis Mora Deputy Director

Berenice Gonzalez Planner III
Jose H. De La Garza Planner III
Omar Sotelo Planner II
Liliana Garza Planner II
Carlos Garza Planner I

Juan Martinez Development Coordinator

Martina Mejia Traffic Department

Ryan Cortes Engineering Department

Porfirio Hernandez Technician II

Claudia Mariscal Administrative Secretary

CALL TO ORDER – Daniel Santos, Vice- Chairperson

PLEDGE OF ALLEGIANCE

INVOCATION- Rogelio Cervantes

1) MINUTES:

a) Minutes for Regular Meeting held on February 18, 2020.

The minutes for the regular meeting held on February 4, 2020 were approved as submitted. The motion to approve was made by Mr. Michael Fallek. The motion was seconded by Mr. Rogelio Cervantes and the item received unanimous approval with three members present and voting.

2) **SUBDIVISIONS**:

a) JR Frontera Subdivision; 1701 Frontera Road- John Rodriguez (Final) (SUB2020-0004) UIG

Ms. Gonzalez stated that this item will remain tabled. Ezequiel Garcia with UIG Engineering

requested the item to remain tabled because there were going to resubmit.

No action needed.

b) DLG Acres Subdivision; 4501 8 ½ Mile Road- Rafael De La Garza (SUB2019-0097) (Final) UIG

Ms. Gonzalez stated that the subject property was located at Mile 8 1/2 North Road - 10 ft. min. dedication, or as needed, for 50 ft. from centerline for 100 ft. ROW with 65 ft. of paving and curb & gutter on both sides. Must escrow monies if improvements are not constructed prior to recording. Engineer submitted ownership map with no landlocked properties existing behind this subdivision, no additional streets required. 800 ft. Block Length 600 ft. Maximum Cul-de-Sac: Alley/service drive easement required for commercial properties. Plat submitted December 6, 2019 provides for a 24' private service access easement which will be extended to the east and west as adjacent properties develop. The plat submitted on February 17, 2020 provides a 24 ft. private service drive, which also connects to Mile 8 1/2 North Rd. Location as required by Traffic Department with dimensions noted prior to recording. Must comply with Traffic requirements. Note on plat regarding extension of the drive required prior to recording. Remove "dedicated" from and reference as 24 ft. private service access easement by this plat. Front: Mile 8 1/2 North Road - 54 ft. or greater for easements. Rear setbacks were 428 ft. for drainage easement. Revise Sides setbacks were 15 ft. for easements. Corner setbacks are subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk required on Mile 8 1/2 North Road. Plat submitted February 17, 2020 does not provide note regarding 4 ft. wide minimum sidewalk. Include note on plat as noted above prior to recording. 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. Plat submitted January 6, 2020 reflects this requirement. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Plat submitted January 6, 2020 reflects this requirement. Perimeter buffers must be built at time of Subdivision Improvements. Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. Common areas, private service access easements, detention areas, etc. must be maintained by the lot owners and not the City of McAllen. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Lots fronting public streets - Mile 8 1/2 North Road Minimum lot width and lot area Existing: ETJ Proposed: ETJ - Commercial Use proposed. Must comply with City's Access Management Policy. Plat submitted February 17, 2020 is missing note regarding required 4 ft. sidewalk along Mile 8 1/2 North Rd. Note # 15 previously shown on plat has been removed. Plat needs show a note reflecting the following: Minimum 24 ft. wide private service access easement, with access from Mile 8 1/2 North Rd. will be extended to east and west when adjacent properties develop to provide a continuous drive for City Services. Note on plat required prior to recording.

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

Ms. Gonzalez informed the board that the owner was present and the owner Rafael De La Garza 1800 Kingsborough Avenue let the board know that the majority of the requirements were taken care of with the exception of the sidewalks. Mr. De La Garza signed a contractual agreement back in August of 2019 in that contractual agreement in lieu of making the escrow deposit allowed him to make those improvements once and only if there is a widening of the road and it is to the water line, sewer line, drainage facility, pavement, curb and gutter, sidewalks and fire protection. So

according to the agreement that was signed back in 2019 he would be responsible for that once those improvements are within 660 feet from the property. Mr. Mora stated if there is a contractual agreement, there will be a note on plate reflecting the contractual agreement. Staff was not aware of the contractual agreement Vice Chairperson Daniel Santos asked if this will prevent proceeding forward, Mr. Mora explained that its final could be subject to verify the validity of contractual agreement, or the escrow whichever applies. Vice- chairperson Daniel Santos asked if anyone has questions regarding this item, to which Ms. Gonzalez explained that its subject to the conditions noted, so subject to verifying and staff reviewing the contractual agreement so that it is addressed before recording.

After a brief discussion, Mr. Gabriel Kamel moved to approve based on staff recommendation subject to contractual review by staff with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

c) Cantabria Subdivision; 315 Wisconsin Road- Troyo Construction LLC (SUB2019-0062) (Final) SAMES

Ms. Gonzalez stated the subject property was located on Wisconsin Road: 40 ft. Dedication from centerline for 80 ft. ROW with minimum 52 ft. of paving and curb & gutter on both sides. Plat submitted February 12, 2020 does not show centerline; revise as noted above prior to final. Was the 40 ft. shown on plat previously dedicated by separate document? If so, please reference document number on plat. Interior Street had 60 ft. ROW with 47 ft. shown on plans of paving and curb & gutter on both sides. Minimum 20 ft. paving width required on both sides of the boulevards and gate areas Remove reference to "existing" and show instead that it was being dedicated by this plat. 600 ft. Maximum Cul-de-Sac: As proposed, the cul-de-sac street is approximately 750 ft. in length. A variance was previously approved by the City Commission on December 9, 2013 to allow the cul-de-sac street to exceed the maximum 600 ft. subject to a minimum of 40 ft. of pavement width. The previous plat was not recorded. Variance will be applied to this plat. Paving diameter at 96 ft. as may be required by Fire Department. If an island was proposed in the cul-desac, must be approved by the Fire Department with an adequate paving width to allow for circulation, etc. The ROW is subject to increase for the cul-de-sac to provide for a minimum of 10 ft. of ROW back of curb, prior to final. Plat submitted February 12, 2020 does not show any islands on cul de sac, to remove island shown on drainage and utilities layout. Clarify paying diameter on cul-de-sac and does plan provide for a minimum 10 ft. ROW back of curb? ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Front setbacks were 25 ft. or greater for easements. Rear setbacks were in accordance with the Zoning Ordinance or greater for easements. Sides: In accordance with the Zoning Ordinance or greater for easements. Corner: Wisconsin Road - 10 ft. or greater for easements. Garage setbacks 18 ft. except where greater setback is required, greater setback applies. All setbacks were subject to increase for easements or approval site plan. A 4 ft. wide minimum sidewalk was required on Wisconsin Road and both sides of the interior 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 Wisconsin Road. 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 Wisconsin Road. 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. 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. Replace notes #13 & #14 with samples provided, leave blank line for document number to be written after HOA document is recorded Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Remove Note #14 shown on plat submitted February 12, 2020 and replace it with example provided. Lots fronting public streets: Lots fronting a private street, which must be built to city standards. Minimum lot width and lot area. Existing: R-1 Proposed: R-1 Rezoning Needed Before Final Approval. Land dedication in lieu of fee. Should the use change from single family dwelling per lot, subject to comply with Park requirements. Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Parks Department has indicated that for an R-1 single family use, a park fee of \$4,900 (based on \$700 x 7 lots/dwelling units) must be paid prior to recording. If the use changes or the number of lots/dwelling units change, the park fee will be adjusted accordingly. Pending review by the Parkland Dedication Advisory Board and CC. Should the use change from single family dwelling per lot, subject to comply with Park requirements. Trip Generation to determine if TIA is required, prior to final plat. Per traffic Department, Trip Gen will remained waived if Land Use and Number of Units has not varied. Traffic Impact Analysis (TIA) required prior to final plat. Per Traffic Department, Trip Generation was waived. Must comply with City's Access Management Policy. Use a smaller font for the private subdivision reference and make it less bold. Property line needs to be a solid line instead of dashed currently shown. Label common areas shown on plat as "Lot A Common Area" and "Lot B Common Area" Vicinity map appears to show different boundaries as it seems to extend to Xenops Ave., revise as applicable. Remove street design details on plat (islands in the middle of the street, sidewalk along Wisconsin Rd., etc.) Finalize with Engineering the exclusive use of the detention areas, etc. with a proper note as needed. Subdivision was approved in preliminary form at the P&Z meeting of September 3, 2020

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

Mr. Kamel asked where the retention is on the property and Ms. Gonzalez explained that there is common lot area. Jessica Maldonado with SAMES Inc. 200 South 10th Street STE 1500 explained that the detention pond is located south of Wisconsin Road where there is a 47.7 width just south of Wisconsin Road that will be used for detention. Mr. Gabriel Kamel confirmed that it was labeled at drainage easements.

After a brief discussion, Mr. Gabriel Kamel moved to approve based on staff recommendation with conditions noted and with the variance. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

d) The Villas on Freddy Phase I Subdivision; 1400 Freddy Gonzalez Road- Rhodes Enterprises Inc. (SUB2020-0012) (Final) M&H

Ms. Gonzalez stated that the subject property was located at Freddy Gonzalez had 20 ft. ROW dedication, for 50 ft. from centerline for 100 ft. ROW with 65 ft. of paving and curb & gutter on both sides. Must escrow monies if improvements were not constructed prior to recording. N. 16th Street (Private): 60 ft. ROW with 40 ft. of paving and curb & gutter on both sides. City Commission approved variance request for proposed 36 ft. pavement in 50 ft. ROW with 5 ft. easement. Yale

Avenue, Xavier Avenue, N. 15th Street and N 13th. Street (Private): 30 ft. ROW with 30 ft. of paving and 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. Yale Avenue and Xavier Avenue should be identified as private streets on plat, as noted above. 800 ft. Block Length Variance request to the 800 ft. block length requirement approved by City Commission at the May 13, 2019 meeting. A 600 ft. Maximum Cul-de-Sac - N. 16th Street appropriately 632 ft. in length Variance request to the 600 ft. maximum length approved by City Commission at the May 13, 2019 meeting ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Front: Lots 1-70: 10 ft. or greater for easements Plat identifies the frontage of each lot where setback applies. Lots 71-95: 23 ft. proposed (fronting west) Rear: Lots 1-70: 23 ft. proposed Plat identifies the frontage of each lot where setback applies. Lots 71-95: 10 ft. or greater for easements Interior Sides: As follows: Lots 1-12: 3 ft. west side and 7 ft. east side Lots 13-28: 3 ft. north side and 7 ft. south side Lots 29-44: 7 ft. north and 3 ft. south side. Lots 45-60: 3 ft. north side and 7 ft. south side Lots 61-70: 7 ft. west side and 3 ft. east side Lots 71-95: 3 ft. north side and 7 ft. south side Corner: 5 ft. or greater for easements as approved by Planning and Zoning Commission on May 7, 2019. Garage setbacks were 23 ft. proposed except where greater setback was 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 easements or approved site plan. A 4 ft. wide minimum sidewalk was required on Freddy Gonzalez Rd and both sides of all interior streets; however, Engineer has submitted a Walking Trails plan, which provided for sidewalks along the front of each unit. Sidewalks are located along some streets. while others are within common areas. Variance request for sidewalk requirement approved by City Commission on May 13, 2019 as per Walking Trails Plan for the interior streets, etc. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along Freddy Gonzalez. 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. Will apply to Bicentennial Blvd. also - located on the west side of the property as part of Phase 2 based on meetings with engineer/developer and staff. 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 provide for common access. developments parking, setbacks. 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 were 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.

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

Mr. Gabriel Kamel asked why the subdivision plat review lot requirements still on the right side required. Mr. Kamel asked if it was supposed say applied or compliance. Ms. Gonzalez explained different terms are used depending on the subdivision in this case it is because there will be a note

required on the plat and so that why it is required.

After discussion, Mr. Gabriel Kamel moved to approve based on staff recommendation with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

e) McAllen Temple Subdivision; 300 Trenton Road- The Church of Jesus Christ Latter Day Saints (SUB2020-0010) (Preliminary) M&H

Mr. De La Garza stated that this property is located on North 2nd Street: 70 ft. ROW existing. Dedication as needed to provide for 60 ft. from centerline for 120 ft. ROW with minimum 65 ft. of paving and curb & gutter on both sides. Show centerline on North 2nd Street to determine dedication prior to final. Must escrow monies if improvements are not constructed prior to recording. Trenton Road: Show range of dedication to provide for 60 ft. from centerline for 120 ft. ROW. Paving: 65 ft Curb & gutter: Both sides Show centerline on Trenton Road to determine dedication prior to final. Must escrow monies if improvements are not constructed prior to recording. 800 ft. Block Length 600 ft. Maximum Cul-de-Sac ROW with 20 ft. and 16 ft. of paving. Provide Service Drive as part of site plan. Minimum 24 ft. paved private service drive easement to be provided as part of site plan for city services. Front: Trenton Road- 60 ft. or greater for approved site plan or easement. N. 2nd Street- To be established prior to final, but no less than in accordance with the Zoning Ordinance, or easements, or site plan requirements, whichever is greater. Revise Note #3 as it indicates streets that are not related to this plat prior to final. Rear: In accordance with the Zoning Ordinance, or greater for easements or approved site plan. Sides: In accordance with the Zoning Ordinance, or greater for easements or approved site plan. Corner: See front setbacks. Garage N/A All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required along North 2nd Street and Trenton Road. 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.Revise Note #10 as noted above 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. Site Plan will be reviewed as part of the required conditional use permit. Common areas, private 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 must be fronting public streets. Minimum lot width and lot area. CUP for institutional use will be required prior to final. Rezoning not needed before Final approval. Land dedication not applicable for institutional use. If use changes from institutional to residential, land dedication might be applicable. Park Fee of \$700 to be paid prior to recording not applicable. If use changes from institutional to residential, Park fee might be applicable. Review by the Parkland Dedication Advisory Board and CC not applicable. If use changes from institutional to residential, review by Parkland Dedication Advisory Board and C.C. might be applicable. Trip Generation to determine if TIA is required, prior to final. As per Traffic Department, must submit Trip Generation to determine if a TIA will be required prior to final. Must comply with City's Access Management policy. As per Traffic, dimensions needed acceleration and deceleration lanes to see appropriate transition space was shown. Comment noted above as may

be applicable on Trenton Road and North 2nd Street.

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

Mr. Gabriel Kamel asked why a rezoning is not required. Mr. De La Garza explained that it is an R-1 zone and they are proposing a church an institutional use was allowed in an R-1 zone so they only have to get a conditional use permit.

After a discussion, Mr. Michael Fallek moved to approve based on staff recommendation with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

f) Bentsen Park Subdivision; 5200 North Bentsen Road- So TX Partners, LLC (SUB2020-0009) (Preliminary) M&H

Mr. De La Garza stated that the property was located on North Bentsen Road: 50 ft. from centerline for 100 ft. ROW with 65 ft. of paving and curb & gutter on both sides. Provide copy of document referenced on plat for ROW dedication on east side of North Bentsen Road. Centerline must be labeled to verify ROW. Dedication indicated the total ROW on North Bentsen Road. Must escrow monies if improvements are not constructed prior to final. North 42nd Street had 50 ft. ROW with 32 ft. of paving and curb & gutter on both sides. Street needs to be extended north for future connection as adjacent properties develop, prior to final. ROW and paving should match existing street stub out to the north. Revise plat to provide for street extension to the north prior to final. Barricade and/or temporary turnaround at the north end of the street as needed. Other interior streets had 50 ft. ROW with 32 ft. of paving and curb & gutter on both sides. Need to finalize street names for the two internal streets running from north to south along lots 27-30 and lots 31-34 prior to final. Barricade and/or temporary turnaround at the north end of easternmost street. Streets names are subject to change prior to final. Entry Street from North Bentsen Road had 50 ft. ROW with 32 ft. of paying and curb & gutter on both sides. Streets names are subject to change prior to final. 800 ft. Block Length. 600 ft. Maximum Cul-de-Sac. Alley ROW of 20 ft. with paving of 16 ft. required for an alley/service drive easement required for commercial properties setbacks; Front setbacks was 25 ft. or greater for easements. Rear: 10 ft. except 25 ft. for double fronting lots, or greater for easements. Interior sides: 6 ft. or greater for easements. Corner setbacks were 10 ft. or greater for easements. Only reference "Corner" not "Side Corner Lot" on Note #1. Garage setbacks were 18 ft. except where greater setback is required, grater set back applies. Need note on plat as noted above prior to final. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on North Bentsen Road, and both sides of all interior streets. Perimeter sidewalks subject to increase to 5 ft. as may be required by the Engineering, prior to final. Note 7 now shown will need to be revised accordingly. 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 Bentsen Road. Remove "Hibiscus Avenue" from Note #10 and revise as noted above 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 North Bentsen Road. Need note on plat as noted above prior to final. Common areas must be maintained by the lot owners and not the City of McAllen. Common areas for commercial developments provide access, Developer/Homeowner's common parking, setbacks, landscaping, etc.

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 Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Lots fronting public streets. Engineer needs to clarify if subdivision is public or private prior to final. Minimum lot width and lot area. Lots 10, 11, 16, and 17 do not have the required 50 ft. of frontage. Revise plat so that all lots meet minimum 50 ft. of frontage interior lots and 54 ft. for corner lots, prior to final. Rezoning needed before final approval. Land dedication in lieu of fee Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Per Parks Department, plat shows 34 lots. Park fees apply at rate of \$700 per dwelling unit and payable prior to plat recording. In this case, fees come to \$23,800. Pending review by the Parkland Dedication Advisory Board and CC. Per Parks Department, plat showed 34 lots. Per Traffic Department, need to submit trip generation to determine if TIA is required, prior to final. Comments: Must comply with City's Access Management Policy. Per Traffic Department and Fire Department, a secondary access is required based on the number of lots. Extension to the north of North 42nd Street would accommodate for the secondary access required. Engineer to clarify if the subdivision is public or private. If private, need to submit gate details for staff review to assure compliance Street names subject to change.

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

Vice- Chairperson Daniel Santos asked if there were going to be adjustments with the lot size and Mr. De La Garza stated that there are some lots in the subdivision that do not comply with minimum lot frontage and those will have to be revised prior to final.

After a discussion, Mr. Michael Fallek moved to approve based on staff recommendation with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

3) PUBLIC HEARING

a) REZONING:

1. 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)

Mr. Garza stated that 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.

The applicant is requesting to rezone the property to R-3A (multifamily residential apartments) District in order to build apartments. A feasibility plan has not been submitted to the Planning Department.

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.

The property is currently vacant. Surrounding land uses are single family residences and vacant

land.

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.

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.

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.

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

Mr. Garza stated that the applicant wrote a letter stating that he would like to be considered R-2 duplex fourplex and it was given to the Vice Chairperson. Vice Chairperson Daniel Santos asked if there was anyone there in opposition but there were none. Vice Chairperson Daniel Santos wanted clarification on if the city had a concern with the size of the lot and the fact that the surrounding zonings are residential. Mr. Garza explained that the lot size allows there to be a lot of apartments for example for a triplex you can have up to 25 apartments on that lot not including parking and landscaping. Mr. Kamel asked if it was an acre and Mr. Garza answered that it was not it was .86 of acre. The owner of the property came up to speak his name Mr. Sosa 704 North 29th Street and explained that he wanted to get some recommendations on what he could do with the property. Mr. Sosa also asked that the board consider him changing his zone request from R-3 to an R-1, because he felt that it would better suit the surrounding area. Mr. Rogelio Cervantes asked the owner how long he had the property and if he was aware of the zoning when he purchased it. Mr. Sosa explained that he had it for eight years and the property was initially zoned as agriculture until the city asked if Mr. Sosa was against rezoning the property. So the property was rezoned to R-1. Mr. Fallek requested to hear from staff because of the change of the initial zone change. Mr. Garza explained that staff did recommend approval to rezone to R-2 based on the less density. Mr. Fallek asked if there was limit to the density that staff would recommend. Mr. Garza explained that the track size of duplex would need 5,600 square feet, and for a fourplex would be roughly 7,000 square feet. Mr. Fallek voiced his concern on changing the zoning without seeing a site plan first for future reference. Mr. Fallek suggested that Mr. Sosa come back with a site plan so that the board has a better understanding of how the customer wanted to utilize the property.

After a discussion, Mr. Michael Fallek moved to table the item based. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

2. Rezone from C-3 (general business) District to R-2 (duplex-fourplex residential) District: Lot 6, Block 3, Cathay Courts Subdivision, Hidalgo County, Texas; 205 South Cynthia Street. (**REZ2020-0002**)

Mr. Garza stated that the property is located along the east side of Cynthia Street approximately 380 feet South of US Business 83. The tract has 81.41 ft. of frontage along Cynthia Street and a depth of 100 ft. for a total area of 8,141 square ft.

The applicant is requesting to rezone the property to R-2 (duplex-fourplex residential) District in order to construct a proposed triplex. A feasibility plan has been submitted to the Planning Department.

The subject property is currently zoned C-3 (general business) District. Adjacent zoning is C-3 (general business) District to the north and east, R-1 (single family residential) to the south and west, and R-2 (duplex-fourplex) District to the southeast.

There is an existing vacant single family residence located on the subject property. Surrounding land uses include single family residences, duplexes, Iglesia Apostolica de la Fe en Cristo Jesus, and Frontera Collision Auto Parts.

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

The development trend along the area to the south of the subject property is stable single family residential. The property was zoned C-3 (general business) District during comprehensive zoning in 1979.

The requested zoning does not conform to the Auto Urban Residential land use designation for the property as indicated on the Foresight McAllen Comprehensive Plan.

The R-2 District would provide a transition between C-3 District and R-1 District. The lot size of 8,141 square feet complies with the minimum lot size requirement for a Triplex in the R-2 District.

Lila Beth Subdivision is located to the southeast and is zoned R-2 (duplex-fourplex residential) District, with duplex development.

An approved site plan is required prior to issuance of any building permit.

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

Vice Chairperson Daniel Santos if there was anyone present in opposition to this item. There were none.

After a brief discussion, Mr. Gabriel Kamel moved to approve based on staff recommendation with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

b) CONDITIONAL USE PERMITS:

1. Request of Alim U. Ansari, for a Conditional Use Permit, for life of the use, for an institutional use (school) at Lots 5 through 12, Block 36; North McAllen Subdivision, Hidalgo

County, Texas, 320 North Main Street. (CUP2020-0002)

Ms. Gonzalez stated that the property is located along the east side of North Main Street, between Cedar and Date Palm Avenues. The L-shaped property goes from the intersection of North Main Street and Date Palm Avenue south on North Main Street to Cedar Avenue bearing east to North Broadway. The property is zoned C-3 (general business) District and R-3A (apartments) District. The adjacent zoning is C-3 to the south, west and north, and R-3A to the northeast and east. Surrounding land uses include the Renaissance Hotel, Archer Park, The Village Condominiums, commercial and office buildings, and residences and apartments. An institutional use (school) is permitted in the C-3 zone with a conditional use permit.

The initial conditional use permit was requested for the life of the use; however, it was approved for one year by the Planning and Zoning Commission on June 21, 2011 to allow for the renovation of the building, allow staff to review any changes, and evaluate traffic circulation in the area. The permit has been renewed every year from 2011 to 2018. The last permit was approved for one year only, at the Planning and Zoning Commission meeting of December 4, 2018.

Currently, there is a two-story building and an existing pavilion which is located on Lot 6, Block 36; on the property and are part of the Horizon Montessori Elementary and Horizon Middle School expansion. The applicant is proposing to continue to operate a school from the existing building. The school building is accommodating 6th through 8th graders; with approximately 428 students according to their Student Records department. The total number of classrooms and offices for the school is 31. Based on 1.5 parking spaces per classroom and office, 47 parking spaces are required; 66 spaces are provided on site, which leaves 19 spaces available. Should the number of offices and classrooms increase, then additional parking will be required. The Traffic Department has recommended approval for one year in order to continue monitoring the traffic flow. The Traffic Department has recommended approval for year in order to continue monitoring the traffic flow.

Following a trip generation worksheet approval and a revised traffic circulation plan from the last permit approval, a circulation pattern was established for the use of the school, which was approved by the Traffic Commission. The intersection of North Main Street and Cedar Avenue is under a stop sign control by the school's security guard, who sets out portable crosswalk pedestrian warning signs before school hours and during the day. The portable crosswalk pedestrian warning signs are to be removed after school hours.

The Health and Fire Departments have conducted their respective inspections; however follow up inspections are required. 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 Traffic Department expressed concern over the following items:

- a) Traffic Control Plan Parents only using the entrance on Cedar Avenue for pick-up and dropoff
- b) Eliminating the crossing guard on Main Street Since there is no longer a school site on the west side of Main Street, there should be no need to hinder traffic on Main Street
- c) Arrange or designate off-site parking for parents where crossing Main Street is no longer a necessity

The establishment must also meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas and shall be as close as possible to a major arterial. The property has direct access to North Main Street, Broadway Avenue and Cedar Avenue;
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on 1.5 parking spaces per classroom and office, 47 parking spaces are required; 66 spaces are provided on site, which leaves 19 spaces available. Should the number of offices and classrooms increase, then additional parking will be 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. The school must comply with the circulation pattern approved by the Traffic Operations Department;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

Staff recommends disapproval of the request for life of the use. However, recommend approval for one year, subject to compliance with the Zoning Ordinance, circulation pattern as approved by the Traffic Operations Department, and Health Fire Department requirements.

Vice-Chairperson Daniel Santos asked if there was anyone there in opposition, but there was none.

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

2. Request of Guillermo Vazquez, for a Conditional Use Permit, for one year, for a bar/night club at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite A-3. **(CUP2020-0003)**

Ms. Liliana Garza stated that the property is located at the northeast corner of Nolana Avenue and North 6th Street, 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, 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/night club 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 March 8, 2010 with a variance to the distance requirement. The last permit was approved by the City Commission on March 28, 2016 for one year with a variance to the distance requirement. The bar has been in operation without a Conditional Use Permit.

The applicant is proposing to continue to operate a bar (Los Rieles) from a 8,500 sq. ft. lease space within the shopping center. The hours of operation will be from 9:00 p.m. to 2:00 a.m. Tuesday thru Saturday.

The Health Department has inspected the establishment, and the property is in compliance. Fire Department has conducted an initial inspection; however, a follow-up inspection is pending. Attached is the police report from February 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 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, and a water tower:
- b) The abovementioned businesses must be as close as possible to a major arterial, and shall not allow the traffic generated by such businesses 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 from other Conditional Use Permits in this commercial plaza;
- c) The abovementioned businesses 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 is a mixture of office, retail, vacant suites, restaurants, a children's event center, and bars. The proposed bar is required 85 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 businesses must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- e) The abovementioned businesses 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 businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- g) The abovementioned businesses 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 department as part of the building permit review.

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

Vice-Chairperson Daniel Santos asked if there was anyone there in opposition, but there was none.

Mr. Gabriel Kamel asked why the permit had not been renewed since 2016 and Sandra Ramirez 400 West Nolana on behalf of Guillermo Vasquez explained that she was the prior owner of the location and she sold the business to Guillermo Vasquez and is assisting with getting all the permits up to date.

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

3. Request of Richard S. Nares, for a Conditional Use Permit, for one year, for a bar at the 1.10-acre tract of land out of Lot 492, John H. Shary Subdivision, Hidalgo County, Texas; 6925 State Highway 107. **(CUP2020-0004)**

Ms. Liliana Garza stated that the property is located 500 ft. west of the southwest corner of Glasscock Road and Highway 107 and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the east, west, and south. The area to the north of State Hwy 107 is in McAllen's ETJ. Surrounding land uses include commercial businesses, single family residences, and vacant land. A bar is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit was approved for this establishment by the City Commission with a variance to the distance requirement on February 12, 2018. The business underwent a change of ownership and the applicant was unaware that a CUP was required.

The applicant is proposing to continue to operate a 2,390 sq. ft. building as a drive thru. The drive thru will continue to operate with the sale of pre-packaged beer and wine, and snacks. The applicant is proposing to continue to operate a 414 sq. ft. area within the existing building for a bar. The bar area has tables, seats and televisions and will give the customers the option to consume

the pre-packaged beer and wine on site. The hours of operation will be from 11:00 am to 12:00 am Sunday thru Friday and 11:00 am to 1:00 am on Saturday. Based on 414 sq. ft. of bar use, 5 parking spaces are required and based on 1,977 sq. ft. of retail use, 8 parking spaces are required, for a total of 13 parking spaces required. There are 5 parking spaces in compliance shown on the site plan; however, the property owner is allowing the applicant to use an adjacent parking lot to the east side, as additional parking.

The Health Department has conducted their inspection but Fire Department is still pending their inspection. Attached is the police report from February 1, 2019 until present. The establishment must comply with requirements set forth in Section 138-118(4) of the Zoning Ordinance as indicated below:

- 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 any of the above-reference uses;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment is located on State Highway 107, and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on 414 sq. ft. of bar use, 5 parking spaces are required and based on 1,977 sq. ft. of retail use, 8 parking spaces are required, a total of 13 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; 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. Establishment will have to comply with conditions of building permit.

Staff recommends disapproval of the request, based on non-compliance to the requirement #1 (distance) of Section 138-118 (4) of the Zoning Ordinance, and Health and Fire Department requirements.

Vice-Chairperson Daniel Santos asked if there was anyone there in opposition, but there was none.

After a brief discussion, Mr. Gabriel Kamel moved to disapprove with a favorable recommendation to the commission. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting

4. Request of Upbring Lutheran Social Services of the South Inc., for a Conditional Use Permit, for life of the use, for an institutional use (immigrant youth facility) at the 2.72 acres coming out of Lot 6, Block 11, Steele and Pershing Subdivision, Hidalgo County, Texas; 1000 North McColl Road. (CUP2020-0005)

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

The initial conditional use permit was approved, for one year, on June 17, 2014 by the Planning and Zoning Commission. The last permit was approved for life of the use by the City Commission on April 11, 2016 for the same applicant and same use.

The applicant is proposing to continue to utilize the 13,893 sq. ft. building for an immigrant youth facility. The applicant is requesting to add a portable building to use as a classroom for the existing use. The proposed building will be approximately 60 ft. by 27 ft. and will have 16 - 24 students at a time. The Fire Department will conduct their inspection as part of the building permit process for the portable building. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts North McColl Road and does not generate traffic into residential areas.
- 2. The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the vehicle observations that park on site and on the side of Jasmine Avenue. Based on 27 bedrooms with a multi-purpose room, 6 offices, 4 classrooms, 33 parking spaces are required; a total of 42 parking spaces are now provided on site;
- 3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;

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

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

Vice-Chairperson Daniel Santos asked if there was anyone there in opposition, but there was none.

After a brief discussion, Mr. Gabriel Kamel moved to approve based on staff recommendation with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

5. Request of Ricardo Manzo, for a Conditional Use Permit, for one year, for an automotive service and repair (tire shop) at Tract 13 out of an unnumbered Lot, Unit 1; Retiree Haven #1 Assessors Subdivision, Hidalgo County, Texas; 6416 South 10th Street. **(CUP2020-0006)**

Mr. Garza stated that the property is located on the northwest corner of South 10th Street and 11th Street. It is zoned C-3 (general business) District. The adjacent zoning is R-1 (single-family residential) District to the north, south, and west. The area to the east is I-1 (light industrial) District. Surrounding land uses include single-family residences, and vacant land. An automotive service and repair business is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

Currently, there is a 1,066 sq. ft. commercial building with an enclosed carport to the building used for a work area on the property. This building was built in 1981 and was annexed by the city in December 1989. This building has been used for various commercial uses.

A conditional use permit was approved for one year by the Planning and Zoning Board on January 16, 2019 subject to the enclosing of the carport, the maintenance and clear striping of the parking lot in compliance with Section 138-400 of the Zoning Ordinance, and Health and Fire Department requirements. There is a new applicant; therefore, it has to come before the Planning and Zoning Commission for consideration and approval.

The new applicant is proposing to continue to use the building as an automotive service & repair (tire shop) business. The hours of operation are from 9:00 A.M. to 7:00 P.M. Monday through Saturday. Based on the total 1,066 sq. ft. for the automotive service and repair, 6 parking spaces were required; 6 parking spaces were provided on site. During inspection, staff observed that the parking lot needs maintenance and striping.

Fire Department inspections are still pending. Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The business must meet the requirements set forth in Section 138-281 of the Zoning

Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 18,750 sq. ft;
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing to work inside the main structure, and in the adjacent enclosed carport.
- 3) Outside storage of materials is prohibited. The applicant indicated that there would be no outside storage including vehicles.
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The buildings are located approximately 140 ft. from the nearest single family residence to the southwest.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required. There is an existing 6 ft. opaque fence to the north and west side of the property.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

Staff recommends approval of the request, for one year, subject to the maintenance and striping of the parking lot in compliance with Section 138-400 of the Zoning Ordinance, and Fire Department requirements.

Vice-Chairperson Daniel Santos asked if there was anyone there in opposition, but there was none.

After a brief discussion, Mr. Michael Fallek moved to approve based on staff recommendation with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

3) **INFORMATION ONLY**:

a) City Commission Actions; February 24, 2020

Mr. Edgar Garcia, Planning Director, stated that there was a rezoning on Dallas across from the school and City Commission approved as recommended. Then there was a conditional use permit for life of use for Marleen's Center, which was something new we were doing for event centers and was approved as recommended.

There being no further business to come before the Planning & Zoning Commission, Mr. Michael Fallek adjourned the meeting at 4:32 p.m. Mr. Rogelio Cervantes seconded the motion, which carried unanimously with seven members present and voting.

	Vice- Chairperson, Daniel Santos
ATTEST:	

Claudia Mariscal, Secretary

STATE OF TEXAS COUNTY OF HIDALGO CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting & Public Hearing on Tuesday, March 10, 2020 at 3:33 p.m. in the Executive Conference Room at 311 North 15th Street, McAllen, Texas.

Present: Pepe Cabeza de Vaca Chairperson

Michael Hovar Member
Rogelio Cervantes Member
Gabriel Kamel Member
Michael Fallek Member
Jose B. Saldana Member

Absent: Daniel Santos Vice- Chairperon

Staff Present: Evaristo Garcia Assistant City Attorney

Edgar Garcia Planning Director
Luis Mora Deputy Director

Berenice Gonzalez Planner III
Jose De La Garza Planner III

Juan Martinez Development Coordinator Claudia Mariscal Administrative Secretary

CALL TO ORDER - Pepe Cabeza de Vaca, Chairperson

PLEDGE OF ALLEGIANCE

INVOCATION- Rogelio Cervantes

1) **SUBDIVISIONS**:

a) JR Frontera Subdivision; 1701 Frontera Road- John Rodriguez (Final) (Tabled 2/18/2020) (Remained Tabled 3/3/2020) (SUB2020-0004) UIG

Ms. Gonzalez informed the board that this item would remain tabled because staff has not received any new submittals.

No Action required.

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

Ms. Gonzalez stated that this property is located at 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. 800 ft. Block Length 600 ft. Maximum Cul-de-Sac ROW of 20 ft. with paving of 16 ft. for an alley/service drive easement required for commercial properties. Clarify existing easement on the south, prior to final. Plat submitted on February 20, 2020 shows adjacent tracts south and east owned by the City. Front setbacks were 50 ft. or greater for approved site plan or easements. Rear: In accordance with the Zoning Ordinance, or greater for easements

or approved site plan. Interior side setbacks were in accordance with the Zoning Ordinance or greater for easements or approved site plan. Garage Revise Note #1 on plat submitted February 20, 2020 since garage setbacks do not apply for commercial properties. All setbacks are subject to increase for easements or approved site plan. A 5 ft. wide minimum sidewalk required on S. 23rd Street. Perimeter sidewalks must be built or money escrowed if not built at this time6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial. An 8 ft. masonry wall required between single-family residential and commercial, industrial, or multifamily residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. 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 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. Minimum lot width and lot area. Trip Generation to determine if TIA is required, prior to final plat. Traffic Impact Analysis (TIA) required prior to final plat. Remove reference to garage setback Engineer submitted a variance requesting a curb cut along S. 23rd Street

Staff recommends subdivision was approved in final form, subject to conditions noted at the meeting held March 10, 2020.

After a brief discussion, Mr. Michael Fallek moved to approve based on staff recommendation with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with three members present and voting.

At this time, Mr. Hovar and Mr. Kamel arrived to the meeting.

c) Reynolds Estates Subdivision; 4600 North 29th Street- Reynolds Estates LLC (Preliminary) (SUB2020-0011) AEC

Ms. Gonzalez stated that the property was located on Buddy Owens Blvd. (Mile 3 Rd. - FM 1924): Proposed 10 ft. dedication for 60 ft. from centerline with 65 ft. of paving and curb & gutter to be done by the state. Plat showed 10 ft. dedication, show centerline to verify dedication required prior to final. Use a parenthesis for Mile 3 Rd. - FM 1924 N. 29th Street (Rooth Road): Proposed 10 ft. dedication for 50 ft. from centerline Paving: 65 ft. Curb & gutter: Both sides Label centerline on plat and show how much ROW exists at various points on both sides to finalize dedication. Once information was provided we will finalize any additional ROW dedication. Rooth Road should be in parenthesis and reference N. 29th Street, instead of 29th Street currently shown. North/south Interior street: Plat references 60 ft. ROW between Lots 6 and 7 from Highland Oaks which is not a recorded plat yet. Highland Oaks shows this street to be private, clarify prior to final to address street requirements. Paving: 40 ft. Curb & gutter: Both sides ROW: 20 ft. Paving: 16 ft. Alley/service drive easement required for commercial properties Plat submitted February 20, 2020 needed to be revised to provide for alley or private service drive. Alley cannot dead end if a private service drive

was proposed; it cannot dead end and should have a 24 ft. pavement width with turnaround as needed. A 16 ft. Alley/service drive easement required for commercial properties Plat submitted February 20, 2020 needed to be revised to provide for alley or private service drive. Alley cannot dead end if a private service drive was proposed; it cannot dead end and should have a 24 ft. pavement width with turnaround as needed. Setbacks on: Buddy Owens Blvd. (Mile 3 Road - FM 1924) 60 ft. or greater for easements or approved site plan N. 29th Street (Rooth Rd.) - 50 ft. or greater for easements or approved site plan. Revise Note #3 accordingly. Rear: Plat shows proposed 50 ft. rear setback, however plat submitted reflects a total of 113 ft. of different easements, need to clarify. Interior Sides: In accordance with the zoning ordinance or greater for easements or approved site plan. Revise sides as noted above. Corner setbacks for Lots 6 & 7 were 10 ft. or greater for easements or approved site plan Final plat will reflect street name once established. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on N. 29th Street, Buddy Owens Blvd and both sides of interior street. Sidewalk along Buddy Owens Blvd. may increase to 5 ft. per Engineering requirement. 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. Note needed on plat as shown above. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses Note needed on plat as shown above Perimeter buffers must be built at time of Subdivision Improvements. Must comply with City's Access Management Policy. Highland Oaks Subdivision was approved as a private development with N. 27th Street being a private street. Clarify prior to final. Site plan must be approved by the Planning and other Development Departments prior to building permit issuance. Common Areas, private service drives 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., between the lots. Is there intent to share common parking, landscaping, access, etc.? Who will be responsible for maintenance? Need to clarify so we can establish proper notes. 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 Does Lot 10 include a drainage easement, or was it proposed to be a common area? Need to be labeled on plat accordingly. Remove design and label it as easement or identify it with a lot number Existing: I-2 Proposed: I-2. Trip Generation to determine if TIA is required, prior to final plat. Per Traffic Department needs to submit Trip Generation to determine if a TIA will be required. Traffic Impact Analysis (TIA) required prior to final plat. Remove any references to "proposed" easements or ROW, simply reference "by this plat" N. 27th St. is a private street as part of proposed Highland Oaks Subdivision. Need to clarify. Plat should show legal descriptions in all directions. The north side references lots and subdivision that has not been recorded which may need to be revised depending on which plat was recorded first. Revise vicinity map to show subdivision boundaries. Subdivision was approved in preliminary form at the special P&Z meeting held on March 10, 2020, subject to conditions noted and Utility and Drainage approvals

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

Chairperson Pepe Cabeza de Vaca asked about the zoning for the ten lots, which are zoned as Industrial, Ms. Gonzalez explained that they have not received any applications to rezone the area.

Chairperson Pepe Cabeza de Vaca asked what the buffer requirements are for industrial adjacent to residential. Ms. Gonzalez explained that it was HP masonry wall, the engineer for commercial development will responsible for the wall for regarding required between Highland Oaks and this development. Chairperson Pepe Cabeza de Vaca inquired if there will still be an alley where the wall was. Ms. Gonzalez confirmed. Mr. Fallek asked about the variance request noted, but Ms. Gonzalez explained that it would the setbacks since the plat is requesting 50 however the plats shows 113 if we add up different easements that the engineer is showing an there was an 80 foot transmission setback on the plat. Mr. Fallek asked if we have a request for the variance, to which Ms. Gonzalez informed Mr. Fallek that we did not have one. Mr. Fallek asked to remove that from the presentation and to make it the Northeast corner instead of the Northwest.

After a brief discussion, Mr. Michael Fallek moved to approve without the variance based on staff recommendation with conditions noted. Mr. Jose Saldana seconded the motion, which was approved with five members present and voting.

d) Genesis 2nd Subdivision; 4701 North Ware Road- Carl & Sherri Rowland (Preliminary) (SUB2020-0014) TE&M

Mr. De La Garza stated that this property was located on North Ware Road had 15 ft. ROW dedication required for 75 ft. from centerline for 150 ft. ROW with paving by the state curb & gutter to be done by the state. North 38th Street had 50 ft. ROW with 32 ft. of paving curb & gutter on both sides. Must escrow monies if improvements are not built prior to recording. 800 ft. Block Length. 600 ft. Maximum Cul-de-Sac ROW of 20 ft. with paving of 16 ft. for an alley/service drive easement required for commercial properties. Front setbacks were 75 ft. or greater for easements or approved site plan. Add note to plat as noted above prior to final. Rear: In accordance with Zoning Ordinance, or greater for easements or approved site plan. Side setbacks were in accordance with Zoning Ordinance, or greater for easements or approved site plan. Add note to plat as noted above prior to final. All setbacks are subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required along North 38th Street 5 ft. wide minimum sidewalk required on N. Ware Road (as per Engineering Dept.) and Note must be added to plat 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 38th Street. Note must be added to plat prior to final. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multifamily residential zones/uses. Add note to plat as noted above prior to final. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage permitted along North 38th Street. Add note to plat prior to final. Site plan must be approved by the Planning Department and other development departments prior to building permit issuance. Common areas and any private service drives must be maintained by the lot owners and not the City of McAllen. Common areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. must be maintained by the owners and not the City of McAllen. Add note to plat as noted above. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. 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. 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, must submit Trip of Generation to determine if a TIA will be required prior to final. 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 and throat length requirements for drives on site plan.

Staff recommended approval in preliminary form subject to conditions to conditions noted, utilities and drainage approval.

After a brief discussion, Mr. Jose Saldana moved to approve based on staff recommendation with conditions noted. Mr. Rogelio Cervantes seconded the motion, which was approved with five members present and voting.

2) **DISCUSSION**:

a) Consideration and Possible Approval on Ordinance Exempting Restaurants From Certain ECOD Requirements

Mr. Edgar Garcia, Planning Director, stated that there was no action required because the item would be returned for meeting April 7, 2020.

There being no further business to come before the Planning & Zoning Commission, Mr. Gabriel Kamel adjourned the meeting at 3:48p.m. Mr. Michael Hovar seconded the motion, which carried unanimously with seven members present and voting.

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

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: March 25, 2020

SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A-

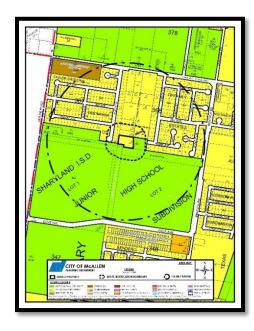
O (AGRICULTURAL-OPEN SPACE) DISTRICT: AN IRREGULAR TRACT IF LAND BEING TH WEST 315 FT. OF THE EAST 530 FT. OF THE SOUTH 199.27 FT. (1.035 ACRES) OUR OF LOT 368, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6001 NORTH

WELL SPRING ROAD (REZ2020-0004)

<u>LOCATION</u>: The property is located on the west side of North Well Spring Road, approximately 1,135 ft. south of Lark Avenue. The lot has 199.27 ft. along North Well Spring Road and a depth of 240.55 ft. for a total area of 45,118.27 sq. ft., or 1.035 acres.

<u>PROPOSAL</u>: The applicant is proposing to rezone the property to A-O (Agricultural-Open space) District in order to build a barn to accommodate steers for the applicant's son who participates in FFA (Future Farmers of America) activities. The applicant is also planning to store construction equipment in this barn.

<u>ADJACENT ZONING</u>: The adjacent zoning is R-1 (single family residential) District to the north and west, and A-O to the east and south.





<u>LAND USE</u>: The subject property is vacant. Surrounding land uses are agricultural open space, Sharyland ISD Junior High School, and single family residences.

<u>COMPREHENSIVE PLAN</u>: The Foresight McAllen Comprehensive Plan designates the future land use as Auto Urban Residential and Estate Residential.

DEVELOPMENT TRENDS:

The development trend for this area along Lark Avenue is single family residential uses. The property was initially zoned A-O District upon annexation in 1999. Lark Avenue is designated as a minor arterial with 100 ft. of right-of-way and currently has varying right-of-way and is considered as a rural local street with two travel lanes and no shoulders. In 2015, this property along with ten other parcels were rezoned to R-1 as part of the City Initiated A-O Zoning Project. The applicant did not own this property at the time.

<u>ANALYSIS:</u> The requested zoning does not conform to the Auto Urban Residential and Estate Residential land use designation indicated on the Foresight McAllen Comprehensive Plan.

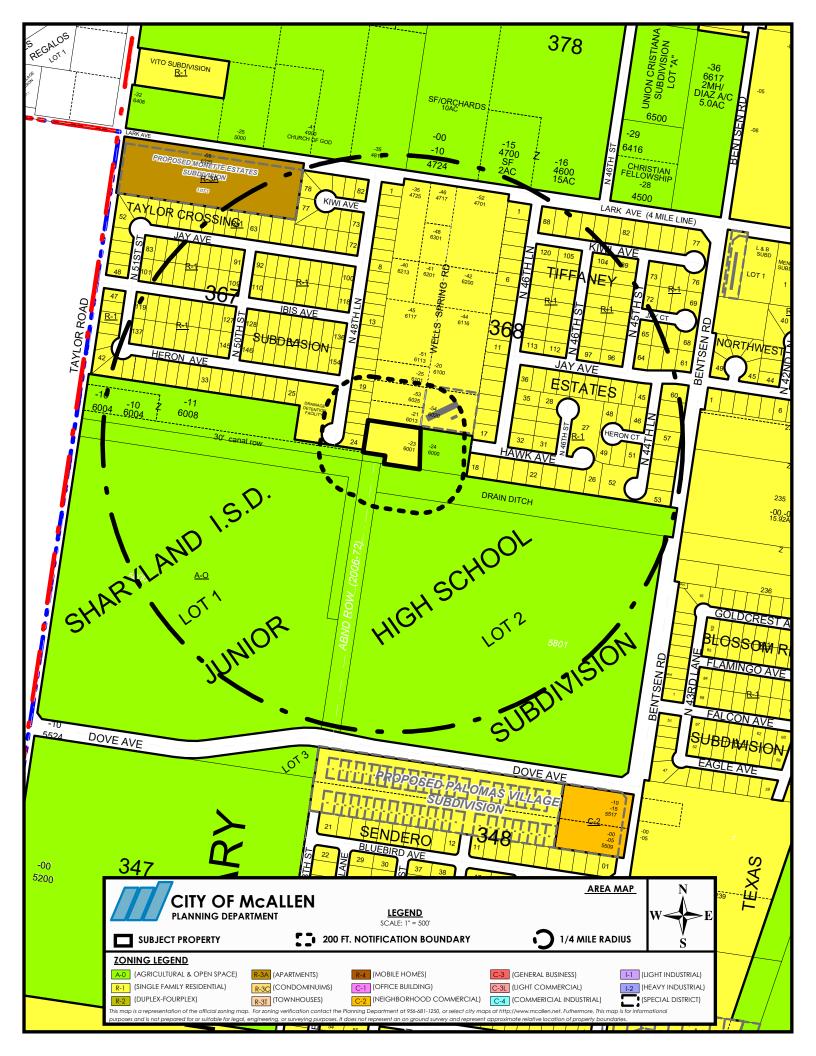
This property, in addition to ten other parcels were rezoned R-1 in 2015as part of the City initiated AO Project. The applicant is wishing to down zone to A-O for the purpose of raising steers for his son.

Animal Control has indicated only one steer will be allowed per acre, due to the surrounding zoning of this property being residential; and as an effort to avoid complaints from the residents regarding smell, and any other issues that may arise.

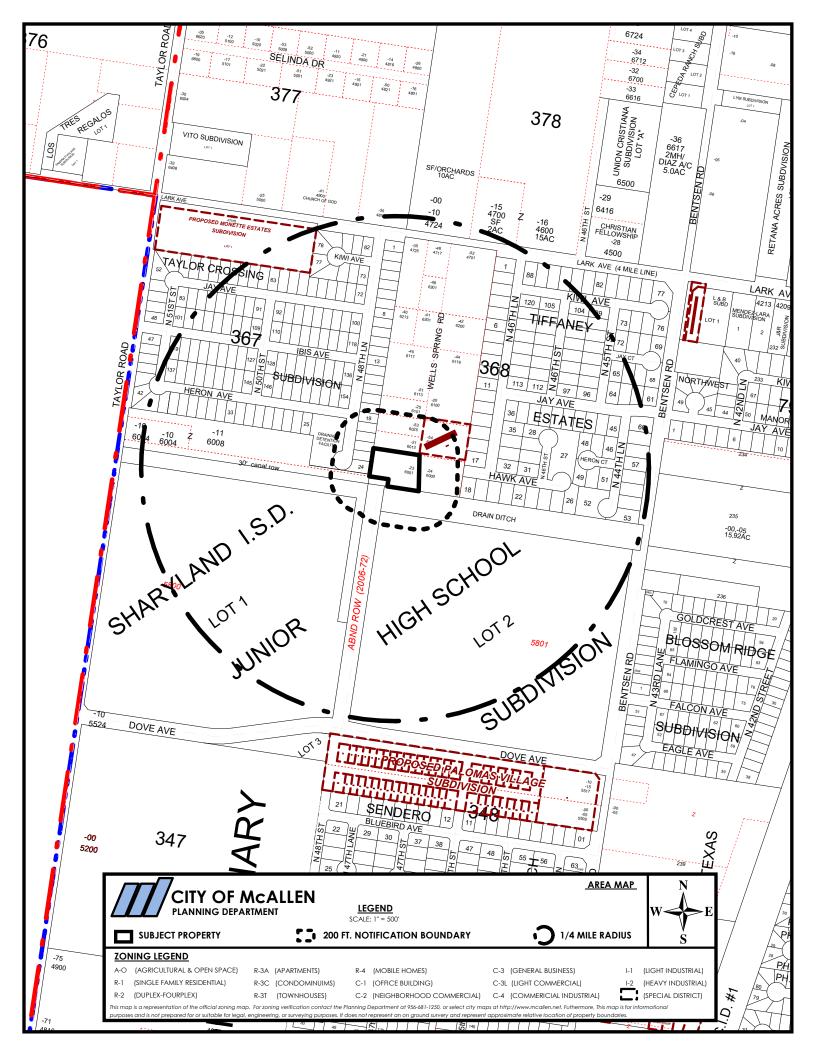
The applicant has been informed that no permits will be issued until the property is subdivided. The applicant has submitted a site plan showing the location of the proposed barn.

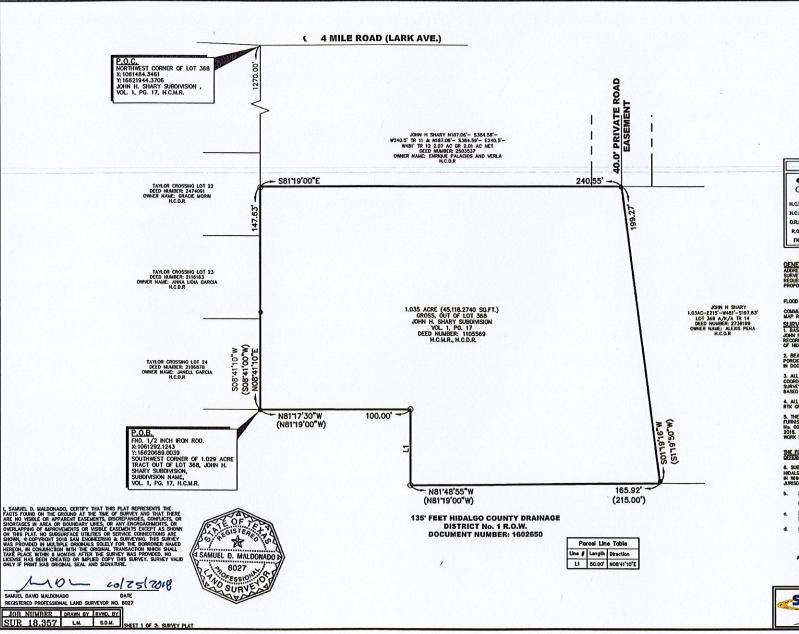
Staff has not received any calls or emails in opposition.

<u>RECOMMENDATION:</u> Staff recommends approval of the A-O rezoning request.











LEGEND

- FND. 1/2" IRON ROD

H.C.M.R. - HIDALGO COUNTY MAP RECORDS

H.C.D.R. - HIDALGO COUNTY DEED RECORDS

O.R.H.C. - OFFICIAL RECORDS OF HIDALGO COUNT

R.O.W. - RIGHT OF WAY

FND. - FOUND

CENERAL NOTES:
ADDRESS: 6001 WELL SPRINGS RD. MCALLEN, TX 78504.
SURWYENG: OCTOBER 17, 2018.
REQUESTED BY: NURSA CERMAN
PROPOSED BORROWER: NURSA CAROLINA CERMAN AND
AMADO SANTIAGO GERMAN.

FLOOD ZONE DESIGNATION: "ZONE C" - AREAS OF MINIMAL FLOODING.

COMMUNITY-PANEL HUMBER: 480334 0400 C MAP REVISED: HOVEMBER 18, 1982.

MAP REVISEDENTOVEMER 18, 1982.
SURVEY NOTIES.

