

## AGENDA

**PLANNING & ZONING COMMISSION REGULAR MEETING  
TUESDAY, MAY 17, 2016 - 3:30 PM  
MCALLEN MUNICIPAL BUILDING, 1300 HOUSTON AVENUE  
CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR**

### **PLEDGE OF ALLEGIANCE –**

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 City 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 - Pepe Cabeza de Vaca**

### **INVOCATION -**

#### **1) EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY)**

- a) Consultation with City Attorney regarding legal issues related to Cause No. C-6255-15-F; JACR, LLC D/B/A Gamehaus Gastropub v. City of McAllen. (Section 551.071, T.G.C.).”

#### **2) MINUTES:**

- a) Minutes for Regular Meeting held on May 3, 2016

#### **3) SITE PLAN:**

- a) Lot 5A, Lots 4A & 5A Savannah Park Subdivision; 1800 South 6th Street - Resaca Investments, LTD. **(SPR2016-0001)** RDE
- b) Lot 1, Proposed Beech Commerce Subdivision; 111 North 23rd Street - Absolute Premium Denim **(SPR2016-0003)** SEC
- c) Units 1A, 1B, 2A, 2B,9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, Lakes Condominium Association of Owners situated out of Block 3, Lakes Business Park Phase 2, Hidalgo County, Texas; 901 East Redbud Avenue.**(SPR2016-0013)** M & H

- d) Lot 1, Block 7, McAllen Addition Subdivision; 1601 Business Highway 83 - Granchelli Construction(**SPR2016-0011**) (**TABLED:04/19/2016**) (**TABLED 05/03/2016**)

#### 4) SUBDIVISIONS:

- a) Amended Map of Citrus Grove Plaza Lots 14, 15 & 16 Subdivision; 4201 U.S. Expressway 83 - Solloa & Associates, LLC. (**Preliminary/ Final**)(**SUB2016-0025**) MASE
- b) Ad Astra View Subdivision; 9601 N. Taylor Road - Alfonso Puente Rodriguez - (**Revised Preliminary**)(**SUB2016-0004**) SEC
- c) Zinnia Crossing Subdivision; 5217 N. 10th Street - Nanak, Ltd. - (**Preliminary**)(**SUB2016-0024**) SEC
- d) Villas Bentsen Lake Subdivision; 1940 S. Bentsen Road - Francisco De La Fuente (**Preliminary**)(**SUB2016-0027**) NAIN
- e) Spanish Oaks at Frontera Subdivision; 8400 N. 10th Street - Niko Iluminacion de Mexico (**Preliminary**)(**SUB2016-026**) M & H

#### 5) PUBLIC HEARING (to be conducted at 4:00 p.m.)

##### a) SUBDIVISION:

1. Copperfield Estates Phase 1A Subdivision; 4201 Pecan Boulevard- Inmobiliaria Del Valle, LLC. (**Final**)(**SUB2016-0013**) BIG

##### b) REZONING:

1. Rezone from R-3A (multifamily residential apartments) District to R