1. BASIS OF BEARMS THE NORTH LINE OF A 1.035 ACRE, OUT OF LOT 368, 30HH IS JAKEY SUBDIVISION OF PORCIONES 58, 59 AND 60, AS PER DEED RECORDS, THEREOF RECORDED BI DOCUMENT NUMBER 1105599, DEED RECORDS OF HOLIOS COUNTY, TEXAS.

BEARINGS SHOWN ARE BASED ON JOHN H. SHARY SUBDIVISION OF PORCIONES 38, 59 AND 60, AS PER THE DEED RECORDS THEREOF RECORDED IN DOCUMENT MANBER 1105569, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

3. ALL COORDINATES, BEARINGS, AND DISTANCES, ARE BASED ON THE TEXAS COORDINATE SYSTEM, (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, US SURVEY FEET, GRID. BEARINGS AND DISTANCES SHOWN IN PARENTHESIS ARE BASED ON RECORDED DOCUMENT.

4. ALL HORIZONTAL CONTROL ON THIS PROJECT WAS ESTABLISHED UTILIZING RTK GPS METHODS.

5. THE SURVEYOR DID NOT PREPARE AN ABSTRACT OF TITLE. TITLE WORK WAS FURNISHED BY SERRA TITLE INSURANCE GUARANTY OWNEAVY, INC., UNDER OF NO. 0003178907, AND TITLE COMMITMENT DATED EFFECTIVE COTOGER 1, 2018. SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE TITLE WORK FURNISHED.

THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

8. SUBJECT TO THE SUBDIVISION RULES AND REQULATIONS OF THE COUNTY OF HIDALDO AND/OR ORDINANCES OR GOVERNMENTAL REQULATIONS OF THE CITY IN MINCH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION OF SAID PROPERTY.

- EASEMENTS AND CONDITIONS AS SHOWN ON THE MAP OR PLAT THEREOF, FILED FOR RECORD IN VOLUME 1, PAGE 17, MAP RECORDS HIDALOO COUNTY, TEXAS.
- EASEMENTS, RIGHTS, RULES AND REGULATIONS IN FAVOR OF UNITED IRRIGATION DISTRICT.
- EASEMENTS OR CLAIMS OF EASEMENTS WHICH ARE NOT A PART OF THE PUBLIC RECORD.

PLAT SHOWING

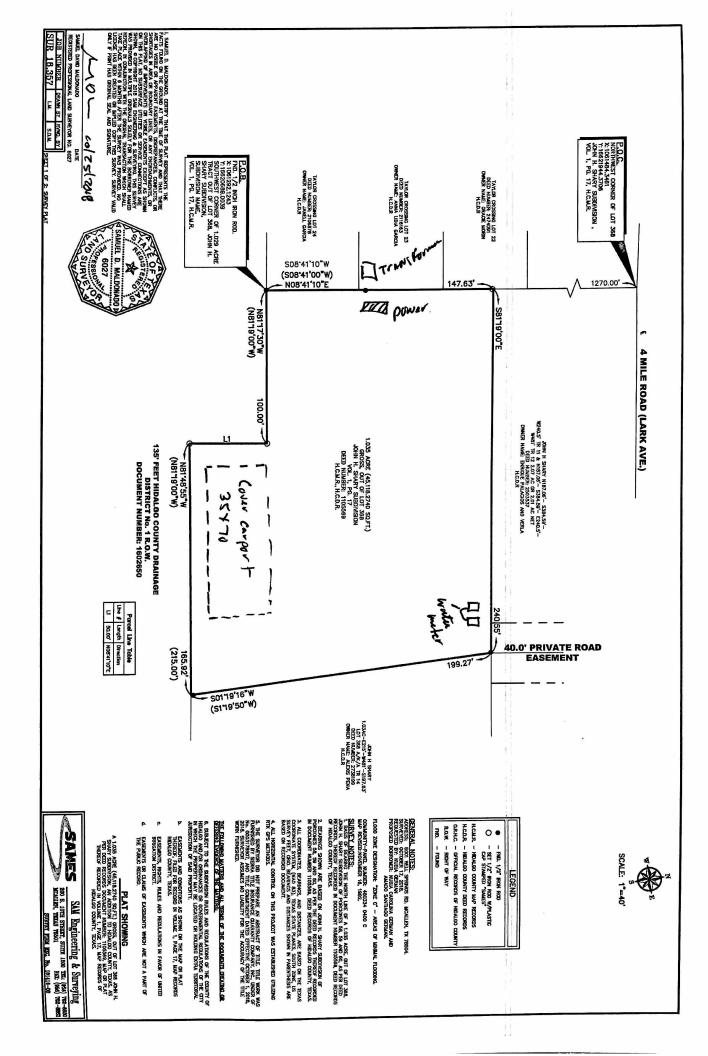
A 1.035 ACRE (45,118,274 SOFT.) GROSS, OUT OF LOT 388 JOHN H. SHARY SUBDIVISION, AM ADDITION TO HIDALGO COUNTY, TEXAS, AS PER DEED RECORDS DOCUMENT NUMBER; 1005589, MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS OF HIDALGO COUNTY, TEXAS.



SAM Engineering & Surveying

200 S. 10TH STREET, SUITE 1500 TEL: (956) 702-888 MCALLEN, TEXAS 78501 PAT: (958) 702-888 SURVEY FIRM REG. No. 101416-00





Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

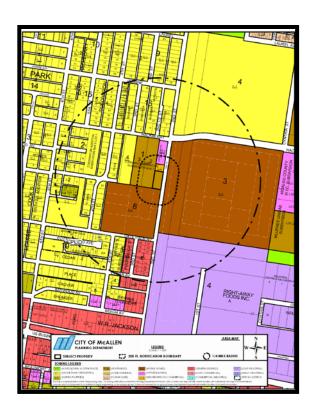
DATE: March 20, 2020

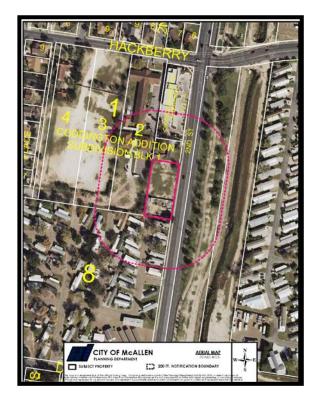
SUBJECT: REZONE FROM R-3A (MULTIFAMILY APARTMENT) DISTRICT TO C-3

(GENERAL BUSINESS) DISTRICT: THE SOUTH 230 FT (0.58 ACRE) OUT OF LOT 1, BLOCK 1, CODDINGTON ADDITION SUBDIVISION, HIDALGO

COUNTY, TEXAS; 601 N 2ND STREET. (REZ2020-0005)

<u>LOCATION</u>: The property is located on the west side of North 2nd street, approximately 400 ft. south of Hackberry Avenue. The subject property is a rectangular shaped tract with 230 ft. of frontage along North 2nd street, and a lot depth of 110.68 ft. at its deepest point for a tract size of 0.58 acre.





<u>PROPOSAL</u>: After clarifying the proposed land use, the applicant is proposing to rezone the property to C-3 (general business) District in order to build an Office/Retail plaza. A feasibility plan has not been submitted to the Planning Department.

<u>ADJACENT ZONING</u>: The subject property is currently zoned R-3A (multifamily residential apartment) District. The adjacent zoning is C-2 (neighborhood commercial) District to the north, R-3A (multifamily residential apartment) to the west and R4 (mobile home) District to the east and south.

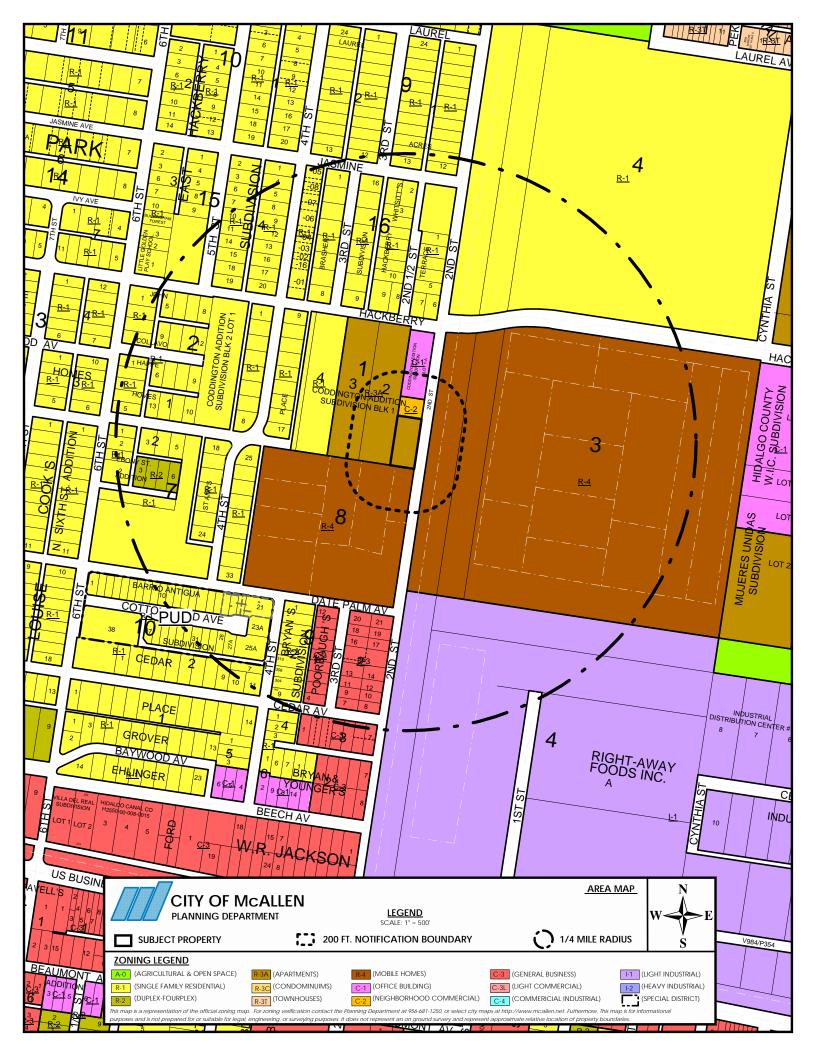
<u>LAND USE</u>: The property is currently vacant. Surrounding land uses include, a vacant building that previously housed the respite center and Colonial Manor Apartments, a residential house, Baldwin Mobile Home Manor, Paradise Park Inc. (Mobile Homes), an office retail plaza (Isavela Enterprises) and vacant land.

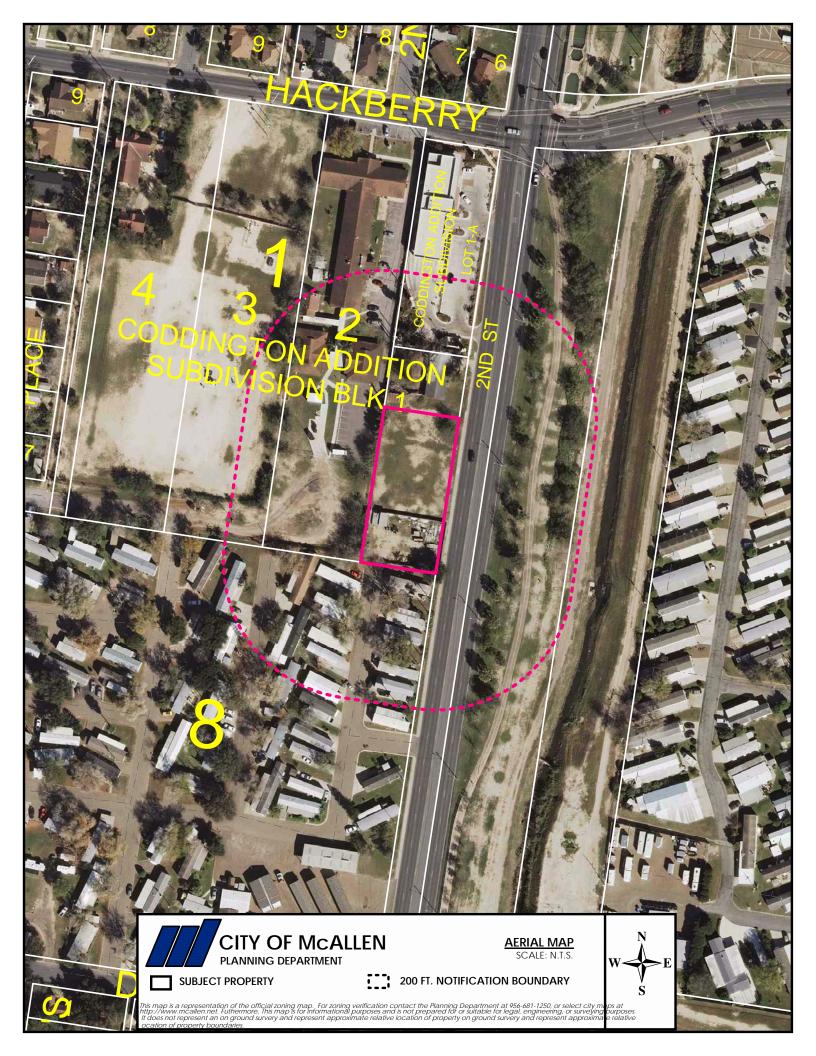
<u>COMPREHENSIVE PLAN</u>: The Foresight McAllen Comprehensive Plan designates the future land use as Auto Urban Single Family, which is comparable to the R-1 (single family residential) District.

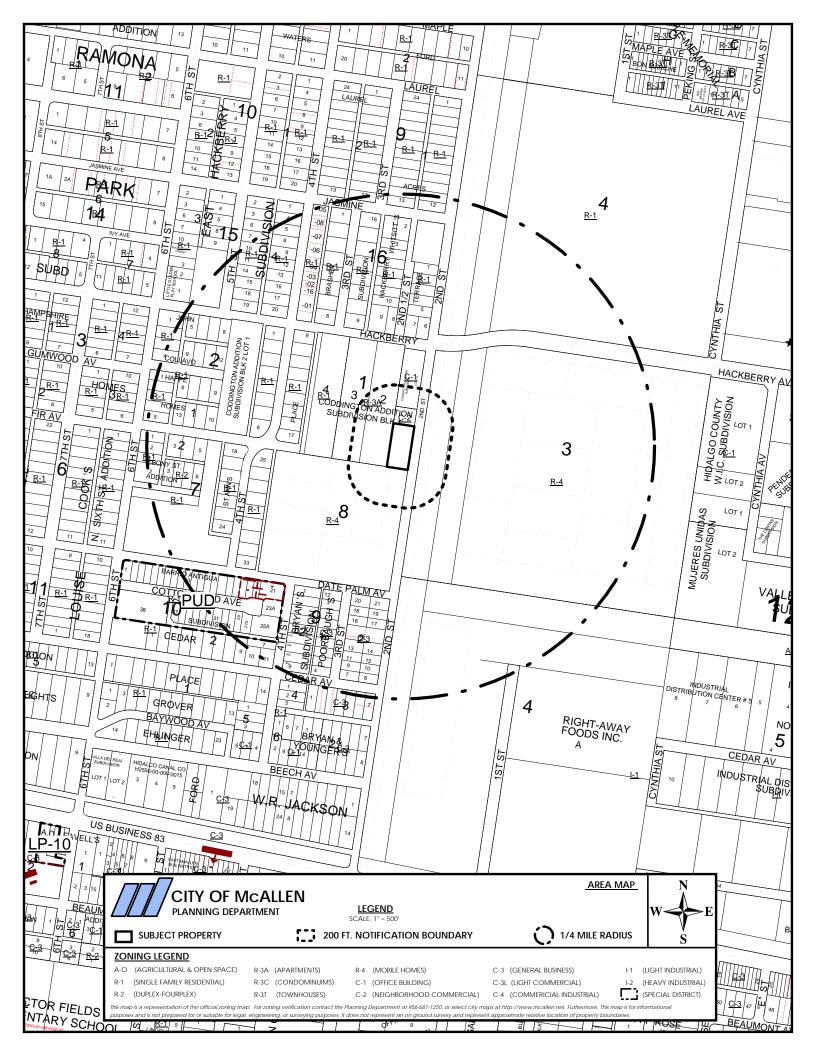
<u>DEVELOPMENT TRENDS</u>: The development trend along this area is C-2 (neighborhood commercial) District to the north of the subject property, which was zoned from R-3A to C-2 in 1993, and residential zones/uses to the east, south and west. South of Hackberry Avenue, a tract of land was zoned C-2 in 1979 as part of the comprehensive zoning and later rezoned to C-1(office building) District in 2016. There has not been any rezoning request in the area since that time.

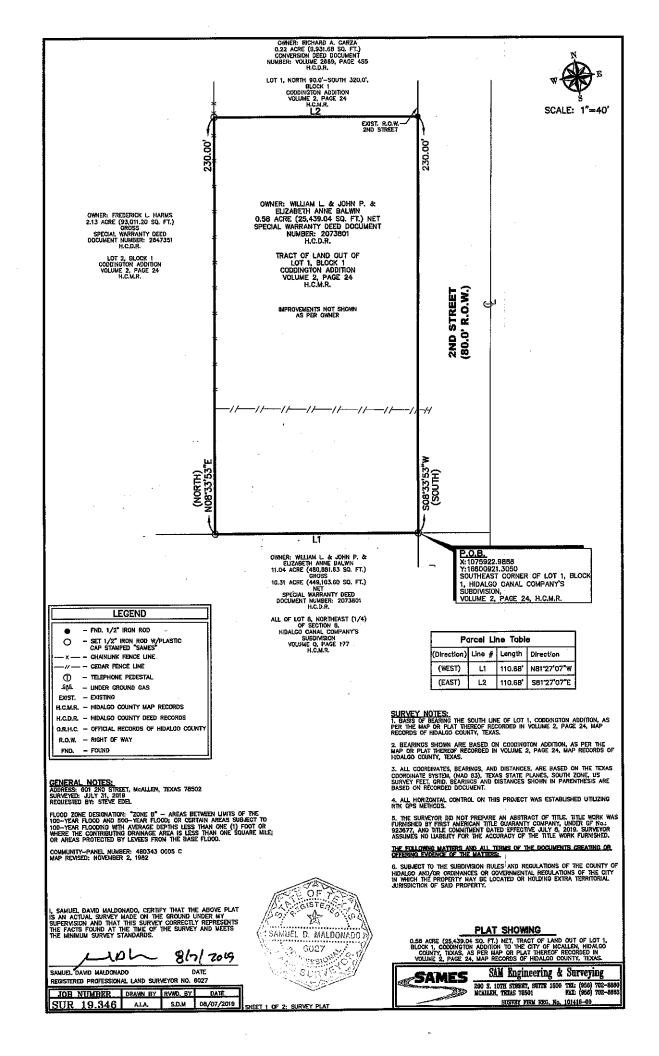
<u>ANALYSIS</u>: The requested zoning does not conform to the Auto Urban Single Family land use designation for the property as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is not consistent with rezoning and commercial development trends for this area. The nearest C-3 District is located 680 ft. south of the subject property. The proposed land use is office/ retail, which are permitted uses in the C-3 District.

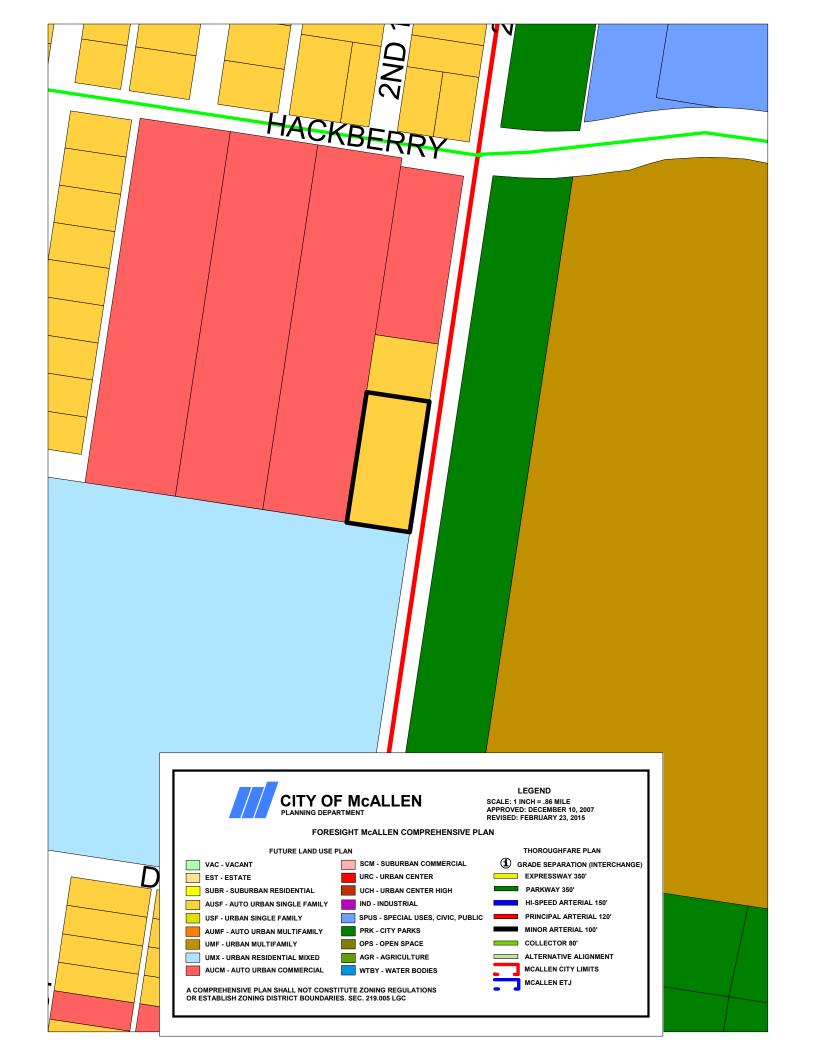
RECOMMENDATION: Staff recommends disapproval of the rezoning request to C-3 (general business) District; however, alternatively recommends approval of the C-2 (neighborhood commercial) District.













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

April 2, 2020

Fred Harms 3700 North 10th Street, #101 McAllen, TX 78701

RE: REZONE FROM R-3A (MULTIFAMILY APARTMENT) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: THE SOUTH 230 FT (0.58 ACRE) OUT OF LOT 1, BLOCK 1, CODDINGTON ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 601 N 2ND STREET. (REZ2020-0005)

Dear Mr. Harms:

This letter is to acknowledge your submittal of application for zoning change. Please be aware that the Staff recommendation supports disapproval of the rezoning request to C-3 (General Business) District but alternatively recommends approval of rezoning to C-2 (Neighborhood Commercial) 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 <u>April 7, 2020</u>. 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 April 13, 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



Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 2, 2020

SUBJECT: REZONE FROM C-1 (OFFICE BUILDING) DISTRICT TO R-3A (MULTIFAMILY

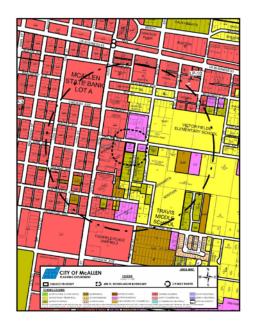
RESIDENTIAL APARTMENTS) DISTRICT: THE NORTH ½ OF LOT 18 AND ALL OF LOTS 19 & 20, WALDRON'S SUBDIVISION, HIDALGO COUNTY,

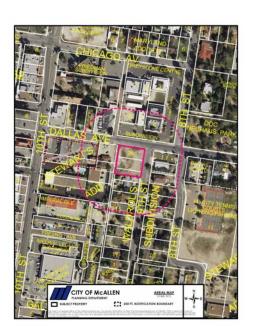
TEXAS; 408 SOUTH 9TH STREET. (REZ2020-0006)

<u>LOCATION</u>: The property is located at the southwest corner of Dallas Avenue and South 9th Street. The tract comprises two and one half lots and has frontage of 152.75 ft. along South 9th Street and a depth of 139 ft. for a total area of 21,232.25 sq. ft. or 0.487 acres.

<u>PROPOSAL</u>: The applicant is proposing to rezone the property to R-3A (multifamily residential apartments) District to construct apartments. A revised feasibility plan has not been submitted.

<u>ADJACENT ZONING</u>: The adjacent zoning is C-3 (general business) District to the west, R-2 (duplex-fourplex residential) District to the south, and C-1 District to the north and east.





<u>LAND USE</u>: The subject property is vacant. Surrounding land uses are J. Saenz Law Firm, Perez Consulting Engineers, NAI Rio Grande Valley, Colors Daycare Center, fourplexes and single family residences.

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

DEVELOPMENT TRENDS:

The development trend for this area along 9th Street is residential. The property was zoned to R-2 (duplex-fourplex residential) District in 1978. A rezoning request for the subject property to C-1 (office building) District was approved by the City Commission in March 25, 2002 but no development occurred.

A rezoning request to the east at 615 Dallas Avenue, from C-1 District to R-3A District was approved by the City Commission on February 24, 2020.

<u>ANALYSIS:</u> The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan.

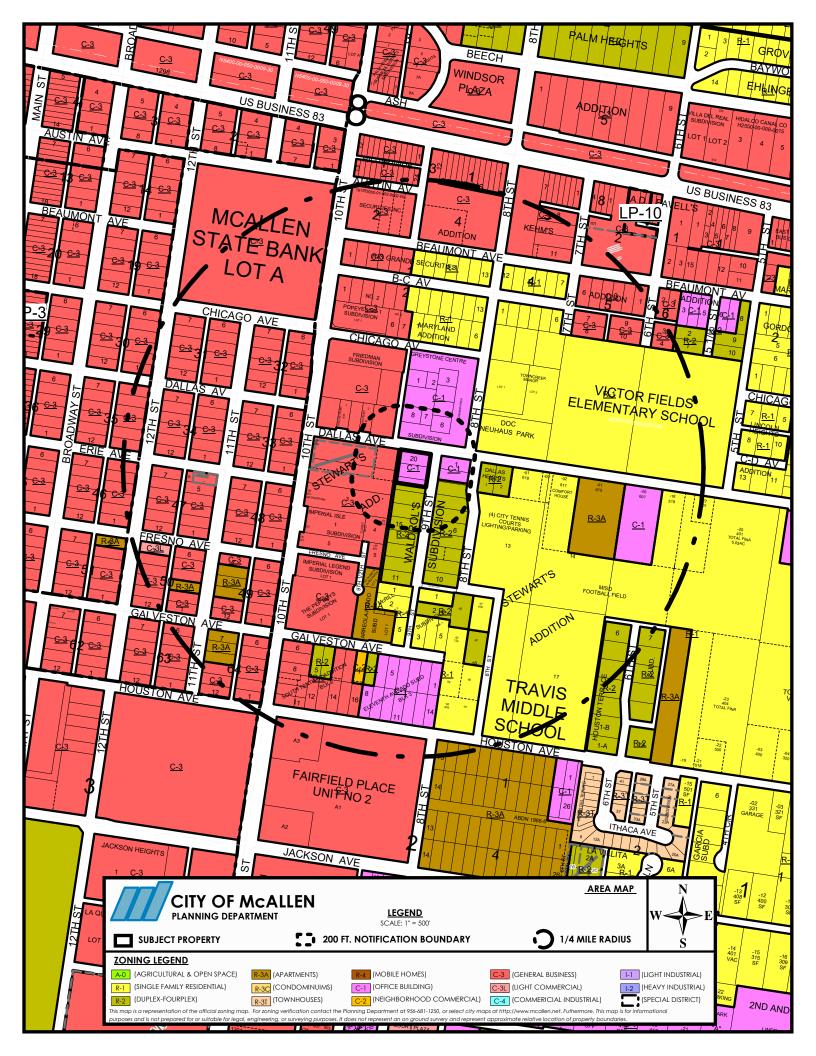
Section 110-49 (a) Vegetation Ordinance requires a masonry screen eight ft. in height where a commercial, industrial or multifamily use has a side or rear property line in common with a single family use or zone. The Vegetation Ordinance allows a cedar fence 8 ft. in height with masonry columns every 10 ft. where the property line in common is 200 ft. or less.

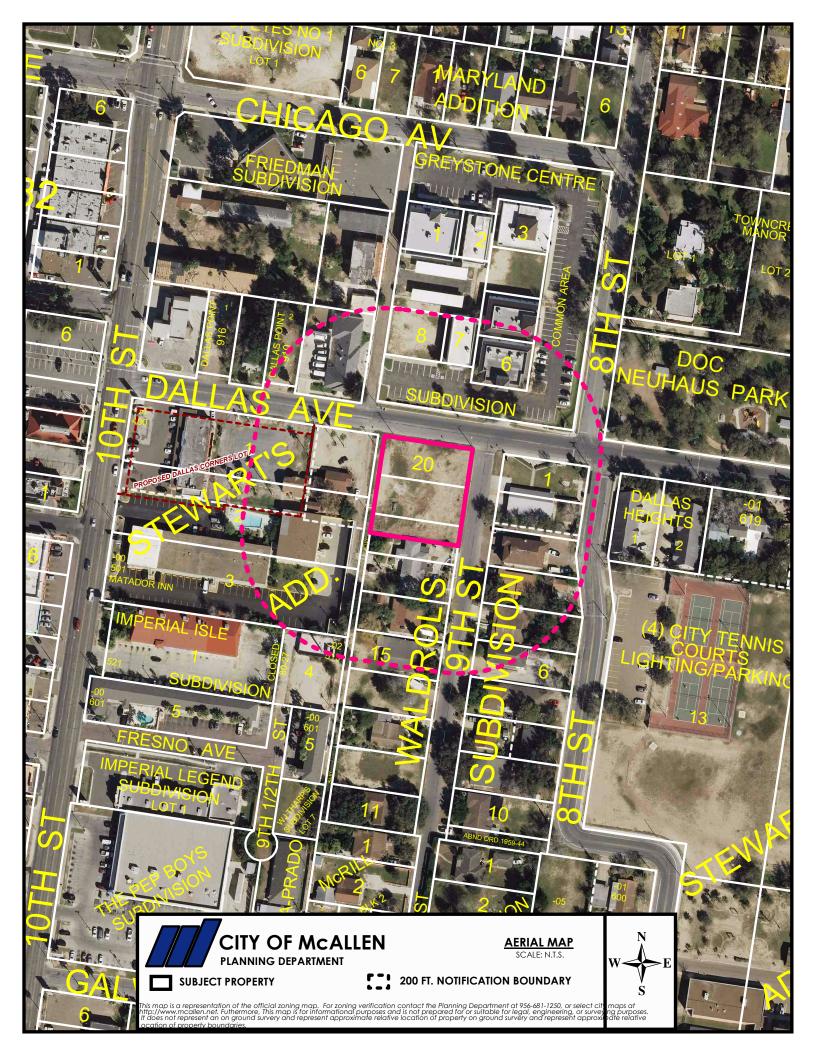
The rezoning request provides opportunities for a variety of housing types throughout the city that responds to the residents' economic and social lifestyles. The proximity of the proposed development to an elementary school are compatible uses since institutional uses locate within residential neighborhoods.

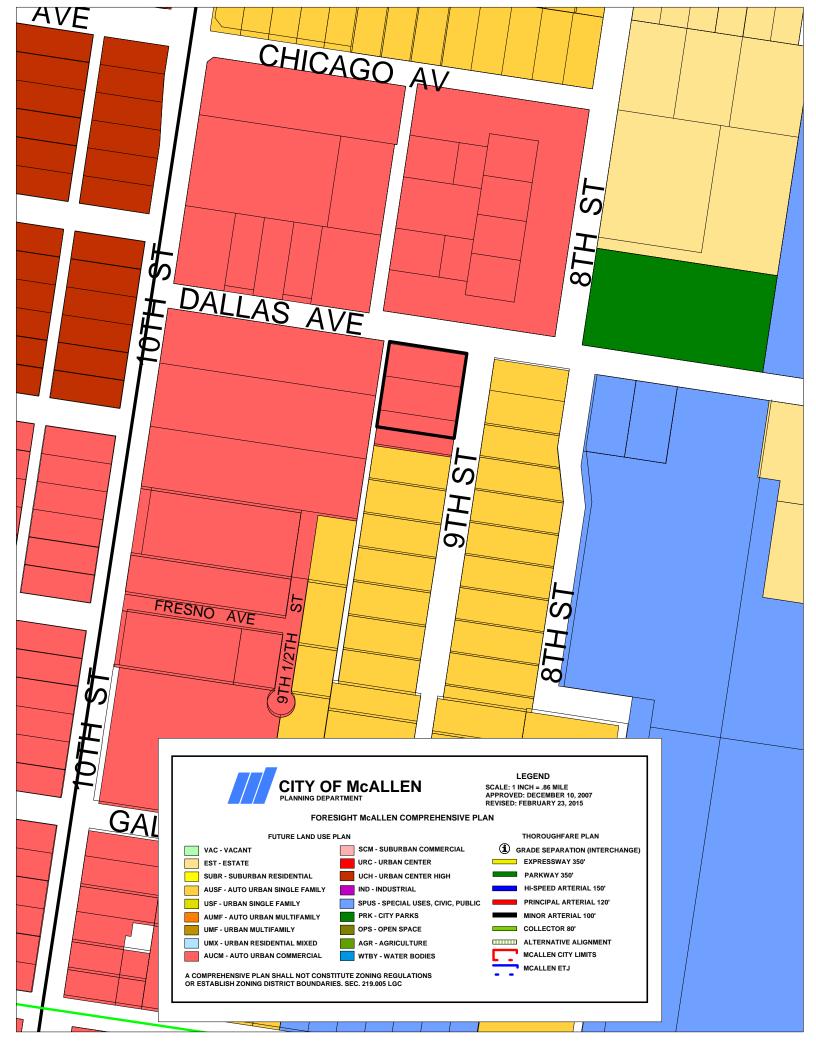
A recorded subdivision plat and approved site plan are required prior to building permit issuance. Required Parkland Dedication or a variance for fees in lieu of parkland dedication comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

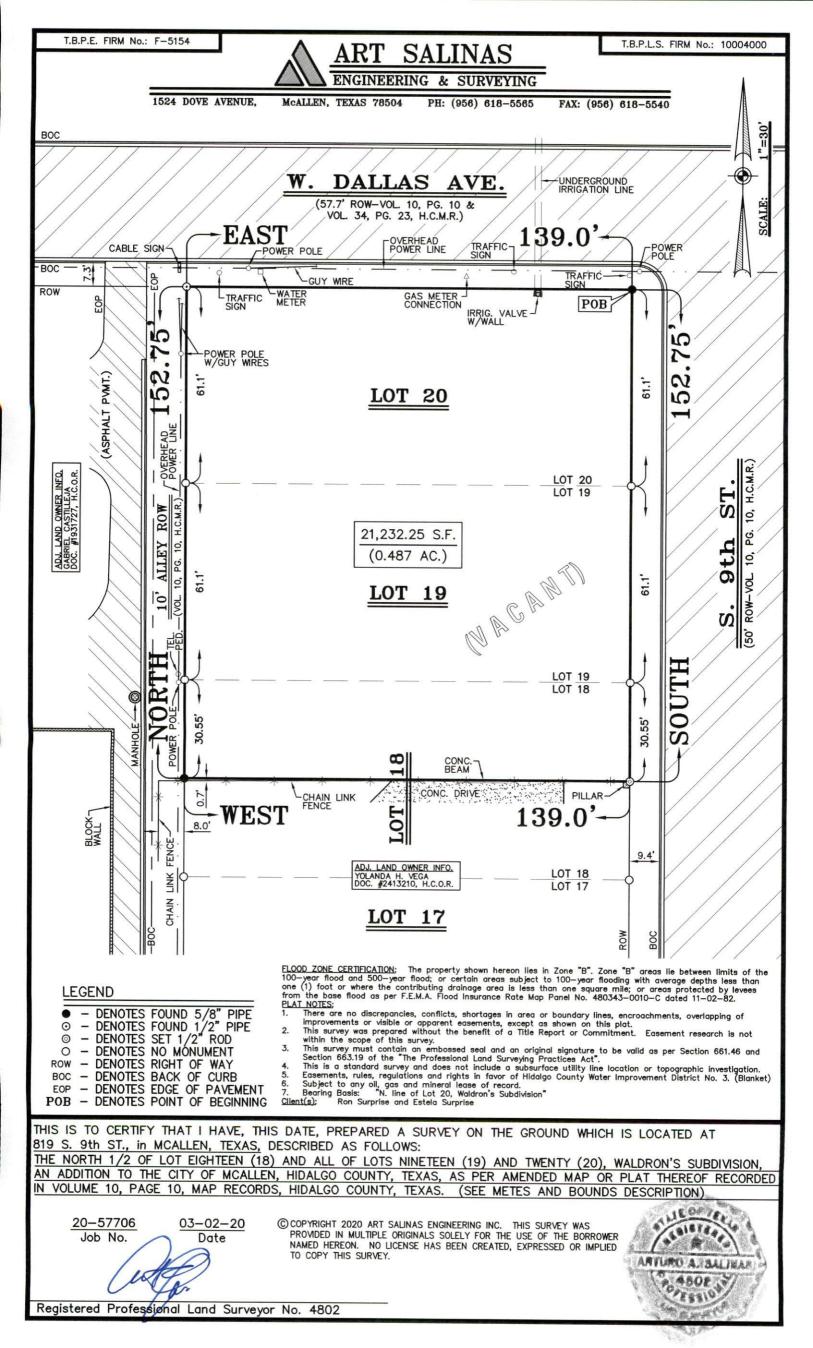
Staff has not received any calls or emails in opposition.

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









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

The North $\frac{1}{2}$ of Lot Eighteen (18), and all of Lots Nineteen (19) and Twenty (20), Waldron's Subdivision, an addition to the City of McAllen, Hidalgo County, Texas, as per amended map or plat thereof recorded in Volume 10, Page 10, Map Records, Hidalgo County, Texas, said tract of land is more particularly described by metes and bounds as follows:

Commencing at a found 5/8" iron pipe lying in the intersection of the South right of way line of W. Dallas Ave. and the West right of way line of S. 9th St. for the Northeast corner of said Lot 20, the POINT OF BEGINNING and the Northeast corner of this tract;

THENCE, South coincident with the East line of said Lots 20, 19 and 18 and the West right of way line of S. 9th St., a distance of 61.1 feet pass the Southeast corner of said Lot 20 and the Northeast corner of said Lot 19, at 122.2 feet pass the Southeast corner of said Lot 19 and the Northeast corner of said Lot 18, at a total distance of 152.75 feet to a set ½" iron rod for the Southeast corner of this tract;

THENCE, West parallel with the North line of said Lot 18, a distance of 139.0 feet to a found 5/8" iron pipe in the West line of said Lot 18 for the Southwest corner of this tract;

THENCE, North coincident with the West line of said Lots 18, 19 and 20, a distance of 30.55 feet pass the Northwest corner of said Lot 18 and the Southwest corner of said Lot 19, at a distance of 91.65 feet pass the Northwest corner of said Lot 19 and the Southwest corner of said Lot 20, at a total distance of 152.75 feet to a found ½" iron pipe in the South right of way line of W. Dallas Ave. for the Northwest corner of said Lot 20 and the Northwest corner of this tract:

THENCE, East coincident with the North line of said Lot 20 and the South right of way line of W. Dallas Ave., a distance of 139.0 feet to the POINT OF BEGINNING, containing 21,232.25 square feet (0.487 ac.) of land, more or less.

Bearing Basis: "N. line of Lot 20, Waldron's Subdivision"

Job No. 20-57706

Date: 03-02-20

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

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 1, 2020

SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A

(MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT; LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9, PHASE ONE OFFICE PARK SUBDIVISION, HIDALGO COUNTY, TEXAS; 201, 205, 209, 213, 217, 225, 229, 233, AND 221 SOUTH

2ND STREET. (REZ2020-0003)

<u>LOCATION</u>: The property is located on the east side of Col. Rowe Blvd. (S. 2nd St.) approximately 330 ft. south of U.S. Business 83. The tract has a frontage of 446.67 ft. along Hidalgo County Water Improvement District No. 2 Main Canal right-of-way with an access agreement to Col. Rowe Blvd. of 55 ft. in width and a depth of 446.67 ft. for a total area of 3.93 acres.

<u>PROPOSAL</u>: The applicant is proposing to rezone the property to R-3A (multifamily residential apartments) District in order to construct a multifamily housing development of approximately 100 apartment units called Avanti Legacy Valor Heights. A feasibility plan has not been submitted to the Planning Department.

<u>ADJACENT ZONING</u>: The adjacent zoning is C-3 (general business) District to the north and east, R-4 (mobile home and modular home) District to the west and R-1 (single family residential) District also to the north, south, and southeast.





<u>LAND USE</u>: The property is currently vacant. Surrounding land uses included single family residential lots, Mama Mia Pizzeria, East Side Auto Clinic, Scalise & Co Inc., Tru Fit Athletic Club, McAllen Careers Institute, and vacant land.

The property was being used for an underground canal and irrigation district right-of-way.

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

<u>DEVELOPMENT TRENDS:</u> The development trend along the area to the south is single family residential. A large portion of the subject property was zoned R-4 District during comprehensive zoning in May 1979. A small portion of the subject property was zoned C-3 District during comprehensive zoning in May 1979.

A rezoning request for a portion of the subject property to C-1 (office building) District was disapproved by City Commission on November 13, 2000. Alternatively, the Board approved a conditional use permit for a parking facility with sidewalk and landscaping provided as part of the McAllen hike and bike trails plan.

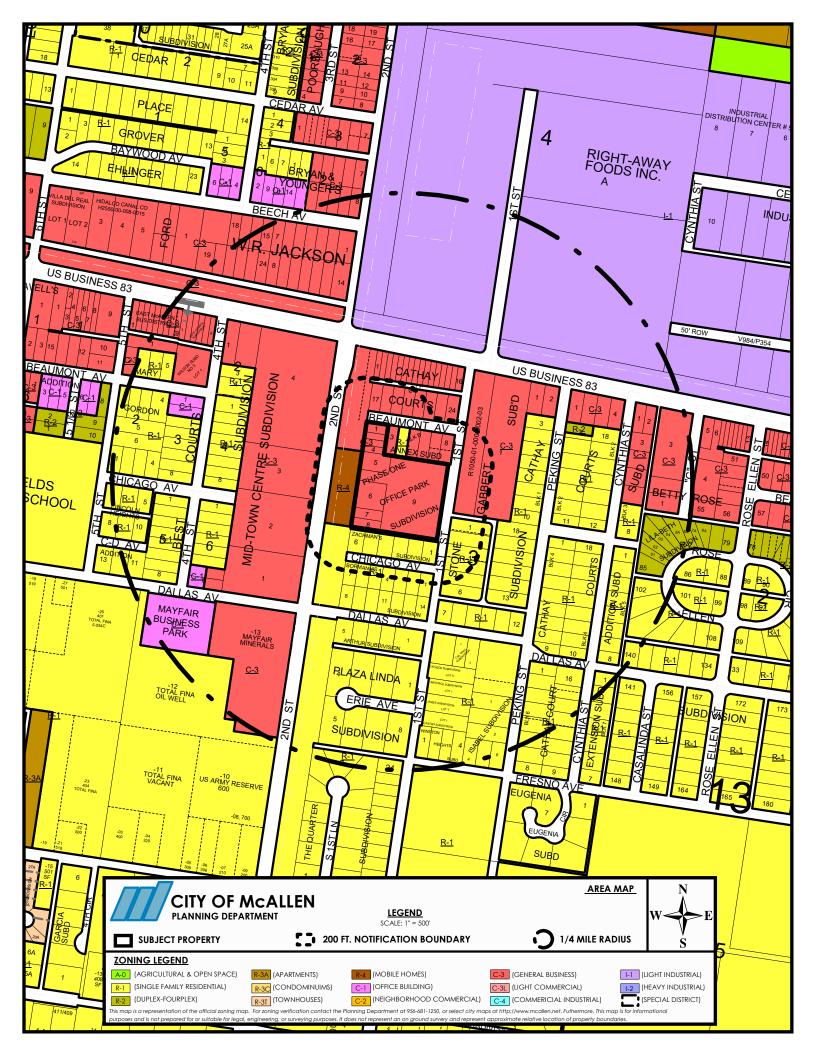
A rezoning request for a portion of the subject property to C-3 District was approved by City Commission on July 14, 2003.

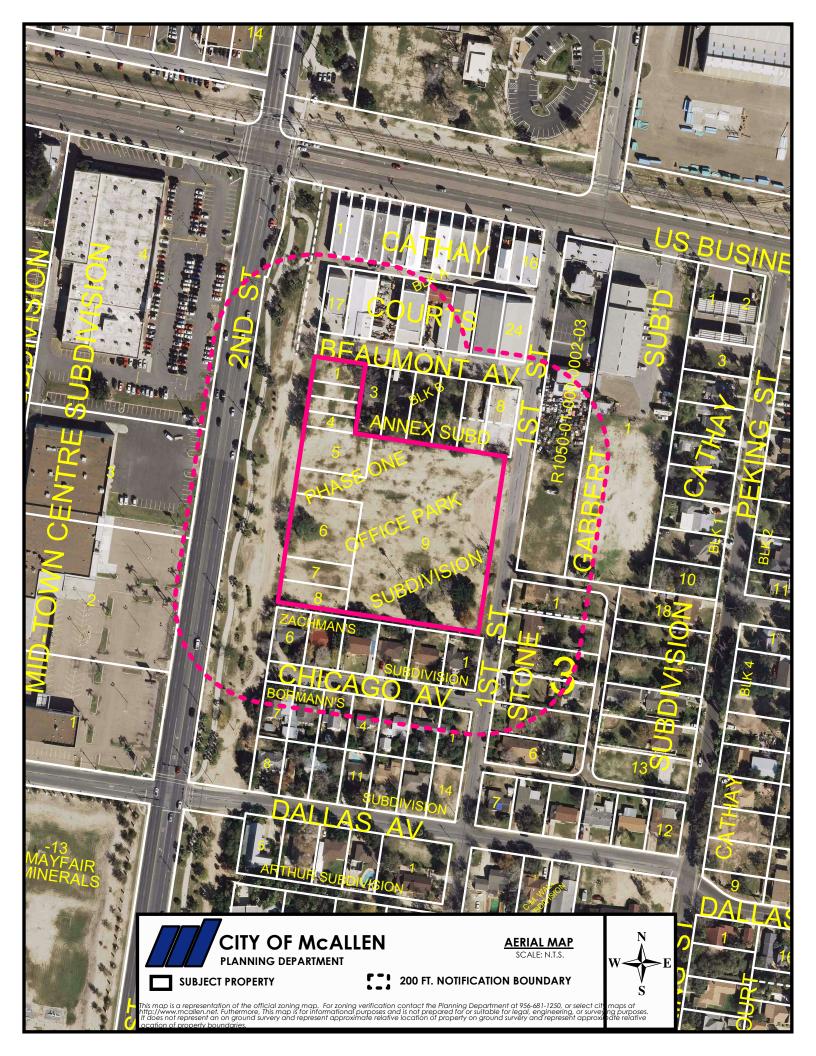
<u>ANALYSIS:</u> The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan.

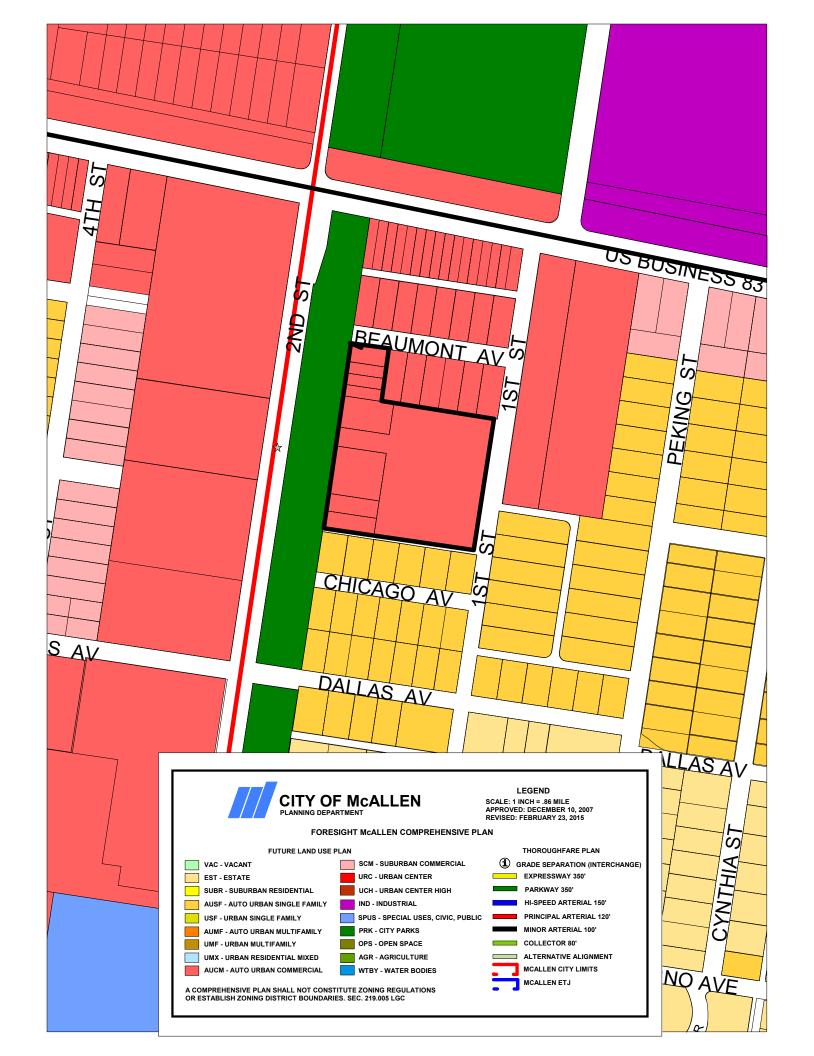
The R-3A District would provide a transition between C-3 District and R-1 District. The lot size of 3.93 acres complies with the minimum lot size requirement for apartments in an R-3A District.

An approved site plan are required prior to building permit issuance.

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









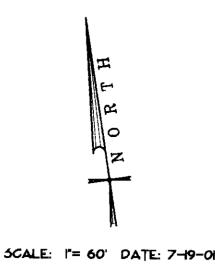
BEAUMOUNT AVENUE N.W. COR. 40' UTILITY EASEMENT RETAINED BY ORDINANCE .2001-40 20' IRRIG! ESMT. BY THIS PLAT CATHAY COURTS ANNEX - YOL, 5, 891, 7, M/8 -5'x100' EASEMENT -10" "MPU EASEM'T (TO BE ABANDONED 10' ADD. R-O-W-L_{15'} UTIL. EASEM'T N.W. COR. LOT 4 STONE GUADINISION VOL 12, PG. 35 M/R EASEM'T" 446.67 ROD 10' ALLEY (ABANDONED BY ORD. • 2001-45) 10' UTIL. ESMT. (RETAINED BY ORD. • 2001-45) ZACHMAN, ADDITION WOL. 11. FG. 45, 11/R

MAP

PHASE ONE OFFICE PARK

MCALLEN, BEING A SUBDIVISION OF LOTS 1 AND 2, BLOCK B, CATHAY COURTS ANNEX, CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 5, PG. 7, MAP RECORDS, AND A PORTION OF LOTS 3 AND 4, RANCHO DE LA FRUTA SUBDIVISION

NO. 1, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 1, PG. 38, MAP RECORDS, AND A PORTION OF 150 FOOT RESERVATION FOR CANAL AND ROAD ADJACENT TO LOT 3, BLOCK 13, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 8, PG. 115, DEED RECORDS, HIDALGO COUNTY, TEXAS. CONTAINING 4.01 ACRES OF LAND, MORE OR LESS.



BEAUMONT AVE

LOCATION MAP PREPARED BY:

FABIAN, NELSON & MEDINA, INC. 320 N ISTH. STREET, MCALLEN, TEXAS SGALE: F= 60' DATE: 7-19-01 PHONE # 682-344

STATE OF TEXAS: COUNTY OF HIDALGO:

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE PHASE ONE OFFICE PARK AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN. A.V.L.L.P.

MICHAEL HARMS BONNIE HARMS

BY: FRED HARMS, GENERAL PARTNER 1918 S. 10th ST. MCALLEN, TEXAS 78503

STATE OF TEXAS: COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ____ABOVE NAMED PERSONS ___, 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 THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE. THIS THE 25th DAY OF cally

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

STATE OF TEXAS: COUNTY OF HIDALGO:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 1590 IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE CROUND.

REGISTERED PROFESSIONAL LAND SURVEYOR

MCALLEN, TEXAS

STATE OF TEXAS: COUNTY OF HIDALGO:

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

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

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No. 2 ON THIS 16th DAY OF

Metes and Bounds

DESCRIPTION OF LOTS 1 AND 2, BLOCK B, CATHAY COURTS ANNEX, CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 5, PG. 7, MAP RECORDS, AND A PORTION OF LOTS 3 AND 4, RANCHO DE LA FRUTA SUBDIVISION NO. 1, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 1, PG. 38, MAP RECORDS, AND A PORTION OF 150 FOOT RESERVATION FOR CANAL AND ROAD ADJACENT TO LOT 3. BLOCK 13, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 8, PG. 115, DEED RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at a point on the East line of Lot 3, Rancho de la Fruta Subdivision No. 1, North 8 Deg. 46 Min. East, 214.18 feet from the Southeast corner of Lot 3, for the Most Southerly N.E. Corner of the following described tract of land; said point being on the West line of South 1st Street, and being the Southeast corner of Lot 8, Block B, Cathay Courts Annex;

THENCE, with the East line of Lots 3 and 4, and the West line of South 1st Street, South 8 Deg. 46 Min. West, at 214.18 feet pass the common East corner between Lots 3 and 4, and at 348.08 feet a point, for the Southeast corner hereof; said point being on the North line of 10 foot abandoned

THENCE, with the North line of said alley, North 81 Deg. 14 Min. West, at 406.67 feet pass the West line of Lot 4, and the East line of said 150 foot reservation, and at 446.67 feet a point on the West line of abandoned 40 foot reservation for road, for the Southwest corner hereof;

THENCE, with the West line of said abandoned road, North 8 Deg. 46 Min. East, 484.83 feet to a point, for the Northwest corner hereof; said point being on the projection of the South line of Beaumont Avenue;

THENCE, with the South line of Beaumont Avenue and its projection, South 81 Deg. 14 Min. East, at 40.0 feet pass the East line of said abandoned road, and the Southwest corner of Beaumont Avenue, and the Northwest corner of Lot 1, Block B, Cathay Courts Annex, and at 140.0 feet the Northeast corner of Lot 2, Block B, Cathay Courts Annex, for the most Northerly Northeast corner hereof;

THENCE, with the East line of said Lot 2, South 8 Deg. 46 Min. West, 136.75 feet to the Southeast corner of Lot 2, for an interior corner hereof;

THENCE, parallel to the South line of Lot 3, Rancho de la Fruta Subdivision No. 1, and with the South line of Lots 3 through 8, Block B, inclusive, South 81 Deg. 14 Min. East, 306.67 feet to the PLACE OF BEGINNING. Containing 4.01 acres of land, more or less.

1. MIN. FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.

2. THIS PROPERTY FALLS IN ZONE " B " OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 480343 0005C, REVISED NOVEMBER 2, 1982.

3. DRAINAGE DETENTION OF 0.43 AC-FT IS REQUIRED FOR THIS SUBDIVISION. 4. MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:

S. FIRST St. = 25 FT. OR GREATER FOR APPROVED SITE PLAN BEAUMONT AVE = 10 FT. CORNER SETBACK ON BEAUMONT - 10° OR GREATER FOR APPROVED SITE PLAN. FRONT = LOTS 1 THROUGH 9 - 40' OR GREATER FOR APPROVED SITE PLAN

REAR = LOTS 1 THROUGH 8 - 5' OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. OTHERS = IN ACCORDANCE WITH ZONING ORDINANCE OR APPROVED

SITE PLAN OR EASEMENT LINE, WHICHEVER IS GREATER 5. AN ENGINEERED DETENTION PLAN MUST BE APPROVED BY ENGINEERING DEPARTMENT PRIOR TO APPLICATION FOR A

BUILDING PERMIT. 6. SITE PLAN MUST BE APPROVED BY PLANNING AND ZONING PRIOR TO ISSUANCE OF BUILDING PERMITS.

7. 6.0 FT. BUFFER REQUIRED FROM ANY ADJACENT RESIDENTIAL ZONE/USE AND ALONG S. FIRST STREET. 8. 4.0 FT. SIDEWALKS REQUIRED ALONG S. FIRST STREET AND BEAUMONT

AVE. AND S. 2nd STREET. (ROWE BLVD.) 9. NO ACCESS OR CURB CUT PERMITTED ON SOUTH 15 STREET.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES

RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND

HIDALGO COUNTY BY J.D. SALINAS III **COUNTY CLERK** ON: 10-11-01 AT 1130 AN AS A RECORDING NUMB

I/WE, THE UNDERSIGNED, HOLDER(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 PHASE ONE OFFICE

PARK 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 PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED EDWARD J. ZINSMEISTER, EXECUTIVE VICE PRESIDENT OF RIO NATIONAL BANK

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE

Comm. Exp. 02-6

Page 129

of the map records of Hidalgo

Texes

FILED FOR RECORD IN

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

STATE OF TEXAS

STATE OF TEXAS COUNTY OF HIDALGO

PROPERTY AS PROVIDED FOR HEREIN.

BY: Edward) Synames t EDWARD J. ZINSMEISTER, EXECUTIVE V.P.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

10/4/9

ITS ENGINEER TO MAKE THESE DETERMINATIONS.

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





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

April 3, 2020

Enrique Flores, Sr. 8500 Shoal Creek Blvd, Building 4, Suite 208 Austin, TX 78757

RE: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT; LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9, PHASE ONE OFFICE PARK SUBDIVISION, TEXAS; 201, 205, 209, 213, 217, 225, 229, 233, AND 221 SOUTH 2ND STREET. (REZ2020-0003)

Dear Mr. Flores:

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 <u>April 7, 2020</u>. 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 April 13, 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

AVANTI LEGACY VALOR HEIGHTS, LP

The Avanti Legacy Valor Heights is a proposed affordable apartment community which is applying for funding in 2020 from the Housing Tax Credit program administered by the Texas Department of Housing and Community Affairs ("TDHCA"). The project would be located on +/- 3.93 acres near the SEC 2nd St & Business 83 which is situated in census tract number 48215021201. A site location map and a preliminary site plan have been attached as Exhibit A to help identify the exact location and configuration of our site. The site is currently zoned C-3 and will require rezoning to R-3A which will allow for multifamily development. This development will be comprised of approximately 93 units of senior housing for income eligible families earning at or below 60% of the Area Median Income. We have attached a rent schedule illustrating the affordability of the community as Exhibit B. The estimated cost of the project is approximately \$18.2MM demonstrating our commitment to develop an extraordinary community asset for the City of McAllen. The development would create numerous jobs and generate significant economic activity for the city.

We received a Resolution of Support from the McAllen City Council in support of our application to TDHCA. A copy of the Resolution is attached as Exhibit C. In addition, we received a Commitment of Development Funding from the City of McAllen for the development of Avanti Legacy Valor Heights and a copy is attached as Exhibit D. Please note that this Commitment of Development Funding is only for \$500 total; these funds are certainly not critical to the financial feasibility of the transaction but rather a statutory requirement necessary to maximize the score of the proposal under the rules promulgated by TDHCA. The total sources of funds include the following:

- \$3,625,000 Conventional Loan
- \$13,648,635 Housing Tax Credit Equity
- \$500 City of McAllen grant/fee waiver
- \$998,010 Deferred Developer Fee





Social services are a critical part of our commitment to our residents and key to their personal health, potential economic growth and sense of well-being. Our services include quarterly financial

planning courses, quarterly health and nutritional classes, an annual health fair, twice-monthly arts and crafts activities, twice-monthly on-site social events, and notary public services during regular business hours. Local churches are also encouraged to provide ministry at our facilities.

Our company, Madhouse Development Services, is a family-owned Hispanic business that was established in 1999 by a group of housing and community development professionals who were segueing from local and state government to the private development sector. Since its inception, Madhouse has developed, has under construction, or is in the process of developing nearly 5,000 units of market rate or affordable housing at a total investment exceeding \$600MM.

Through hard work and dedication to its principles, Madhouse has earned a reputation as a developer who balances respect for value with sensitivity to environment and design. developed forty apartment communities, Madhouse has refined the ability to assess proposals based on sound economic principles and we strive to find innovative solutions that are the most financially, environmentally, and socially rewarding for our residents and the communities that we serve. Our business is built upon the cornerstones of integrity, reliability, transparency, and performance and we were ranked in the Top 50 Affordable Housing Developers in the country by Affordable Housing Finance Magazine for three consecutive years: 2015, 2016 and 2017.

Madhouse has participated in the development of conventional market-rate apartment projects though its primary focus is on the financing of complex affordable housing transactions using myriad local, state, and federal funding sources. In an intensely competitive environment, the principals of Madhouse have compiled a highly successful record in receiving awards via the Housing Tax Credit Program ("HTC"). Madhouse has also been involved in developing tax-exempt bond financed properties utilizing





both Private Activity Bonds and 501(c)(3) bonds in partnership with Public Housing Authorities, Community and Economic Development Corporations, and Community Housing Development Organizations. Madhouse has also sponsored development activity utilizing federal funds from the HOME Investment Partnership Program and the Community Development Block Grant Program.

In addition, we have attached various Exhibits regarding schools and amenities to facilitate your review of this request. Lastly, we have included the Madhouse Development Corporate Profile to provide details regarding our company which recently celebrated 20 years of serving communities across the great state of Texas.



ATTACHMENTS

Exhibit A – Site Location Map / Preliminary Site Plan	page 5
Exhibit B – Rent Schedule	page 8
Exhibit C – Resolution of Support	page 10
Exhibit D – Commitment of Development Funding	page 12
Exhibit E – Public School Maps	page 14
Exhibit F – Full Scale Grocery Store Map	page 17
Exhibit G – Madhouse Development Corporate Profile	page 19

EXHIBIT A

Site Location Map



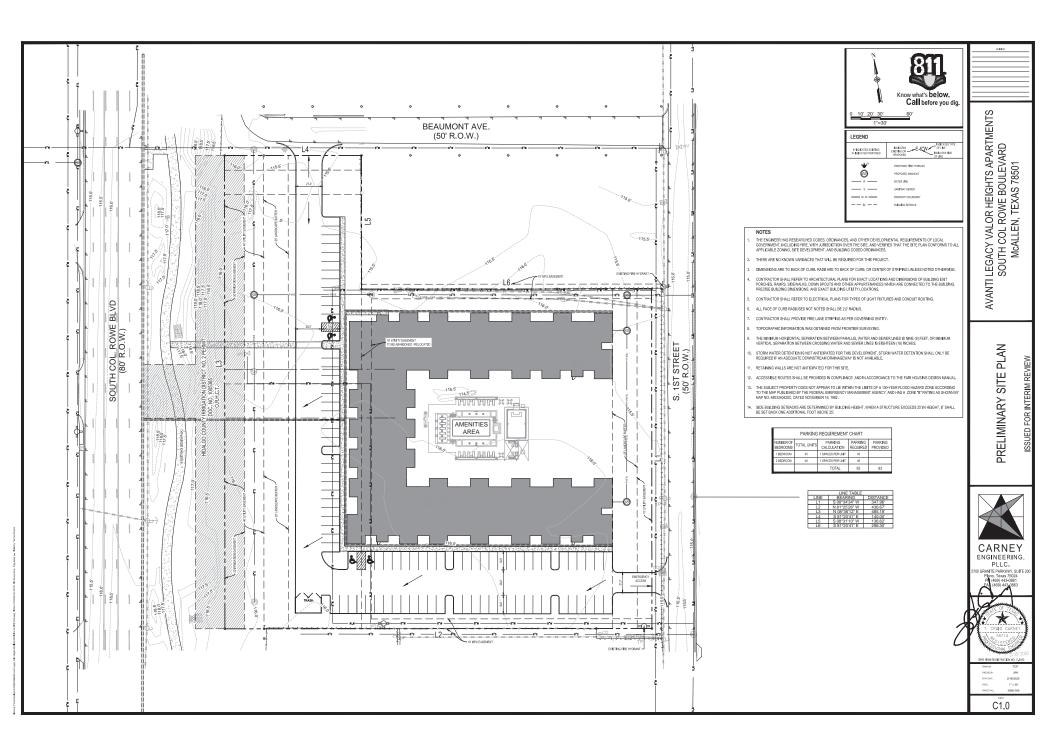


EXHIBIT B

Rent Schedule





RENT SCHEDULE											
Type of Unit	Income Level Served	# of Units	# of Bedrooms	# of Baths	Unit Size (Net Rentable Sq. Ft.)	Total Net Rentable Sq. Ft.	Max HTC Rent	Tenant Paid Utility Allow.	Tenant Paid Rent (D) - (E) =	Rent Per Square Foot	Total Monthly Rent
		(A)	(B)		(C)	(A) x (C)	(D)	(E)	(F)	(F) / (C)	(A)x(B)x(F)
TC 30% TC 50% TC 60% TC 60%	30% 50% 60% 60%	5 7 27 2	1 1 1 1	1 1 1 1	662 662 662 673	3,310 4,634 17,874 1,346	330 550 660 660	56 56 56 56	274 494 604 604	0.41 0.75 0.91 0.90	1,370 3,458 16,308 1,208
TC 30% TC 50% TC 60% TC 60%	30% 50% 60% 60%	4 11 26 3	2 2 2 2	2 2 2 2	912 912 912 940	3,648 10,032 23,712 2,820	396 661 793 793	72 72 72 72	324 589 721 721	0.36 0.65 0.79 0.77	1,296 6,479 18,746 2,163
Rent Restricted Total		85				67,376					51,028

Market Rate	4	1	1	662	2,648		660	1.00	2,640
Market Rate	4	2	2	912	3,648		793	0.87	3,172
Market Rate Total	8				6,296				5,812
Employee/Owner Oc	cupied ¹				0				-
Total Units	93				73,672				56,840
+ Non Rental Income	10	per unit/mo	nth for:	App Fees, Deposit Forfeitures, Misc.				930	
+ Non Rental Income	0	per carport	month for:					-	
+ Non Rental Income	10	per unit/mo	nth for:	Carport, Cable, Laundry, Vending & Pet Fees				930	
+ Non Rental Income Source #2 0 per carport/month for:									
- Provision for Vacano	- Provision for Vacancy & Collection Loss % of Potential Gross Income: 7.50%								
Rental Concessions % of Potential Gross Income: 0.00%									-
= EFFECTIVE GROSS MONTHLY INCOME									54,298
x 12 = EFFECTIVE GROSS ANNUAL INCOME								651,570	

Rent Schedule 1/24/2020

EXHIBIT C

Resolution of Support



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

CERTIFICATION

STATE OF TEXAS COUNTY OF HIDALGO CITY OF MCALLEN

I, Perla Lara, City Secretary of the City of McAllen, do hereby certify that the following is a true and correct copy of Resolution 2020-11 which was approved by the McAllen Board of Commissioners at the Special Meeting held February 21, 2020.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed the official seal of the City of McAllen, Texas, this 24th day of February, 2020.

SEAL

Perla Lara, TRMC/CMC, CPM

City Secretary

RESOLUTION NO. 2020-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MCALLEN, TEXAS SUPPORTING THE PROPOSED VALOR HEIGHTS AFFORDABLE HOUSING COMMUNITY IN THEIR APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR NINE PERCENT HOUSING TAX CREDITS AND PROVIDING AN IN-KIND CONTRIBUTION TO ASSIST AND BENEFIT SUCH COMMUNITY.

WHEREAS, Avanti Legacy Valor Heights, LP has proposed a development for affordable rental housing up to 93 senior housing residential units near the SE quadrant of 2nd St and US Business 83 named Avanti Legacy Valor Heights in the City of McAllen; and

WHEREAS, Avanti Legacy Valor Heights, LP has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2020 Competitive 9% Housing Tax Credits for Avanti Legacy Valor Heights

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MCALLEN, TEXAS, THAT

- 1. RESOLVED, The City Commission of the City of McAllen hereby confirms its support for the proposed Avanti Legacy Valor Heights and that this formal action has been taken to put on record the opinion expressed by the City on this date.
- 2. RESOLVED, The City Commission of the City of McAllen hereby approves the Applicants' application for Tax Credits from the Texas Department of Housing (TDHCA) and Community Affairs and supports and award of Tax Credits for the housing pursuant to the Oualified Allocation Plan of TDHCA.
- 3. RESOLVED, In accordance with 10 Texas Administrative Code § 11.9 (d)(2), the City hereby commits to an in-kind contribution to the Development in the form of a loan, grant, reduced fee of contribution of other value for the benefit of the Development in the amount of \$500.00.
- 4. FURTHER RESOLVED, This Resolution shall become effective immediately upon it passage.

CONSIDERED PASSED and APPROVED this <u>21st</u> of February 2020, at a special 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 552 of the Texas Government Code.

SIGNED on this 21st day of February 2020.

CITY OF MCALLEN, TEXAS

James E. Darling, Mayor

ATTEST:

Perla Lara, TRMC/CMC, CPM City Secretary

APPROVED AS TO FORM:

Kevin D. Pagan, City Attorney

AWS, ACA



EXHIBIT D

Commitment of Development Funding



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

February 17, 2020

Texas Department of Housing and Community Affairs 221 E. 11th Street Austin, Texas 78701 Attention: Sharon Gamble – Multifamily Division

RE: Avanti Legacy Valor Heights

+/- 3.93-acres near SEC 2nd St. & Business 83, McAllen, Hidalgo County, Texas 78501

Dear Ms. Gamble,

Please accept this correspondence as a Commitment of Development Funding by a Local Political Subdivision as a referenced in the Texas Department of Housing & Community Affairs' ("TDHCA") Qualified Allocation Plan under Section 11.9(d)(2). As per the requirement stipulated in this Section, the City of McAllen hereby commits to provide a grant, fee waiver or development related services equal in value to \$500.00 in support of the proposed development of the Avanti Legacy Valor Heights.

Please feel free to contact me at (956) 681-1030 if you have any questions regarding this Commitment. Thank you.

Sincerely,

Roel "Roy" Rodriguez, PE

City Manager City of McAllen

EXHIBIT E

Public School Maps

Avanti Legacy Valor Heights

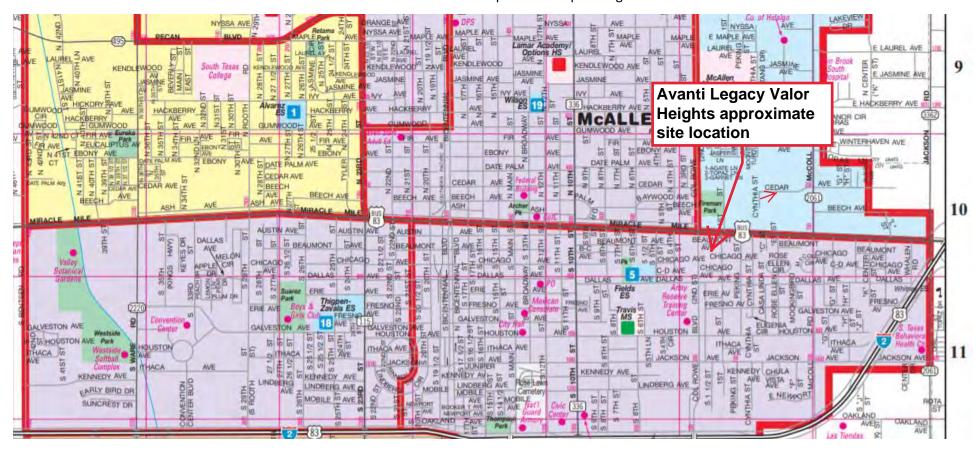


SECONDARY SCHOOL ZONES

2000 North 23rd Street McAllen, Texas 78501-6126 (956) 618-6000



Partial Section of Offical Map-School Map to Large to Print



Avanti Legacy Valor Heights

0	Ficial 1	Map
M	1	EN
	/	OL DISTRICT

SECONDARY SCHOOL ZONES

2000 North 23rd Street McAllen, Texas 78501-6126 (956) 618-6000

	MIDDLE SCHOOL ZONES Boundary
1.	Brown
2.	Cathey
3.	De Leon
4.	Fossum
5.	Morris
6.	Travis

	HIGH SCHOOL ZONES
7.	Lamar Academy/Options High F-9
8.	McAllen High D-8
9.	Memorial High
10.	Nikki Rowe High B-8
11.	M.I.S.D. Administration Building D-8
12.	McAllen Memorial Stadium E-8
13.	Achieve Early College High School
	at Lincoln (AECHS)

MCALLEN HIGH SCHOOL ZONE MEMORIAL HIGH SCHOOL ZONE ROWE HIGH SCHOOL ZONE

Partial Section of Offical Map-School Map to Large to Print

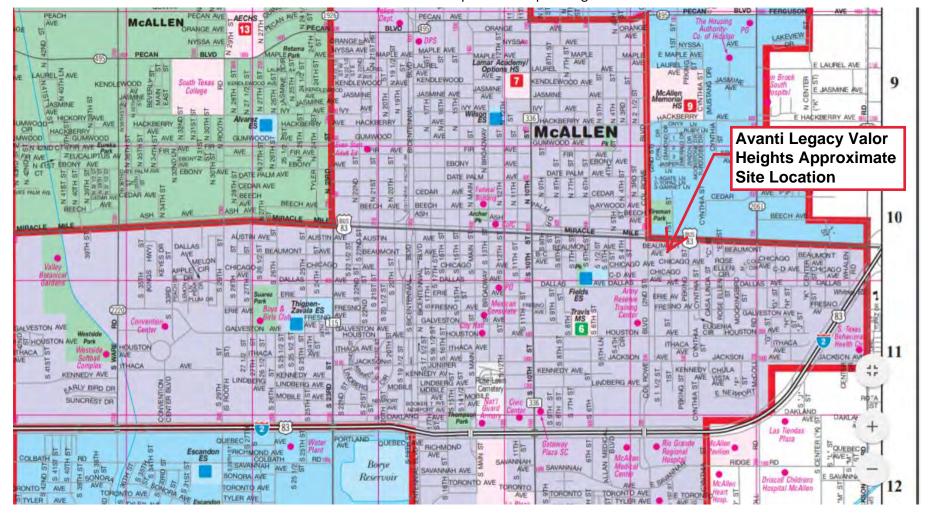


EXHIBIT F

Full Scale Grocery Store Map



EXHIBIT G

Madhouse Development Corporate Profile

AVANTI LEGACY VALOR HEIGHTS, LP

April 6, 2020

City of McAllen Planning Department 311 N. 15TH Street McAllen, TX 78501

RE: Proposed Residences at Avanti Legacy Valor Heights located on +/- 3.93 acres located near the SEC 2nd St & Business 83

Ladies and Gentlemen:

Avanti Legacy Valor Heights, LP (the "Applicant") proposes to construct a multifamily housing property called the Avanti Legacy Valor Heights on the tract referenced above. An application is in the process of being made to the City of McAllen (the "City") for change of zoning for the site to permit the proposed development (R-3A).

In consideration for the City's review of the zoning application, the Applicant and its affiliates confirm that the proposed development will utilize federal housing tax credits administered by the Texas Department of Housing and Community Affairs (TDHCA), and that the proposed development is an affordable apartment community that will be restricted to serving seniors. Per our application to TDHCA, we have income restrictions and age restriction requirements that will be enforced by the future land-use restriction agreement.

Sincerely,

Avanti Legacy Valor Heights, LP

ву:

Avanti Legaty Valor Heights, LP its authorized representative

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 3, 2020

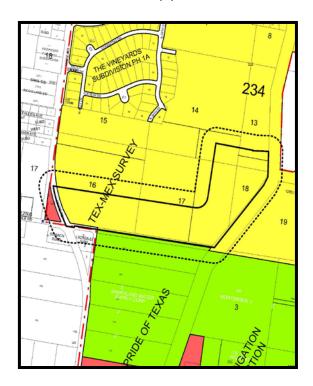
SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A

(MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 39.83 ACRES OUT OF LOTS 13, 14, 16, 17, AND 18, SECTION 234, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 12512 NORTH WARE

ROAD. (REZ2020-0008)

<u>LOCATION</u>: The property is located at the east side of North Ware Road, approximately 2,000 ft. south of 8 ½ Mile Road. The vacant tract has an irregular shape that comprises a total area of 39.83 acres.

<u>PROPOSAL</u>: The applicant is requesting to rezone the property to R-3A (multifamily residential apartments) District in order to build approximately 162 multifamily duplex units. A feasibility plan has been submitted to the Planning Department with a development plan of (2) 2 bedroom and 2 bathroom units and (2) 3 bedroom and 2 bathroom units.





<u>ADJACENT ZONING</u>: The adjacent zoning is R-1 (single family residential) District to the north and east, A-O (agriculture and open space) District to the south, and C-3 (general business) District to the west.

<u>LAND USE</u>: The property is currently vacant. Surrounding land uses are single-family residences, The Vineyards, Sharyland Water Supply Corporation and vacant land.

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

<u>DEVELOPMENT TRENDS:</u> The development trend for the area along North Ware Road is single family residential. The property was initially zoned A-O District upon annexation in 1995.

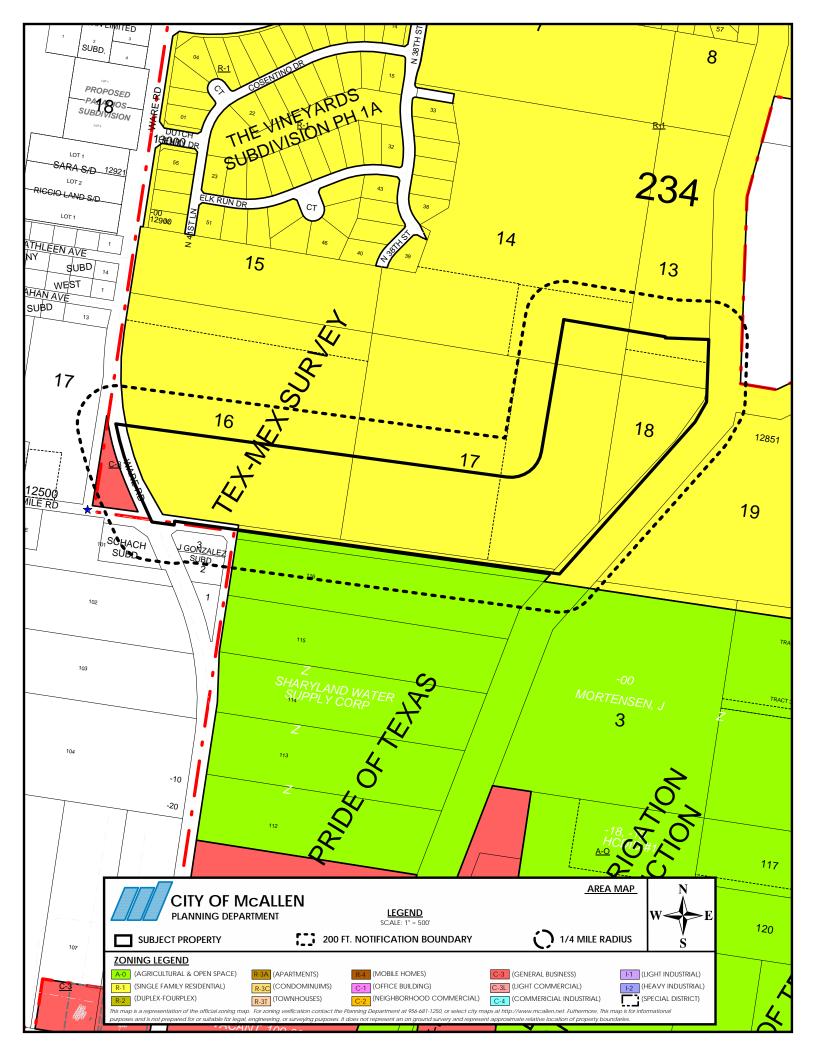
A portion of the property to the east was rezoned to R-1 District in 2006 and then to R-3A District in 2014. The western part of the subject property was zoned R-2 District in 2014. The properties were then rezoned to R-1 District in 2015.

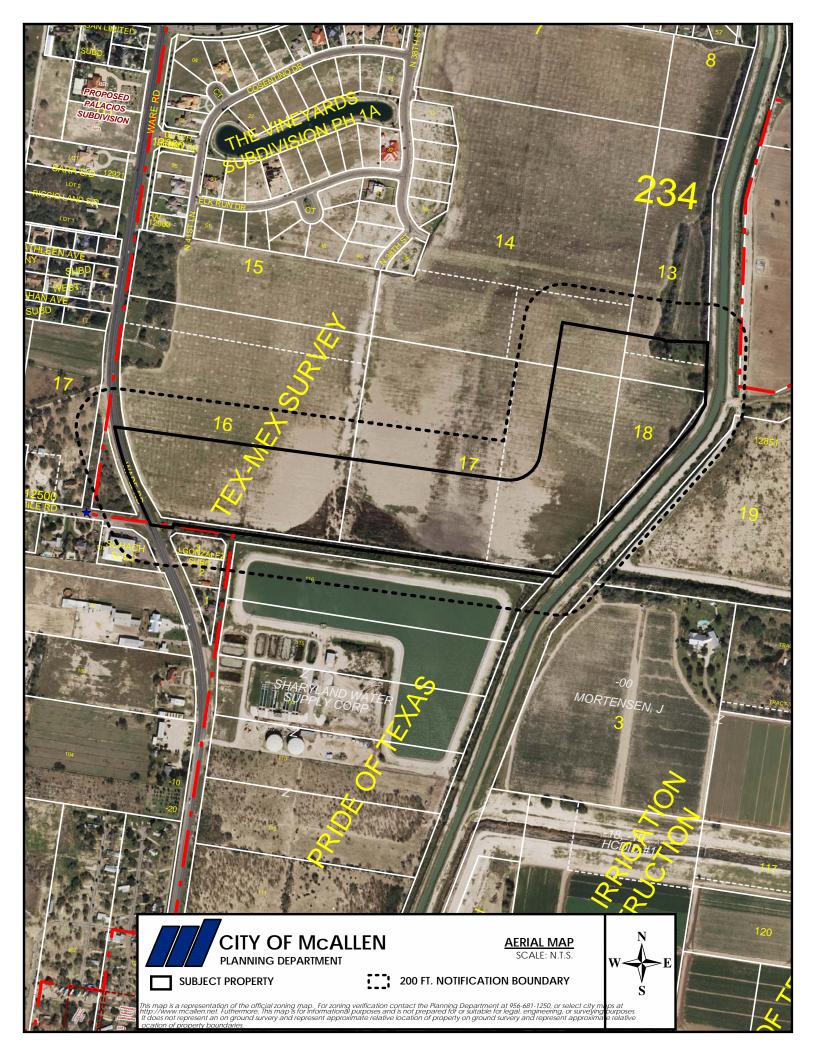
<u>ANALYSIS:</u> The requested zoning does not conform to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is not consistent with the development and rezoning trends for this area.

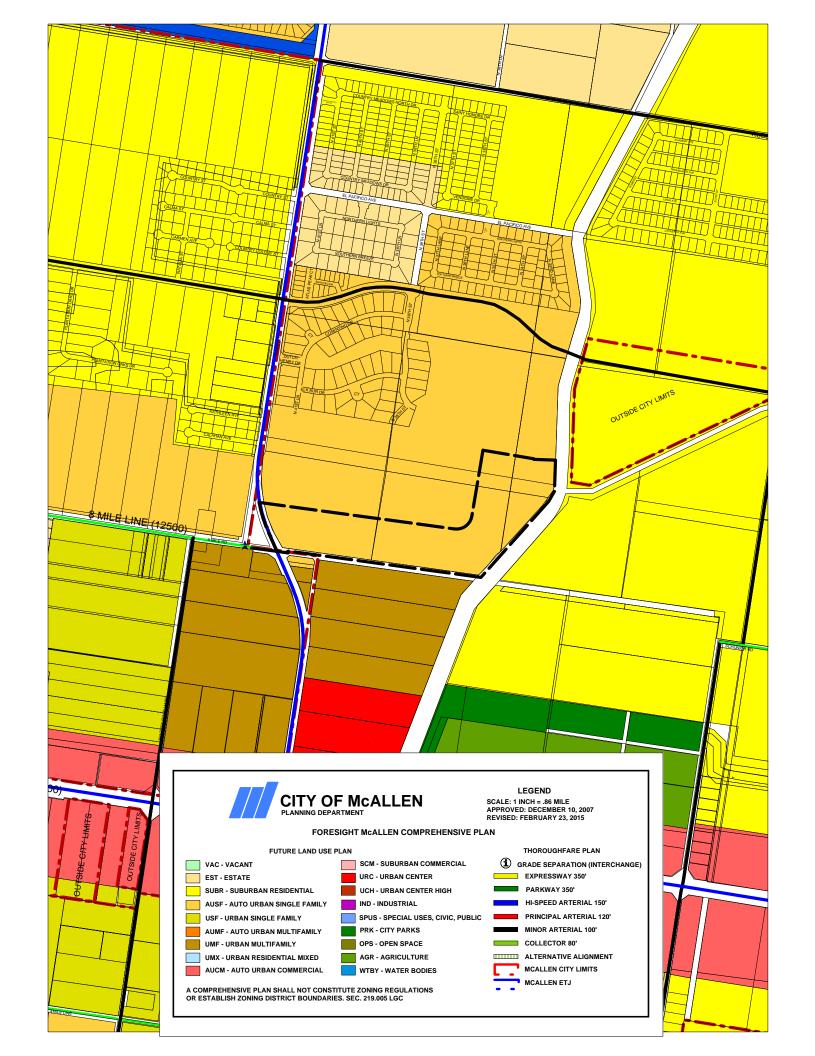
There have been no calls received in opposition to the request.

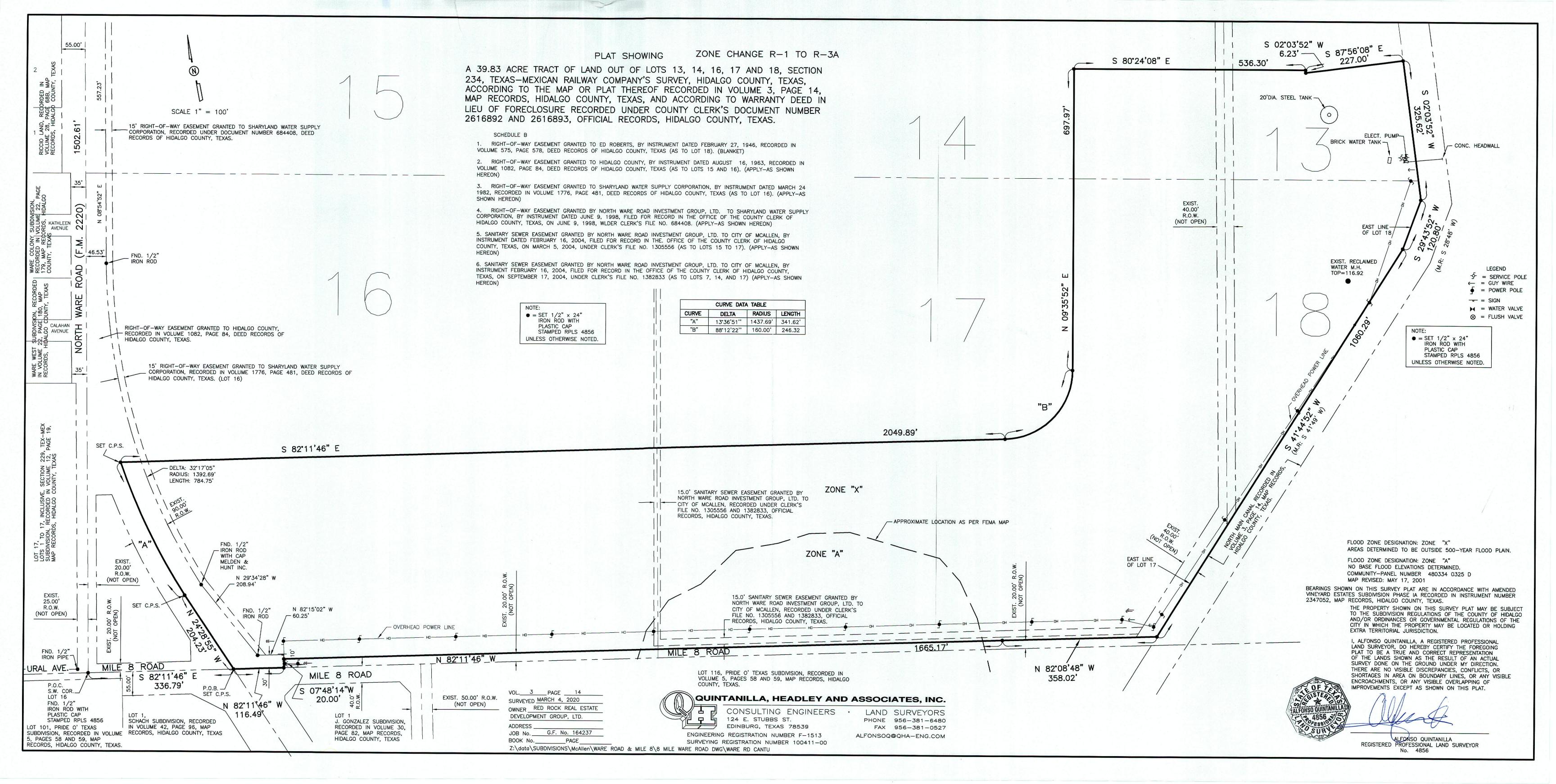
A recorded subdivision plat and approved site plan are required prior to building permit issuance.

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









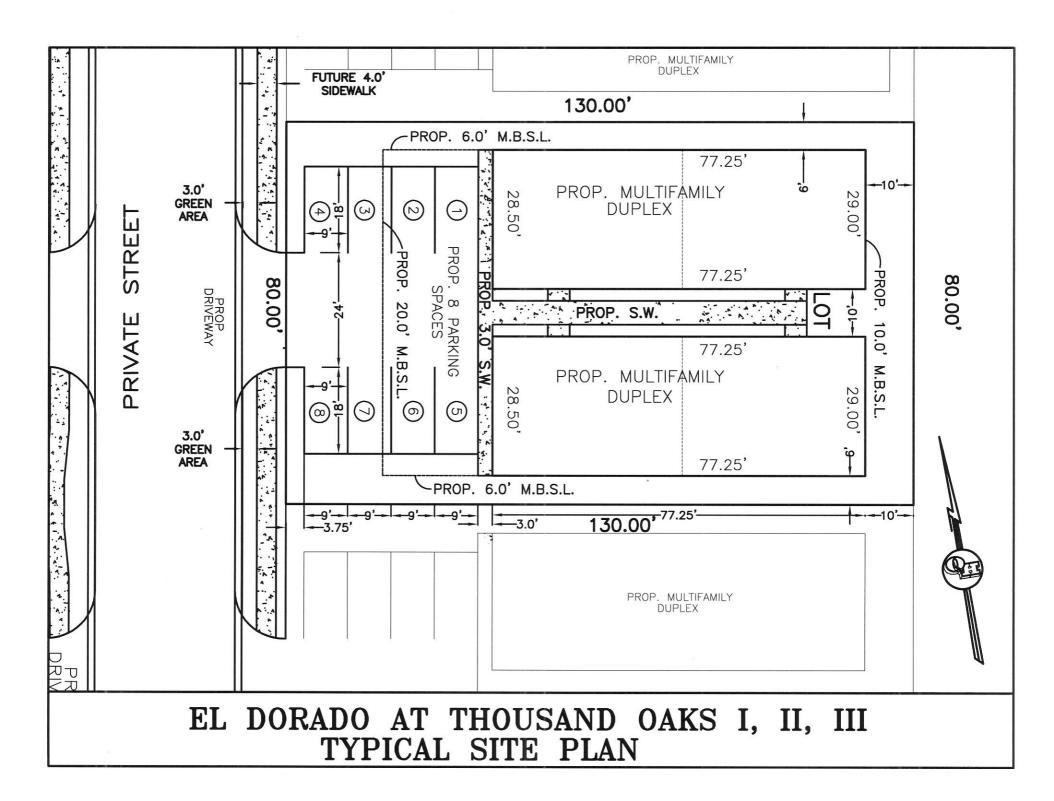


On behalf of Red Rock Real Estate Development, we would like to introduce the concept of a new project to bring a multifamily development to McAllen, TX. As a company, we specialize in 1-4 family real estate developments and have created more than 30 subdivisions in the greater McAllen area (ie. McAllen, Edinburg, Pharr and Mission). As of today, we have built several multifamily developments and are requesting to develop El Dorado at Thousand Oaks.

The development includes a planned, private gated apartment four plex subdivision with an HOA. The lot measures approximately 10,000 Sq. Ft with +/- 4,000 Sq. Ft of living area with typical units consisting of the following floor plan(s): (2) 2 bedroom / 2 bath and (2) 3 bedroom / 2 baths. Rent for the properties are estimated between \$1100-\$1200 per unit and include sales for investors valued at about \$385,000. I am inclosing a typical site plan along with some photos to further detail our proposed development. The construction used in our apartments is of high quality stucco and stone, in addition we offer covered parking and a proposed hike & bike trail along with two parks. The vetting process for prospective tenants in the apartments is based on income/credit as well as a background check. We want to insure the safety of all residents in this development.

Given this opportunity, we can drive more business to the north McAllen market with a sound, viable investment option to investors. As we approach the new census, we want to be an integral part of the growth of McAllen and enhance the area as being the 5th largest Metropolitan Statistical Area (MSA) in Texas. With expanding secondary education (i.e. UTRGV, Texas A&M), there remains a persistent demand for quality multifamily developments. This concept translates well to the millennial population that often lacks the ability and/or desire to purchase homes. In the first phase (of planned two) of development, we estimate a tax base to the city of McAllen near \$57 million.

Arame Contri Manager







PLAT NOTES AND RESTRICTIONS:

- 1.- FLOOD ZONE DESIGNATION: ZONE "X" AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.
- FLOOD ZONE DESIGNATION: ZONE "A" NO BASE FLOOD ELEVATIONS DETERMINED. COMMUNITY—PANEL NUMBER 480334 0325 D MAP REVISED:
- 2.- MINIMUM FINISH FLOOR ELEVATION: 18" ABOVE THE TOP OF CURB OF THE STREET AT MID POINT OF EACH LOT.
- 3.- LEGEND - DENOTES 1/2"x 24" IRON ROD SET WITH PLASTIC CAP STAMPED RPLS 4856, UNLESS OTHERWISE NOTED.
- 4.- MINIMUM BUILDING SETBACK LINES:
-25.00 FT. FRONT:
 - IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS. EXCEPT 25.00 FT. FOR DOUBLE FRONTING LOTS
- INTERIOR SIDES:IN ACCORDANCE WITH THE ZONING ORDINANCE
- OR GREATER FOR EASEMENTS. CORNER SIDE: 10.00 FT. OR GREATER FOR EASEMENTS. GARAGE:18.00 FT. OR WHERE GREATER SETBACK REQUIRED APPLIES

HIDALGO COUNTY IRRIGATION DISTRICT

THERE WILL NOT BE ANY PERMANENT STRUCTURES ON THE DISTRICT

right—of ways and/or easements.

NO. ONE WILL NOT BE RESPONSIBLE FOR

DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION. ALSO

- SETBACKS ARE SUBJECT TO INCREASE FOR ZONING ORDINANCE OR EASEMENTS.
- 5.- NO BUILDINGS OR DRAINAGE DETENTION AREAS SHALL BE CONSTRUCTED OVER ANY EASEMENT.
- 6.- REQUIRED ENGINEERED DRAINAGE DETENTION IS: _____ C.F. (____ AC./FT.) TOTAL
- 7.- BENCHMARK No. 1=

8.- AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.

- 9.- A 4.00 FOOT WIDE MINIMUM SIDEWALK IS REQUIRED ON BOTH SIDES OF ALL INTERIOR STREETS, AND 4.00 FOOT WIDE SIDEWALK IS REQUIRED ON ALONG WARE ROAD.
- 10.- NO CURB CUT, ACCESS OR LOT FRONTAGE PERMITTED ALONG WARE ROAD.
- 11.— ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO HIDALGO COUNTY IRRIGATION DISTRICT NO. 1, AND THE DISTRICT ALLOWS NO OTHER UTILITIES OR USE WITHOUT EXPRESS APPROVAL.
- 12.- NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY UNITED IRRIGATION DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT
- 13.- NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CONNECT TO ANY HIDALGO COUNTY IRRIGARION DISTRICT No. 1 FACILITY WITHOUT FIRST OBTAINING A PERMIT FROM THE IRRIGATION DISTRICT. ANY CONNECTION NOT AUTHORIZED BY THE DISTRICT IS SUBJECT TO REMOVAL.
- 14.- NO PERMANENT STRUCTURE, (FOR EXAMPLE FENCES OR DRIVEWAYS OF ANY CONSTRUCTION) WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY UNITED IRRIGATION DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY THE DISTRICT. ANY UNAUTHORIZED STRUCTURE IN THE EASEMENT AREA IS SUBJECT TO REMOVAL.
- 15.- E.E. DENOTES ELECTRICAL EASEMENT

LOCATION MAP

- 16.- 25.00' X 25.00' SIGHT OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET INTERSECTIONS.
- 17.- AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THOUSAND OAKS AT THE LAS HACIENDAS RECORDED AS DOCUMENT NUMBER , HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF MCALLEN SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCE OF THE CITY OF MCALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND PRIVATE STREETS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL AND VOID.
- 18.- AS A MASTER DRAINAGE DETENTION PLAN, THE OFFSITE COMMON AREA/REGIONAL DETENTION POND/DRAINAGE EASEMENT, SHALL BE CAPABLE OF DETAINING AT LEAST AC-FT., OR
- CF. OF WHICH MUST BE ALLOCATED FOR THE USE OF COBBLESTONE SUBDIVISION. 19.- COMMON AREAS MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF MCALLEN.

SCALE: 1" = 2000

- 21.- 8.00 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND
- COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 22.- A 6.00' OPAQUE BUFFER IS REQUIRED FROM ADJACENT/BETWEEN MULTIFAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES AND ALONG WARE ROAD.

SUBDIVISION PLAT OF :

EL DORADO AT THOUSAND OAKS I, II, III (PRIVATE SUBDIVISION)

A 76.80 ACRE TRACT OF LAND OUT OF LOTS 13, 14, 16, 17 AND 18, SECTION 234, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 3, PAGE 14, MAP RECORDS HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2616892 AND 3081767, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

METES AND BOUNDS

A 76.80 ACRE TRACT OF LAND OUT OF LOTS 13, 14, 16, 17 AND 18, SECTION 234, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY. HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 3, PAGE 14, MAP RECORDS HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2616892 AND 3081767, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 FOUND WITHIN THE RIGHT OF WAY OF MILE 8 NORTH ROAD (URAL AVE.) AND A 45.00 FOOT COUNTY ROAD FOR THE SOUTHWEST CORNER OF LOT 16 AND THE SOUTHWEST CORNER OF THIS TRACT.

THENCE; N 08°54'52" E (MAP RECORD: N 08°59' E), ALONG THE WEST LINE OF LOTS 15 AND 16, AND WITHIN THE RIGHT OF WAY OF SAID 45.00 FOOT COUNTY ROAD AND WITHIN THE RIGHT OF WAY OF NORTH WARE ROAD (F.M. 2220), A DISTANCE OF 1,067.58 FEET TO A COTTON PICKER SPINDLE SET FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE; S 80°24'08" E, PASSING A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET AT 46.53 FEET FOR THE EAST RIGHT OF WAY LINE OF NORTH WARE ROAD (F.M. 2220), A TOTAL DISTANCE OF 305.86 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN EXTERIOR CORNER OF THIS TRACT

THENCE; S 09°35'52" W, A DISTANCE OF 5.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN INTERIOR CORNER OF

THENCE; S 80°24'08" E, A DISTANCE OF 1,036.47 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN INTERIOR CORNER

THENCE; N 09°35'52" E, A DISTANCE OF 250.05 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN EXTERIOR CORNER

THENCE; S 80°24'08" E, A DISTANCE OF 165.97 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN EXTERIOR CORNER

THENCE; S 19°40'18" W, A DISTANCE OF 15.23 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN INTERIOR CORNER

THENCE; S 80°24'08" E, A DISTANCE OF 559.38 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN INTERIOR CORNER

THENCE; ALONG THE ARC OF A CURVE TO THE RIGHT (CURVE DATA: DELTA = 101°38'01", RADIUS = 50.00 FEET), A DISTANCE OF 88.69

FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN INTERIOR CORNER OF THIS TRACT. THENCE; N 51°13'53" E, A DISTANCE OF 130.62 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN EXTERIOR CORNER

THENCE; S 80°24'08" E, A DISTANCE OF 596.30 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN EXTERIOR CORNER

THENCE; S $02^{\circ}03'52"$ W, A DISTANCE OF 6.23 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR AN INTERIOR CORNER OF

THENCE; S $87^{\circ}56'08"$ E, A DISTANCE OF 227.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET ON THE EAST LINE OF LOT 13 FOR THE NORTHEAST CORNER OF THIS TRACT. THENCE: S 02°03'52" W (MAP RECORD: S 02°08' W), ALONG THE EAST LINE OF LOTS 13 AND 18, A DISTANCE OF 325.65 FEET TO A 1/2"

THENCE; S 29°43'52" W (MAP RECORD: S 28°48' W), ALONG THE EAST LINE OF LOT 18, A DISTANCE OF 120.80 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 FOUND FOR AN EXTERIOR CORNER OF THIS TRACT.

THENCE; S 41°44'52" W , ALONG THE EAST LINE OF LOT 17, A DISTANCE OF 1084.36 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 FOUND ON THE SOUTH RIGHT OF WAY LINE OF MILE 8 ROAD FOR THE SOUTHEAST CORNER OF LOT 17 AND THE SOUTHEAST CORNER

THENCE; N 82°08'48" W, ALONG THE SOUTH LINE OF LOT 17 AND THE SOUTH RIGHT OF WAY LINE OF MILE 8 ROAD (20.00 FOOT COUNTY ROAD), A DISTANCE OF 344.58 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 FOUND FOR AN EXTERIOR CORNER OF THIS

THENCE; N 82°11'46" W (MAP RECORD: N 82°09' W), ALONG THE SOUTH LINE OF LOTS 16 AND 17, AND THE SOUTH RIGHT OF WAY LINE OF MILE 8 ROAD (20.00 FOOT COUNTY ROAD), PASSING AT 1,781.65 FEET THE CENTERLINE OF NORTH WARE ROAD (F.M. 2220), A TOTAL DISTANCE OF 2.118.44 FEET (MAP RECORD: 2.084.20 FEET) TO THE POINT OF BEGINNING AND CONTAINING 76.80 ACRES OF LAND MORE OR

BEARINGS ARE IN ACCORDANCE WITH AMENDED VINEYARD ESTATES SUBDIVISION PHASE IA, RECORDED IN INSTRUMENT NUMBER 2347052, MAP RECORDS, HIDALGO COUNTY, TEXAS.

STATE OF TEXAS COUNTY OF HIDALGO

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

IRON ROD WITH CAP STAMPED RPLS 4856 FOUND FOR AN EXTERIOR CORNER OF THIS TRACT.



ALFONSO QUINTANILLA R.P.L.S. No. 4856

DECEMBER 16, 2019 DATE

STATE OF TEXAS COUNTY OF HIDALGO

THE OWNERS OF THE LAND ON THIS PLAT AND DESIGNATED HEREIN AS THE PLAT OF **EL DORADO AT** THOUSAND CAKS I. II. III. AN ADDITION TO THE CITY OF MCALLEN, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY GRANT AN EASEMENT TO THE SAID CITY AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY. THE USE OF THE STREETS IS RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF MCALLEN, EMPLOYEES OF UTILITY COMPANIES UNDER FRANCHISE TO SAID CITY, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS. THE OWNER DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC THE PORTION OF W. PECAN BOULEVARD FOR USE AS STREET RIGHT OF WAY DEDICATED TO THE CITY OF

RED ROCK REAL ESTATE DEVELOPMENT GROUP, LTD., A TEXAS LIMITED PARTNERSHIP	,
BY: RED ROCK, L.L.C., A TEXAS LIMITED LIABILY COMPANY	
ITS: GENERAL PARTNER	
BY: MANUEL N. CANTU, JR., MANAGER	
2912 S. JACKSON ROAD	
MCALLEN, TEXAS 78503	
PH. (956) 821-8180	

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, the undersigned notary public, on this day personally appeared MANUEL N. CANTU, JR., MANAGER

proved to me through her Texas Department of Public Safety Driver License to be the person whose

name is subscribed to the foregoing instrument, who, being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that she executed the same for the purposed and consideration thereby expressed.

Given under my hand and seal of office this _____, day of _____, 20____,



CLARISSA ANNETTE QUINTANILLA— NOTARY PUBLIC

DATE

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

CHAIRMAN, PLANNING COMMISSION DATE

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

	MAYOR	DATE
ATTEST:		
	CITY SECRETARY	DATE

NO. ONE WILL NOT BE RESPONSIBLE FOR DAY OF ______, 20____. DRAINAGE OR DELIVERY OF WATER TO THERE WILL NOT BE ANY PERMANEN STRUCTURES ON THE DISTRICT

RIGHT-OF WAYS AND/OR EASEMENTS.

HIDALGO COUNTY IRRIGATION DISTRICT THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS THE _____

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 THE TEXAS WATER CODE 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D. NO. 1 RIGHTS-OF-WAY OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE H.C.I.D. NO. 1

I, Sherilyn Dahlberg, hereby certify that Sharyland Water Supply Corporation has approved the potable water infrastructure for the EL DORADO AT THOUSAND OAKS located at about 1320.00 ft. of the NORTHEAST CORNER OF MILE 8 NORTH ROAD AND N. WARE ROAD in Hidalgo County, Texas, subject to the potable water system meeting the approval of the Design Engineer and all applicable rules and regulations of Sharyland Water Supply Corporation, and local, state, and federal

Developer and Design Engineer shall bear full responsibility to ensure that the above referenced potable water infrastructure is constructed within the designated Sharyland Water Supply Corporation easement.

Sherilyn Dahlberg General Manager

Sharyland Water Supply Corporation

LIENHOLDERS'S ACKNOWLEDGMENT: STATE OF TEXAS COUNTY OF HIDALGO

I, THE UNDERSIGNED, HOLDER (OR DULY AUTHORIZED OFFICERS OF THE HOLDER) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS EL DORADO AT THOUSAND OAKS ON OF THE CITY OF MCALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS 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.

SECURITY INTEREST HOLDER

Given under my hand and seal of office this

Notary Public

SECRETARY **PRESIDENT** APPROVED BY DRAINAGE DISTRICT:

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 THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

COUNTY OF HIDALGO STATE OF TEXAS

GENERAL MANAGER

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.



EULALIO RAMIREZ P.E. No. 77062



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

DEPUTY

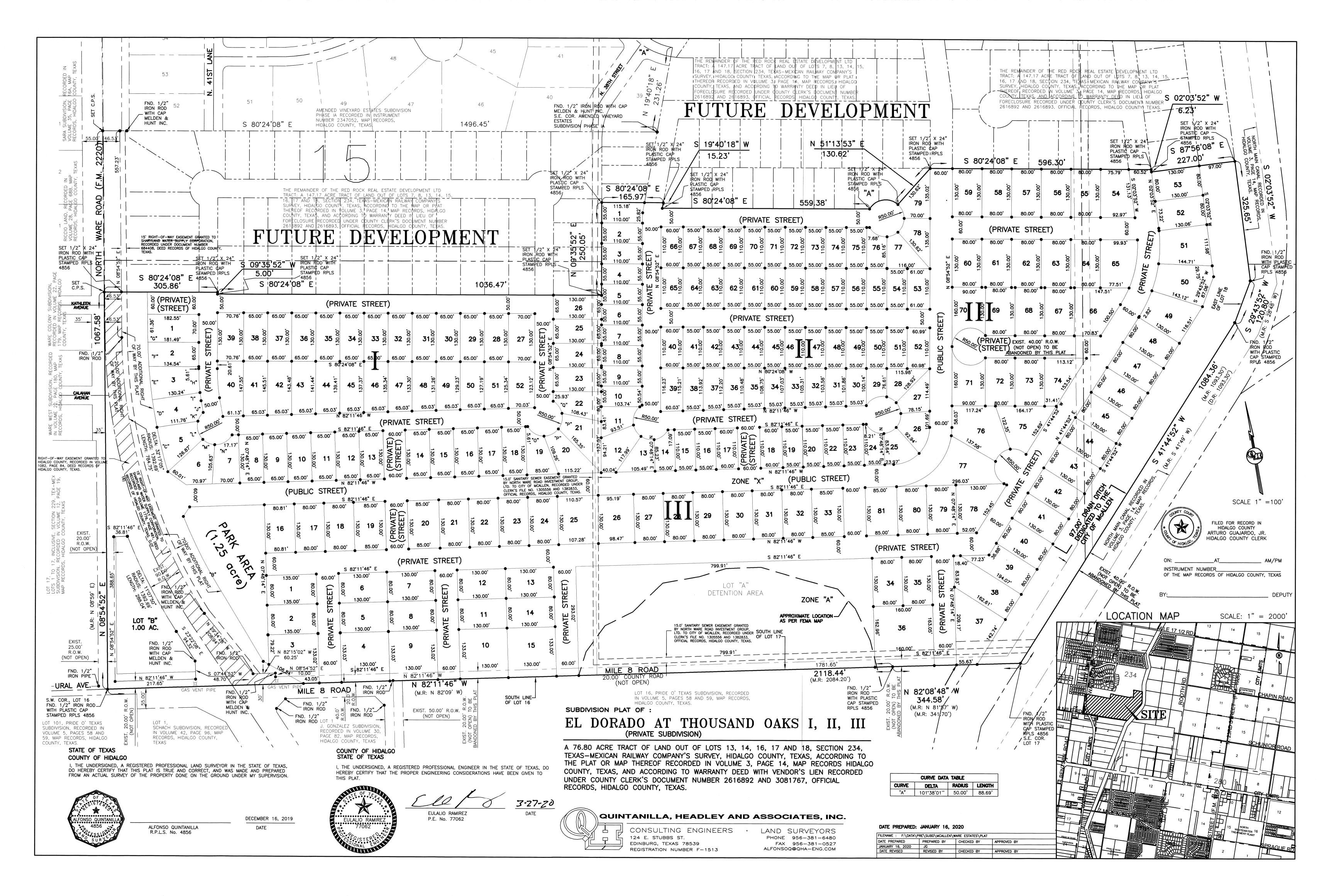
AM/PM INSTRUMENT NUMBER OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

FILENAME: F:\DATA\PRE\SUBD\MCALLEN\EL DORADO AT THOUSAND OAKS\PLAT PREPARED BY CHECKED BY APPROVED BY DATE PREPARED 7 LG REVISED BY DATE PREPARED: OCTOBER 16, 2017

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

CONSULTING ENGINEERS 124 E. STUBBS ST. EDINBURG, TEXAS 78539 REGISTRATION NUMBER F-1513

LAND SURVEYORS PHONE 956-381-6480 FAX 956-381-0527 ALFONSOQ@QHA-ENG.COM







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

April 3, 2020

Cruz Cantu, III Red Rock Real Estate Development Group, Ltd. 2912 South Jackson McAllen, TX 78573

RE: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 39.83 ACRES OUT OF LOTS 13, 14, 16, 17, AND 18, SECTION 234, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 12512 NORTH WARE ROAD. (REZ2020-0008)

Dear Mr. Cantu:

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 <u>April 7, 2020</u>. 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 April 27, 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

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: February 27, 2020

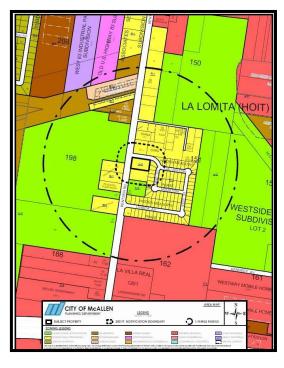
SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A

(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)(TABLED)(03/03/2020)

<u>LOCATION</u>: 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.

<u>PROPOSAL</u>: 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.





<u>ADJACENT ZONING</u>: 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.

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

and vacant land.

<u>COMPREHENSIVE PLAN</u>: 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.

<u>DEVELOPMENT TRENDS:</u> 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.

<u>ANALYSIS:</u> 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.

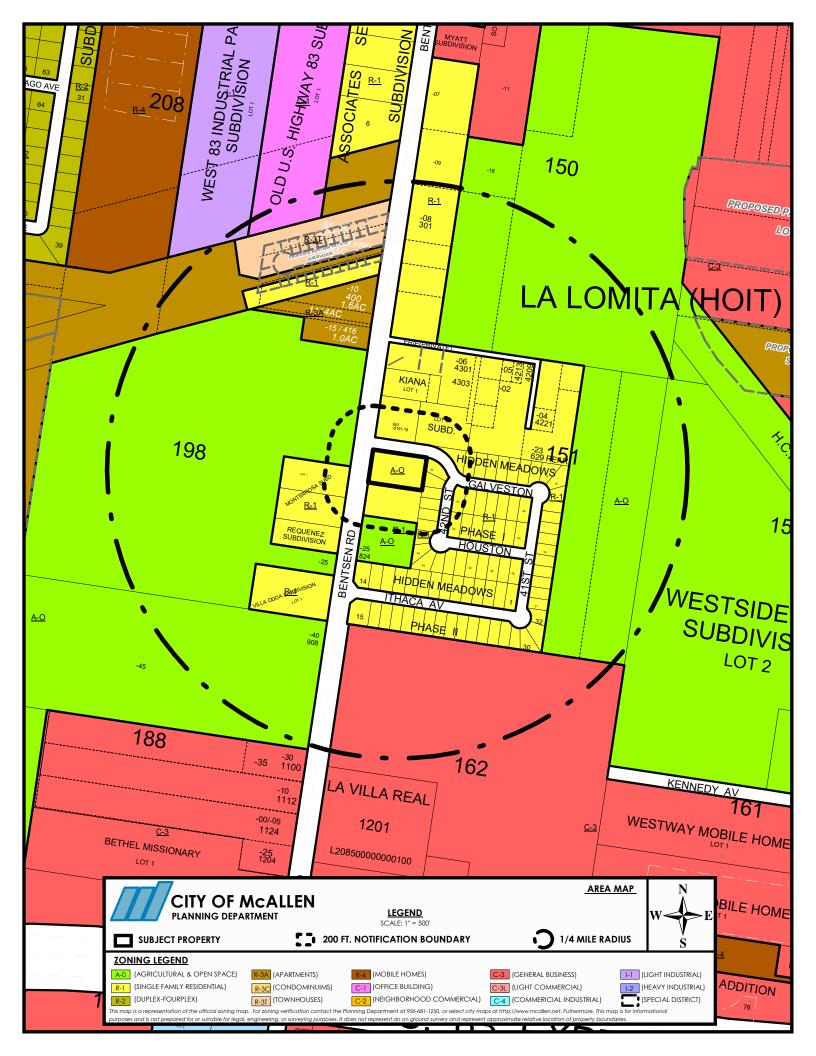
A recorded subdivision plat and approved site plan are required prior to building permit issuance.

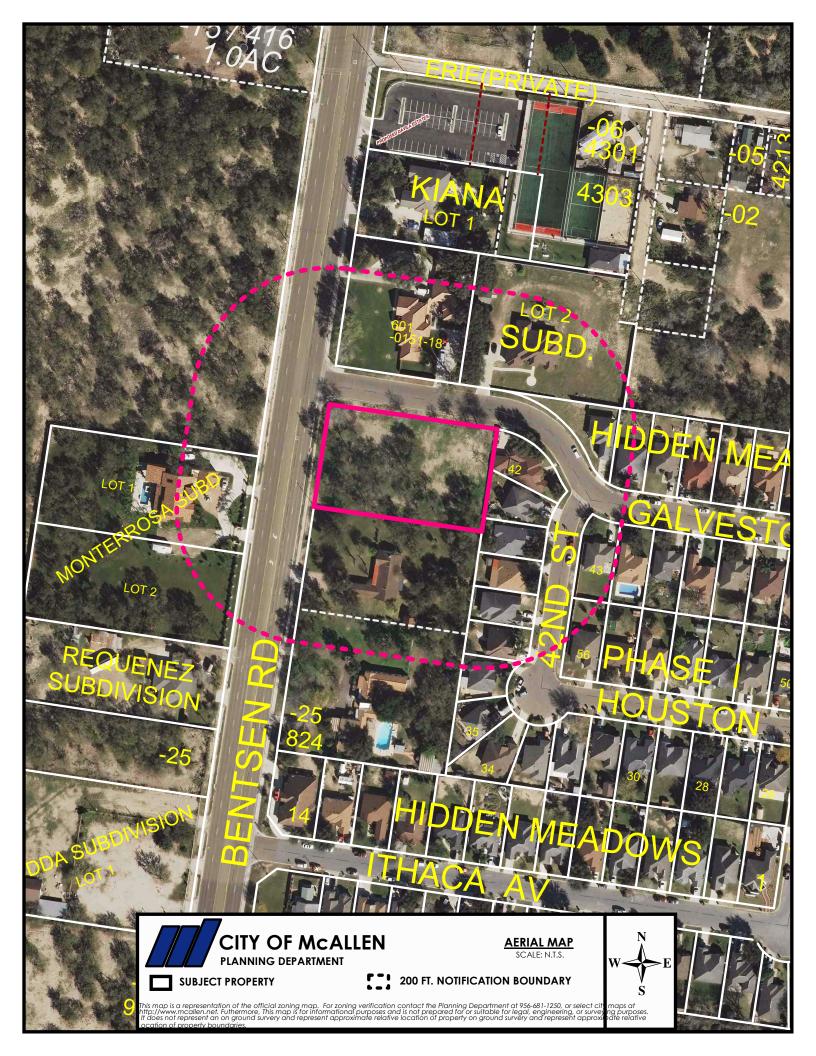
<u>RECOMMENDATION:</u> Staff recommends disapproval of the rezoning request to R-2 (duplex-fourplex) District.

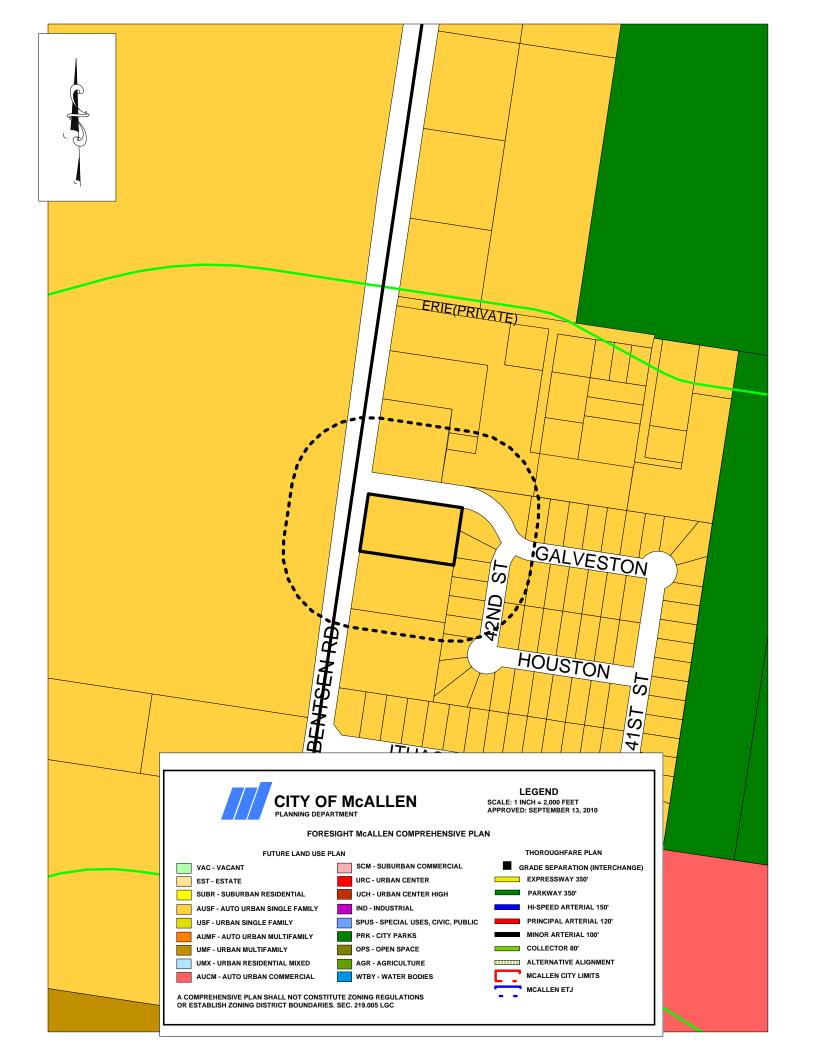
PLANNING AND ZONING COMMISION MEETING OF MARCH 03, 2020:

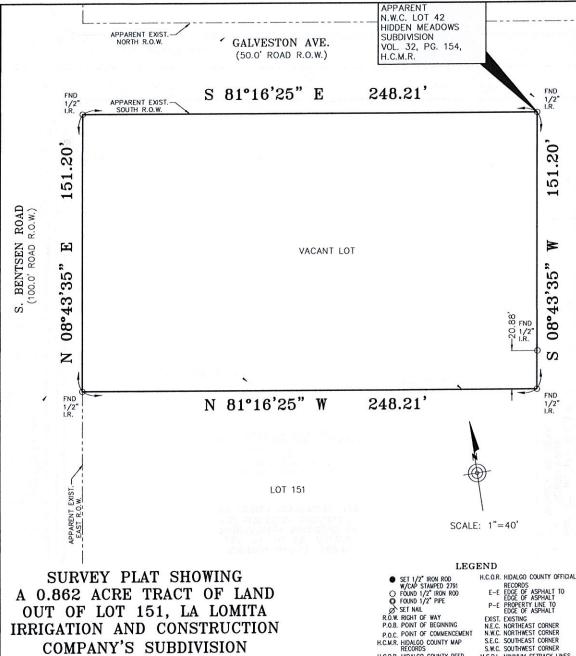
At the Planning and Zoning Commission meeting of March 03, 2020, no one appeared in opposition to the rezoning request. The applicant was present and submitted a letter of request to change the rezoning request from R-3A (multifamily residential apartments) District to R-2 (duplex-fourplex residential) 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.









COMPANY'S SUBDIVISION RECORDED IN VOL. 24, PG. 68, H.C.M.R. HIDALGO COUNTY, TEXAS

1. FLOOD ZONE STATEMENT: ZONE "B", AREAS BETWEEN LIMITS OF THE 100-YEAR AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE (1) SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD (MEDIUM SHADING), AS PER COMMUNITY-PANEL NUMBER: 480343 0010 C REVISED NOVEMBER 2, 1982.

- 2. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- 3. THE EXISTENCE, IF ANY UNDERGROUND GAS LINES OR OTHER UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY SHOULD BE THOROUGHLY INVESTIGATED BY THE OWNER PRIOR TO ANY CONSTRUCTION ON THIS SITE. THE SURVEYOR HAS LIMITED HIS INVESTIGATION OF UNDERGROUND UTILITIES ON THIS SITE TO THAT WHICH CAN BE SEEN.
- 4. BASIS OF BEARING AS PER THE WEST LINE OF HIDDEN MEADOWS SUBDIVISION VOL. 32, PG. 154, MAP RECORDS, HIDALGO COUNTY, TEXAS.
- S. SURVEYOR'S STATEMENT: THE PROPERTY CORNERS OF THE TRACT SURVEYED WERE STAKED OUT BASED ON THE BEST FIT OF MONUMENTS FOUND FOR THIS PROPERTY AND OTHERS WITHIN THE IMMEDIATE VICINITY, TAKING INTO ACCOUNT THE INTENT OF THE SURVEYOR'S ORIGINAL FOOT STEPS. A SURVEY OF THE ORIGINAL MOTHER TRACTS TO CORRECTLY ESTABLISH MINOR DISCREPANCIES THAT WERE FOUND IN THE PROPERTY CORNERS WOULD NOT BE FEASIBLE OPTION FOR THE PARTIES CONCERNED. THE CLIENT HAS BEEN MADE AWARE OF ANY DISCREPANCIES FOUND AND THE RESPECTIVE ACTION TAKEN TO STAKE OUT HIS PROPERTY AS PER THE FOUND AND SET MONUMENTS
- 6. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL ELECTRONIC SEAL AND SIGNATURE OF SURVEYOR.
- 7. CURRENT ZONING: R-1 SINGLE FAMILY RESIDENTIAL

H.C.M.R. HIDALGO COUNTY MAP RECORDS

H.C.D.R. HIDALGO COUNTY DEED RECORDS WATER METER

M.S.B.L. MINIMUM SETBACK LINES

Ø POWER POLE

AT&T PEDESTAL

I, HOMERO L. GUITIERREZ, REGISTERED LAND SURVEYOR IN THE STATE OF TEXAS, STATE THAT THE ABOVE PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION ON JANUARY 6, 2020. AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN AND THAT ALL CORNERS HAVE BEEN LOCATED AS INDICATED.

DATE: 1/00 " HOMERO LUIS GUTIERREZ, R.P.L.S. DATE: 1/06
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2791

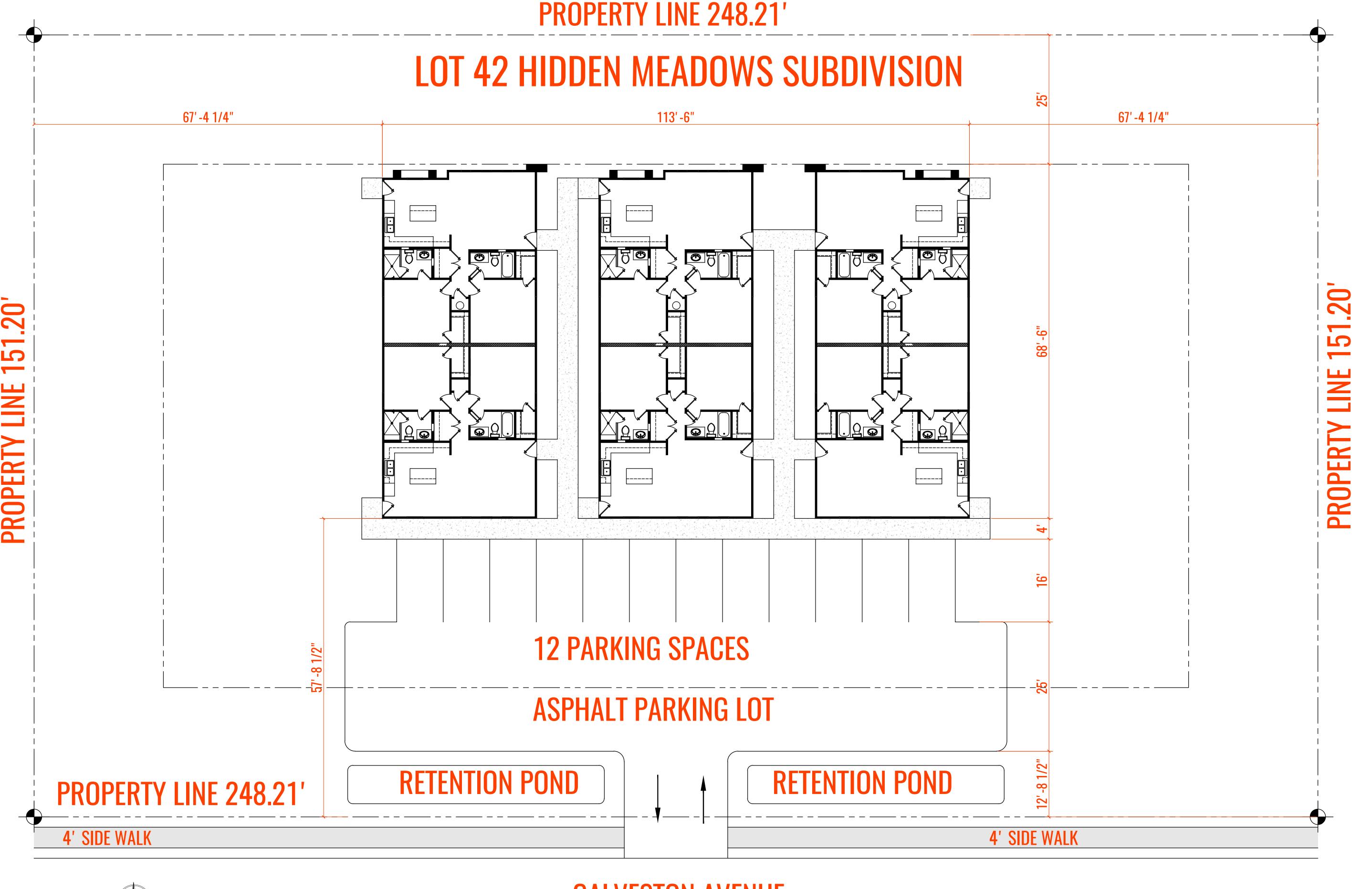


P.E., R.P.L.S. HOMERO LUIS GUTIERREZ.

P.O. Box 548 McAllen, Texas 78505 (956) 369-0988

DATE: 1/08/20

DRAWN BY: I.F.



GALVESTON AVENUE



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

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.

F L J D E S I G N S RESERVES ITS COMMON **COPYRIGHT LAW & OTHER** PLANS & DESIGNS. THESE PLANS ARE NOT TO BE **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

PROJECT

SOSA **APARTMENTS**

FLJ DESIGNS

LOCATION LOT 42

HIDDEN MEADOWS SUBDIVISION

> MCALLEN, TEXAS DATE: 4-2-2020

> > 202009

AREAS:

PROJECT NO.

2,000 SQFT 2,000 SQFT

2,000 SQFT

6,000 SQFT







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

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 3, 2020

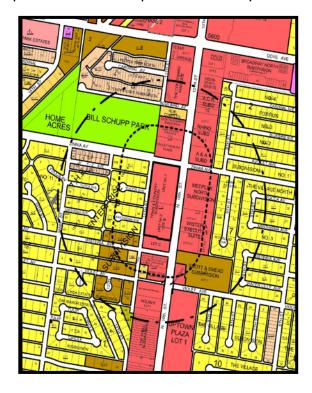
SUBJECT: REQUEST OF ROEL BUENTELLO JR., FOR A CONDITIONAL USE

PERMIT, FOR ONE YEAR, FOR A BAR AT LOT A - PHASE I AND LOT B - PHASE II, TOWN & COUNTRY SUBDIVISION; 5021 NORTH 10TH

STREET.(CUP2020-0022)

BRIEF DESCRIPTION:

The property is located at the southwest corner of Zinnia Avenue and North 10th Street, and it is zoned C-3 (general business) District. The surrounding zoning is C-3 to the north, south, and east, and R-1 (single family residential) District to the west. Surrounding land uses include single and multi-family residences, commercial businesses, and Bill Schupp Park. A bar is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.





HISTORY:

The initial Conditional Use Permit was approved by the City Commission on May 05, 2017 with a variance to the 600 ft. distance requirement. The applicant stated that no alcohol had been served since the permit expired.

REQUEST/ANALYSIS:

There is a multi-tenant commercial shopping center by the name of Town and Country Shopping Center on the property. The applicant is proposing to continue operating a barbershop that serves alcohol (Butler's Barber Shop) at 5021 North 10th Street from 11:00 A.M. to 7:00 P.M. Monday through Saturday.

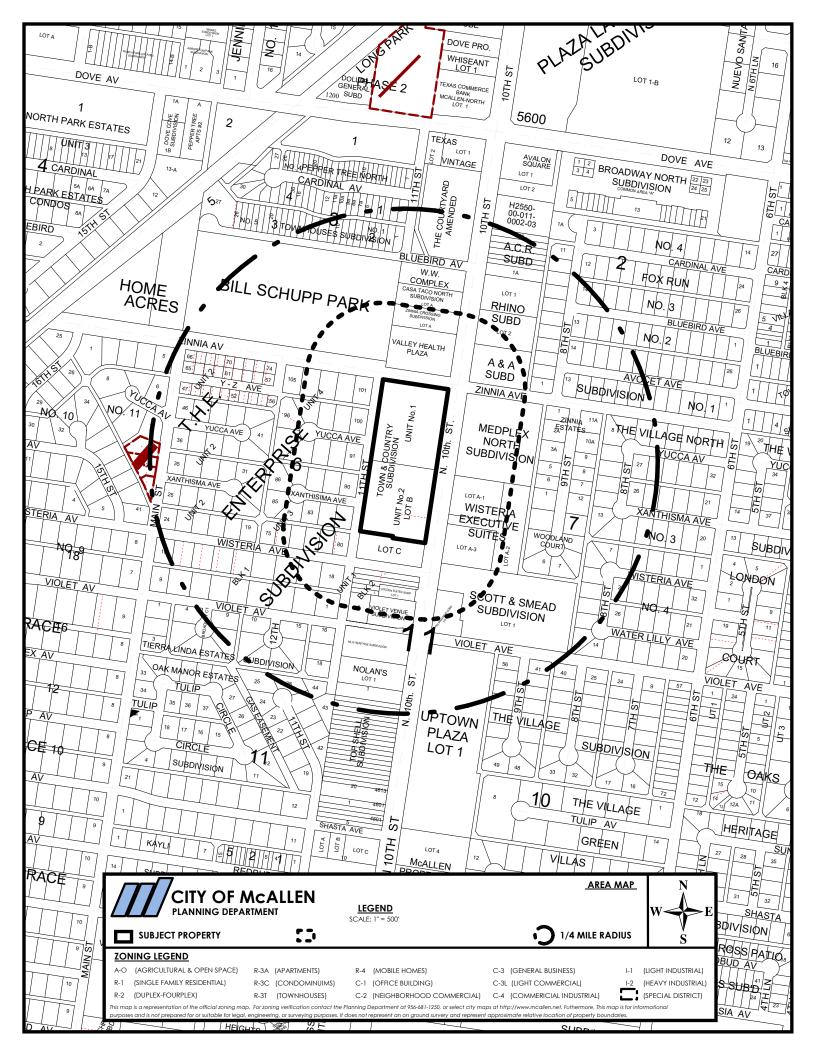
A police activity report was received and indicates calls from March 2019 to present.

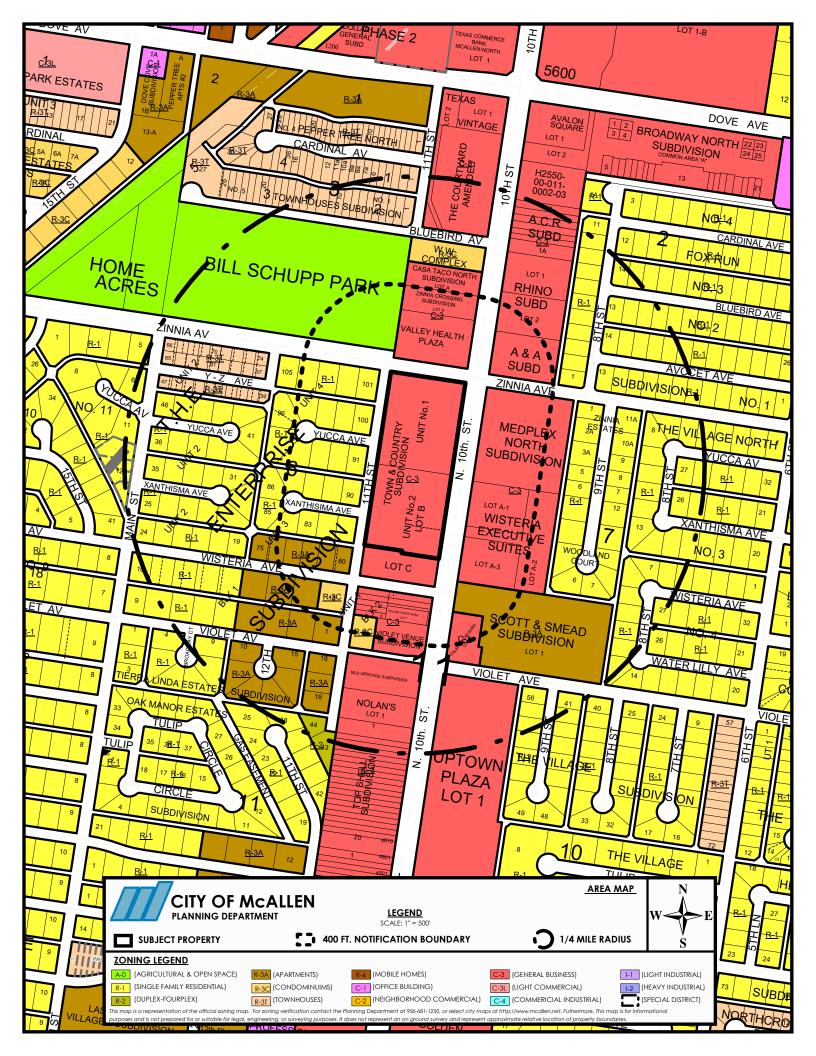
The Health Department has inspected the establishment and found the place to be in compliance. The Fire Department inspection is pending. The establishment must comply with requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 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. from the nearest residence and residentially zoned property to the east, and publicly owned property (Bill Schupp Park) to the northeast;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has access from North 10th Street;
- 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. The proposed 1,880 sq. ft. barbershop requires 8 parking spaces. For every business to run simultaneously, 371 parking spaces are required; there are 480 parking spaces provided on site;
- 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; 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 Building Department confirmed that the maximum occupancy for the above-mentioned business is 71 people.

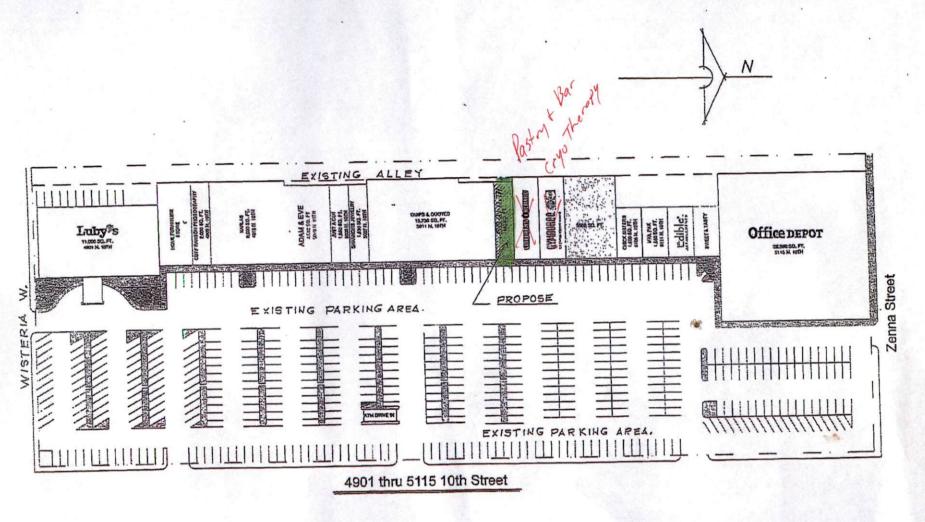
RECOMMENDATION:

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





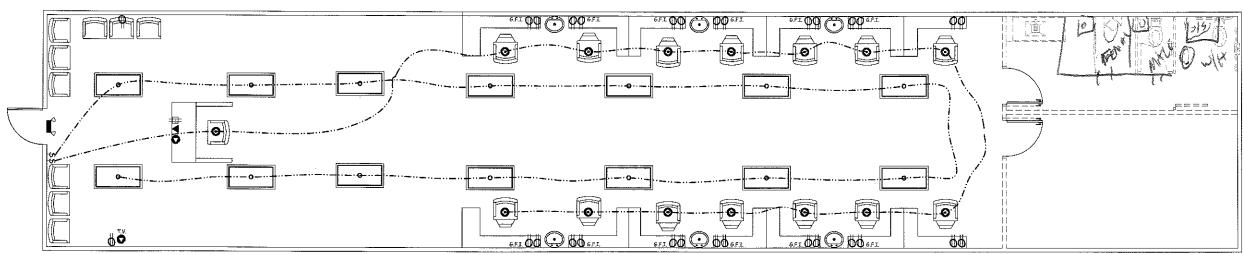




SITE. PLAN

Town & Country Shopping Center McAllen, Texas
BARBERSHOR

2-27-20



- SINGLE POLE SWITCH
- THREE-WAY SWITCH
- FOUR-WAY SWITCH
- -0 110 DUPLEX OUTLET
- 220 OUTLET =
- PHONE JACK CAT 5E CABLE JACK
- 110 FLOOR OR CEILING OUTLET
- ELECTRICAL PANEL
- LITE EXIT SIGN
- EMERGENCY LIGHT TRACK LIGHTING
- CONDENSING UNIT

- PENDANT LIGHTING
- WALL SCONCE
- ◆ LIGHT FIXTURE (60 W) EXHAUST FAN
- \mathbf{O} INCANDESCENT LT. (CAN LT.)
 - EYEBALL LIGHT (CAN LT.)

2 X 4 FLUOR, LT. FIXTURE 3- T8 BULBS FLUSH

1 X 4 FLUOR, LT. FIXTURE

FLUORESCENT TUBE LIGHT 1- T8 BULB RECESSED

WALL MOUNTED 200w METAL

HAILDE SECURITY LIGHT W/

2- T8 BULBS FLUSH

- CEILING FAN

W/ CEILING

W/ CEILING

AUTO SENSOR

FLUOR.

PROVIDE SPEAKERS & WIRING FOR SURROUND SOUND AS PER OWNER.

PROVIDE MIN. 2-48" 2 TUBE FLUOR. FIXTURES IN ATTIC.

ALL FIXTURES PER ALLOWANCE & SELECTED BY OWNER.

ALL SMOKE DETECTORS TO BE HARD WIRED TOGETHER.

ALL RECESSED LIGHTS W/DIMMER SWITCHES.

PROVIDE SECURITY ALARM SYSTEM.

ELECTRICAL NOTES:

3.

- DIMMER SWITCHES ON ALL CHANDELIERS. PROVIDE ADEQUATE BLOCKING FOR ALL LIGHT FIXTURES.
- ALL PLUGS AT LEAST 30" FROM WET LOCATIONS.
- PROVIDE G.F.I. PLUGS IN KITCHEN & BATH AREAS.

1 - 3 TUBE FLUOR. = 90 WATTS ALLOW 1.3 WATTS PER SQ. FT. = 45 MAX FIXTURES

ELECTRICAL PLAN

SCALE: 1/8" = 1'-0"

exas

10th

Date: 3-9-17

Shop

Barber

Drawn By: E.F.S.

Sheet No.





McAllen Police Department

TX1080800



Call Source:

Incident Analysis Report

Summary

Print Date/Time: 03/30/2020 09:16

Login ID: mcpd7004 Incident Type: ΑII

From Date: 03/01/2019 00:01

03/30/2020 09:00 To Date:

Officer ID: All

5021 N 10TH ST, MCALLEN Location:

ORI Number:

Incident Date/Time Incident Number Incident Type Location 04/05/2019 13:43 2019-00023491 Assist Other Agency 5021 N 10TH ST 06/29/2019 14:32 2019-00046205 Lost/Found Property 5021 N 10TH ST

Total Matches:

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 3, 2020

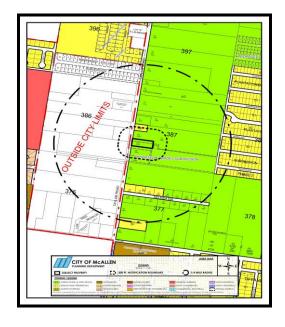
SUBJECT: REQUEST OF MELISSA BURTON FOR A CONDITIONAL USE PERMIT,

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.

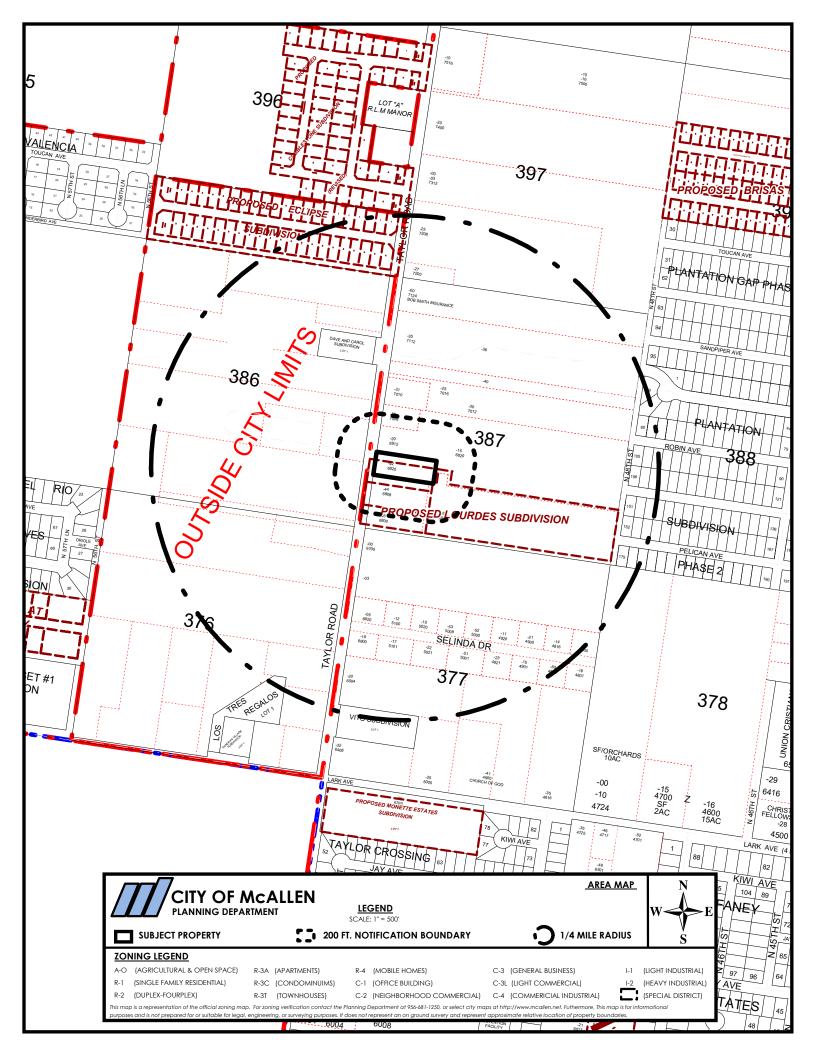
The applicant divided the backyard and front yard into 4 different playgrounds for the dogs. The submitted floor plan and the inspection made by Planning staff indicate that there are two play rooms and a feeding/supply room within the residence. There are 1-2 employees/volunteers in the location. Boarding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

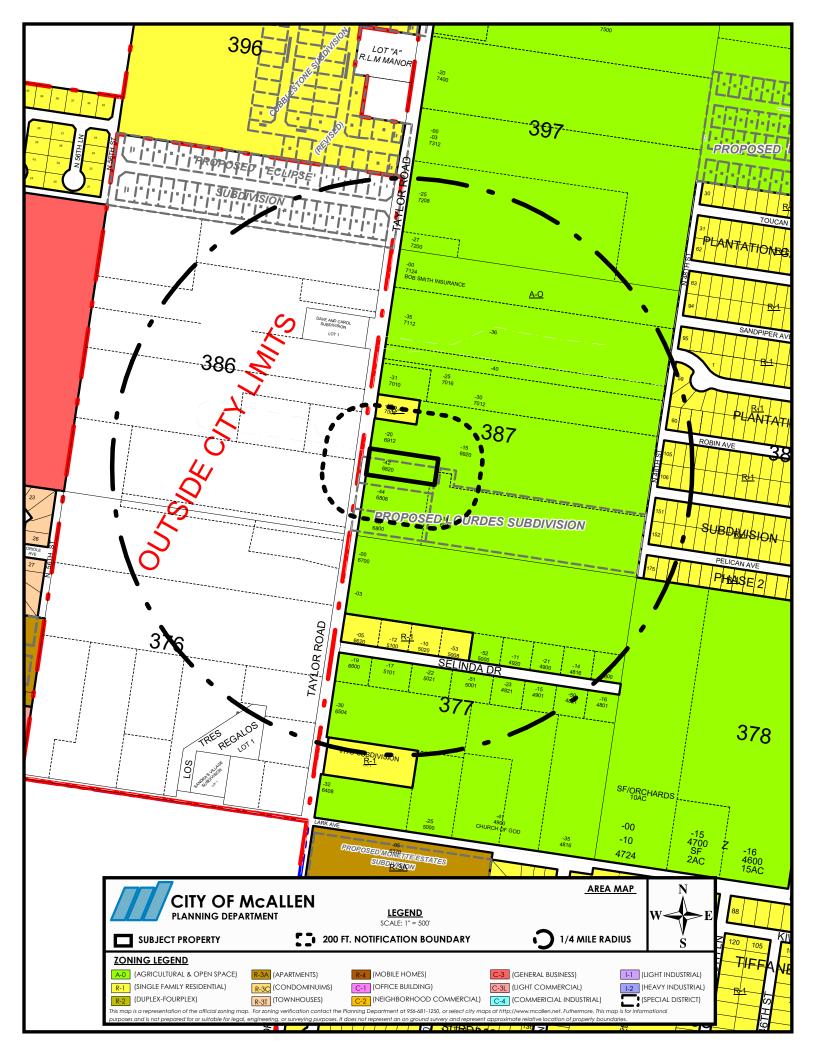
The Health Department has inspected the establishment, and the property is in compliance. A final inspection from the Fire Department is pending. The establishment must also meet the requirements set forth in Section 138-163 (8) of the Zoning Ordinance and specific requirements as follows:

- 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.

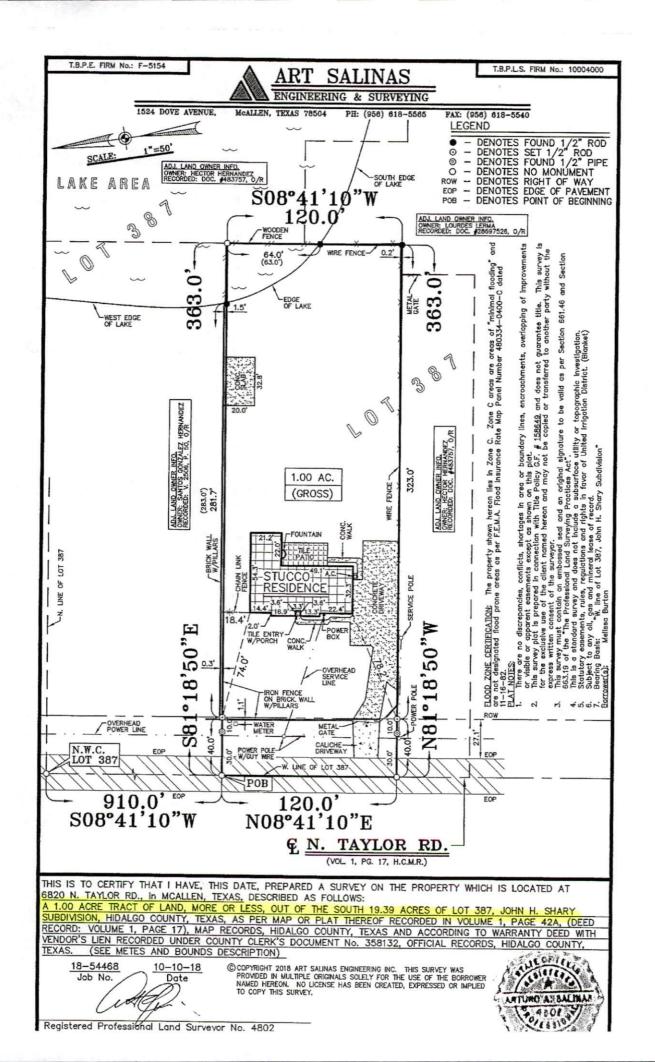
RECOMMENDATION:

Staff recommends disapproval of the request based on noncompliance with requirement #2 (property size) of Section 138-163 (8) of the Zoning Ordinance.









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."

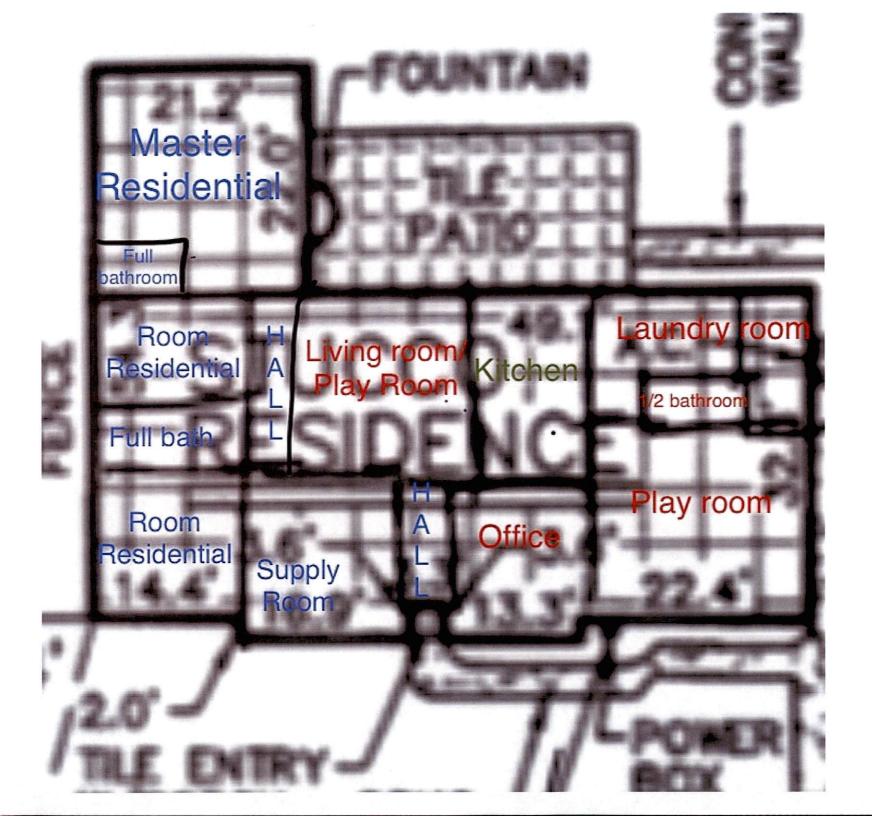
Job No. 18-54468

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







Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 2, 2020

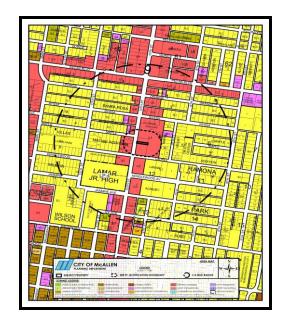
SUBJECT: REQUEST OF MIGUEL CARLOS MACIAS PADILLA FOR A

CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN INSTITUTIONAL USE (BEAUTY SCHOOL) AT A 0.12 ACRE TRACT OF LAND OUT OF LOT 5, BLOCK 9, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 1214 NORTH 10TH

STREET. (CUP2020-0013)

BRIEF DESCRIPTION:

The property is located on the east side of North 10th Street, approximately 230 ft. north of Laurel Avenue, and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions. Surrounding uses include commercial business, offices, restaurants, and single family residences. An institutional use is permitted in the C-3 zone with a conditional use permit and in compliance with requirements.





REQUEST/ANALYSIS:

There is an existing 2,422 sq. ft. lease space part of a commercial building of 5,081 sq. ft. from where the applicant is proposing to operate a beauty school. The applicant is proposing to operate the beauty school from 8:00 AM to 3:00 PM Monday thru Friday,

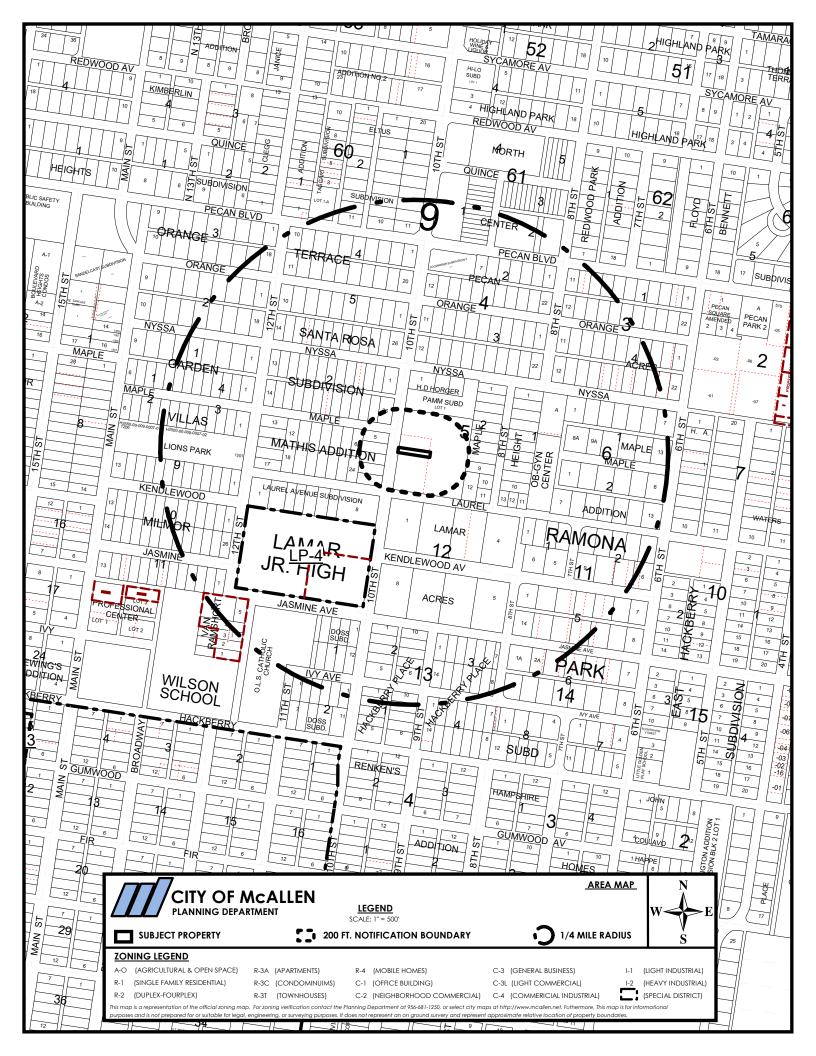
and have 18 students. Based on the square footage of the lease space where the beauty school is proposed to operate and the remainder of the commercial building, 16 parking spaces are required and 17 parking spaces are provided. 6 parking spaces are located in front of the building, and the applicant obtained a parking agreement from an adjacent business for 11 parking spaces from the parking lot located at the rear of the subject property.

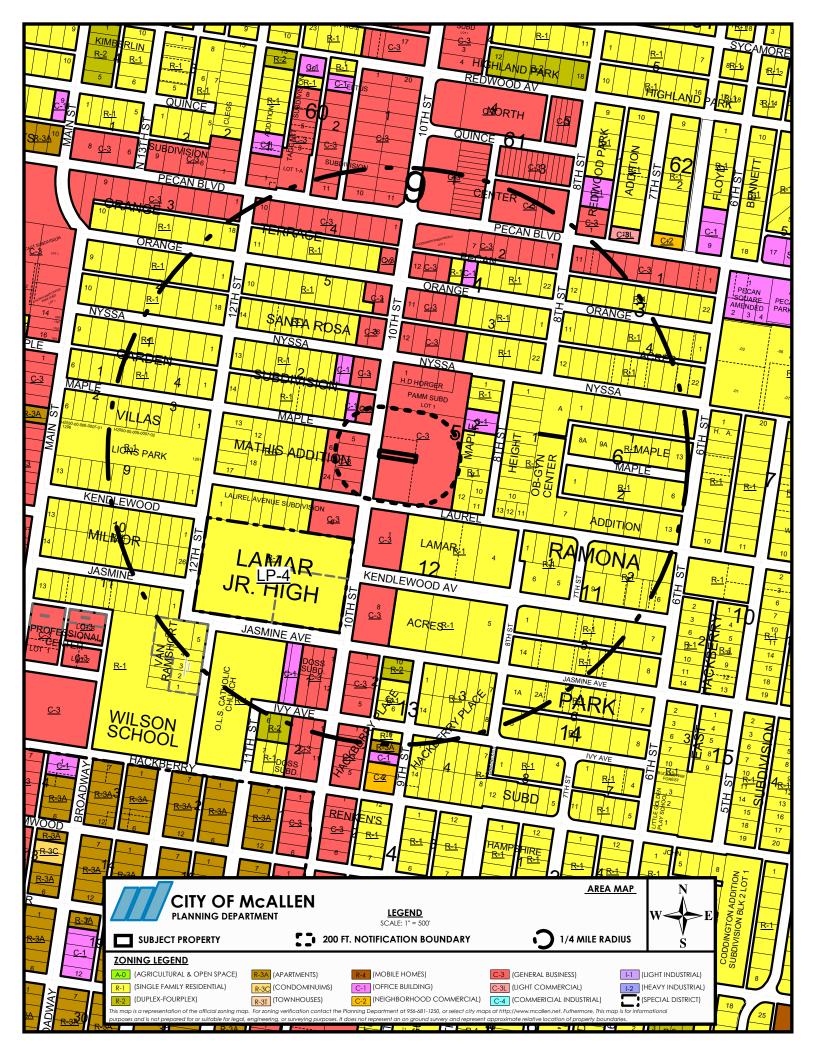
The Fire Department inspection is pending. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 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 and has direct access to North 10th 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 square footage of the lease space where the beauty school is proposed to operate and the remainder of the commercial building, 16 parking spaces are required and 17 parking spaces are provided. 6 parking spaces are located in front of the building, and the applicant obtained a parking agreement from an adjacent business for 11 parking spaces from the parking lot located at the rear of the subject property.
- The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas:
- 6. The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7. Sides adjacent to commercially and residentially zoned or use properties shall be screened by a 6 ft. opaque fence.

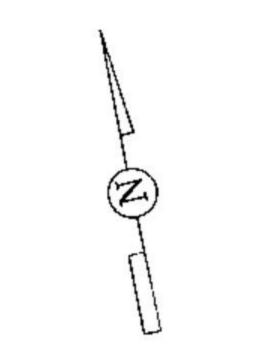
RECOMMENDATION:

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



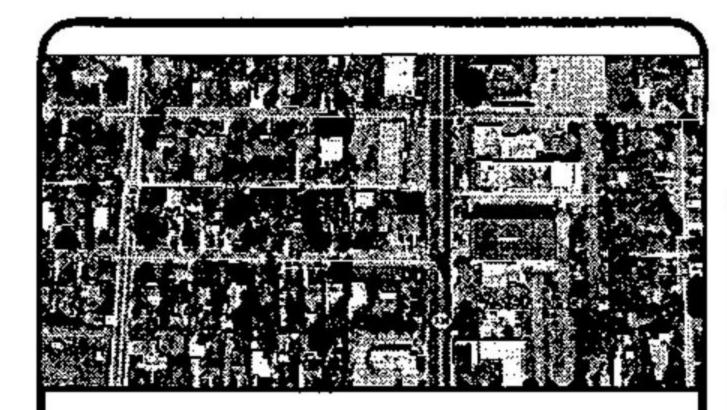






SCALE: 1'-0''=1/8''

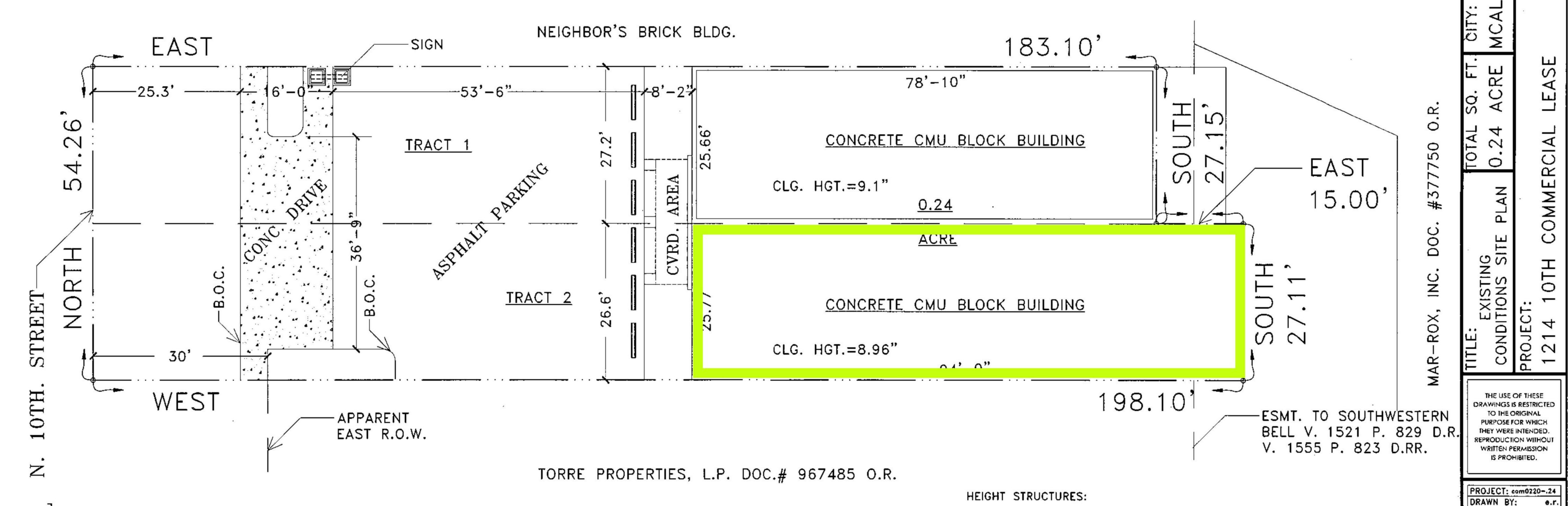
BASIS OF BEARING IS THE WEST LINE OF 1 THRU 12 MAPLE HEIGHTS SUB. V. 7 P. 25 M.R. HIDALGO COUNTY TX.



LOCATION MAP

HIDALGO CANAL CO-MC N27.15'-S268.76'-W183.1 LOT 5 BLK 9 SE ∯ 0.11 AC GR 0.09 AC NET & HIDALGO CANAL CO-MC N27.11'S241.62'-W198.1' LOT 5 BLK 9 SE 1

JAMES C. MCBRIDE DOC.# 844226 O.R.



SITEPLAN

भ

MAX. EXTERIOR HGT. STRUCTURES: 19.70' MIN. INTERIOR HGT. STRUCTURES: 16.50'

FRONT WOOD STRUCTURES: 9.0'

AREA TABULATION: LIVING AREA: COVERED FRONT PORCH AREA:

5,081.10 SQ. FT. 357.20 SQ. FT.

5.438.30 SQ. FT.

TOTAL AREA:

Zoning: C1

IMPORTANT NOTES PLEASE READ BEFORE CONSTRUCTION BEGINS

A. THESE PLANS ARE INTENDED TO PROVIDE THE BASIC INFORMATION FOR CONSTRUCTION. THESE PLANS MUST BE VERIFIED AND CHECKED COMPLETELY BY THE THE GENERAL CONTRACTOR AND OWNER, ANY DISCREPANCY, ERROR AND/OR OMISSION, IF FOUND, IS BROUGHT AND REPORTED BY WRITING IMMEDIATLY TO THE DRAFTER BEFORE THE CONSTRUCTION WORKS STARTS OR PRUCHASES IS MADE.

B. FEDERAL, STATE, COUNTY, AND LOCAL CITY ORDINANCES AND BUILDING CODES TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS. ANY CONFLICT MUST BE ADHERED TO THE PROJECT BEFORE CONSTRUCTION.

CHECKED BY: 02.17.20 SCALE: 1/8"=1'-0" REVISION:

1 of 1

Storage Upper Floor PIZARRON Harristage VAN Access 00 00 00 VEXI+ waiting area 00 00 UU Storage 00 00 00 Parking 0 छि Parking Shampon 50005 17 Ha11 Storage - Hair Stations - Student



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: March 27, 2020

SUBJECT: REQUEST OF ANTONIO YBARRA FOR A CONDITIONAL USE

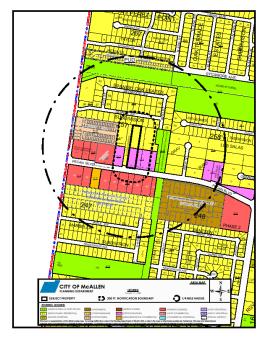
PERMIT, FOR LIFE OF USE, FOR AN INSTITUTIONAL USE (CHURCH) AT A 1.87 ACRE TRACT OF LAND OF LOT 257, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4902 PECAN

BOULEVARD. (CUP2020-0018)

BRIEF DESCRIPTION:

The property is 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 is 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 is permitted in a C-1 zone with a conditional use permit and in compliance with requirements.





SUMMARY/ANALYSIS:

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 is to submit an updated site plan with the required van accessible parking space and the buffer (8ft. masonry) surrounding the subject property from the residential zones/uses. In addition, a landscape plan is needed and has not yet 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:

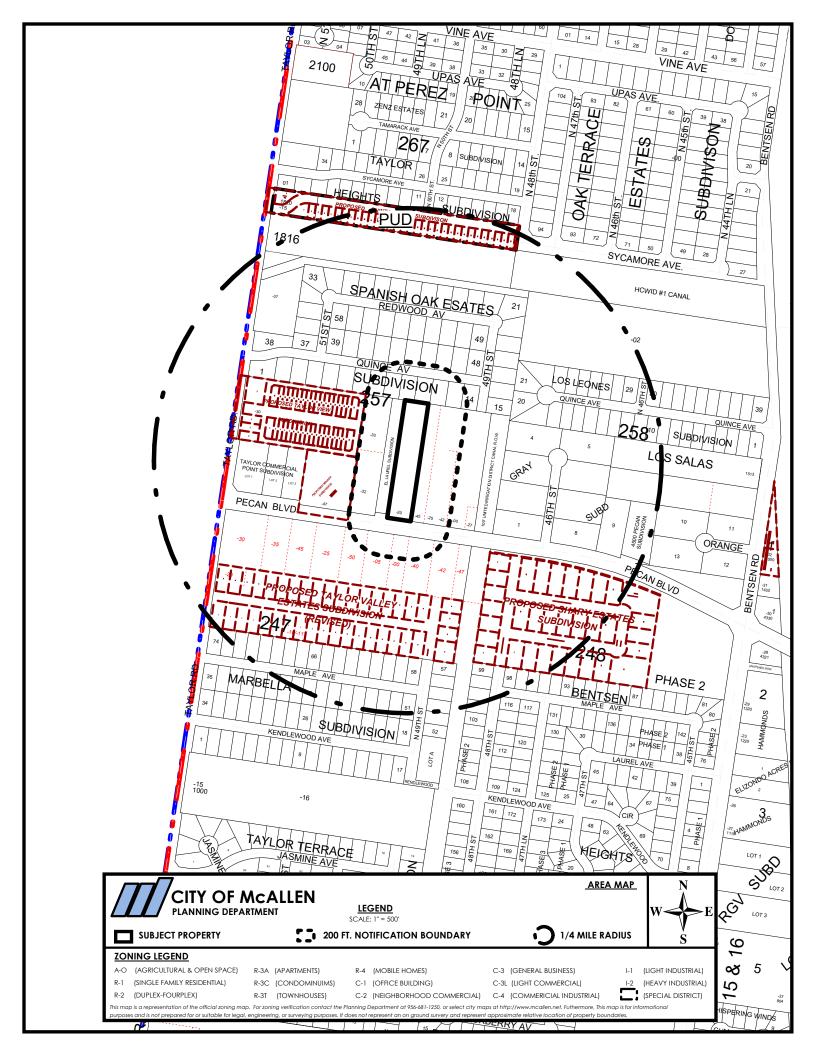
- The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Pecan Boulevard.
- The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent 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.
- 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;

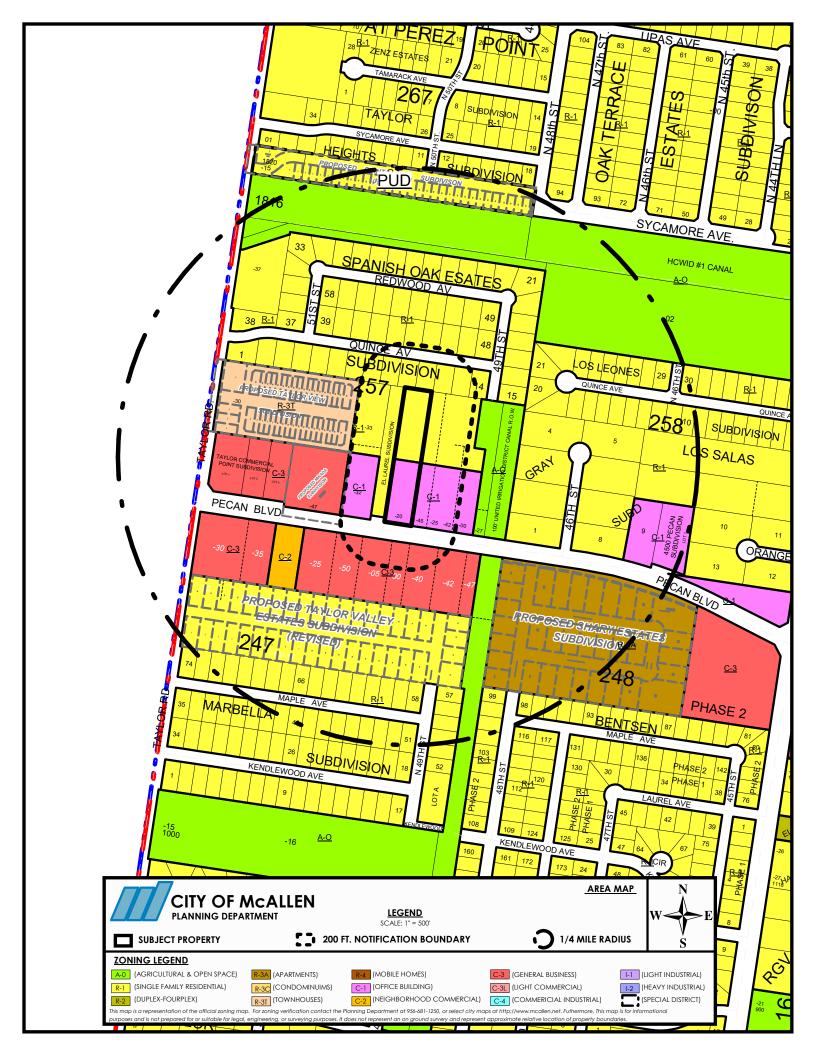
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or use property shall be screened by an 8 ft. masonry buffer.

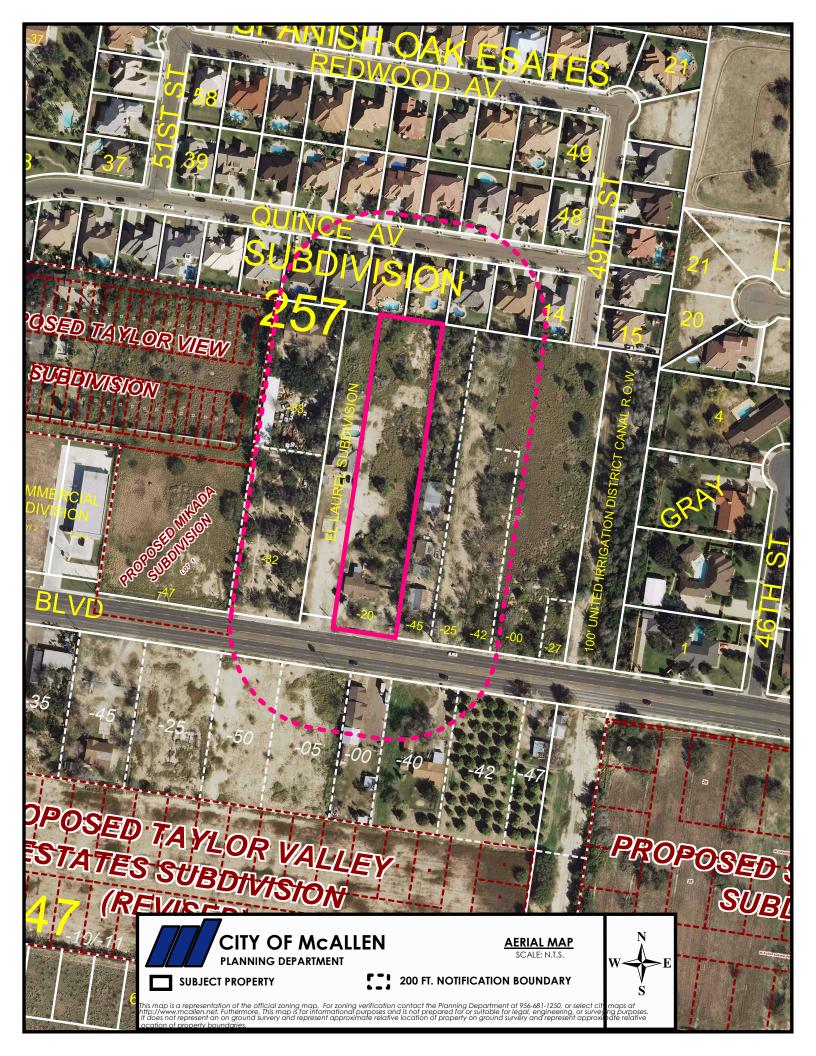
RECOMMENDATION:

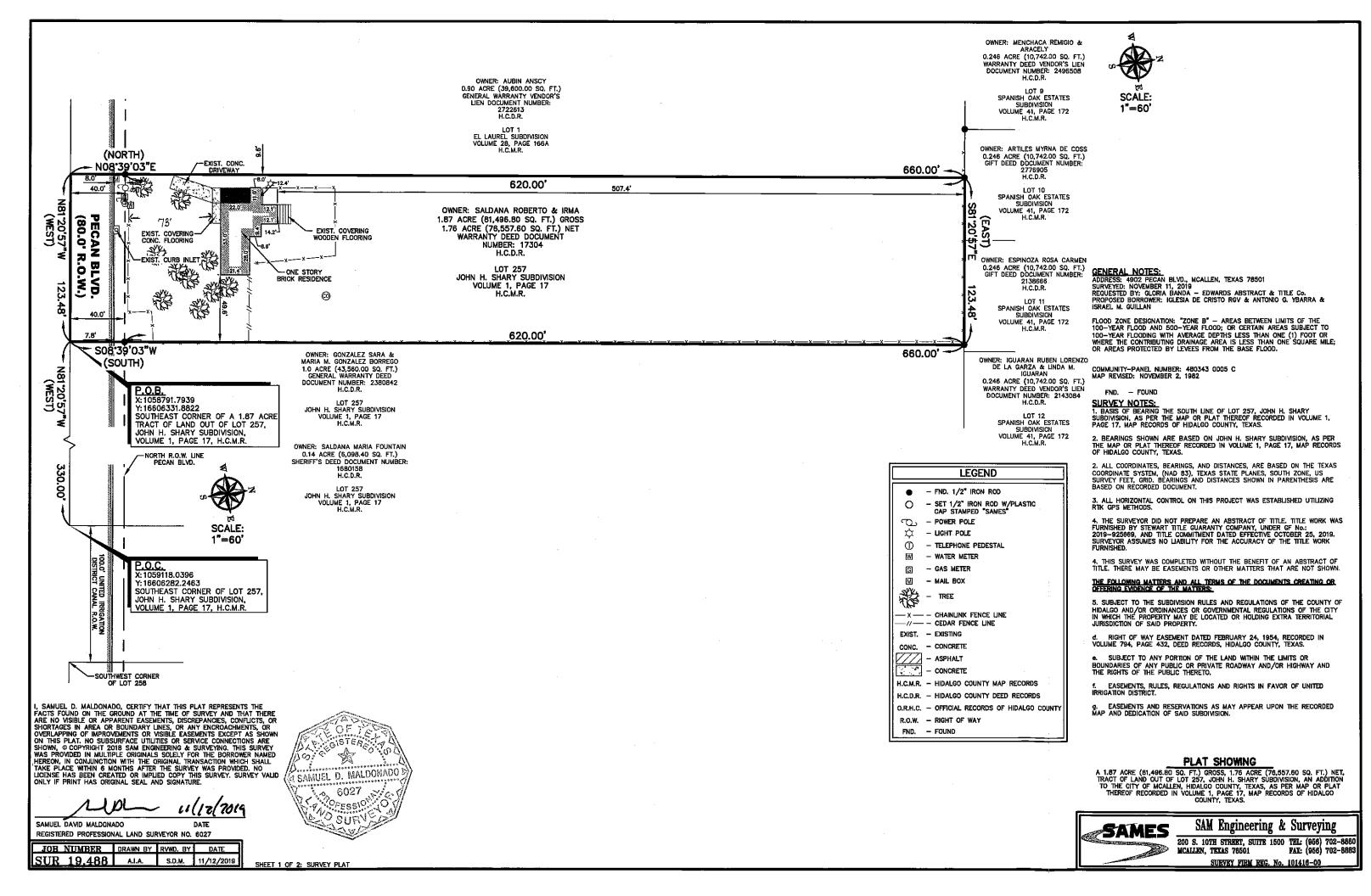
Staff recommends to table the item based on the following:

- 1) Submittal of the updated site plan and landscape plan;
- 2) The applicant obtains the required ROW permit for the proposed driveway and parking lot; and
- 3) Public Utility Board action on the request to continue using the existing septic tank.

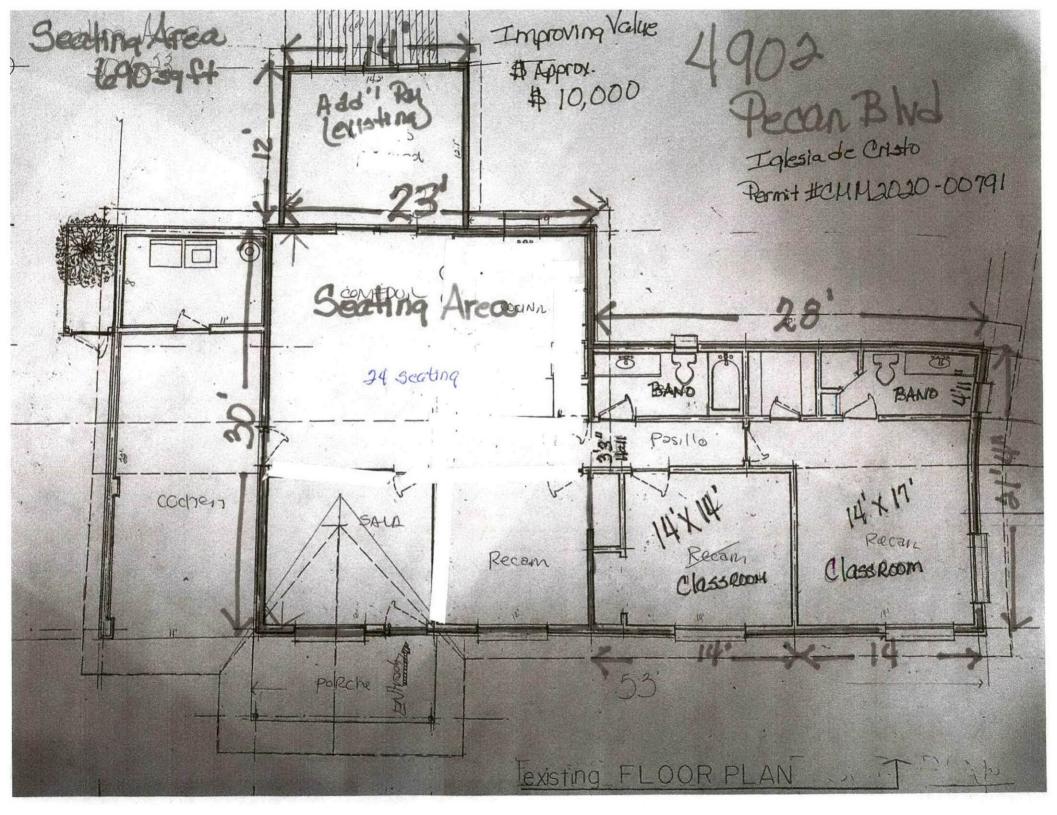








00 Church Blag 6 O OPEN 1 Ü 4x4 sign 0 Iqlesia De 20' w so from parking dristo TN 151 from Pence 25' a5' ourh to property 4901 Pecan Blud x weld fencing







Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: March 23, 2020

SUBJECT: REQUEST OF SARAHI CARDOZA, FOR A CONDITIONAL USE PERMIT,

FOR ONE YEAR, FOR A PORTABLE FOOD CONCESSION STAND AT LOT 1, ALL IN ONE SUBDIVISION NO 4, HIDALGO COUNTY TEXAS:

6101 NORTH 23RD STREET. (CUP2020-0020)

BRIEF DESCRIPTION:

The property is located on the west side of North 23rd Street, approximately 250 ft. south of Lark Avenue. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 to the north, R-3A (multifamily residential apartment) District to the south and west, A-0 (agricultural & open space) to the northeast and R-1 (single family residential) District to the east. A portable building is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.





SUMMARY/ANALYSIS

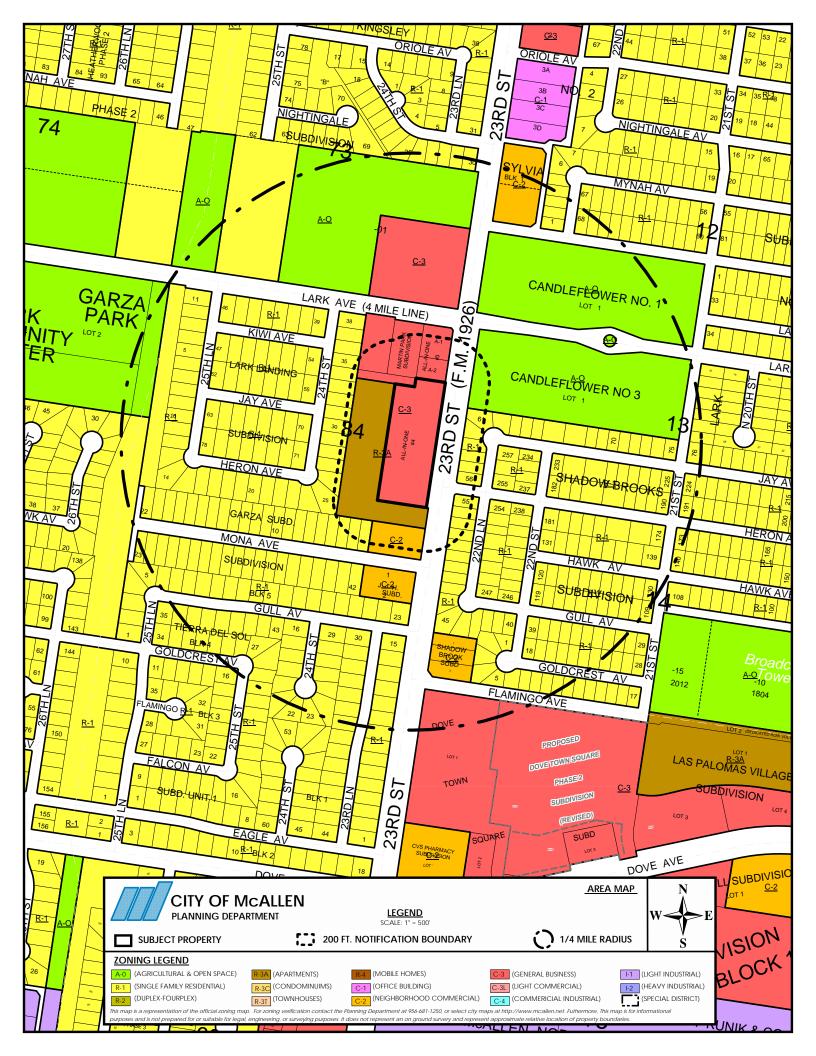
The previous Conditional Use Permit for a similar use was approved by the Planning and Zoning Commission on August 19, 2014. The same applicant renewed it until 2019. The new applicant is applying for a Conditional Use Permit for a snow cone stand. The portable building (19 ft. X 22 ft.) is already in place and will be maintaining its current footprint, with the proposed days and hours of Monday – Sunday from 11 am – 11 pm.

The Fire and Health Department have completed their inspections and found the establishment to be in compliance. The portable building must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

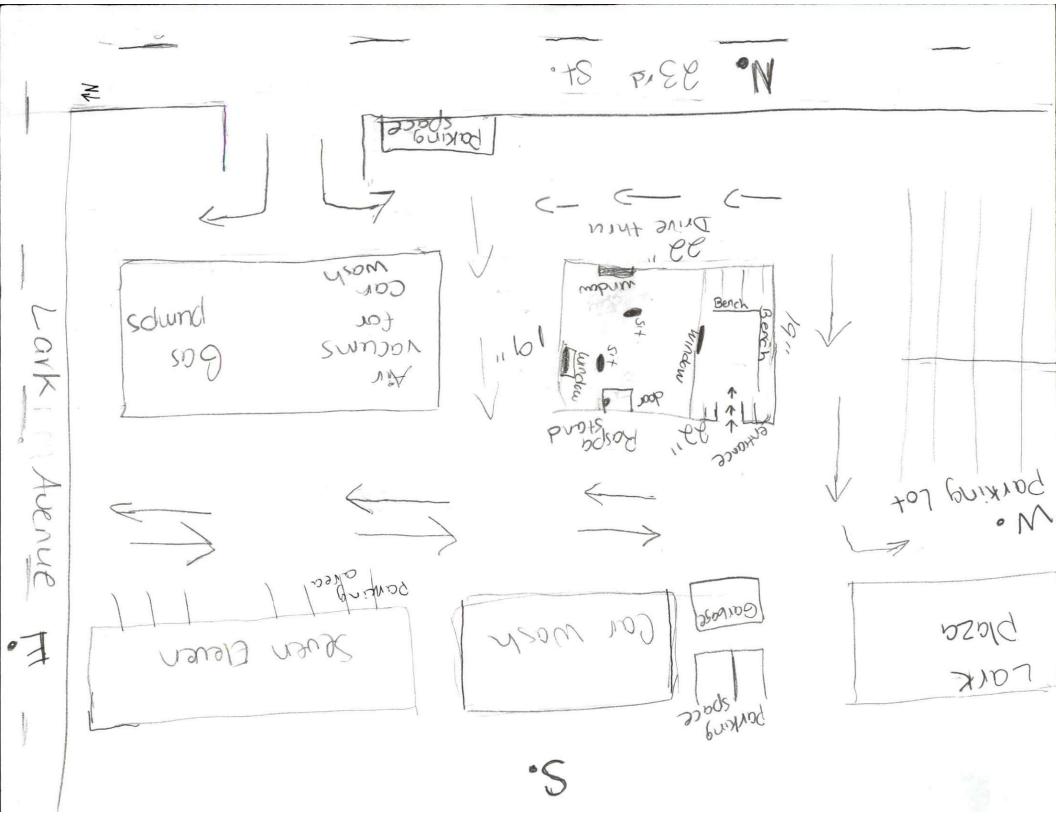
- 1) Portable buildings must not be used for living quarters. The portable building is proposed for a snow cone stand.
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts North 23rd Street.
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the square footage, four (4) parking space are required. They are part of a common area for parking.
- 4) Must provide for garbage and trash collection and disposal. As per the shopping center a dumpster area is provided;
- 5) Must be connected to an approved water distribution and sewage disposal system.
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use;
- 7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

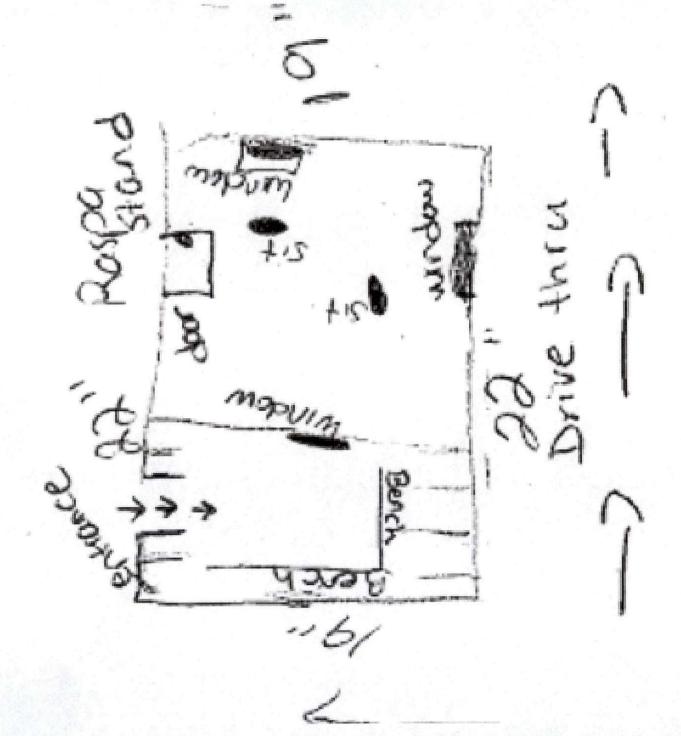
RECOMMENDATION:

Staff recommends approval of the request, for one year, subject to compliance with requirements from Section 138-118(3) of the Zoning Ordinance, Building Permit, Health and Fire Department requirements.









Floor Plan

N S



Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: March 20, 2020

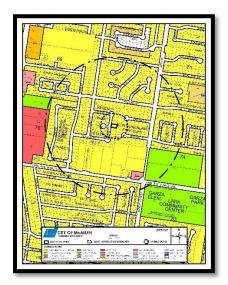
SUBJECT: REQUEST OF CLAUDIA J. GONZALEZ FOR A CONDITIONAL USE

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)

BRIEF DESCRIPTION:

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 is surrounded by single-family residences. A day care is allowed in the R-1 zone with a Conditional Use Permit and in compliance with requirements.





SUMMARY/ANALYSIS:

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:

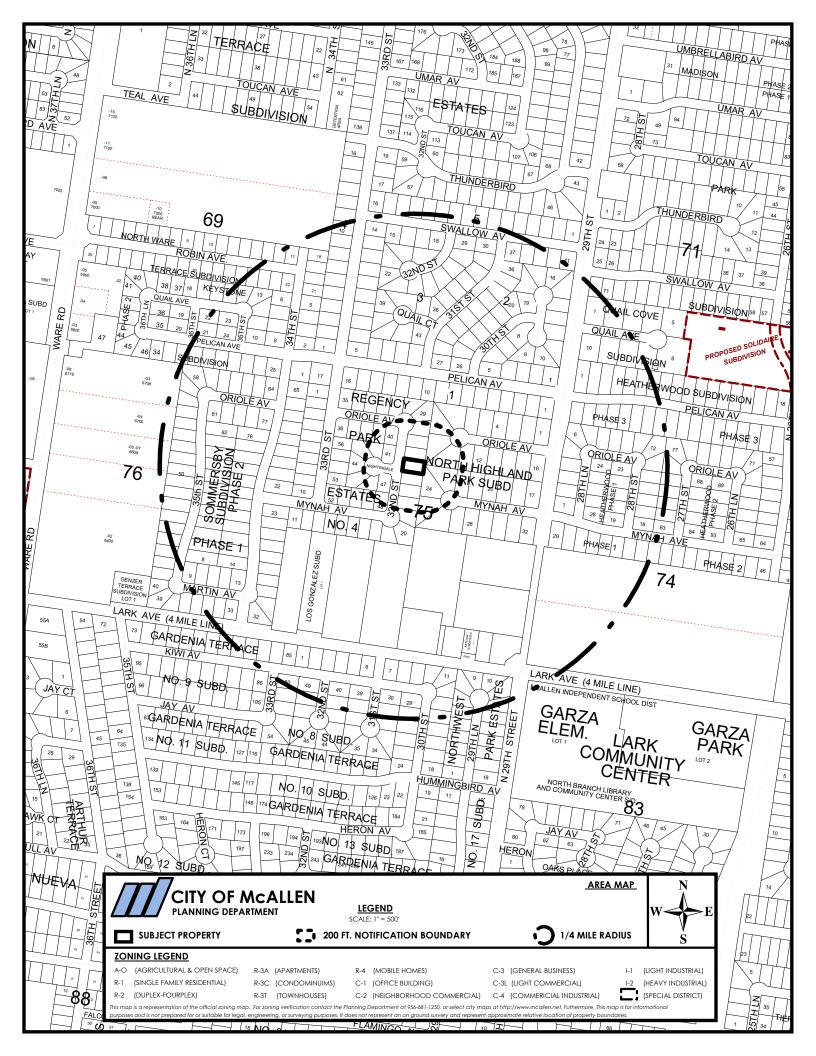
- 1. Meet the requirements of the Department of Human Services;
- 2. Provide a fenced in area for outside play of children. A fenced area is provided on site;
- Provide paved area adjacent to street for pickup and delivery of children. The
 existing driveway and garage accommodate the two required parking spaces
 needed for the residential home and required space for the pick-up and drop off of
 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;
- 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.

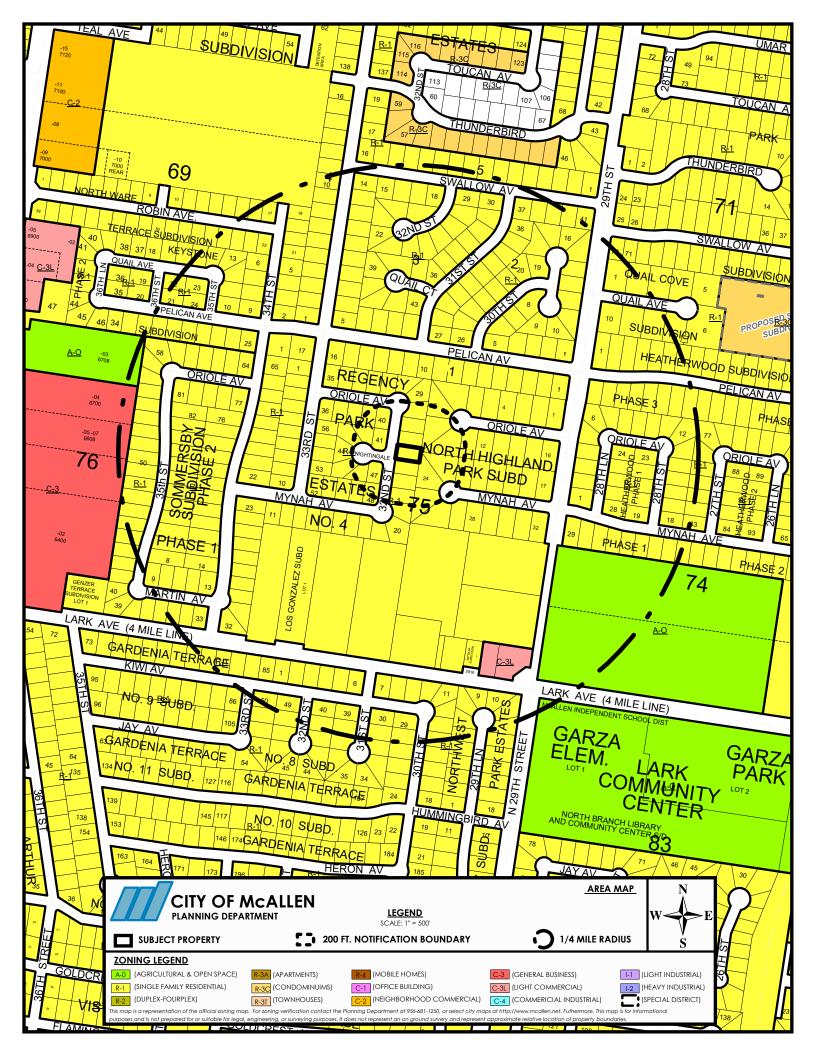
Staff has received one call in opposition from Roy Lopez, who resides at 6516 N. 32nd Street. Mr. Lopez is a retired individual who enjoys spending time in the tranquility of his backyard and he fears the proposed daycare may disturb the character of the neighborhood.

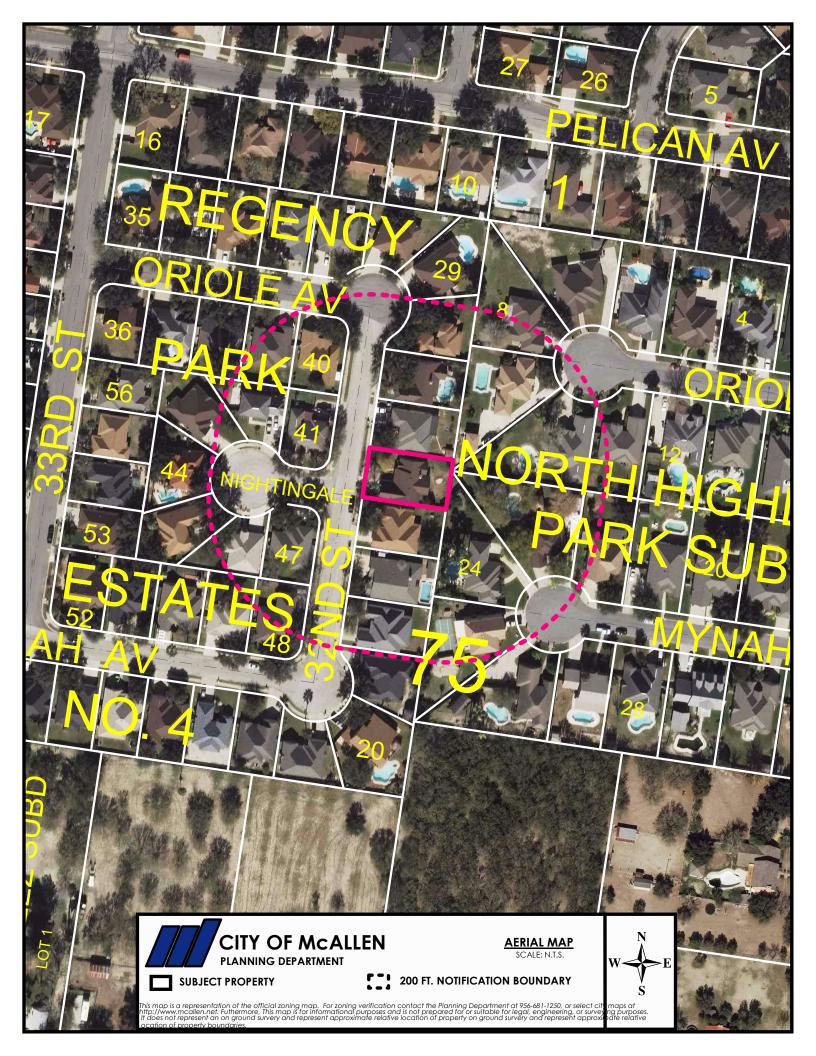
RECOMMENDATION:

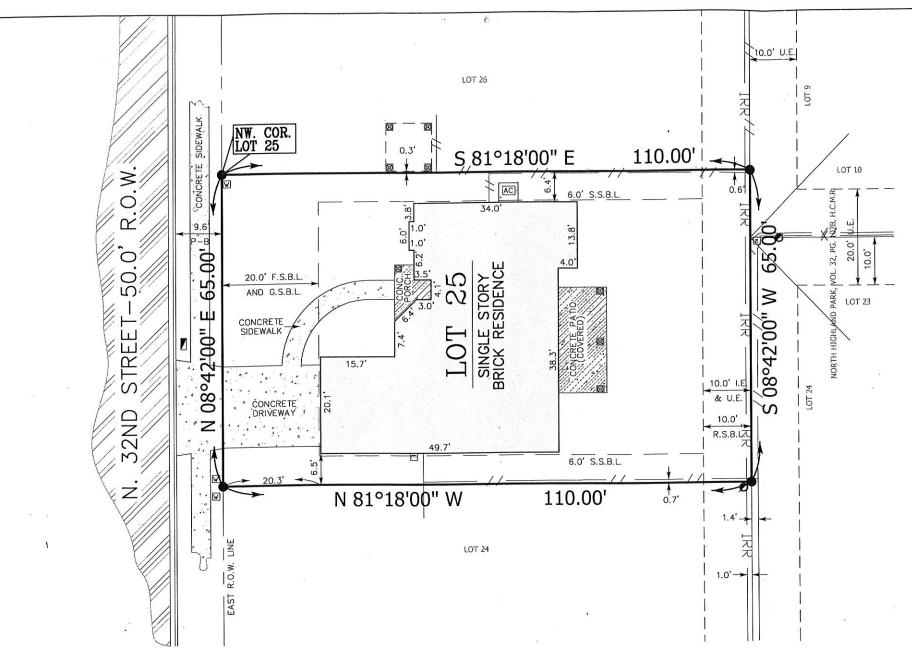
Staff recommends approval of the request, for one year, subject to compliance with Section 138-118(8) of the Zoning Ordinance, and Health, and Fire Department

Requirements.









NOTES

- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- SURVEY WAS PREPARED IN COORDINATION WITH SIERRA TITLE COMPANY, COMMITMENT GF No. 3183493 EFFECTIVE DATE: NOV. 8, 2019 ISSUED DATE: NOV. 18, 2019

FROM SCHEDULE B:

- 10.c. AGREEMENT DATED MAY 12, 1987, BETWEEN CP&L CO. AND JOSEPH P. BOND, JR., TRUSTEE, RECORDED IN VOL. 2444, PG. 832, H.C.O.R. (BLANKET)
- 10.d. R.O.W. EASEMENT IN FAVOR OF CP&L CO. ON EACH LOT IN SAID SUBDIVISION AS SHOWN ON PLAT RECORDED IN VOL. 25, PG. 58B, H.C.M.R.
- 10.h.— EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1. (BLANKET)
- 3. CP&L CO. IS HEREBY GRANTED AND EASEMENT AND R.O.W. ON EACH LOT IN SAID SUBDIVISION FOR AN UNDERGROUND ELECTRIC SERVICE LATERAL TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES AT THE RIGHT LOCATION WHICH SUCH SERVICE LATERAL IS TO BE OR INSTALLED AND MAINTAINED FROM TIME TO TIME. (VOL. 25, PG. 58-B, H.C.M.R.)
- 4. MINIMUM FLOOR ELEVATIONS, SETBACK LINES, EASEMENTS AND RESTRICTIONS AS SHOWN ON THE MAP REGENCY PARK ESTATES SUBDIVISION, UNIT 4, REC. IN VOL. 25, PG. 58—B, H.C.M.R.
- 5. W & L MANGUM SURVEYING NOR THE SURVEYOR OF RECORD RESEARCHED OR PREPARED A TITLE REPORT OR ABSTRACT OF TITLE ON THE ABOVE PROPERTY.

FLOOD ZONE

ZONE "C"

AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

COMMUNITY-PANEL NUMBER: 480343 0005 C MAP REVISED: NOVEMBER 2, 1982.

ADDRESS: 6600 N. 32ND STREET McALLEN, TEXAS 78504

BORROWER:

ERASMO VASQUEZ, JR.

ERIKA JASMIN GONZALEZ

PLAT SHOWING
ALL OF LOT 25,
REGENCY PARK ESTATES
SUBDIVISION, UNIT 4,
AN ADDITION TO
THE CITY OF McALLEN,
HIDALGO COUNTY, TEXAS,
VOL. 25, PG. 58-B, H.C.M.R.

LEGEND

● FOUND 1/2" IRON ROD ▼ TELEPHONE PEDESTAL

© U.G. CABLE MARKER
© ELECTRICAL METER

AC CONC. (A/C UNIT) SLAB

✓ WATER METER

WATER METER
 MAILBOX

■ COLUMN
-//-WOOD FENCE
-X- CHAINLINK FENCE

-IRR-IRRIGATION LINE U.E. UTILITY EASEMENT

I.E. IRRIGATION EASEMENT

SCALE:1"=20"

CP&L CENTRAL POWER & LIGHT

R.O.W. RIGHT OF WAY F.S.B.L. FRONT SETBACK LINE

R.S.B.L. REAR SETBACK LINE

S.S.B.L. SIDE SETBACK LINE G.S.B.L. GARAGE SETBACK LINE

H.C.M.R. HIDALGO COUNTY MAP RECORDS

H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS

P-B PROPERTY LINE TO BACK OF CURB

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREON, WAS MADE ON THE GROUND ON 12/16/19 UNDER MY DIRECTION, THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN, THAT THERE ARE NO VIOLENCE OF PARTY CONFLICTS, OR VISIBLE OVERLAPPED OF PARTY CONFLICTS, OR VISIBLE OVERLAPPED OF THE CONFLICTS. OR VISIBLE OVERLAPPED OF THE CONFLICTS OR VISIBLE OVERLAPPED OF THE CONFLICTS.

ILLIAM A. MANGUM RRLS M853 4350 VIDATE:

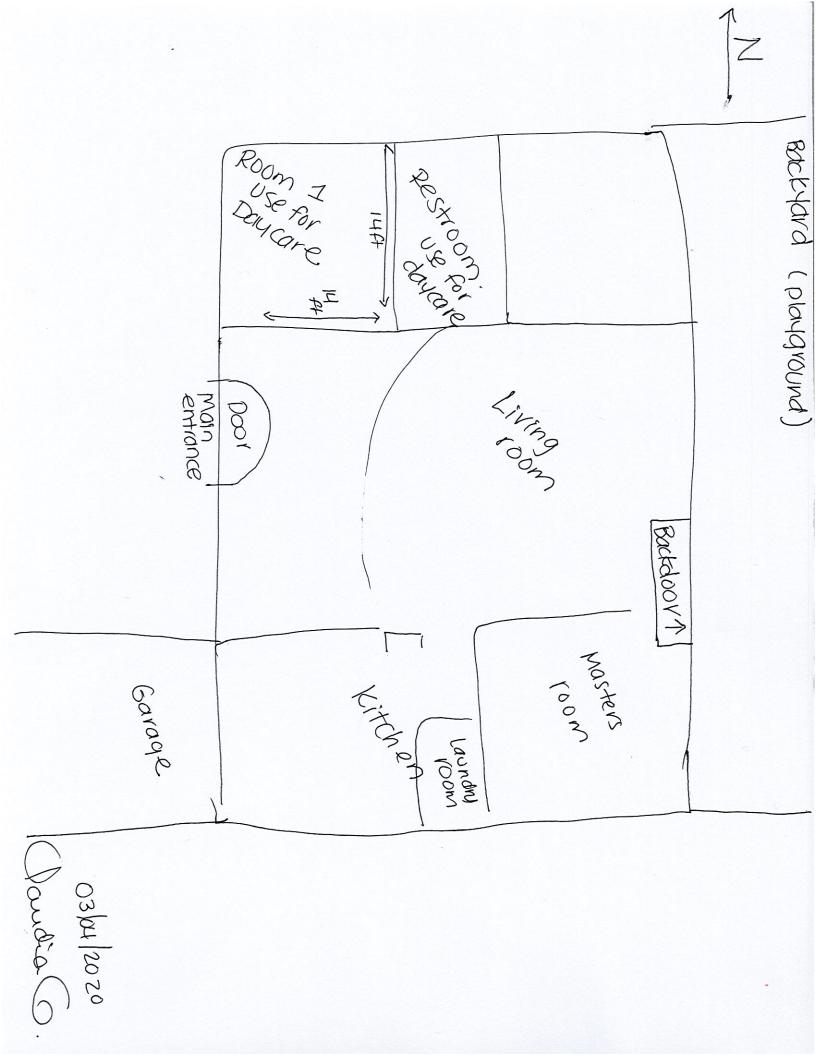
W & L MANGUM SURVEYING
2520 BUDDY OWENS BLVD.
McALLEN, TEXAS 78504
PHONE (956)249-8061
FIRM NUMBER 10113300
wlmangumsurveying@gmail.com

DATE: 12-16-19 JOB No.2019.12

JOB No.2019.12.20 BOOK 304L, PG. 08

T.B.P.L.S. PHONE NO. 512-239-5263

©COPYRIGHT 2019 W&L MANGUM SURVEYING ALL RIGHTS RESERVED





Ref: Day Care Permit 6600 N. 32nd St. McAllen. Texas

Ms. Bernice Gonzalez Planning Dept.- City of McAllen, Texas

My name is Crawford Higgins. I reside at 6512 N. 32nd St. in McAllen, Texas, two houses down from the proposed Day Care Center. I have lived at this address for over 25 years. This is a residential area- not a business zone. I oppose the Day Care Center because it would cause traffic congestion in our area. There is not adequate parking in our already crowded and narrow street. The safety of the numerous children who play outside needs to be taken into consideration as well. The noise that the children will be making while outdoors is something that as older folks, we do not need. This is a quiet, peaceful neighborhood and we want to keep it that way.

The neighbors requesting the permit just moved to this address within the last 2 months. If their intention was to open a Day Care, they could have rented or leased out numerous properties zoned for business around the area that will be more suitable for this type of business.

One of the other issues that I feel you have to take into consideration is the fact that we five registered sex offenders. As evidence by the attached map, they are living less than 1 mile from this location. This is a danger not only to the children but to all the neighborhood as well.

I urge you not to open a Pandora's box by allowing this neighborhood to become a business zone. The residents that make up this neighborhood have been residing here for many, many years. We trust that the city will make a sound decision by separating residence from business and requiring this and all future requests to abide by the zoning plans that were created many years ago.

THE INFORMATION PROVIDED ON THIS SITE IS PROVIDED AS A PUBLIC SERVICE ONLY AND SHOULD NOT BE USED TO THREATEN, INTIMIDATE, OR HARASS. MISUSE OF THIS INFORM/RESULT IN CRIMINAL PROSECUTION.



According to our research of Texas and other state lists, there were 270 registered sex offenders living in McAllen as of April 06, 2020.

The ratio of all residents to sex offenders in McAllen is 526 to 1.

The ratio of registered sex offenders to all residents in this city is near the state average.

Servus Domini!

Deacon Crawford A. Higgins

Faith doesn't make things easy, It makes them POSSIBLE!

Be Smart! ~ Be Safe!

Crawford A. Higgins

Store Manager



700 S. Bicentennial Blvd.
McAllen, Texas 78505
Office 956-686-5403
Cell 956-559-5808

www.zarsky.com

Faith

Does not make things easy,

It makes them Possible.

From: Myra C. Stanley
To: Berenice Gonzalez

Subject: Daycare

Date: Monday, April 6, 2020 3:03:36 PM

Hello Mrs. Gonzalez, my name is Myra Stanley. I live with my husband, John Stanley at 6508 N. 32nd St. here in McAllen. We are emailing you in reference to the residential daycare that wants to open up a few doors down from our home. We do not want a daycare in our neighborhood. We want to keep it residential only.

Please count our vote against allowing a daycare in our neighborhood. Please make our voice heard at the meeting tomorrow.

Thank You, John and Myra Stanley

Sent from my iPhone

From: mquintanilla1@rgv.rr.com
To: Berenice Gonzalez

Cc: <u>Joaquin J. Zamora</u>

Subject:Mario Quintanilla - Petition CUP2020-21Date:Monday, April 6, 2020 9:13:14 PMAttachments:Mario Quintanilla - Petition CUP2020-21.pdf

Berenice Mariel González,

Attached are my documents and petition against the 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).

Just wanted to make sure you received this email.

Thank you for your response and time to help!

Best Regards and stay safe!!

Mario Quintanilla

Dear Ms. B. Gonzalez,

My name is Mario Quintanilla and reside at 6604 N. 32nd St. McAllen, TX. This letter is to convey my concerns and opposition of my fairly my new neighbors': Request of Claudia J. Gonzalez for a Conditional Use Permit, for Home Occupation (Daycare) at Lot 25, Regency Park Estates Subdivision, Unit 4, Hidalgo County, Texas, 6600 North 32nd Street (CUP2020-21).

The concerns we have are the following:

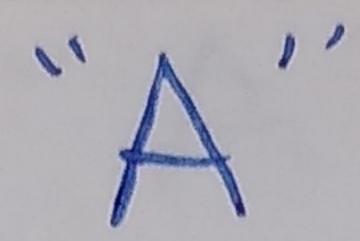
- **Traffic-** For the most part this is a very quiet area with low traffic when only the property owners are passing through.
- Parking This is a residential neighborhood; parking is very limited in our properties. Most of the property owners in this area have more than two cars must park them along the curb of their property. This also narrows the road as cars are parked along the curbs. If a Daycare is opened within the same area, this will affect traffic, space, parking and flow of the street(s).
- **Backyard Fence** We currently share a fence that separates our backyard. The fence faces inward toward the residents of 6600 N. 32nd St. and is over seventeen (17) years old, which is how long my family and I have resided here. It needs major repairs or replacement. We have dogs in our back yard and over the years some of the fence boards have broken apart and even fallen. One major concern is if a child/children are in the backyard and make contact with one of our dogs, that would create a substantial liability of a situation like that.
- Gym in area There is currently another resident that is operating a home gym a few houses down off Mynah and 33rd Street. They use their garage and driveway as part of the gym and have multiple people at a single time. (at times beyond 10) Their gym clients park in neighbors' areas and even do exercises in the middle of the street. This causes problems since it generates congestion along the street and a liability because of the gym clients are exercising in the middle of the street at any time. (lunges and or other exercises)
- **Garage Sales** We have another resident along 34th St. that has garage sales every day. Again, creating a lot of traffic congestion and parking issues for neighbors that live next to them.
- **Neighbors at 6608** Neighbor, Antonio Perez at 6608 N. 32nd St. previously applied for the same permit about seven years ago to run a Daycare/Clinic for Autistic children but were denied because parking was inadequate.
- Lability / Insurance We would now be at risk of a frivolous lawsuit(s) with a daycare in a residential area from parents for unknown reasons.
- Owners The said Permit for Home Occupation (Daycare) is requested by Claudia J. Gonzalez for 6600 North 32nd St. the attached document labeled as "A" shows the owners being Erasmo Vasquez, Jr and wife Erika Jasmin Gonzalez.

We understand and sympathize with everyone trying to make a living with an honest career. But this is a residential neighborhood and not a commercial area and would like for it to continue that way. One of the main reasons my wife and I were attracted to this area and purchased our home in 2003, was because it was quiet and was the place, we wanted to come home to enjoy our time at our sanctuary. We do not rent, nor do we pay a mortgage so for us to pick and up relocate is not an option. This is not a commercial area; this is a residential area in which families have moved in and settled to live a quiet peaceful life without all the chaos from the coming and going of others from a business. We have approximately four (4) of our proximity neighbors who have retired and enjoy their quiet time outside whether it be gardening or drinking a cup of coffee.

Ms. Gonzalez, I hope you take into consideration our concerns on the denial of said Permit. Our denial request is not in the intent to prevent someone from starting a business but to deny a business to be operated out of a home in a residential area. Our former neighbors that sold the home to Erasmo Vasquez Jr and wife, Erika Jasmin moved because they were in search of a "bigger" home for them because their family of four (4) was outgrowing the house in which Claudia J. Gonzalez, nonowner wants to operate a daycare.

Best Regards,

Mario Quintanilla, Owner adjacent to Lot 25, Regency Park Estates Subdivision, Unit 4, Hidalgo County, Texas, 6600 North 32nd Street oc-3076575



Hidalgo County Arturo Guajardo Jr. County Clerk Edinburg, Texas 78540

Document No: 3076575

Recorded On: January 06, 2020 10:08 AM

Billable Pages:

Number of Pages: 4

*****Examined and Charged as Follows****

Total Recording: \$ 44.00

******THIS PAGE IS PART OF THE DOCUMENT****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document No:

3076575

Receipt No:

20200106000037

Recorded On:

January 06, 2020 10:08 AM

Deputy Clerk:

Elaine Acuna

Station:

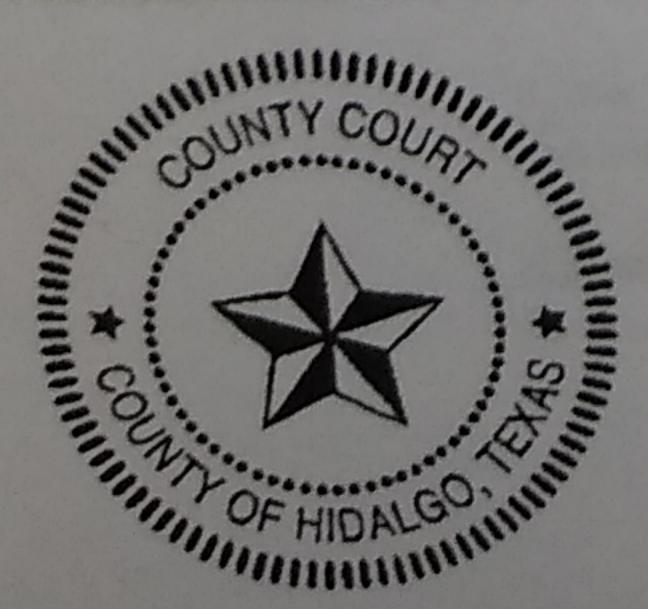
CH-1-CC-K31

Record and Return To:

Corporation Service Company

na

na TX



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas

Warranty Deed with Vendor's Lien

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: December 19, 2019

Grantor: DANIEL RENE RODRIGUEZ joined herein proforma by his

wife, LYNETTE R. RODRIGUEZ

Grantor's Mailing Address: 2308 Frontera Rd.

McAllen, Texas 78504

Hidalgo-County

Grantee: ERASMO VASQUEZ, JR. and wife, ERIKA JASMIN GONZALEZ

Grantee's Mailing Address: 1101 W. Dove Ave.

McAllen, Texas 78504 Hidalgo County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and a note of even date executed by Grantee and payable to the order of AMCAP MORTGAGE, LTD DBA GOLD FINANCIAL SERVICES, 9999, Bellaire Blvd., Ste. 700, Houston, Harris County, Texas 77036 in the principal amount of ONE HUNDRED FORTY-FOUR THOUSAND THREE HUNDRED THIRTY-SEVEN AND NO/100 DOLLARS (\$144,337.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of AMCAP MORTGAGE, LTD DBA GOLD FINANCIAL SERVICES and by a first-lien deed of trust of even date from Grantee to RICHARD A. RAMIREZ, Trustee.

Property (including any improvements):

Lot 25, REGENCY PARK ESTATES SUBDIVISION, UNIT 4, an Addition to the City of McAllen, Hidalgo County, Texas, according to the Plat or Map thereof recorded in Volume 25, Page 58B, Map Records of Hidalgo County, Texas.

Reservations from and Exceptions to Conveyance and Warranty: Subject To:

Restrictions recorded in Volume 2482, Page 24, Official Records, Hidalgo, County Texas.

Conveyance of Water Rights dated May 4, 1987 from Hidalgo Service Corporation to the City of McAllen, recorded in Volume 2447, Page 368, Official Records of Hidalgo County, Texas.

Agreement dated May 12, 1987, between Central Power and Light Company and Joseph P. Bond, Jr., Trustee, recorded in Volume 2444, Page 832, Official Records of Hidalgo County, Texas.

Right-of-way Easement in favor of Central Power and Light Company on each Lot in said Subdivision as shown on plat recorded in Volume 25, Page 58B, Map Records of Hidalgo County Texas.

A ten foot (10') Irrigation and Utility Easement along the rear of said property as shown on plat recorded in Volume 25, Page 58B, Map Records of Hidalgo County, Texas.

A ten inch (10") PVC Private Irrigation Line across the Eastern portion of said property as shown on plat recorded in Volume 25, Page 58B, Map Records of Hidalgo County, Texas.

Easements and conditions as shown on the Map recorded in Volume 25, Page 58B, Map Records of Hidalgo County, Texas.

Easements, rights, rules, and regulations in favor of Hidalgo County Irrigation District No.

Easements, or claims of easements, which are not of public record.

A twenty foot (20') Minimum Setback Line along the front of said property as shown on plat recorded in Volume 25, Page 58B Map Records of Hidalgo County, Texas.

A ten foot (10') Minimum Setback Line along the rear of said property as shown on plat recorded in Volume 25, Page 58B, Map Records of Hidalgo County, Texas.

A six foot (6') Minimum Setback Line along the sides of said property as shown on plat recorded in Volume 25, Page 58B, Map Records of Hidalgo County, Texas.

An eighteen foot (18') Minimum Garage Setback, except where greater setback is required, as shown on plat recorded in Volume 25, Page 58B, Map Records of Hidalgo County, Texas.

All oil, gas, and other minerals reserved in Deeds recorded in Volume 659, Page 253, Volume 1317, Page 693, and Volume 1494 Page 414, all in Deed Records of Hidalgo County, Texas

All ad valorem taxes for the year 2020 and all subsequent years.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

When the context requires, singular nouns and pronouns include the plural.

AMCAP MORTGAGE, LTD DBA GOLD FINANCIAL SERVICES, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the Note described. The vendor's lien and superior title to the Property are retained for the benefit of AMCAP MORTGAGE, LTD DBA GOLD FINANCIAL SERVICES, and are transferred to that party without recourse on Grantor.

DANIEL RENE RODRIGUEZ

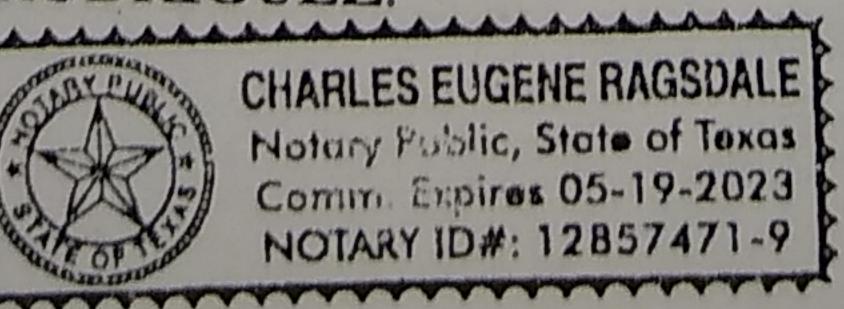
(Acknowledgment)

STATE OF TEXAS COUNTY OF HIDALGO

This instrument was acknowledged before me on the

DANIEL RENE RODRIGUEZ.

(SEAL)



the / day of December, 2019, by

NETTE R. RODRIGUEZ

Notary Public, State of Texas

Doc-3076575

(Acknowledgment)

STATE OF TEXAS COUNTY OF HIDALGO

This instrument was acknowledged before me on the $19^{-1/4}$ day of December, 2019, by

LYNETTE R. RODRIGUEZ.

(SEAL)

CHARLES EUGENE RAGSDALE
Notary Fablic, State of Texas
Commit Expires 05-19-2023
NOTARY ID#: 12857471-9

Notary Public, State of Texas

AFTER RECORDING RETURN TO: Erasmo Vasquez, Jr. and Erika Jasmin Gonzalez 1101 W. Dove Ave. McAllen, Texas 78504

PREPARED IN THE LAW OFFICE OF: JOHN ROBERT KING 3409 N. 10th, Suite 100 McAllen, Texas 78501 FileNo.:GF3183493;ER/DL

From: rlopez12@rgv.rr.com
To: Berenice Gonzalez

Subject: Permit for Daycare Center at 6600 N 32nd St Date: Tuesday, April 7, 2020 10:18:02 AM

McAllen Planning and Zoning Board,

I am writing to express my opposition to a request for a conditional use permit for home occupation (daycare) that would allow Claudia J. Gonzalez to operate a child daycare business from the home located at 6600 N 32nd St.

My family and many of our neighbors have enjoyed the peace and tranquility this neighborhood has offered us for the almost 26 years that we have lived there.

A business of this nature is going to generate traffic issues, parking issues (where the parking space is already insufficient for the existing residents of this neighborhood), and noise issues coming from the backyard directly adjacent to my backyard. I am retired and like to spend time relaxing and enjoying the peace and quiet of my backyard.

I can assure you that I am not the only resident in this neighborhood who feels the same way I do about having a business on our street that brings such extreme change to the tranquil environment we have become so accustomed to.

A precedent was set a few years ago when our neighbor living at 6608 N. 32nd St., only two houses away from 6600 N 32nd St., applied for a conditional use permit to operate a similar business from his home and was denied a permit due to inadequate parking.

I also want to point out that Hidalgo County Appraisal District records, as of January 6, 2020, show the owners of said property, who are also the residents at that address, to be Erasmo Vasquez, Jr. and Erika J. Gonzalez yet the permit is being requested by Claudia J. Gonzalez. It appears as though the person requesting the permit is neither an owner nor a resident at the house that the permit is being requested for.

I respectfully ask the Planning and Zoning Board not to grant the conditional use permit being requested by Claudia J. Gonzalez.

Thank you for your consideration regarding this request.

Regards,

Roel R. and Laura Lopez

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 1, 2020

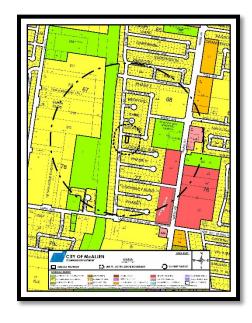
SUBJECT: REQUEST OF MARIA E. GARCIA FOR A CONDITIONAL USE PERMIT,

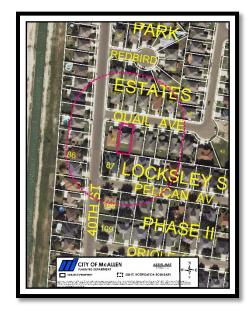
FOR ONE YEAR, FOR A HOME OCCUPATION (DAY CARE) AT LOT 50, BEDFORD PARK ESTATES, HIDALGO COUNTY, TEXAS; 3929 QUAIL

AVENUE. (CUP2020-0023).

BRIEF DESCRIPTION:

The property is located on the south side of Quail Avenue, 63.29 ft. east of North 40th Street, 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 is allowed in an R-1 District with a Conditional Use Permit and in compliance with requirements.





HISTORY:

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

SUMMARY/ANALYSIS:

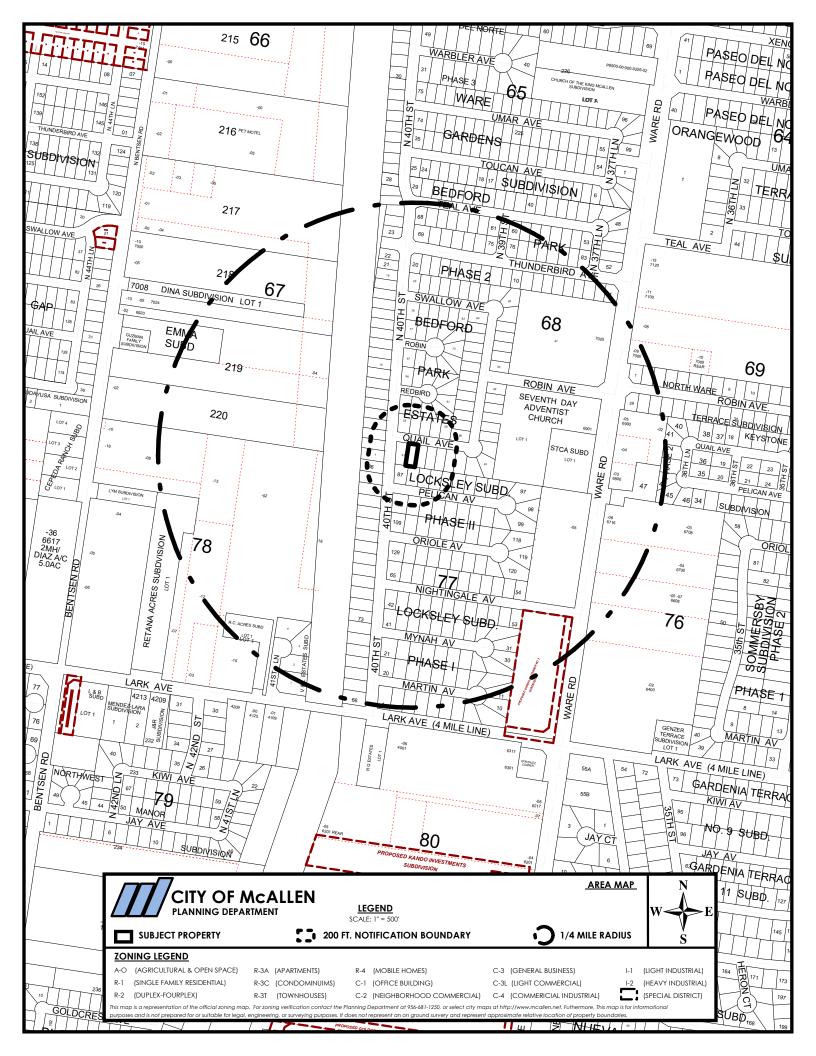
Currently there is a two story single-family residential home on the property. The applicant is proposing to operate a day care facility from a 206 sq. ft. area on the first floor of the existing residence. The proposed hours of operation are from 7:30 AM to 5:30 PM Monday through Friday.

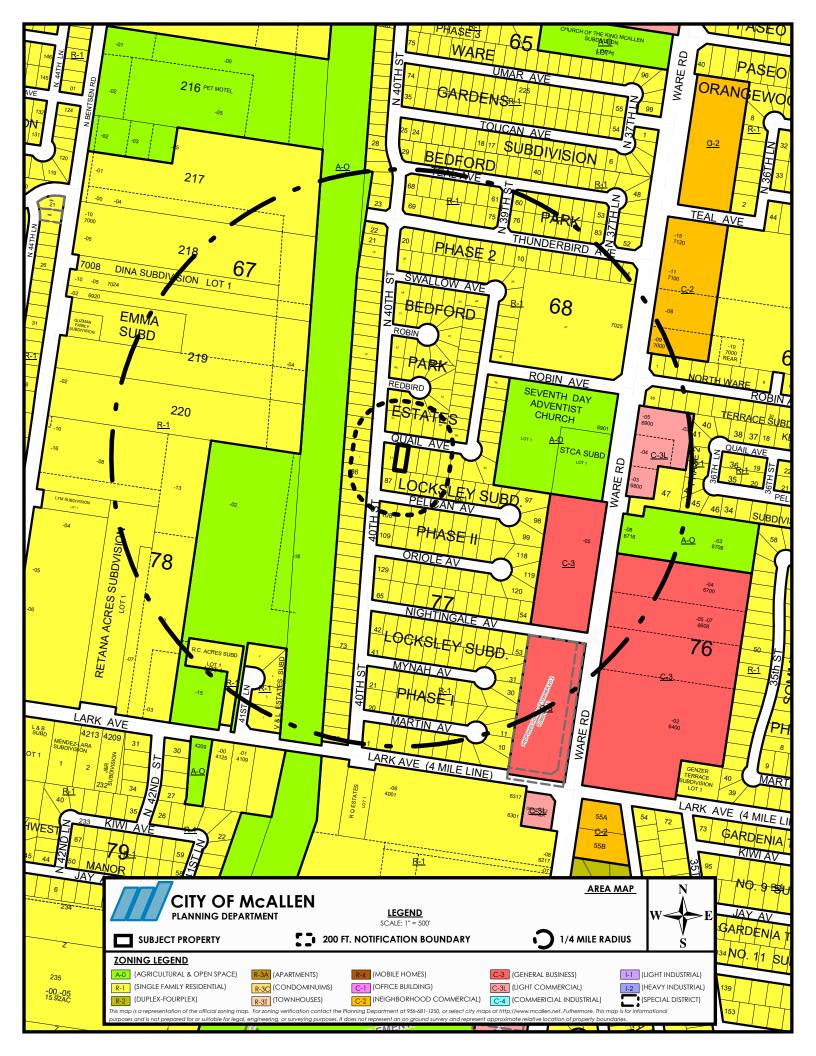
The Fire Department has conducted an initial inspection; however, a follow-up inspection is pending. The Health Department has inspected and found the property to be in compliance. The proposed use shall meet all the minimum standards and applicable ordinances. Should the conditional use permit be approved, 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:

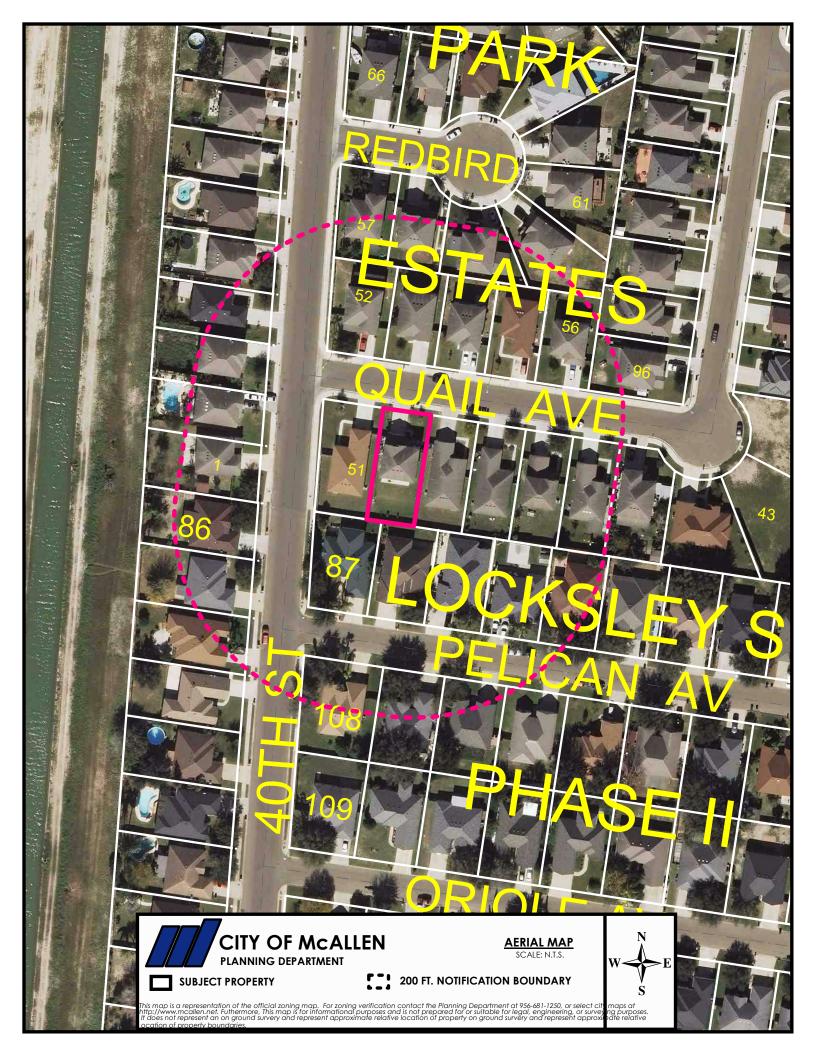
- 1. Meet the requirements of the Department of Human Services;
- 2. Provide a fenced in area for outside play of children. A fenced area is provided on site;
- Provide paved area adjacent to street for pickup and delivery of children. The
 existing driveway and garage accommodate the required two parking spaces
 needed for residential home and required space for the pick-up and drop off of 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; Quail Avenue is not 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; Quail Avenue 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.

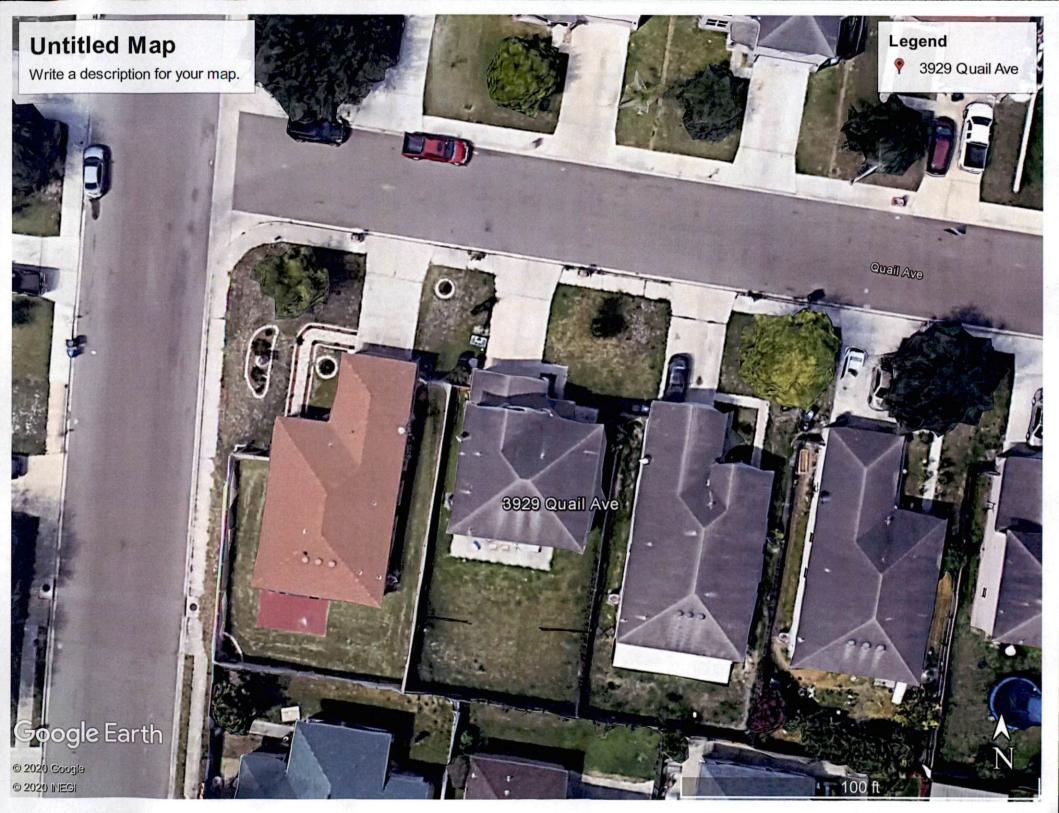
RECOMMENDATION:

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









3929 Quail Ave. DHIVEWORY Sidewalk Asiat Gorage abset Z-Car Luini7 anoshod 184 Lomas MOONTS ST C Dribinia Divia 40N 11:00 1 Zliptz 100/1 18 FT 8 in 000 (13 FF 617) puz C1055100m Counter 150+10

James 6 Sports



Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 1, 2020

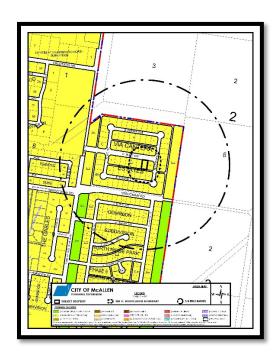
SUBJECT: REQUEST OF HERSHAL B. PATEL FOR A CONDITIONAL USE

PERMIT, FOR LIFE OF THE USE, FOR A GUEST HOUSE AT LOT 49, VIA CANTERA (AMENDED) SUBDIVISION, HIDALGO COUNTY,

TEXAS; 216 EAST DUKE AVENUE. (CUP2020-0017)

BRIEF DESCRIPTION:

The property is located on the south side of Duke Avenue, approximately 880 ft. east of North 2nd Street, and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land uses are single family residences. A guest house is allowed in R-1 District with a conditional use permit and in compliance with requirements.





HISTORY:

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

SUMMARY/ANALYSIS:

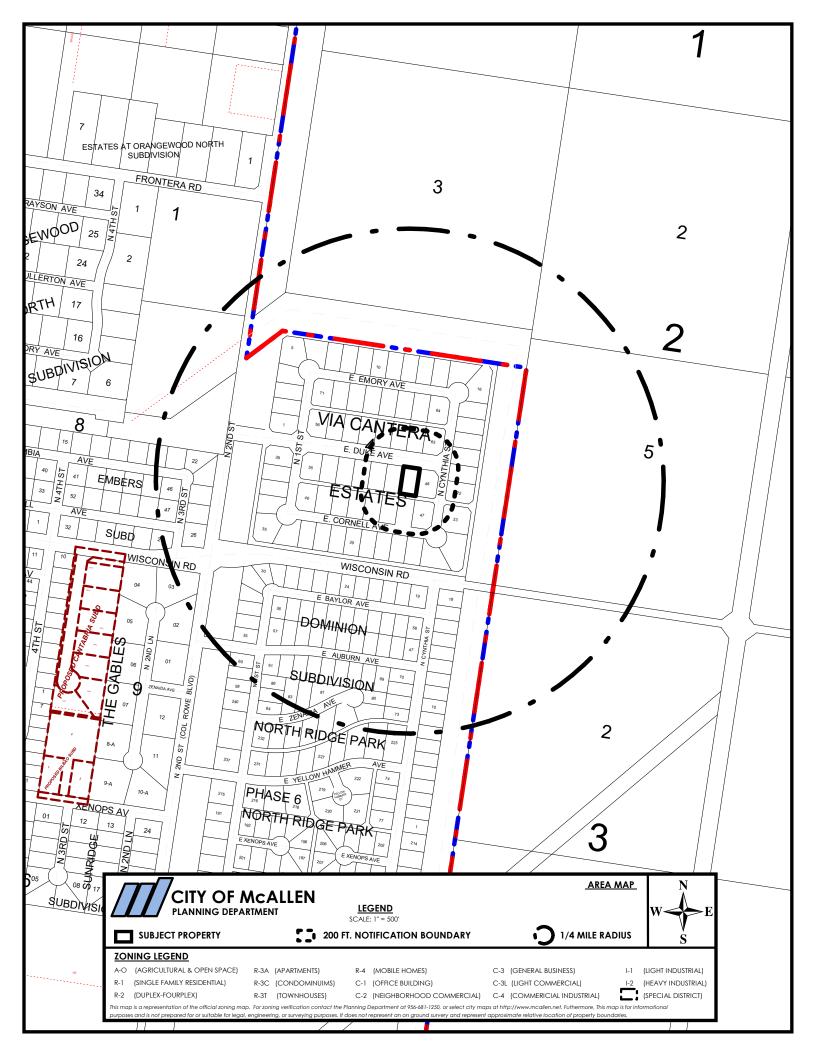
The applicant is proposing to construct a two story guest house at the rear of the property. The guest house consists of approximately 1,142 sq. ft. and will serve as an accessory use to the main house. A building permit application for the single family residence and guest house was submitted on February 11, 2020. A building permit was issued for the construction of a single family home and guest house, with the applicant's understanding that if the conditional use permit for the guest house was disapproved, he would have to revise the guest house floor plans to not include a kitchen and second floor.

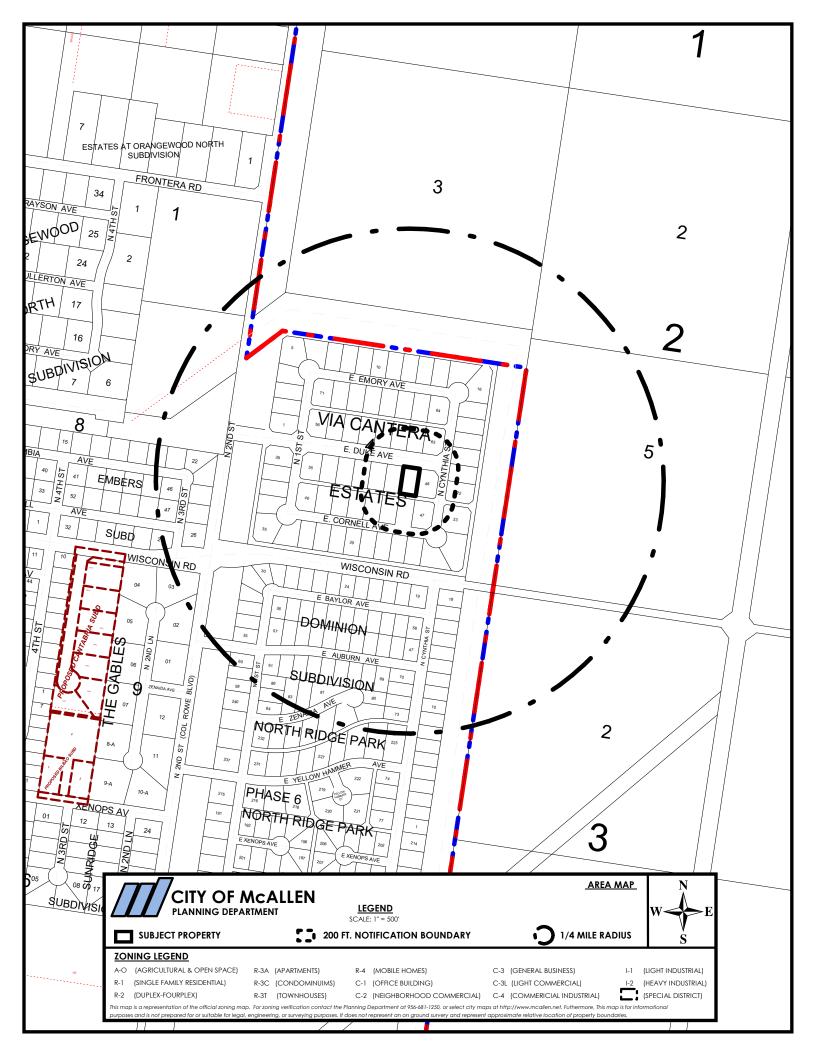
The guest house must meet the requirements set forth in Section 138-118(5) of the Zoning Ordinance and specific requirements as follows:

- 1) Only one guest house shall be permitted on the property;
- 2) The proposed use shall comply with setback requirements. Proposed structure's setbacks are in compliance.
- 3) The proposed use shall be connected to the same utilities as the primary residence.
- 4) Lot size must be a minimum 8,000 sq. ft. The subject property is approximately 12,155 sq. ft.
- 5) Separate driveways or garages for the proposed use shall not be permitted. Applicant is not proposing an independent driveway for the proposed guesthouse.
- 6) The proposed use shall not be rented;
- 7) The permit shall be revoked if money is ever paid for rent or utility expenses are shared with the proposed use.

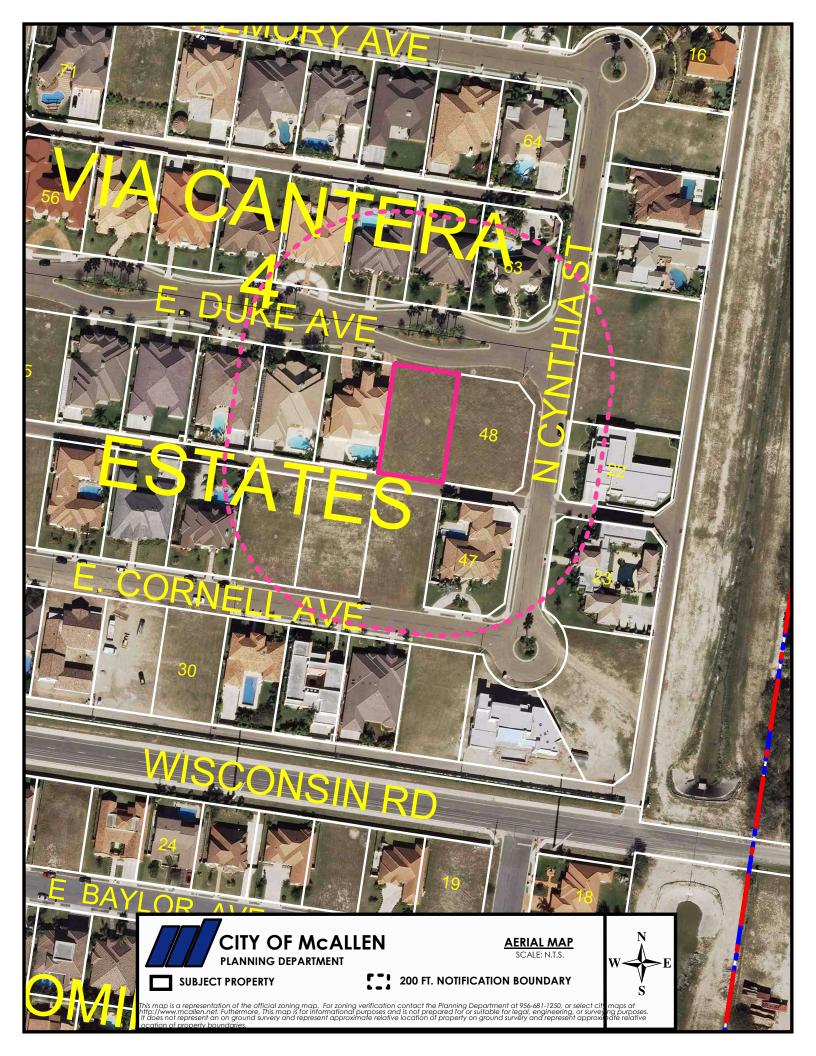
RECOMMENDATION:

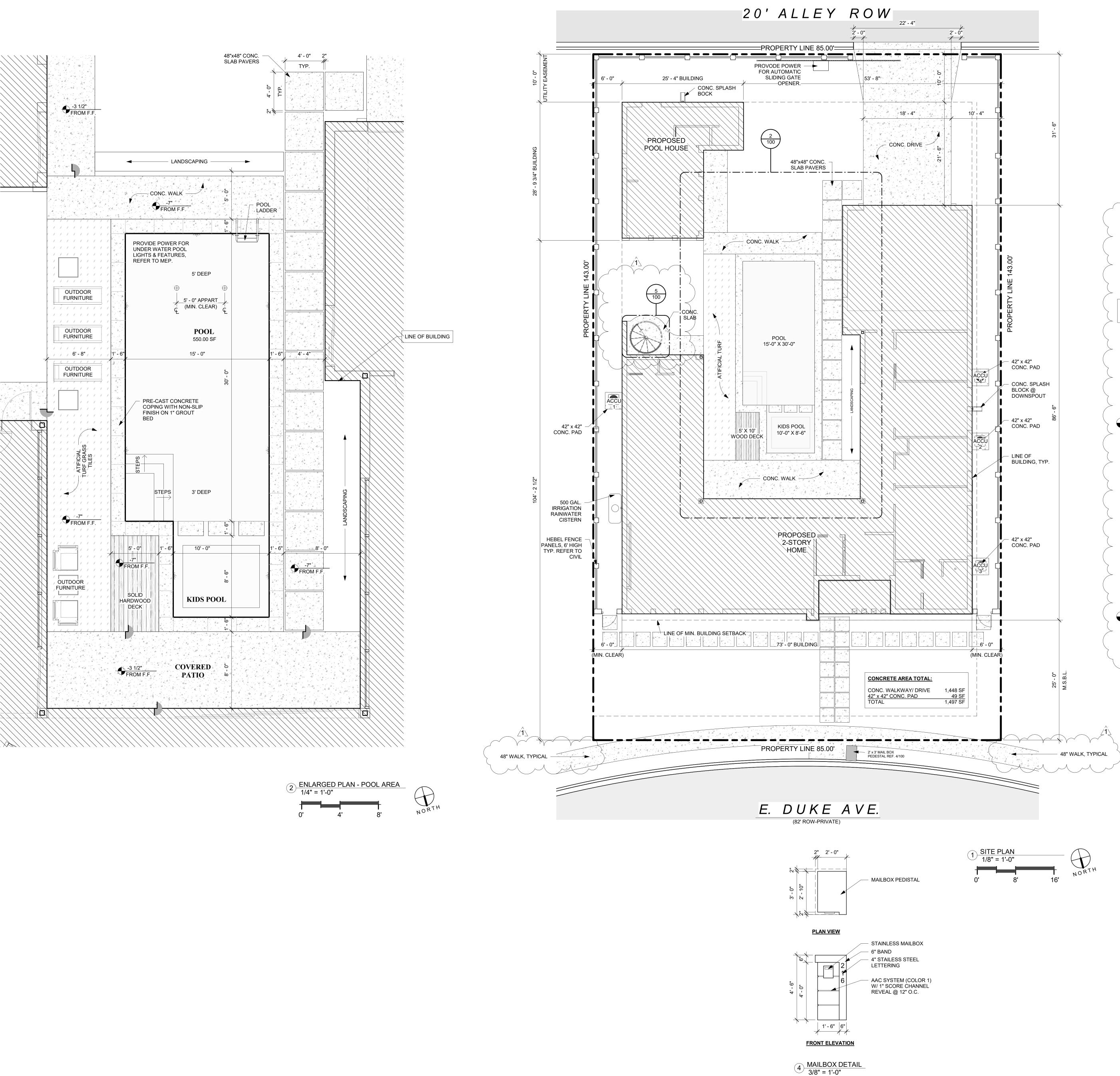
Staff recommends approval of the request, for life of the use, subject to compliance with requirements from Section 138-118 (5) of the Zoning Ordinance, and Fire Department requirements.





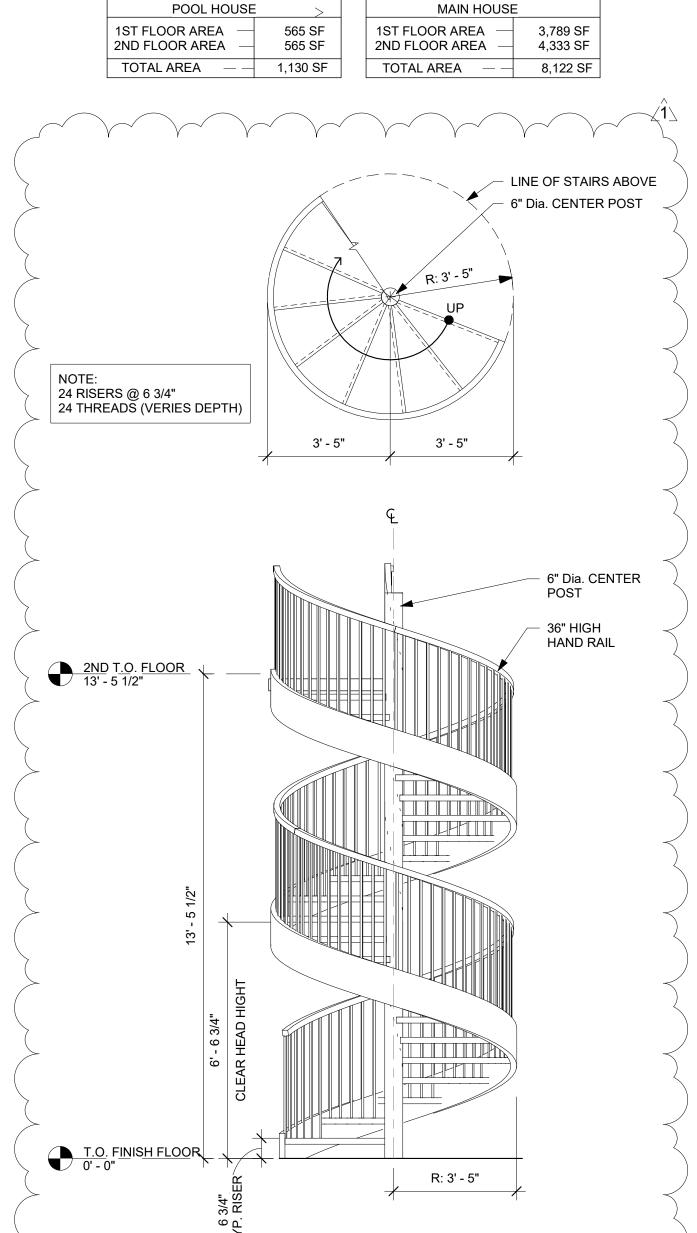






GENERAL SITE PLAN NOTES:

- FINAL SITE GRADING TO SLOPE AWAY FROM THE STRUCTURE AND SHALL PREVENT WATER FROM PONDING IN THE AREAS ADJACENT TO THE STRUCTURE.
- 2. IN CONSTRUCTION AREAS, REMOVE ALL VEGETATION, TOPSOIL, ROOTS AND OTHER DELETERIOUS MATERIALS TYPICALLY 6 TO 12 INCHES IN DEPTH, SHALL BE REMOVED TO DISTANCE OF 5'-0" OUTSIDE FROM THE PROPOSED BUILDING
- 3. CONTRACTOR TO VERIFY LOCATIONS OF EXISTING SLABS AND WALKWAYS BEFORE COMENCING WORK.



REVISION: <u>/</u>1_ FEB. 17, 2020

956.246.6878

PLEASE NOTE:

FUTURE IMAGE DESIGNS, LLC ASSUMES NO LIABILITY FOR ANY STRUCTURE CONSTRUCTED FROM THIS PLAN. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN TO PERFORM THE FOLLOWING BEFORE ACTUAL CONSTRUCTION COMMENCES.

1. BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION.

2. BUILDER OR CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL BUILDING CODES OF THE AREA WHERE THE STRUCTURE IS TO BE CONSTRUCTED AND LOCATED.

3. PLANS INDICATE LOCATIONS ONLY; ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS.

FUTURE IMAGE DESIGN, LLC

FUTURE IMAGE DESIGN, LLC

fidbyomar@gmail.com
OMAR SERNA

Plan Submittals:
PERMIT/ CONSTRUCTION SET

OCT. 4, 2019

Project Name and Address: HERSHAL & PRIYANKA PATEL RESIDENCE

216 E. DUKE AVE. McALLEN, TX 78504 OWNER: HERSHAL & PRIYANKA PATEL PH:956-372-2060

Plan No: FID 19005

Drawing Title: SITE PLAN & SITE DETAILS

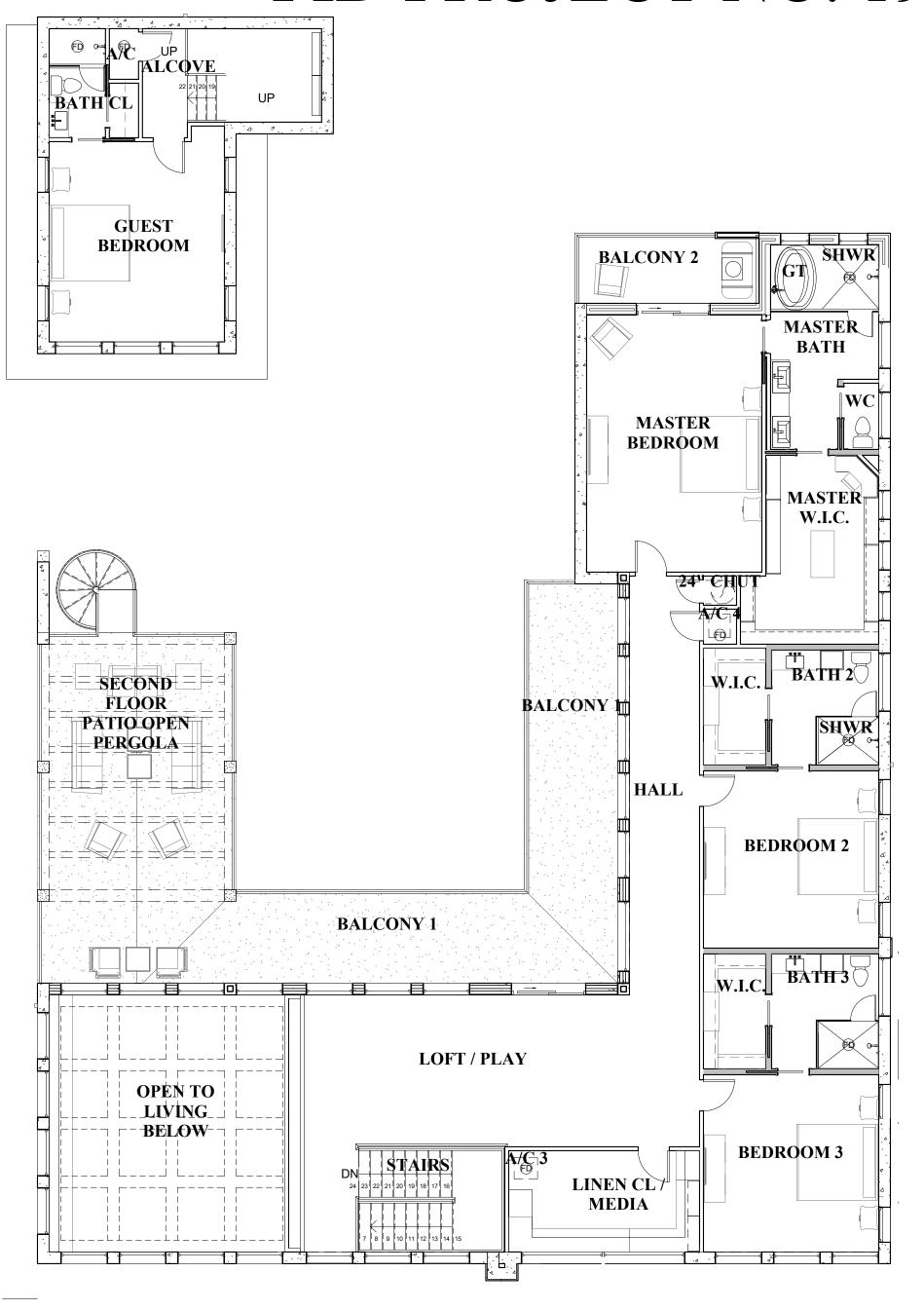
Drawing No:

100

HERSHALL & PRIYANKA PATEL RESIDENCE

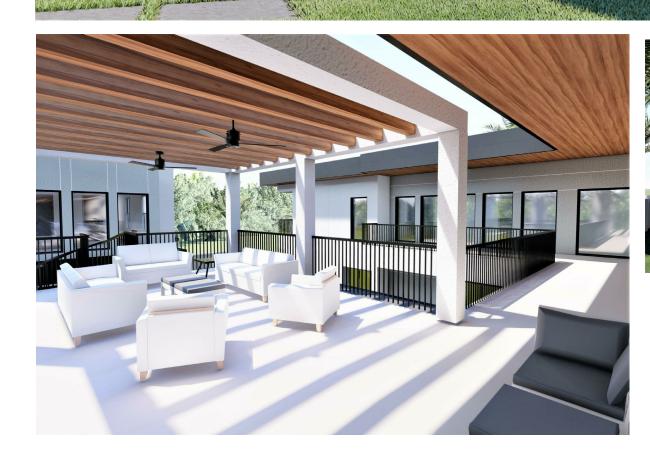
216 E. DUKE AVE. McALLEN, TX 78504

FID PROJECT NO. 19009

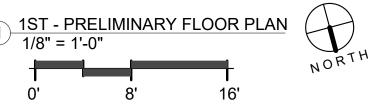












UILDING AREA:	

COVERED ENTRY

COVERED ____

73' - 0" OVERALL

PATIO

SEATING

25' - 4" OVERALL

DINING

LIVING

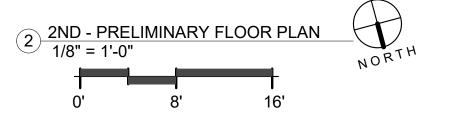
TOTAL AREA	8,150 SF	TOTAL AREA	1,142 SF
SECOND FLOOR	4,358 SF	SECOND FLOOR	571 SF
FIRST FLOOR	3,792 SF	FIRST FLOOR	571 SF
MAIN HOUSE - OVERALL A	<u>IREA</u>	POOL HOUSE - OVERALL A	REA
TOTAL AREA	4,358 SF	TOTAL AREA	571 SF
LIVING AREABALCONY AREA 1BALCONY AREA 22ND FL PATIO	3,267 SF 95 SF 473 SF 523	LIVING AREA	571 SF
2ND FLOOR - MAIN HOUSE		2ND FLOOR - POOL HOUSE	Ĺ
TOTAL AREA	3,792 SF	TOTAL AREA	571 SF
LIVING AREA C.ENTRY AREA GARAGE AREA	2,981 SF 105 SF 706 SF	LIVING AREA	571 SF
1ST FLOOR - MAIN HOUSE		1ST FLOOR - POOL HOUSE	

LAUNDRY

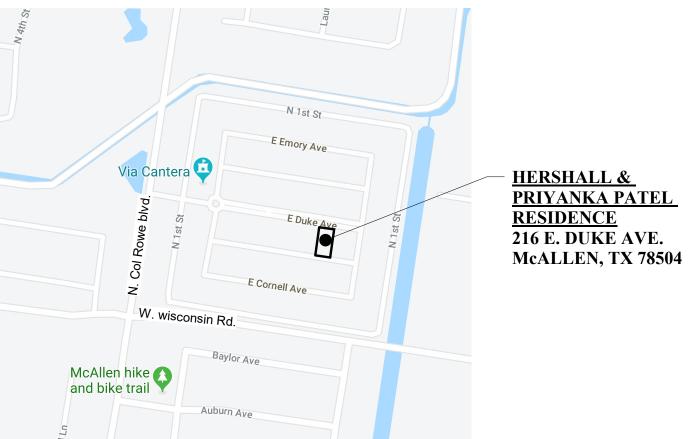
LIBRARY

GUEST BEDROOM

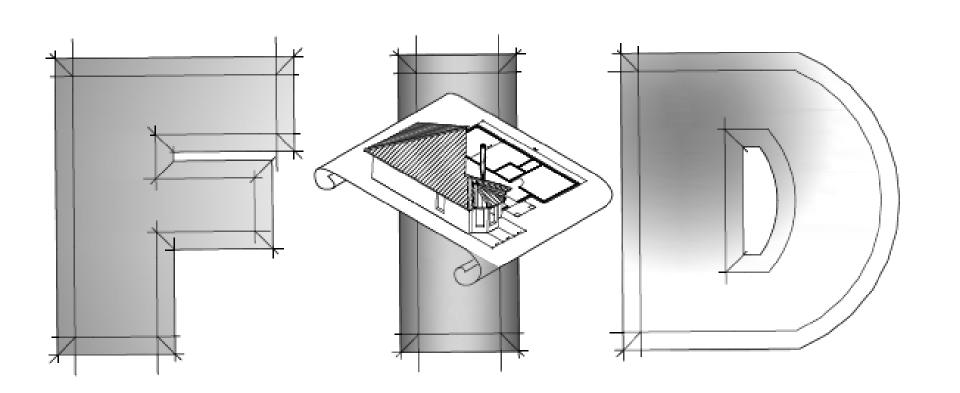
W.I.C.GUEST BATH











SHEET INDEX:

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ROOF FRAMING PLAN FRAMING ELEVATIONS FRAMING ELEVATIONS

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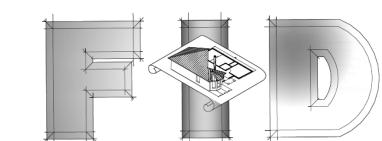
M1.1 2ND FLOOR MECHANICAL FLOOR PLAN

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P1.3 2ND FLOOR PLUMBING SEWER FLOOR PLAN P2.0 PLUMBING DETAILS & SCHEDULES



956.246.6878 PERMIT/ CONSTRUCTION SET

OCT. 4, 2019

Project Name and Address: **HERSHAL & PRIYANKA PATEL RESIDENCE**

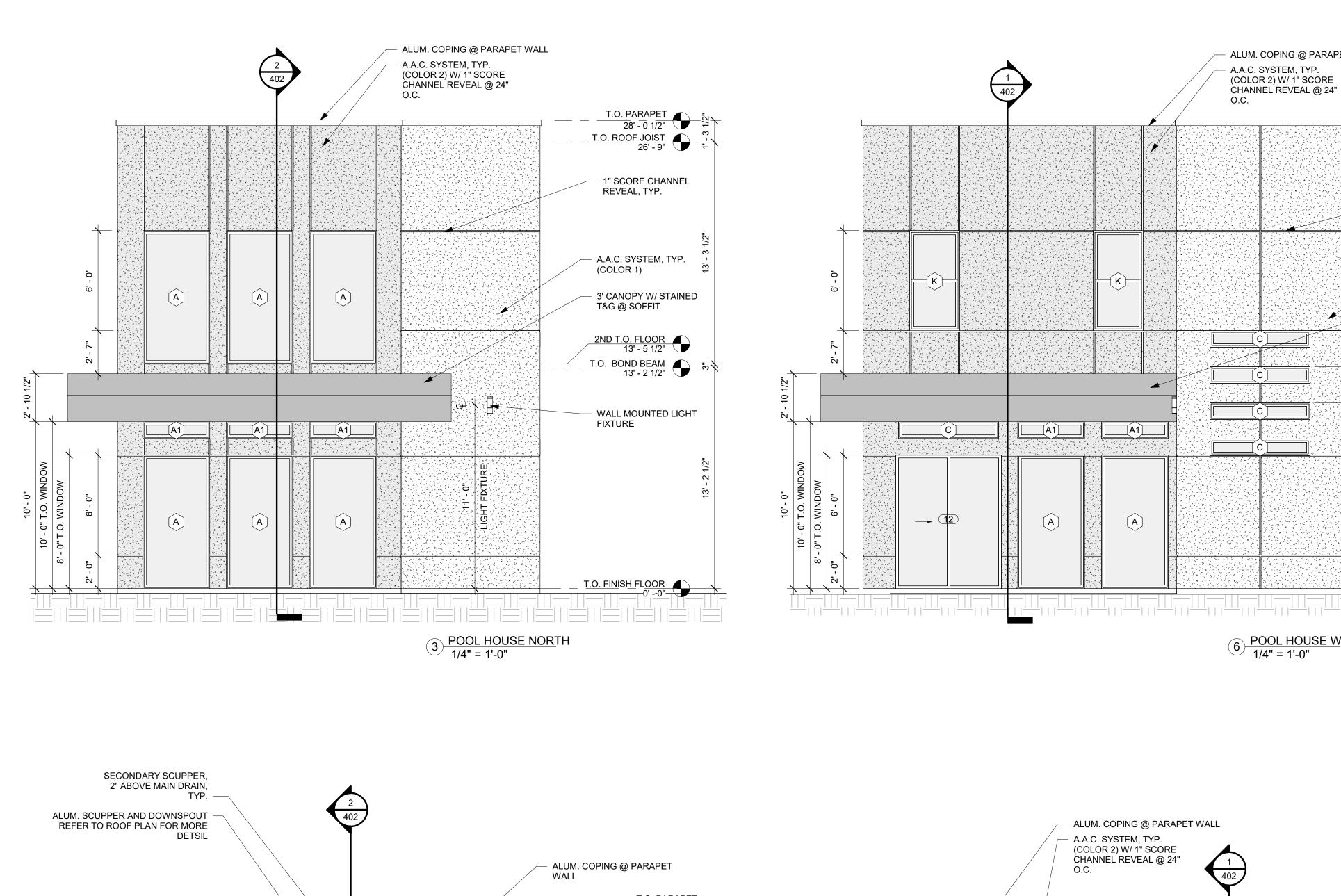
216 E. DUKE AVE. McALLEN, TX 78504 OWNER: HERSHAL & PRIYANKA PATEL

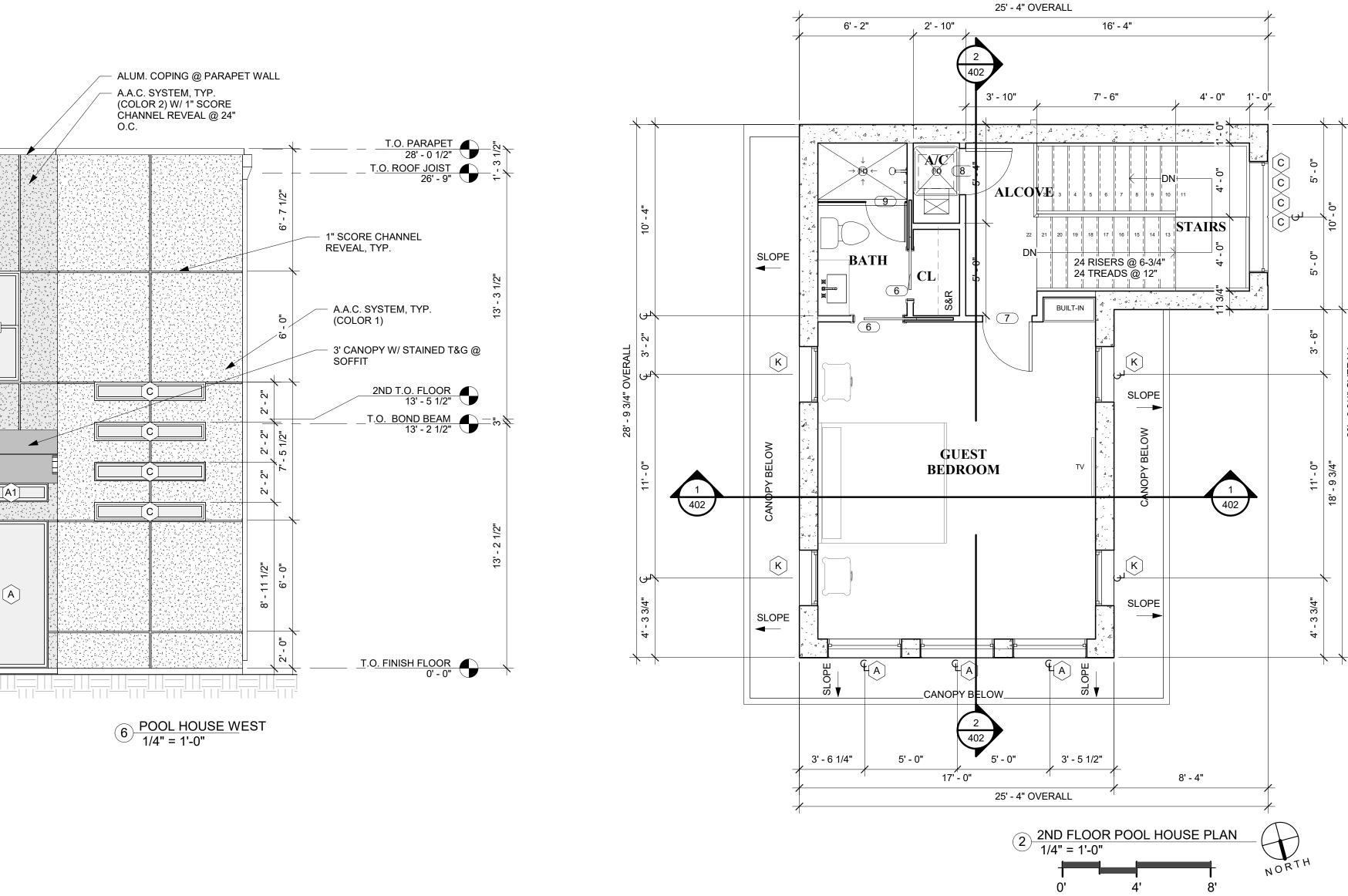
PH:956-372-2060

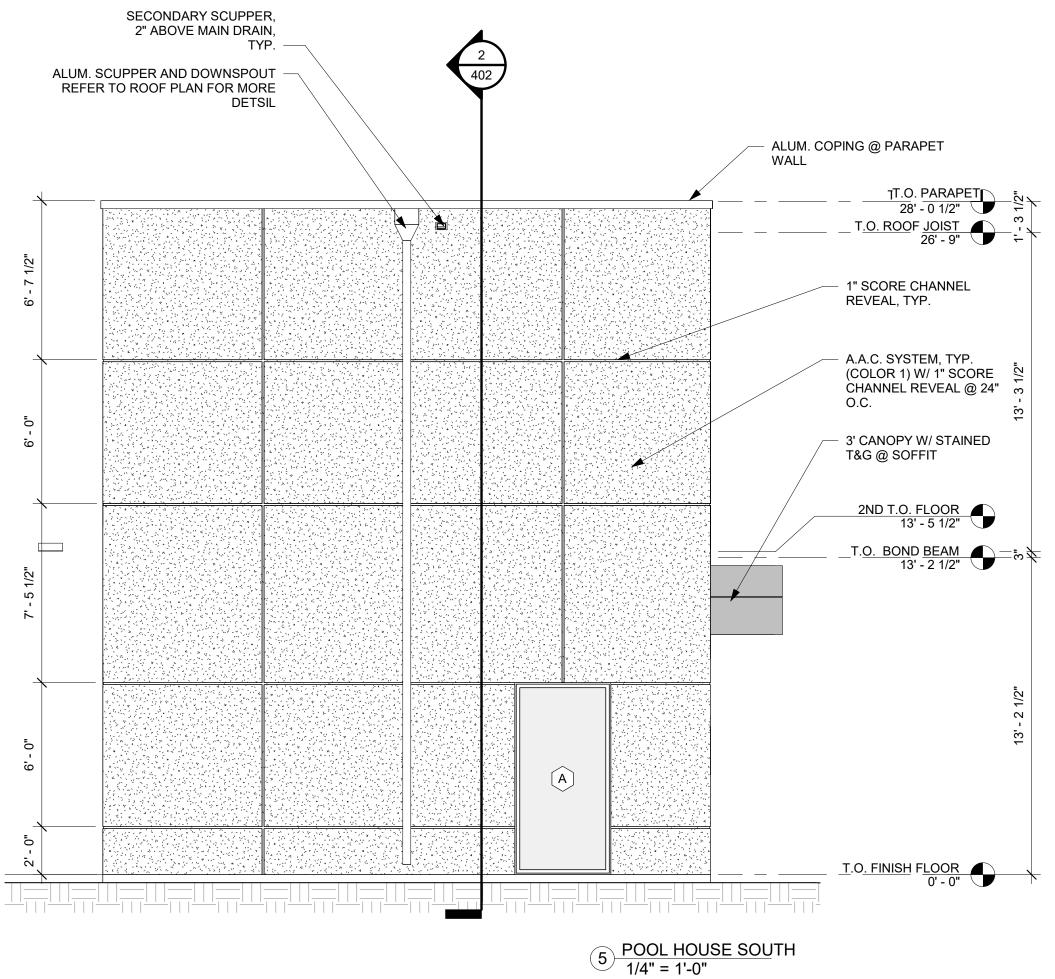
Plan No: FID 19005

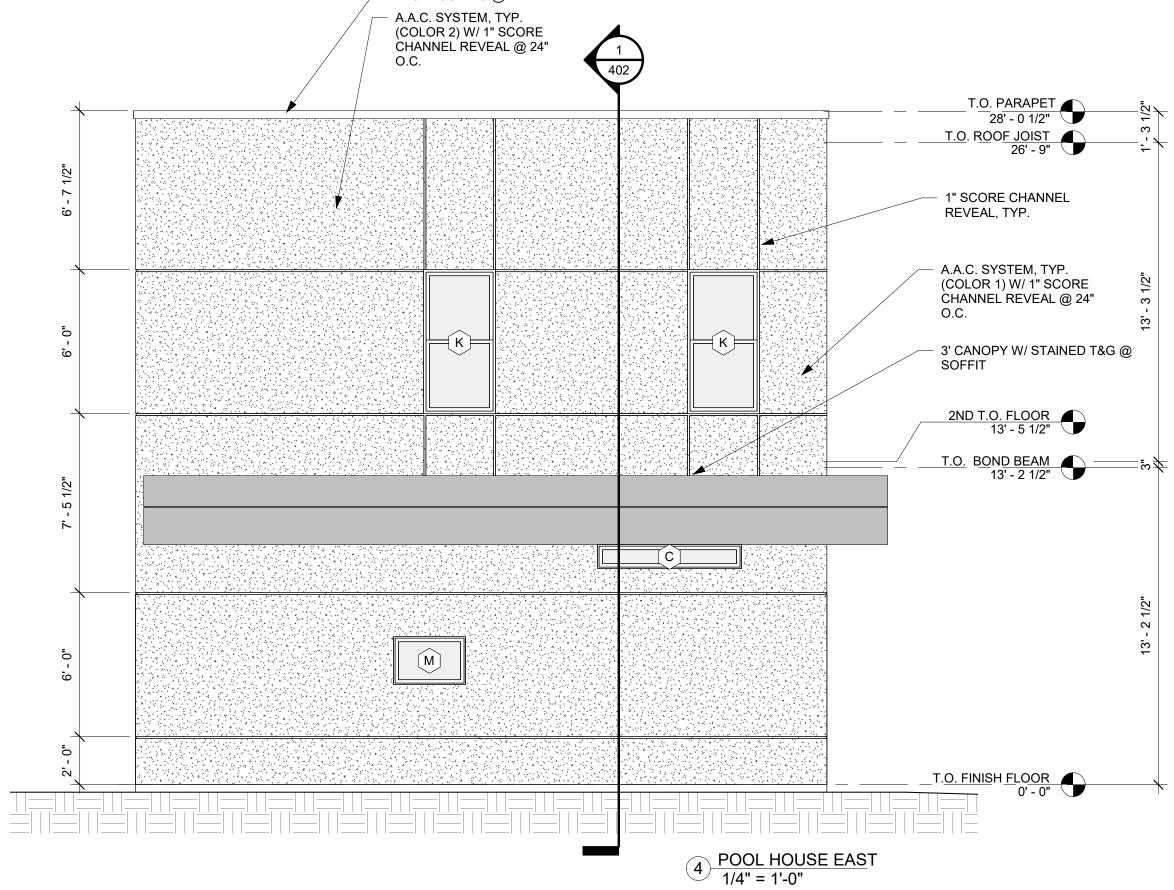
COVER SHEET

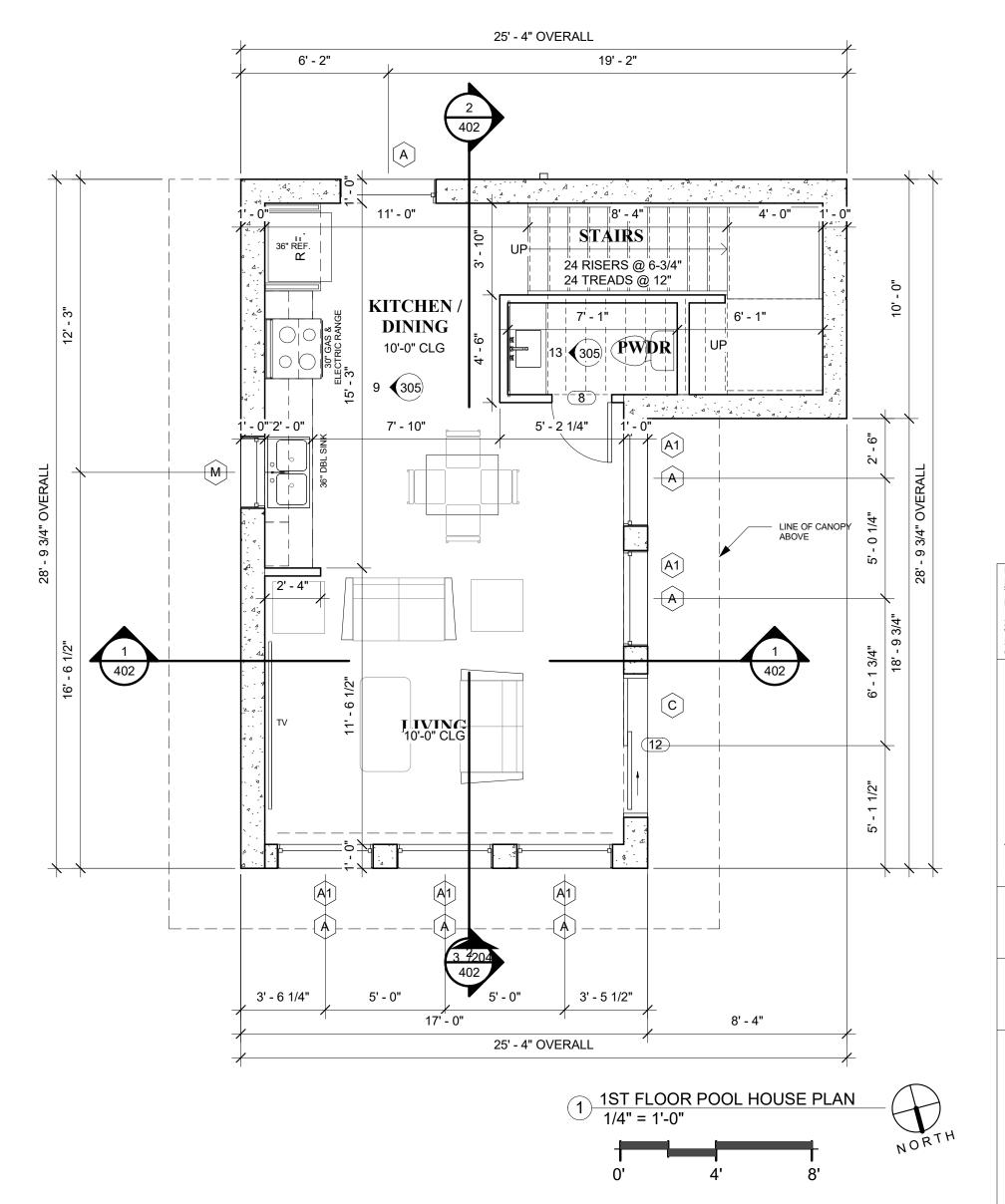
CVR













OCT. 4, 2019

Project Name and Address: **HERSHAL & PRIYANKA**

PATEL RESIDENCE 216 E. DUKE AVE. McALLEN, TX 78504 OWNER: HERSHAL & PRIYANKA PATEL PH:956-372-2060

Plan No: FID 19005

POOL HOUSE FLOOR **PLANS**

204

RESIDENTIAL PERMIT APPLICATION

REV. 10/16

O. BOX 220 McALLEN, TEXAS 78505-0220 APPLICATION MUST BE COMPLETE

	(Please type or print in black or blue link)
_	NAME VICTOR TORRES PHONE 956-793 5328
Z	ADDRESS 23456 THOMPSON RD
APPLICAN	CITY SAUTA ROSA STATE TY ZIP 78593
₹	CONTACT: NAME: VICTOR TORRES PHONE 956 793 5328
	OWNER CONTRACTOR TENANT OTHER
×	NAME HERSHAL & PRIYOWKA YALDONE 956 372 2060
OWNER	ADDRESS EMAIL: REQ'D.
S	CITY MCAUED STATE TY ZIP
	*OWNER INFORMATION NOT PROVDIED, INITIAL:
	NEWBLDG. HGTNO. OF FLOORS
	BLDG 9292 NO. PARKING SQ. FT 12 155 LOT 85 FLOOR EL LOT 12 155 FRONT 85 ABOVE CURB
	EXISTING USE NEW
	OF LOT USE
	SCOPE OF WORK TO BE DONE 1400SP NEW WIGNEST ROOM
5	FOR RESIDENTIAL NO. OF NO NO SQ. FT. SQ. FT. USE ONLY UNITS BDRMS A BATHRMS NON-LIVING 166 LIVING 1325
KOJE(
7	FOUNDATION EXT WALL ROOF SPECIAL CONDITIONS CONCRETE SLAB MASONRY VENEER WOOD SHINGLE FIRE SPRINKLER SYSTEM
	CONCRETE PIER MASONRY SOLID COMPOSITION TYPE OF CONSTRUCTION CONCRETE BLOCK METAL SIDING METAL SIDING ASBESTOS SURVEY
	CONCRETE BEAM COMPOSITION BUILD UP CONDEMNED STUCTURE WOOD POSTS WOOD CONDEMNED STUCTURE
	LOT 49 BLOCK SUBDIVISION VIA CANTERA
	SITE ADDRESS ST. NO. 216 ST. NAME EAST DUCK LYE
ONLY	ZONING PERMIT FEE \$ 1,486.72 DOUBLE FEE \$ REG'D BY
JSEC	PERMIT REVIEW FEE \$ DATE ### DATE ####################################
CITY USE	DEV. TOTAL PERMIT FEE \$ TIME
S	ZONE # DADY DEVELODMENT EEE \$

The foregoing is a true and correct description of the improvement proposed by the undersigned applicant and the applicant states that he will have full authority over construction of same. The building permit shall not be held to permit or be an approval of the violation or modification of any provisions of City ordinances, codes, subdivision restrictions of State law or be a waiver by the City of such violation. Alteration changes or deviations from the plans authorized by this permit is unlawful without written authorization from the Building Inspection Department. The applicant herby agrees to comply with all City ordinardes, codes, subdivision, restrictions and State laws and assume all responsibility for such compliance. It is understood that the improvements shall not be occupied until a Certificate of Occupancy has been issued. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its syunce or if the work authorized by such permit is suspended or abandoned for six months after the time of work is commenced. This permit is good for one year only.

PRINT (AUTHORIZED AGENT/OWNER) CBRRES

Liliana Garza

From:

Edgar Garcia

Sent:

Monday, February 24, 2020 10:37 AM

To:

Liliana Garza

Subject:

FW: 216 E. Duke Ave. - CUP Permit

Attachments:

letterhead (1).pdf

FYI...

From: Michelle Rivera <michelle.rivera@mcallen.net>

Sent: Monday, February 24, 2020 10:37 AM

To: Luis A. Vasquez <lvasquez@mcallen.net>; Edalina E. Karr <ekarr@mcallen.net>; John Gutierrez

<john_gutierrez@mcallen.net>

Cc: Edgar Garcia <edgar.garcia@mcallen.net> Subject: FW: 216 E. Duke Ave. - CUP Permit

Good Morning,

With this letter I will authorize an early building permit for Mr. Patel for his home and guest house at 216 E. Duke Ave. He understands that if it should be denied he would have to come back and revise his guest house to not have a kitchen or second floor.

Thanks, Michelle

From: Hershal Patel < hershal.patel@gmail.com > Sent: Monday, February 24, 2020 10:19 AM
To: Michelle Rivera < michelle.rivera@mcallen.net >

Subject: Re: 216 E. Duke Ave. - CUP Permit

Hi Michelle,

See the letter attached that we discussed.

Best, Hershal

Hershal Patel

perspectivehms.com



02/24/2020

216 E. Duke Ave. - RES2020-01109

Subject - City of McAllen Residential Building Permit

Dear Sir/Madam,

This letter is to confirm that I understand that I wish to be issued a building permit for the construction of my home located at **216 E. Duke Ave, McAllen, Texas 78504** prior to the issuance of a required conditional use permit for the construction of a "Pool House". While I am currently in the process of acquiring a conditional use permit for the Pool House, if the permit is denied, I understand the risks involved, and I will not hold responsible the City of McAllen or any related entities for the expenses related to code compliance for the Pool House.

Sincerely,

Hershal Patel

Manager

Perspective Hospitality Management Services, Inc.

hershal@perspectivehms.com

+1 956 372 2060 (mobile)

(956) 772-3605 - perspectivehms.com

McAllen Office: 800 Convention Center Blvd. McAllen, TX 78501 South Padre Island Office: 7010 Padre Blvd. South Padre Island, TX 78597



Planning Department

Memo

TO: Planning & Zoning Commission

FROM: Edgar I. Garcia, AICP, CNU-A Director

DATE: March 6, 2020

SUBJECT: ORDINANCE EXEMPTING RESTAURANTS IN THE ECOD FROM

CERTAIN REQUIREMENTS

BACKROUND:

Currently, all entertainment and cultural establishments, which includes restaurants, in the Entertainment and Cultural Overlay District (ECOD) are required to make necessary and reasonable efforts to discourage criminal activity and vandalism. Part of these requirements include providing security personnel, installing security cameras, and the use of ageverification devices and the marking of all occupants under the age of 21 with UV ink.

The Planning Department has fielded concerns from restaurants within the ECOD in regards to being required to provide security personnel as well as the use of age-verification devices. Specifically, restaurant owners believe the presence of security personnel affects the ambience of their establishment and causes patrons to believe the restaurants have safety issues. Likewise, restaurants operating during normal lunch and dinner hours believe the use of UV ink on all occupants under the age of 21 to be excessive.

DISCUSSION:

ECOD regulations presently do not distinguish between restaurants and bars. All ECOD requirements apply equally to any entertainment or cultural establishments, which are defined as cabarets, dancehalls, discotheques, discos, music venues, nightclubs, restaurants, bars, and schools of dance. The proposed ordinance would exempt restaurants in the ECOD from safety requirements aimed at bars, nightclubs, and cabarets. All other ECOD requirements would remain unchanged.

ACTIONS:

- 1. Recommend approval of ordinance exempting restaurants in the ECOD from providing security personnel
- 2. Recommend disapproval of ordinance exempting restaurants in the ECOD from providing security personnel
- 3. Take no recommendation action and send ordinance back to Ordinance Review Committee for further discussion

ORDINANCE NO. 2020- _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 138 ("ZONING"), ARTICLE V ("DISTRICTS"), DIVISION 13 ("HEART OF THE CITY OVERLAY DISTRICTS"), PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City of McAllen desires to regulate the Entertainment and Cultural Overlay District to promote public safety and general welfare,

WHEREAS, the City of McAllen desires said regulations with economic development and business interests,

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

SECTION I: The Code of Ordinances, City of McAllen, Chapter 138 ("Zoning"), Article V ("Districts"), Division 13 ("Heart of the City Overlay Districts") is amended at Section138-333(d)(3) as follows:

Sec. 138-333- Entertainment and Cultural Overlay District; location; special permits.

. . .

(d) ECOD special permits may be issued to entertainment or cultural establishments within the boundaries of the ECOD, for a period of three years, subject to the following requirements and limitations:

. . .

(3) A special permittee <u>operating as a bar</u> shall make necessary and reasonable efforts to discourage criminal activity and vandalism, both on the site and on adjacent properties. Such measures may include the provision of adequate and sufficient lighting, the elimination of dark areas, and the hiring of security personnel.

. . . .

SECTION II: The City Secretary of the City of McAllen is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56. Publication of ordinances.

SECTION III: The City Secretary of the City of McAllen is hereby authorized and directed to cause the language in Chapter 138, Article V, Division 13, hereinabove, to be published in the appropriate location in the said Code of Ordinances.

SECTION IV: 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 Mayor.

SECTION V: 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.

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 w	as held in accordance with Chapter 551 of the
Texas Government Code.	
SIGNED this day	, 2020.
	CITY OF McALLEN
	By: James E. Darling, Mayor
	James E. Darling, Mayor
Attest:	
Perla Lara, TRMC, City Secretary	
Approved as to form:	
Austin W. Stevenson, Assistant City Attorn	ney

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: April 2, 2020

SUBJECT: SITE PLAN APPROVAL FOR LOT 4B, NORTH MCALLEN SHOPPING CENTER

LOTS 4A & 4B SUBDIVISION; 7301 NORTH 7TH STREET. (SPR2020-0005)

<u>LOCATION</u>: The property is located on the west side of North 7th Street, approximately 238 ft. north of Trenton Road. The property is vacant and is zoned C–3 (general business) District. Surrounding zoning is C–3 to the north, south and west, and A–O (agricultural and open space) to the east.

<u>PROPOSAL</u>: The applicant is proposing to construct a 5,450 sq. ft. building for restaurant and drive thru use. The plat states that a site plan must be approved by the Planning & Zoning Commission prior to building permit issuance.



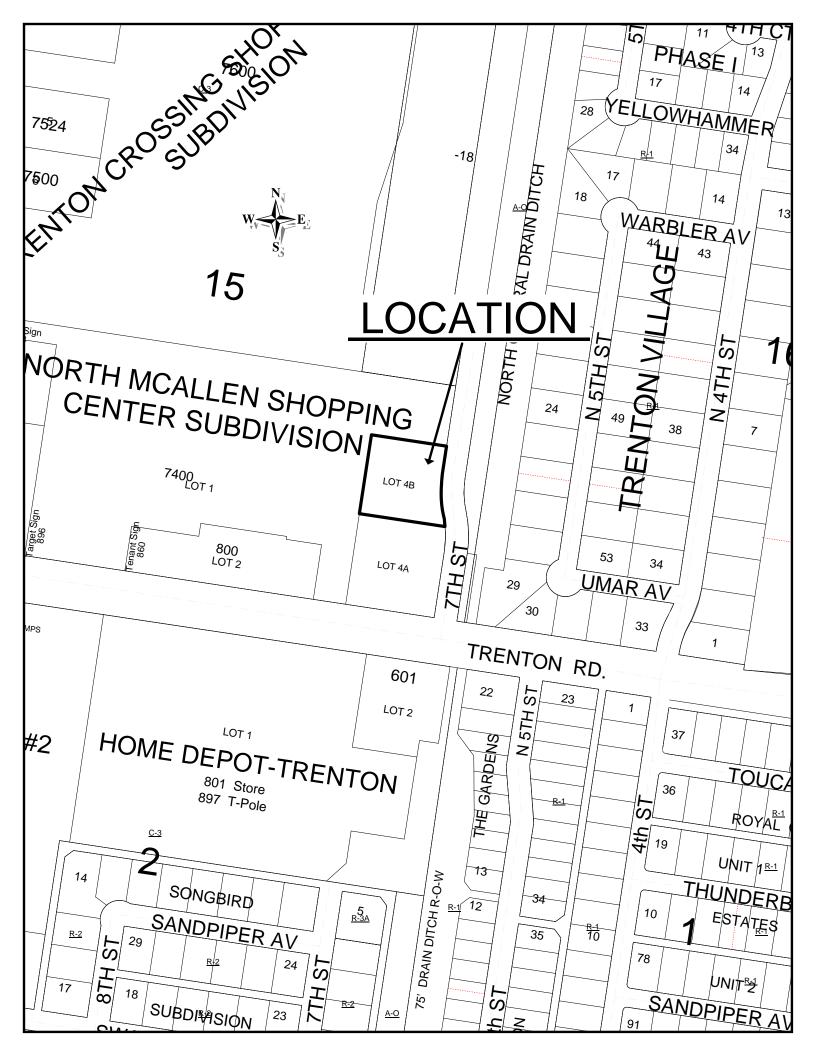


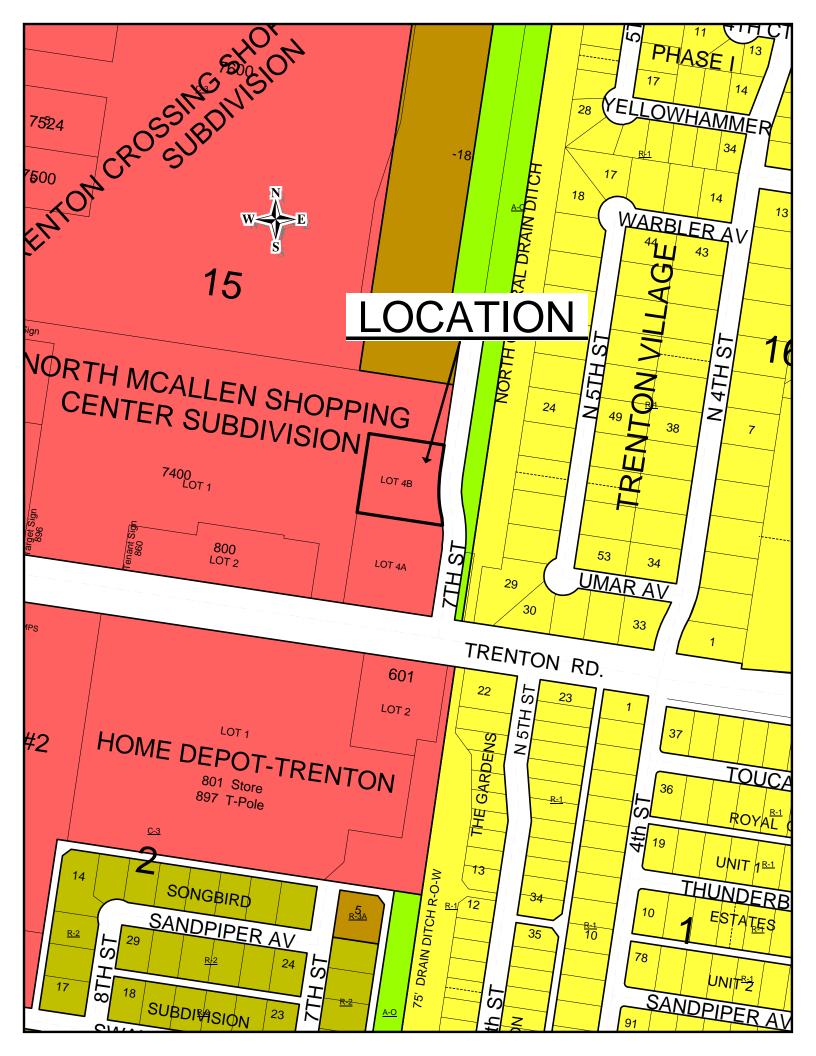
ANALYSIS: The proposed restaurant with patio area will be 5,691 square feet, which requires 57 parking spaces. Three of the provided parking spaces must be accessible, one of which must be van accessible with an 8 ft. wide aisle. Based on the restaurant area (5,243 sq. ft.) and patio area (448 sq. ft.), 57 parking spaces are required; 70 parking spaces are being proposed. Three access points to the site are being proposed; one of which is a 15 ft. wide curb cut and two of which are 26 ft. wide curb cuts along N. 7th Street. Traffic Department has indicated that stacking for eleven vehicles is required for the drive-thru area, as well as a trip generation to determine if a traffic impact

analysis is required. Required landscaping is 4,265 sq. ft. with trees required as follows: 15 -2 ½" caliper trees, or 8- 4" caliper trees, or 4- 6" caliper trees, or 30 palm trees. A minimum 10 ft. wide landscape strip is required inside the property line along N. 7th Street. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree, as required by ordinance. A 6 ft. buffer is required around the dumpster if visible from the street. No structures are permitted over easements. All setbacks will be in compliance with the plat note requirements and the zoning ordinance.

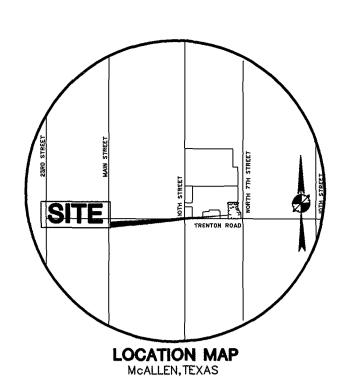
RECOMMENDATION:

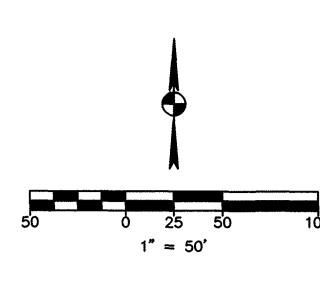
Staff recommends approval of the site plan subject to the conditions noted, Traffic Department requirements, paving and building permit requirements, and the subdivision and zoning ordinances.











LEGEND

- 1/2" IRON ROD FOUND
- (UNLESS NOTED) 1/2" IRON ROD SET
- MONUMENT FOUND
- ---586---PROPOSED CONTOUR
- 5ರ್--- EXISTING CONTOUR
- REAL PROPERTY RECORDS DEED & PLAT RECORDS
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

A 2.25 ACRE TRACT OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING ALL OF LOT 4, NORTH MCALLEN SHOPPING CENTER SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 39, PAGE 92 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS.

BASIS OF BEARINGS:

ALL BEARINGS BEING REFERENCED TO THE SOUTHERLY LINE OF SAID NORTH MCALLEN SHOPPING CENTER SUBDIVISION, N 81' 14' 33" W

TBM "1A" CUT "SQUARE" SET ON THE TOP OF AN INLET LOCATED IN THE NORTHERLY RIGHT OF WAY OF TRENTON ROAD, ±202' WEST OF NORTH 7TH STREET. ELEV=107.62'

TBM "2A" EAST BOLT OF A FIRE HYDRANT LOCATED IN THE WESTERLY RIGHT OF WAY OF NORTH 7TH STREET, ±601' NORTH OF TRENTON ROAD. ELEV=108.86'

METES AND BOUNDS DESCRIPTION

FIELD NOTE DESCRIPTION -FOR A 2.250 ACRE TRACT OF LAND SITUATED IN THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, BEING ALL OF LOT 4, NORTH McALLEN SHOPPING CENTER SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 39, PAGE 92 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS: SAID 2,250 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BEING REFERENCED TO THE SOUTHERLY LINE OF SAID NORTH MCALLEN SHOPPING CENTER SUBDIVISION, N 81° 14' 33"

BEGINNING, AT A FOUND 1/2-INCH IRON ROD AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 7TH STREET (60' R.O.W.) AND THE NORTHERLY RIGHT-OF-WAY LINE OF TRENTON ROAD (110' R.O.W.), BEING THE SOUTHEASTERLY CORNER OF SAID LOT 4

THENCE, N 81' 14' 33" W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF TRENTON ROAD, BEING THE SOUTHERLY LINE OF SAID LOT 4 AND HEREOF, A DISTANCE OF 233.05 FEET TO A FOUND 1/2-INCH IRON ROD MARKING THE SOUTHWESTERLY CORNER OF SAID LOT 4, BEING THE SOUTHEASTERLY CORNER OF LOT 1 OF SAID NORTH MCALLEN SHOPPING CENTER SUBDIVISION:

THENCE, N 08' 45' 27" E, LEAVING THE NORTHERLY RIGHT-OF-WAY LINE OF TRENTON ROAD. ALONG THE COMMON BOUNDARY LINE OF SAID LOT 1 AND SAID LOT 4, A DISTANCE OF 446.38 FEET TO A FOUND 1/2-INCH IRON ROD AT THE NORTHWEST CORNER OF SAID LOT 4 FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT:

THENCE, S 81' 14' 25" E, ALONG THE COMMON LINE OF SAID LOT 1 AND LOT 4, A DISTANCE OF 198.20 FEET TO A FOUND CUT x, LOCATED IN THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 7TH STREET, BEING THE NORTHEAST CORNER OF SAID LOT 4;

THENCE, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 7TH STREET, AND THE EAST LINE OF SAID LOT 4 AS FOLLOWS:

S 08° 45' 27" W, 73.62 FEET, TO A FOUND 1/2-INCH IRON ROD AT A POINT OF CURVATURE;

ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CHORD OF S 01° 32' 48" E", 110.90 FEET, A RADIUS OF 310.00 FEET AND A CENTRAL ANGLE OF 20° 36' 31", A DISTANCE OF 110.50 FEET, TO A FOUND 1/2-INCH IRON ROD AT A POINT OF REVERSE CURVATURE;

ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CHORD OF S 08° 37' 48" E, 26.97 FEET, A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 06° 26' 33", A DISTANCE OF 26.99 FEET TO A FOUND 1/2-INCH IRON ROD ON SAID CURVE;

CONTINUING ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CHORD OF S 01° 43' 50" W, 59.65 FEET, A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 14° 16' 42", A DISTANCE OF 59.81 FEET, TO A FOUND 1/2-INCH IRON ROD AT A POINT OF TANGENCY FOR

S 08° 52' 11" W. A DISTANCE OF 178.69 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 2.250 ACRES (98,007 SQUARE FEET) OF LAND, MORE OR LESS.

Tel. (210)525-9090 Fax (210) 525-0529 TBPE Registration Number F1048 Bury+Partners-SA, Inc. @Copyright 2013

- 1. MINIMUM FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB MEASURED AT THE CENTER OF THE
- 2. THE SUBDIVISION IS IN ZONE B (BETWEEN LIMITS OF 100YR, FLOOD AND 500YR, FLOOD) ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 480343 0005 C, REVISED NOVEMBER 2, 1982
- 3. MINIMUM BUILDING SETBACK LINES SHALL BE
- 60' SETBACK ALONG TRENTON ROAD OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. - 30' SETBACK ALONG NORTH 7TH STREET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. - OTHER SETBACKS AS PER ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
- 4. UTILITY PROVIDERS:

WATER CITY OF McALLEN POWER MAGIC VALLEY ELECTRIC COOPERATION

SOUTHERN UNION SANITARY SEWER: CITY OF McALLEN

- 5. NO STRUCTURES ARE TO BE BUILT ON TOP OF ANY EASEMENTS.
- 6. DRAINAGE STATEMENT: THE STORM RUNOFF FOR THIS SUBDIVISION CONSISTS OF: LOTS DRAINING INTO STORM GRATES AND CURB INLETS; THEN VIA UNDERGROUND DRAINAGE PIPE TO AN EXISTING SHARED DETENTION POND, AND OUT FALLING INTO EXISTING N. CENTRAL DRAINAGE DITCH.
- 7. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF ASPHALT/LANDSCAPING INCIDENTAL TO THE UTILITY COMPANY MAKING REPAIRS TO PUBLIC UTILITIES.
- 8. STORM WATER DETENTION OF 3.9 AC.-FT WAS REQUIRED FOR ORIGINAL PLAT.
- 9. AN ENGINEERED GRADING PLAN SHALL BE APPROVED BY THE ENGINEERING DEPARTMENT PRIOR TO BUILDING 18. EACH STREET INTERSECTION REQUIRES A 25'x25' SITE OBSTRUCTION EASEMENT. PERMIT ISSUANCE.

CURVE TABLE					
URVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	BEARING
C1	111.50'	310.00'	20'36'31"	110.90	S01° 32' 48.38"E
C2	86.79	240.00'	20*43'14"	86.32	S01° 29' 26.63"E
С3	26.99'	240.00'	6*26'32"	26.97	S08° 37° 47.57″E
C4	59.81'	240.00'	14*16'42"	59.65	S01° 43' 49.57"W

LINE TABLE

DISTANCE

20.05

83.23

206.05

10:00'

185.55

16.83

10.50'

56.40

10.00

73.23

154.67

208.49

BEARING

N81°14'33"W

S8'45'27"W

N81°14'33"W

N8°45'27"E

S81"14'33"E

N8'45'27"E

S81°14'33"E

N8*45'27"E

S8174'33"E

S8'45'27"\

N8'45'27"E

N8°45'27"E

LOT 2

NORTH McALLEN SHOPPING

CENTER SUBDIVISION

VOL. 39, PG. 92

LOT 1

NORTH McALLEN SHOPPING

CENTER SUBDIVISION

VOL. 39, PG. 92

GENERAL NOTES (CONT.)

- 10. SITE PLAN APPROVAL BY PLANNING AND ZONING COMMISSION IS REQUIRED PRIOR TO ISSUANCE
- 11. MINIMUM 4.0' SIDEWALK REQUIRED ALONG TRENTON ROAD AND BOTH SIDES OF AN 7TH STREET
- 12. 6-FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MUILTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.
- 13. 8-FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 14. THE OWNERS OF THE HEREIN DESCRIBED PROPERTY RESERVE UNTO THEMSELVES THE RIGHT TO UTILIZE THE EASEMENT AREAS DEDICATED HEREON FOR PURPOSES WHICH DO NOT CONFLICT WITH THE APPLICABLE EASEMENT DEDICATED HEREON INCLUDING, WITH LIMITATION, THE RIGHT TO USE SUCH EASEMENT AREAS FOR PAVING. CURBING AND LANDSCAPING: PROVIDED, HOWEVER, SUCH OWNERS SHALL NOT, WITHOUT THE PRIOR WRITTEN CONSENT OF THE EASEMENT HOLDER, HAVE ANY RIGHT TO CONSTRUCT OR MAINTAIN A BUILDING WITHIN ANY SUCH EASEMENT AREA.
- 15 DEVELOPER IS RESPONSIBLE FOR MAINTENANCE OF PRIVATE DRAINAGE SYSTEM.
- 16. THE NUMBER OF CURB CUTS AND LOCATION OF CURB CUTS WILL BE REVIEWED AT TIME OF SITE PLAN APPROVAL FOR THIS LOT.
- 17. CITY OF MCALLEN BENCHMARK SYSTEM ASSOCIATED WITH THIS PLAT IS LISTED IN THE METES AND BOUNDS DESCRIPTION.
- 19. BASED ON THE MASTER DRAINAGE PLAN SUBMITTED AND APPROVED FOR MCALLEN SHOPPING CENTER SUBDIVISION THE PRORATED DRAINAGE DETENTION REQUIRED FOR THIS SUBDIVISION IS 0.51 AC-FT (0.27 AC-FT FOR LOT 4A AND 0.24 AC-FT FOR LOT 4B).
- 20. STORMWATER RUNOFF GENERATED FROM DEVELOPMENT SHALL BE DETAINED ON-SITE (DETENTION AREAS) AND RELEASED INTO AN APPROVED STORM SEWER SYSTEM AT THE PRE-DEVELOPMENT RATE FOR A 10-YEAR FREQUENCY STORM EVENT. THE EXISTING DETENTION POND FOR FOR THE NORTH McALLEN SHOPPING CENTER IS LOCATED ON LOT 1 NORTH OF LOT 4B.
- 21. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, WILL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- 22. ALL EXISTING SIDEWALKS MUST MEET CURRENT ADA STANDARDS.

NORTH McALLEN SHOPPING

CENTER SUBDIVISION

VOL. 39, PG. 92

0.979 ACRES

(42,655 S.F.)

S81°14'33"E 226.10'

LOT 4A

1.271 ACRES

(55,352 S.F.)

10-FT UTILITY EASEMENT -

以jO-FT UTILITY EASEMENT-

BY THIS PLAT

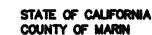
30.00' 30.00'

Z≥

S.E.C. OF LOT 4

POINT OF BEGINNING

23 THE 225 FEET NO-BUILD EASEMENT ON LOT 4 IS FOR THE BENEFIT OF LOT 1 AND MAY NOT BE AMENDED OR TERMINATED WITH OUT THE WRITTEN CONSENT OF THE OWNERS THERE OF



I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS NORTH MCALLEN SHOPPING CENTER LOTS 4A AND 4B SUBDIVISION TO THE CITY OF MCALLEN, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO. HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I WILL CAUSE TO BE INSTALLED THERON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF MCALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED. EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

BW TRENTON, LLC, A TEXAS LIMITED LIABILITY COMPANY 361 3RD STREET, SUITE A

SAN RAFAEL, CA 94901 (877) 503-0008

STATE OF CALIFORNIA

COUNTY OF MARIN SWORN AND SUBSCRIBED BEFORE ME THIS THE ______ DAY OF _____

STATE OF TEXAS COUNTY OF BEXAR

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

HAL B. LANE, III, R.P.L.S., L.S.L.S REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS COUNTY OF BEXAR

AARON K PARENICA

99323

TEXAS REGISTRATION NO. 4690

THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS. HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THE MATTERS OF DRAINAGE, LOTS, STREETS, AND

HALB LAN

Jana G. Donuma 7-19-2013 ARON K. PARENICA, P.E. EGISTERED PROFESSIONAL ENGINEER

CERTIFICATION OF THE MAYOR OF

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.

19 mes E. Darline 8-20-2013 -MAYOR, CITY OF MCALLEN

STATE OF TEXAS COUNTY OF HIDALGO:

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

" sign! F-20-2013 CHAIRMAN PLANNING COMMISSION

STATE OF TEXAS COUNTY OF HIDALGO

I, THE UNDERSIGNED, HIDALGO COUNTY DRAINAGE DISTRICT NO. 1, HEREBY CERTIFY THAT THE SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

9-17-13 AT 2:55 AM PM INSTRUMENT NUMBER 24488 28

RECORDED IN VOLUME______ PAGE _____ OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS.



HIDALGO COUNTY, TEXAS, BEING ALL OF LOT 4, NORTH MCALLEN SHOPPING CENTER SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 39, PAGE 92 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

SUBDIVISION REPLAT ESTABLISHING

NORTH McALLEN SHOPPING CENTER

SUBDIVISION LOTS 4A AND 4B

10 00.

25' UTILITY ESMT

(VOL. 39, PG. 92)

22.5' NO BUILD-

ESMT. FOR BENEFIT

OF LOT 1

(VOL. 39, PG. 92)

AND 22.5' PRIVATE

DRAINAGE ESMT

2.250 ACRE TRACT OF LAND SITUATED IN THE CITY OF MCALLEN.

PORTION OF LOT 2 HIDALGO CANAL COMPANY SUBDIVISION VOL Q, PAGE 177

TRENTON ROAD

30' IRRIGATION ESMT

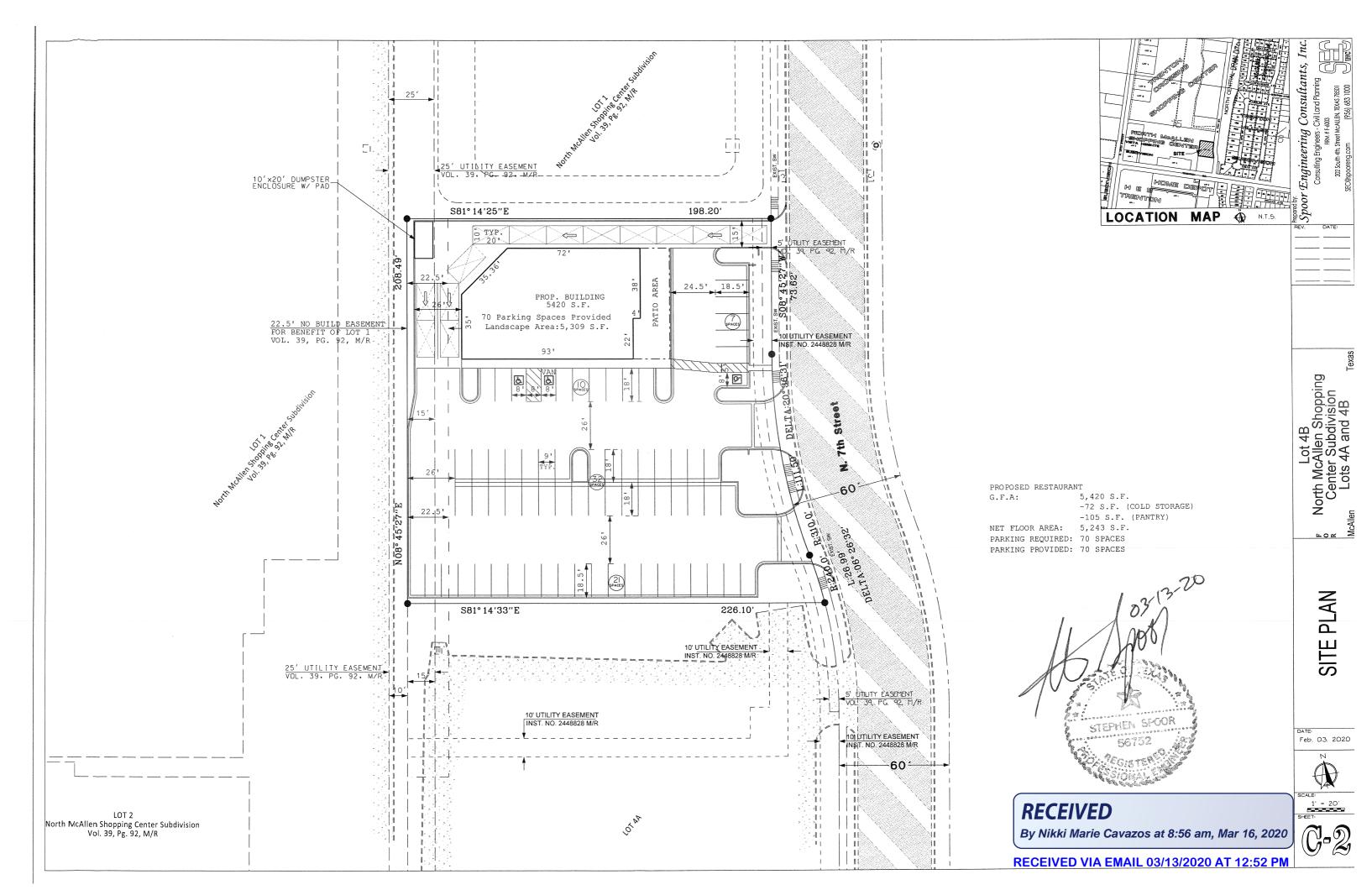
(VOL. 39, PG. 92)

10-FT UTILITY EASEMENT-

BY THIS PLAT

10-FT PUBLIC WATER LI

EASEMENT BY THIS PKA

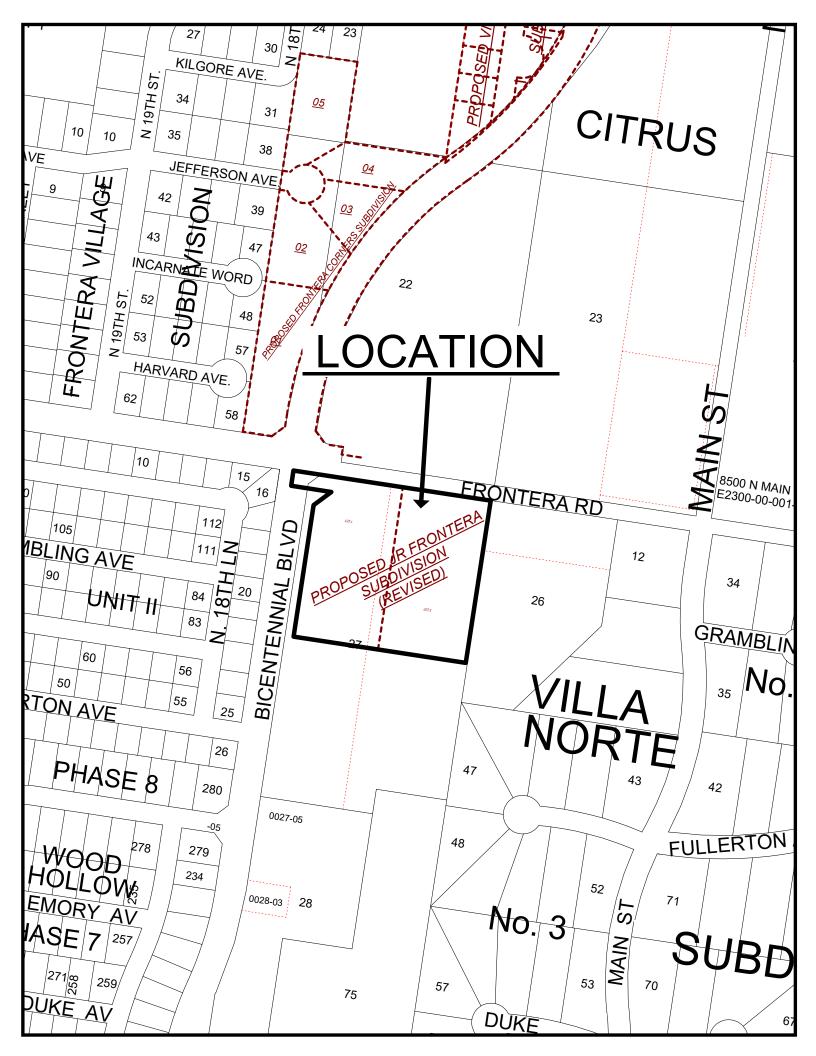


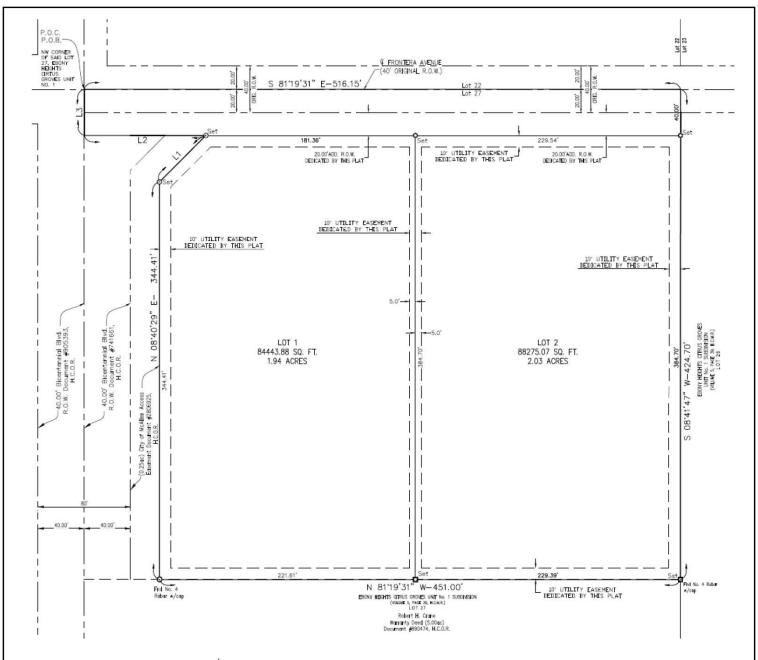
City of McAllen Planning Department APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

Project Description	Subdivision Name _JR Frontera Subdivision Location _Frontera Ave., approximately 2,364 ft east of 23rd st. City Address or Block Number Number of lots2 Gross acres4.127 _ Net acres4.07 Existing Zoning _R-1 _ Proposed R-1 _ Rezoning Applied For Yes No DateN/A Existing Land Use Resd Proposed Land Use Resd Irrigation District #2 Residential Replat Yes No \omega Commercial Replat Yes No \omega ETJ Yes No \omega
Projec	Agricultural Tax Exemption Yes No Estimated Rollback tax due Legal Description A tract of land 4.127-acres more or less out of lot 27, Ebony Heights Citrus Groves Unit #1 Subdivision.
Owner	Name John Rodriguez Phone (956)249-3811 Address P.O. BOX 720728 City McAllen State TX Zip 78504 E-mail jjrs.rodriguez81@gmai
Developer	Name John Rodriguez Phone (956)249-3811 Address P.O. BOX 720728 City McAllen State TX Zip 78504 Contact Person John Rodriguez E-mail jjrs.rodriguez81@gmai
Engineer	Name Urban Infrastructure Group Phone (956)464-4710 Address 1704 E. Roberts Ave. City Donna State Texas Zip 78537 Contact Person Craig Gonzalez, P.E. E-mail cgonzalez@uigtexas.com
Surveyor	Name Homero L. Gutierrez Phone (956)369-098 Address P.O. BOX 548 State TX Zip 78501 BY: P.O. BOX 548 BY: P.O. BOX 548







BASIS OF BEARING AS PER THE NORTH PROPERTY LINE.

JR FRONTERA SUBDIVISION PLAT

LOT 1: RESIDENTIAL LOT 2: RESIDENTIAL

SURVEY PLAT SHOWING
A TRACT OF LAND 4.44—ACRES MORE OR LESS OUT OF LOT 27, EBONY
HEIGHTS CITRUS GROVES UNIT NO. 1 SUBDIVISION, HIDALGO COUNTY,
TEXAS, VOLUME 5, PAGES 39, H.C.M.R.

PRINCIPAL CONTACTS		ADDRESS	PHONE
OWNER:	JOHN RODRIGUEZ	P.O. BOX 720728 MCALLEN, TEXAS 78504	(956) 249-3811
ENGINEER: URBAN INFRASTRUCTURE GROUP, INC.	CRAIG A. GONZALEZ	407 N. SALINAS BLVD., DONNA, TEXAS 78537	(956) 464-4710
SURVEYOR: HOMERO L GUTTERREZ	HOMERO L. GUTTERREZ	P.O. BOX 548 MCALLEN, TEXAS 78501	(956) 369-0988



1704 E. ROBERTS AVE. PO BOX 729 DONNA, TEXAS 78537 (956) 464-4710 TBPE FIRM NO. F-13094 WWW.UIGTEXAS.COM



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 2/14/2020

ECHIDEMENTS	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Frontera Road: 20 ft. dedication for 40 ft. from centerline for 80 ft. ROW Paving: min. 52 ft. Curb & gutter: both sides **Must escrow monies, prior to plat recording, if not constructed at this time.	Applied
Bicentennial Blvd 150 ft. ROW Paving: min. 52 ft. Curb & gutter: Both sides **Thoroughfare plan shows 150 ft. ROW for Bicentennial. ***Plat submitted by the engineer on February 10, 2020 shows that this property does not connect to Bicentennial Blvd. as there is a strip of land owned by a different owner, thus no dedication is proposed. Existing 80 ft. ROW remains as now exist.	Applied
Paving Curb & gutter	Applied
* 800 ft. Block Length	Compliance
* 600 ft. Maximum Cul-de-Sac	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
SETBACKS	
* Front: 45 ft. or greater for easements, or in line with the average setback of existing structures, whichever is greater.	Applied
* Rear: Proposing 15 ft. or greater for easements.	Applied
* Sides: Proposing 6 ft. or greater for easements.	Applied
* Corner: Applies only if the property is along Bicentennial Blvd finalize prior to final.	Applied
* Garage: 18 ft. except where greater setback is required, greater setback applies.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Frontera Road. **Revise Note #8 as noted above	Required
* 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 Bicentennial Boulevard. **Plat submitted February 10, 2020 shows Note regarding 6 ft. buffer	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Plat note required as noted above, prior to final.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
IOTES	
* No curb cut, access, or lot frontage permitted along Bicentennial Boulevard.	Applied

02/14/2020 Page 2 of 2 SUB2020-0004

1 ago 2 01 2	0022020 000 .
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA
* Common Areas must be maintained by the lot owners and not the City of McAllen	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	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: R-1 Proposed: R-1	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. **Park fee of \$1,400 (based on 2 dwelling units/lots x \$700) required to be paid prior to recording.	Applied
* 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 waived for 2 single residential homes	Complete
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy. **Must escrow monies for required improvements, prior to plat recording, if not constructed at this time. ***Finalize Bicentennial Blvd. alignment and whether it affects this property, prior to final as needed. Based on submitted January 6, 2020 a 35 ft. dedication is required. ****Plat submitted February 10, 2020 shows no additional dedication is required for Bicentennial Blvd. ***Plat submitted February 10, 2020 shows that this property does not connect to Bicentennial Blvd. as there is a strip of land owned by a different owner, thus no dedication is proposed. Existing 80 ft. ROW remains as now exist.	Applied
RECOMMENDATION Description of this process of the	A m m !!!
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM, SUBJECT TO CONDITIONS NOTED.	Applied



From:Berenice GonzalezTo:"Esequiel Garcia"Cc:Craig Gonzalez

Subject: RE: JR Frontera Subd is on hold Date: RE: JR Frontera Subd is on hold Thursday, April 2, 2020 4:12:00 PM

Thanks! Keep us posted please,

From: Esequiel Garcia <egarcia@uigtexas.com>

Sent: Thursday, April 2, 2020 9:42 AM

To: Berenice Gonzalez <BGonzalez@mcallen.net> **Cc:** Craig Gonzalez <cgonzalez@uigtexas.com>

Subject: JR Frontera Subd is on hold

JR Frontera, developer is continuing to resolve an issue with the subdivision and JR Frontera Subd is on hold until further notice.

Please let me know if you have any questions.

Thank you.

Esequiel Garcia, S.I.T.

Sr. Project Manager Urban Infrastructure Group, Inc.

Office: (956) 464-4710 Mobile: (956) 622-1708 From: Craig Gonzalez
To: Berenice Gonzalez
Cc: Esequiel Garcia
Subject: Re: JR Frontera

Date: Monday, April 6, 2020 7:47:24 PM

Berenice

Please remove JR Frontera from the agenda as the developer has some issues he is continuing to work out.

Thanks Craig

Get Outlook for iOS

From: Berenice Gonzalez <BGonzalez@mcallen.net>

Sent: Monday, April 6, 2020 2:24 PM

To: Craig Gonzalez
Cc: Esequiel Garcia
Subject: JR Frontera

Hello Mr. Gonzalez,

Could you please provide me an email indicating there are still issues to be clarified with JR Frontera and it is okay to be removed from our agenda?

Thanks

Berenice Mariel González Planner III



Planning Department

311 N. 15th Street McAllen, Texas 78501 (956) 681-1250



Disclaimer: If you are not the intended recipient or have received this e-mail in error, please notify me via return e-mail and telephone at 956-681-3111, and permanently delete and purge the original and any copy thereof. This e-mail, with attachments hereto, if any, is intended only for receipt and use by the addressee(s) named herein, and may contain legally privileged and/or confidential information. Regardless of address or routing, if you are not the intended recipient, then you are hereby notified that any use, copying, reproduction, dissemination, distribution, or transmission of this e-mail, and any attachments hereto, is strictly prohibited. Whereas all reasonable steps have been taken to ensure the accuracy and confidentiality of the information and data submitted herein, the City of McAllen and its employees are not liable if information or data is corrupted or does

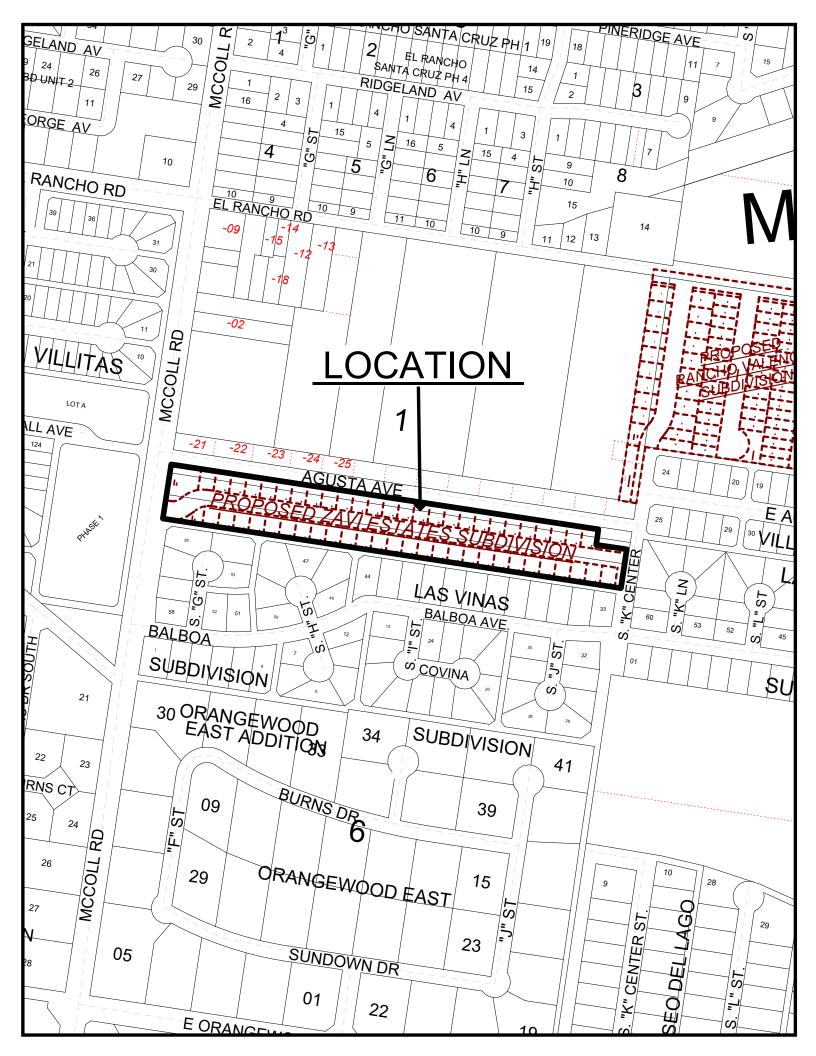
not reach its intended destination.

Sub2019-00319

City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW

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

Project Description	Subdivision Name 2 avi Estates Subdivision Location Sotheast corner of McColl Are & Argusta Arenve. City Address or Block Number Number of lots 56 Gross acres 5.98 Net acres Existing Zoning R-31 Proposed R-31 Rezoning Applied For Yes No Date Existing Land Use Vacant Proposed Land Use Town Homes Irrigation District # 2 Residential Replat Yes No Commercial Replat Yes No ETJ Yes No E Agricultural Tax Exemption Yes No E Estimated Rollback tax due Legal Description 5.98 Az. Trust out of Cot 1 Block 19, Steele & Pershing Subdivision Apper the Will of Page 115	DRHC
Owner	Name <u>Zaida è Benigno Villavre</u> Phone <u>Suiz 12-0070</u> Address <u>833</u> N Ware Rd City <u>Meallen</u> State TV zip 78501 E-mail <u>Del Rio Zaida e gmail</u> com	
Developer	Name Same as above. Phone	
Engineer	Name MAS Engineer UC Phone (936) 557-1311 Address 3911 N. 10th street City Mc Alla State TR Zip 78501 Contact Person Mano A. Salinas E-mail Msalinas 6973 Cattact	
Surveyor	Name <u>Pavid Salinas</u> Phone <u>(954) 682-9081</u> Address <u>2221 Patholil Avenue</u> City <u>H. Alle</u> State TX. Zip <u>78501</u> E-mail <u>PECETVE</u>	

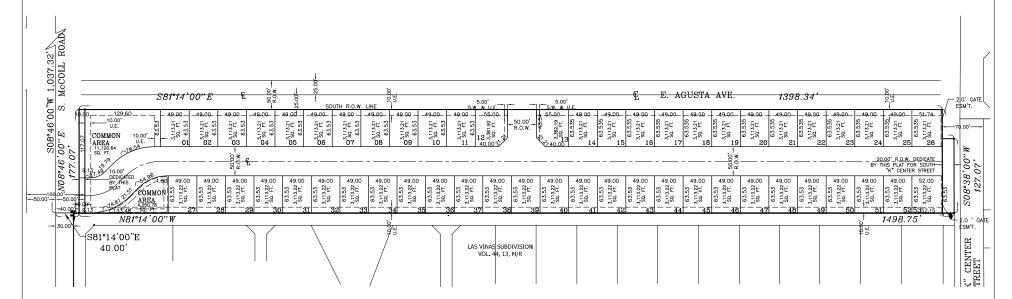


MAP OF ZAVI ESTATES SUBDIVISION



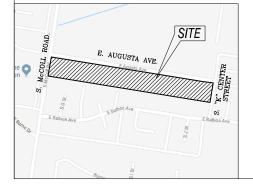
McALLEN, TEXAS

BEING A 6.07 ACRE TRACT OF LAND, MORE OR LESS, CONTAINING ALL OF THOSE LANDS AS DESCRIBED BY METES AND BOUNDS IN A WARRANTY DEED WITH VENDOR'S LIEN CONVEYANCE FROM LEANDRO ESPINOZA AND WIFE NATIVADAD FONSECA ESPINOZA UNTO BENIGNO VILLAREAL AND WIFE, ZAIDA VILLARREAL DATED JULY 29, 2002 AND RECORDED IN DOCUMENT NO. 1108063, H.C.D.R., ALL OUT OF LOT 1, BLOCK 17, STELLE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 08, PAGE 115, DEED RECORDS OF HIDALGO COUNTY, TEXAS





VICINITY MAP



RECEIVED

By Nikki Marie Cavazos at 4:03 pm, Mar 24, 2020

RECEIVED VIA EMAIL 03/24/2020 AT 8:52 AM

DATE OF PREPARATION: OCTOBER 21, 2019

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

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



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 4/3/2020

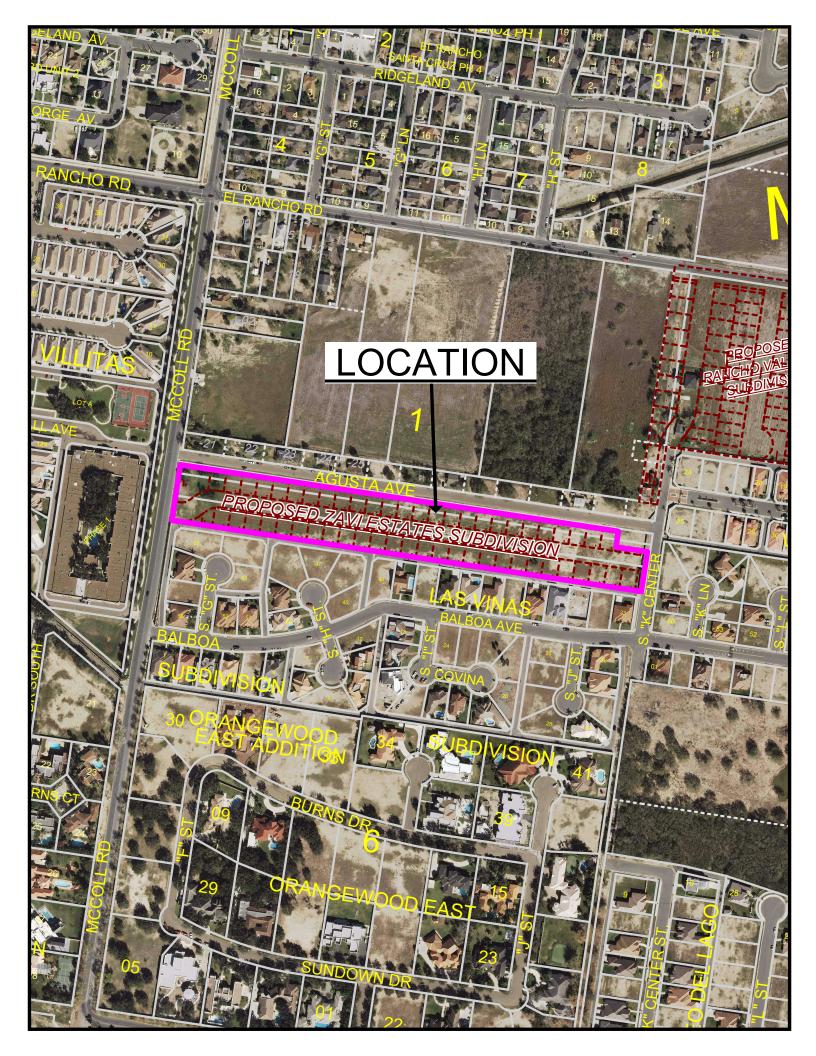
SUBDIVISION NAME: ZAVI ESTATES	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
S. McColl Road: 10 ft. additional ROW dedicated for 50 ft. from centerline for 100 ft. ROW Paving: 65 ft. Curb & gutter: both sides **Must escrow monies if improvements are not constructed prior to recording. ***Label centerline. Plat submitted March 19, 2020 does not show centerline, revise as noted above prior to recording	Required
S. "K" Center Street: 20 ft. dedication for 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides **Must escrow monies if improvements are not constructed prior to recording. ***Label centerline to determine dedication requirements prior to final. ****Plat submitted March 19, 2020 does not show centerline, revise as noted above prior to recording.	Required
E/W Interior Streets: 50 ft. ROW Paving: 40 ft. Curb & gutter: both sides **Revised plat submitted on October 21, 2019 proposes a stub out street to connect to E. Augusta Ave. ROW will be 50 ft. with 20 ft. paving for the entrance section and the exit paving to be finalized. This access will be gated which must comply with Traffic requirements. Exit paving for the stub out is proposed to be 16 ft. based on plans submitted on March 19, 2020. ***Plat submitted February 3, 2020 proposes 50 ft. ROW, plat needs to be revised to include 5 ft. utility and sidewalk easement prior to recording.	Required
E. Augusta Ave.: 50 ft. ROW Paving: 40 ft. Curb & gutter: both sides	Applied
* 800 ft. Block Length **Plat submitted March 19, 2020 provides stub out connecting to E. Augusta Avenue but it does not show block length, revise as noted above.	Required
* 600 ft. Maximum Cul-de-Sac	NA
LLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
ETBACKS	
* Front: 10 ft. or greater for easements	Applied
* Rear: 10 ft. or greater for easements.	Applied
* Sides: In accordance with the Zoning Ordinance, or greater for easements.	Applied
* Corner: 10 ft. or greater for easements.	Applied
* Garage: 18 ft. except where greater is required, greater setback applies.	Applied
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
IDEWALKS	
* 5 ft. minimum sidewalk required on S. McColl Road. 4 ft. wide minimum sidewalk required on S. "K" Center Street, E. Augusta Ave. and both sides of all interior streets. ***Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Required

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BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along S. McColl Road, S. "K" Center Street and E. Augusta Ave.	Applied
**Revise Note #7 on plat submitted March 19, 2020 to reflect S. McColl Rd., S. "K" Center St. & E. Augusta Ave.	
* 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 S. McColl Road, S. "K" Center Street and E. Augusta Ave. **Per plat submitted March 19, 2020 revise Note #11 - add S. to "K" Center St.	Required
* Site plan must be approved by the Planning Department and other Development Departments prior to building permit issuance.	NA
* Common Areas, Private Streets and gate easements must be maintained by the lot owners and not the City of McAllen	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Revise Note #14 on plat submitted March 19, 2020 to reflect Section 134-168 for private subdivisions, also label both common areas as Lot "A" Common Area and Lot "B" Common Area and include them in note #14, reference sample provided.	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 Proposed: R-3T	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee	NA
* Park Fee of \$700 per dwelling unit to be paid prior to recording. Based on 53 dwelling units/lots, a park fee of \$37,100 must be paid prior to recording. Should the number of dwelling units/lots change, fees will be adjusted accordingly as per Parks Department.	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 Trip Generation has been waived.	Applied
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: Must comply with City's Access Management Policy. **Comply with Fire Department requirements regarding secondary access. ***Revise Note #14 to include maintenance of the 2 ft. gate easement adjacent to lots 26 and 53	Applied

04/03/2020 Page 3 of 3 SUB2020-0017

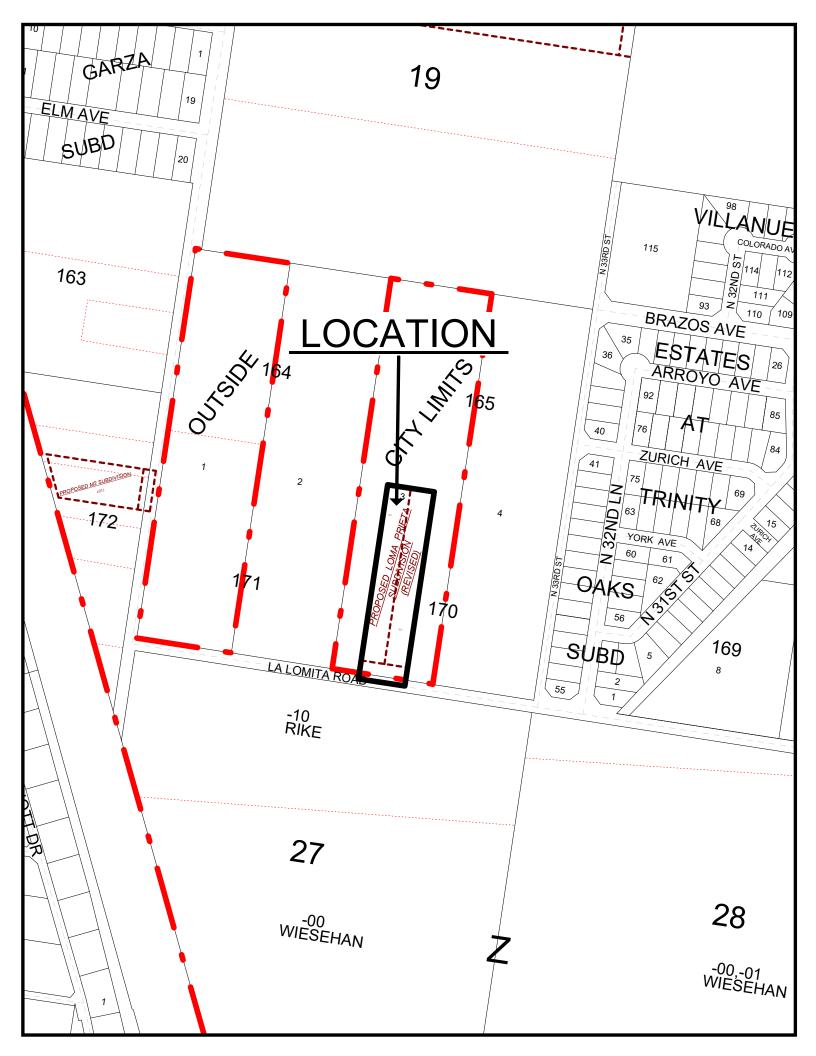
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO THE CONDITIONS NOTED.	Applied

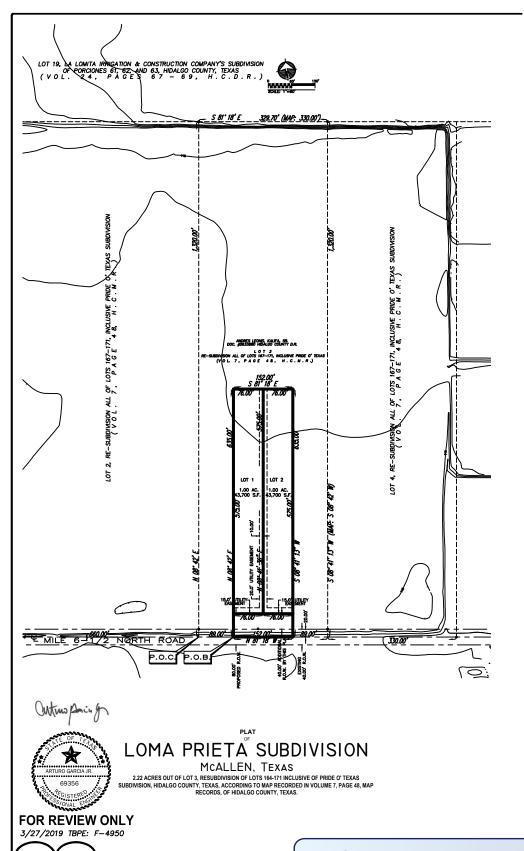


City of McAllen Planning Department APPLICATION FOR SUBDIVISION PLAT REVIEW

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

Project Description	Subdivision Name Loma Prieta Subdivision Location 660 Feet East of La Lomita Road on North side of Mile 6 1/2 North Road City Address or Block Number 3420 North Mile 6 1/2 Road Number of lots Two (2) Gross acres 10.0 Net acres 9.85 Existing Zoning 7 Proposed R-1 Rezoning Applied For Yes No Date Existing Land Use Vacant Proposed Land Use Residential Irrigation District # 1 Residential Replat Yes No Commercial Replat Yes No X ETJ Yes No Agricultural Tax Exemption Yes No Estimated Rollback tax due 0 Legal Description All of Lot 3, Resubdivision of Lots 164-171, Inclusive of Pride O' Texas Subd.
Owner	Name Andres L. Kalifa, Sr. & Andres L. Kalifa, Jr. Phone Address 2720 Grambling Avenue City McAllen State Texas Zip 78504 E-mail
Developer	NameSame
Engineer	Name Pena Engineering, LLC Phone 956-682-8812 Address 1001 Whitewing City McAllen State Texas Zip 78501 Contact Person Pablo Pena, III, RPLS Arturo Garcia, Jr., P.E. E-mail PAUL@PENAENG.COM
Surveyor	Name Pena Engineering, LLC Phone 956-682-8812 SUBQUIDOW Address 1001 Whitewing City McAllen State Texas Zip 78502 E-mail PAUL@PENAENG.COM





PENA ENGINEERING

I001 W. WHITEWING P.O. BOX 4320 McALLEN, TEXAS 78501 TEL: 956-682-8812

TEL: 956-682-8812 TBPE: F-4950 FAX: 956-631-7362 TBPS: F-10087200

RECEIVED

By Nikki Marie Cavazos at 5:23 pm, Mar 24, 2020

RECEIVED VIA EMAIL 03/19/2020 AT 4:23 PM



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 4/3/2020

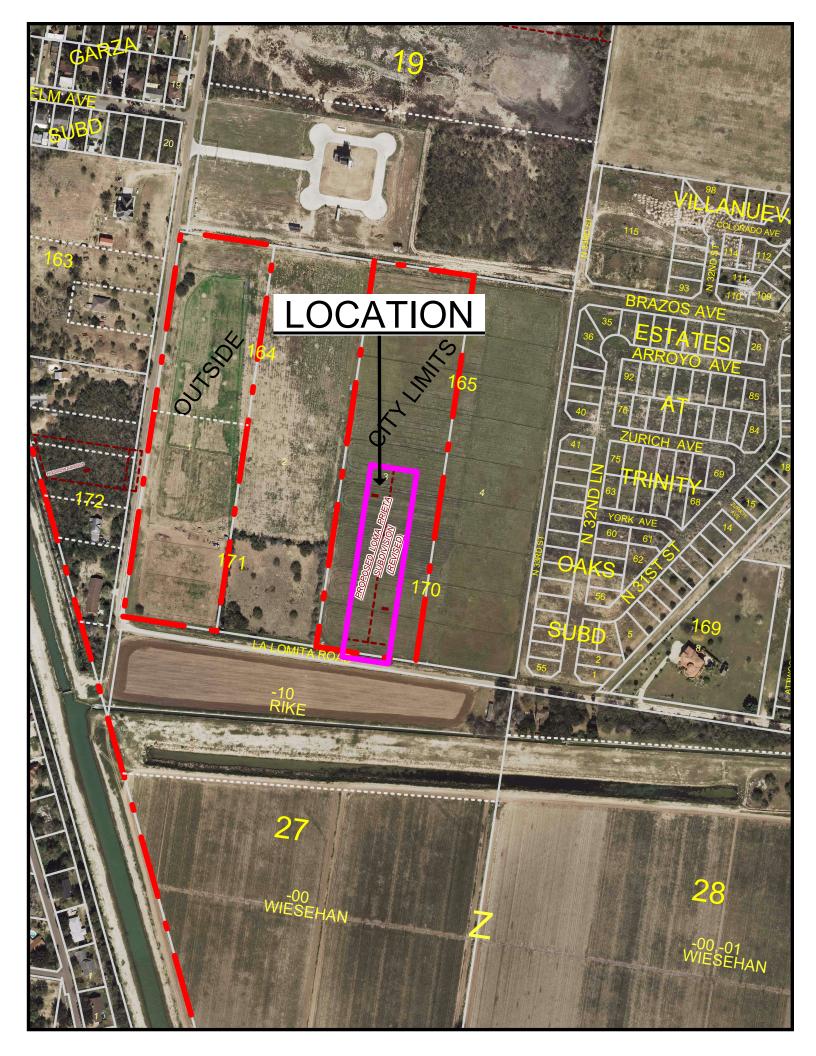
SUBDIVISION NAME: LOMA PRIETA	
EQUIREMENTS	
TREETS AND RIGHT-OF-WAYS	
Mile 6 1/2 North Road: 40 ft. ROW dedication for 80 ft. ROW Paving: 52 ft 65 ft. Curb & gutter: both sides *Must escrow monies if not constructed prior to recording **Developer has submitted a variance to the paving improvements for 6 1/2 Mile North Road. City Commission did not approve the request and required escrow to be paid.	Applied
Brazos Ave. (E/W 1/4 Mile street on the north boundary) 35 ft. ROW dedication for future 70 ft. ROW Paving: 44 ft. Curb & gutter: both sides *Must escrow monies if not constructed prior to recording. **Developer has submitted a variance to the ROW dedication and paving improvements for Brazos Avenue. City Commission did not approve the request and required escrow to be paid. ***Revised plat submitted on March 29, 2019 does not extend north to Brazos Ave. Should the plat be revised again where the property extends to Brazos Ave., requirements will be applied.	NA
* 800 ft. Block Length:	NA
* 600 ft. Maximum Cul-de-Sac:	NA
LLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
ETBACKS	
* Front: 45 ft. or in line with the average setbacks of existing structures; whichever is greater.	Compliance
* Rear: Now proposing a 15 ft. rear setback or greater for easements. *Initial submittal required 45 ft. on Brazos Ave. or in line with average setback of existing structures; whichever is greater - (double fronting lot) **Revised plats submitted on March 29, 2019 and November 26, 2019 do not extend to Brazos Ave. Will apply if the plat is again revised.	Applied
* Sides: 6 ft. on the west side of Lot 1 and east side of Lot 2 or greater for easements. 7.5 ft. on east side of Lot 1 and west side of Lot 2 for easements. **Revised plat shows a 10 ft. easement on the east side of Lot 1 and the west side of Lot 2 - need to finalize prior to recording. ***Plat submitted March 19, 2020 needs clarification on proposed setbacks and easements, as proposed the easement overlaps.	Applied
* Corner:	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies.	Compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Applied
DEWALKS	
* 4 ft. wide minimum sidewalk required on Mile 6 1/2 North Road. **Brazos Ave. was TBD based on variance request to the ROW dedication. City Commission did not approve the variance. ***Revise plats submitted March 29, 2019 and November 26, 2019 do not extend north to Brazos Ave. If the plat is again revised and extends to Brazos Ave., sidewalk requirement will apply.	Applied

04/03/2020 Page 2 of 3 SUB2017-0001

-	
* 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, or industrial zones/uses, and along Brazos Ave. **Buffer along Brazos Avenue was TBD based on variance to the ROW dedication. City Commission did not approve the variance. ***Revise plats submitted March 29, 2019 and November 26, 2019 do not extend north to Brazos Ave. If the plat is again revised is extends to Brazos Ave., buffer requirement will apply.	Applied
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. **Add a note on the plat as noted above.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along Brazos Ave. ***Revise plat submitted March 29, 2019 and November 26th, 2019 does not extend north to Brazos Ave. If the plat is again revised is extends to Brazos Ave., restriction will apply.	Applied
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen	NA
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: ETJ Proposed: residential	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit to be paid prior to recording if the property is annexed.	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, the trip generation will be waived if the proposed use of the property is residential.	NA
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments: *Preliminary plat approved by the Planning and Zoning Commission on July 19, 2016. **Final plat approved by the Planning and Zoning Commission on January 17, 2017.	Applied

04/03/2020 Page 3 of 3 SUB2017-0001

Must escrow monies for improvements not constructed prior to plat recording. *Per Traffic, back-up access will not be allowed onto the roadways. ****Driveway will be needed for head out access; driveway design to be approved by Traffic. P&Z approved the subdivision in revised preliminary form, with conditions, at the meeting of May 7, 2019	
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM SUBJECT TO CONDITIONS NOTED.	Applied

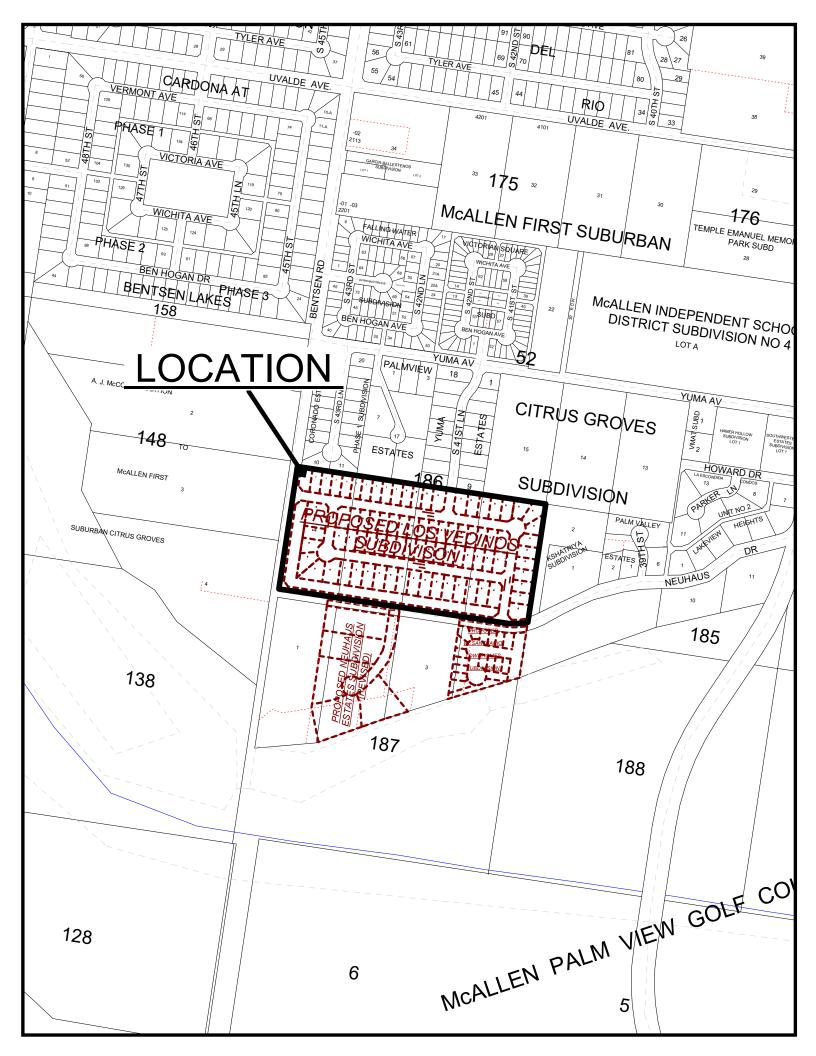


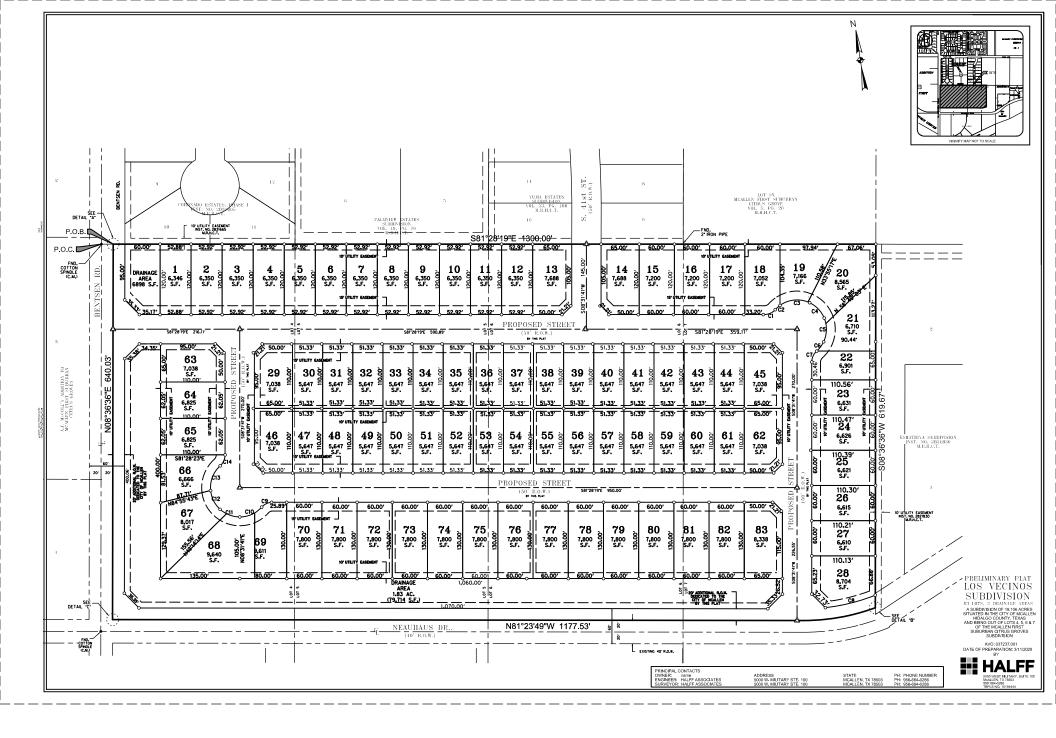
City of McAllen Planning Department APPLICATION FOR

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

SUBDIVISION PLAT REVIEW

Project Description	Subdivision Name Los Vecinos Subdivision At the northeast corner of the intersection of Location Neauhaus Road and Bensten Road Lots 4,5,6 & 7 of the McAllen First Suburan City Address or Block NumberCitrus Grove Number of lots 83 Gross acres 19.106 Net acres 19.106 Existing Zoning R-1 Proposed R-1 Rezoning Applied For Yes No Date Existing Land Use N/A Proposed Land Use Residential Irrigation District # Proposed Land Use Resi
Owner	Name Tres Vecinos, LLC Phone 956-802-9070 Address P.O. Box 1258 Zip 78573 City Mission State Tx Zip 78573 E-mail dannydoublea@aol.com
Developer	Name Same as Owner Phone Address City State Zip Contact Person E-mail
Engineer	Name Halff Associates Inc Phone 956-445-5227 Address 5000 W Military Hwy Suite 100 City McAllen State TX Zip 78503 Contact Person Raul Garcia, PE or Roxxie Mann, EIT E-mail rgarcia@halff.com or rmann@halff.com
Surveyor	Name Same as Engineer Phone Address City State Zip E-mail
	1 OCT 28 2019





04/03/2020 Page 1 of 3 SUB2019-0088



City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 4/3/2020

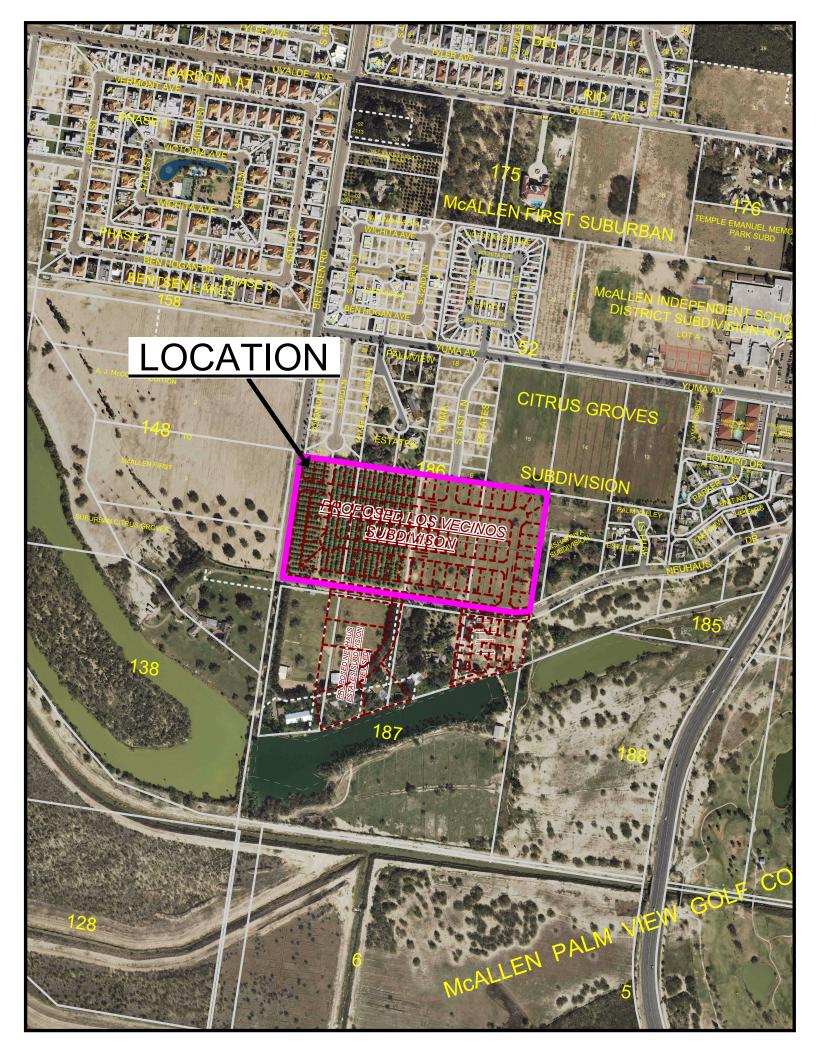
QUIREMENTS	
REETS AND RIGHT-OF-WAYS	
S. Bentsen Rd. 20 ft. ded. for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. Curb & gutter: Both sides **Must escrow monies if improvements are not built prior to recording.	Required
Neuhaus Drive - min. 10 ft. dedication for 60 ft. ROW, and must match existing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

04/03/2020 Page 2 of 3 SUB2019-0088

* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses and along S. Bentsen Road and Neuhaus Drive. **Plat submitted January 7, 2020 includes such requirement.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Applied
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
NOTES	
* No curb cut, access, or lot frontage permitted along S. Bentsen Road and Neuhaus Drive.	Compliance
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA
* Common Areas, any private streets, detention areas, etc, must be maintained by the lot owners and not the City of McAllen. **Note on the plat will be required once established, prior to final/recording.	Required
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **If a public subdivision, section 110-72 applies.	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. Plat submitted January 7, 2020 shows that some lots appear to have less than the required lot frontage width. Verify that all lots meet minimum 50 ft. wide frontage requirement with corner lots minimum 54 ft. frontage for R-1 zone requirements, prior to final.	Non-compliance
ZONING/CUP	
* Existing: R-1 Proposed: R-1 **Not all lots appear to meet minimum requirements; revise plat as needed.	Applied
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee: Pending review by the Parkland Dedication Advisory Board and City Commission to establish requirements, prior to final.	TBD
* Park Fee of \$700 per dwelling unit/lot to be paid prior to recording. Pending review by the Parkland Dedication Advisory Board and City Commission to establish requirements, prior to final.	TBD
* Pending review by the Parkland Dedication Advisory Board and CC. Required prior to final to establish requirements, etc.	Required
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat. **Per Traffic Department need to submit Trip Generation to determine if TIA will be needed prior to final.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
COMMENTS	
Comments: Drainage area needs to have lot # or common lot A, B, etc. **Need note on plat regarding maintenance of common lots, detention areas, etc., prior to final/recording. ***HOA notes also required on plat, prior to final/recording.	Applied

04/03/2020 Page 3 of 3 SUB2019-0088

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





March 24, 2020

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

Attn: Ms. Berenice Gonzalez

Re: Los Vecinos Subdivision – Variance for Block Length

Dear Ms. Gonzalez:

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

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

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

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



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

Respectfully,

Raul Garcia, Jr., PE, CFM

Land Development/Public Works Team Leader

From: Garcia, Raul
To: Berenice Gonzalez

Cc: dannydoublea@aol.com; Saenz, Robert

Subject: Los Vecinos Subd

Date: Monday, April 6, 2020 8:16:32 AM

Good Morning Berenice,

As discussed, my client would like to table the variance requests for Los Vecinos Subdivision until this Coronavirus deal settles down. We would like to be present at the meeting to argue our case and prefer to wait until either the next agenda or possibly the one after that. I will be in touch with you in the next week or two to see how things are working out at the city. My client, Danny Acevedo, is copied on this email. Give me a call if you have any questions.

Thanks,

Raul

Raul Garcia, Jr., PE, CFM

Land Development / Public Works Team Leader

O: (956) 445-5235

Halff Associates, Inc. 5000 West Military, Suite 100 McAllen, TX 78503-7446



Halff.com | LinkedIn | Facebook | Twitter | Instagram | YouTube

Planning Department

Memo

TO: Planning & Zoning Commission

FROM Edgar I. Garcia, AICP, CNU-A

DATE: April 2, 2020

SUBJECT: City Commission Actions on March 23, 2020

REZONINGS:

1. Rezone from C-3 (General Business) to R-2 (Duplex-Fourplex): Lot 6, Block 3, Cathay Courts Subdivision; 205 S. Cynthia Street

- Planning & Zoning Commission recommended approval
- City Commission approved as recommended

CONDITIONAL USE PERMITS:

- 1. Request of Guillermo Vasquez, for a Conditional Use Permit, for one year, for a Bar: Lot A-1, Nolana Tower Subdivision; 400 Nolana Avenue, Suite A-3
 - Planning and Zoning Commission disapproved with favorable recommendation
 - City Commission approved
- 2. Request of Richard Nares, for a Conditional Use Permit, for one year, for a Bar: 1.10 acre tract of land out of Lot 492, John H. Shary Subdivision; 6925 SH 107
 - Planning and Zoning Commission disapproved with favorable recommendation
 - City Commission approved
- 3. Request of Upbring Lutheran Social Services of the South Inc., for a Conditional Use Permit, for life of the use, for an institutional use (immigrant youth facility): 2.72 acres coming out of Lot 6, Block 11, Steele and Pershing Subdivision; 1000 North McColl Road
 - Planning and Zoning Commission recommended approval
 - City Commission approved
- 4. Request of Alim U. Ansari, for a Conditional Use Permit, for an Institutional Use (school): Lots 5 through 12, Block 36, North McAllen Townsite Subdivision; 320 North Main Street
 - Planning and Zoning Commission recommended approval for one year
 - City Commission approved for one year

	01/07/20	01/21/20	02/04/20	02/18/20	03/03/20	03/10/20	03/17/20	04/07/20	04/21/20	05/05/20	05/19/20	06/02/20	06/16/20	07/07/20	07/21/20	08/04/20	08/18/20	09/01/20	09/16/20	10/06/20	10/20/20	11/03/20	11/17/20	12/01/20	12/16/20
Pepe Cabeza de Vaca	Р	Р	Р	Α	A	Р	NM																		
Daniel Santos	Р	Р	Р	Р	Р	Α	MM																		
Mike Hovar	Р	Р	Р	Р	Α	Р	NM																		
Rogelio Cervantes	Р	Р	Р	Р	Р	Р	NM																		
Gabriel Kamel	Р	Р	Р	Р	Р	Р	NM																		
Michael Fallek	Р	Р	Р	Р	Р	Р	NM																		
Jose B. Saldana	Р	Р	Р	Α	Α	Р	NM																		
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Pepe Cabeza de Vaca													
Daniel Santos													
Mike Hovar													
Rogelio Cervantes													
Gabriel Kamel													
Michael Fallek													
Jose B. Saldana													



PLANNING DEPARTMENT



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

2020 CALENDAR

A Pu	City Commisublic Utility E	Board	I		ning & Zo	•		Deadlines: D- Zoning/CUP Application N - Public Notification * Holiday - Office is closed								
JANUARY 2020									FEBRUARY 2020							
Sun	Mon	Tu	ne	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat		
				1 HOLIDAY	2	3	4							1		
5	6	7		8 D-2/4 & 2/5	9 CENSUS	10	11	2	3	4	5 D-3/3 & 3/4	6 CENSUS	7	8		
12	13 A-2/4 & 2/5	14		15 N-2/4 & 2/5	16	17	18	9	10 A-3/3 & 3/4	11	12 N-3/3 & 3/4	13	14	15		
19	20	21		HPC D-2/18 & 2/19	23	24	25	16	17	18	19 D-3/17 & 3/18	20	21	22		
26	A-2/18 & 2/19	28		29 N-2/18 & 2/19	30	31		23	A-3/17 & 3/18	25	26 HPC N-3/17 & 3/18	27	28	29		
				RCH 20				APRIL 2020								
Sun	Mon 2	Tu	ne	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat		
1		3	_	D-4/1 & 4/7	CENSUS	6	,				D-5/5 & 5/6	CENSUS	3	4		
8	9 A-4/1 & 4/7	10		11 N-4/1 & 4/7	12	13	14	5	6 A-5/5 & 5/6	7	8 N-5/5 & 5/6	9	HOLIDAY	11		
15	16	17		18 D-4/15 & 4/21	19	20	21	12	13	14	15 D-5/19 & 5/20	16	17	18		
22	23 A-4/15 & 4/21	24		25 HPC N-4/15 & 4/21	26	27	28	19	20 A-5/19 & 5/20	21	HPC N-5/19 & 5/20	23	24	25		
29	30	31						26	27	28	29	30				
			M	AY 202	0			JUNE 2020								
Sun	Mon	Tu	ne	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat		
						1	2		1	2	3 D-7/1 & 7/7	4 CENSUS	5	6		
3	4	5		6 D-6/2 & 6/3	7 CENSUS	8	9		A-7/1 & 7/7		10 N-7/1 & 7/7	11	12	13		
10	11 A-6/2 & 6/3	12		13 N-6/2 & 6/3	14	15	16	14	15	16	17 D-7/15 & 7/21	18	19	20		
17	18	19		20 D-6/16 & 6/17	21	22 A-6/16 & 6/17	23	21	22 A-7/15 & 7/21	_	24 HPC N-7/15 & 7/21	25	26	27		
24 31	HOLIDAY	26	0		28	29	30	28	29	30						
	es and Meetin	g Date:			nge at any tir	ne. Please d	ontact th	e Plannin	g Department	at (956) 681	-1250 if you h	ave any que:	stions.			



PLANNING DEPARTMENT



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

2020 CALENDAR

Meetings: City Commission Planning & Zoning Board Public Utility Board Zoning Board of Adjustment HPC - Historic Pres Council CENSUS								Deadlines: D- Zoning/CUP Application N - Public Notification * Holiday - Office is closed								
JULY 2020								AUGUST 2020								
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat			
			1 D-8/4 & 8/5		3 HOLIDAY	4							1			
5	6 A-8/4 & 8/5	7	8 N-8/4 & 8/5	9	10	11	2	3	4	5 D-9/1 & 9/2	6 CENSUS	7	8			
12	13	14	15 D-8/18 & 8/19	16	17	18	9	10 A-9/1 & 9/2	11	12 N-9/1 & 9/2	13	14	15			
19	20 A-8/18 & 8/19	21	22 HPC N-8/18 & 8/19	23	24	25	16	17	18	19 D-9/16 & 9/17	20	21	22			
26	27	28	29	30	31		23 30	A-9/16 & 9/17	25	26 HPC N-9/16 & 9/17	27	28	29			
	SEPTEMBER 2020							OCTOBER 2020								
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat			
		1	2 D-10/6 & 10/7	3 CENSUS	4	5					CENSUS	2	3			
6	7 HOLIDAY	8	9 N-10/6 & 10/7	10	11	12	4	5	6	7 D-11/3 & 11/4	8	9	10			
13	14 A-10/6 & 10/7	15	16 D-10/20 & 10/21	17	18	19	11	12 A-11/3 & 11/4	13	14 N-11/3 & 11/4	15	16	17			
	21 A-10/20 & 10/21	22	23 HPC N-10/20 & 10/21	24	25	26	18	19	20	21 D-11/17 & 11/18	22	23	24			
27	28	29	30				25	A-11/17 & 11/18		28 HPC N-11/17 & 11/18	29	30	31			
	NOVEMBER 2020								DECEMBER 2020							
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat			
	2	3	4 D-12/1 & 12/2		6	7			1	2 HPC D-1/5 & 1/6	3 CENSUS	4	5			
	9 A-12/1 & 12/2	10	11 N-12/1 & 12/2	12	13	14	6	7 A-1/5 & 1/6	8	9 N-1/5 & 1/6	10	11	12			
15	16	17	18 D-12/16 & 12/17	19	20	21	13	14	15	16 D-1/19 & 1/20	17	18	19			
	23 A-12/16 & 12/17	24	25 N-12/16 & 12/17	HO ^{LIDAY}	27	28	20	21 A-1/19 & 1/20	22	23 N-1/19 & 1/20	HOLIDAY		26			
29	30						27	28	29	30	31					
Deadline	s and Meeting	g Dates are	subject to cha	nge at any tii	me. Please d	ontact the	e Plannin	g Department	at (956) 681	-1250 if you h	ave any que:	stions.				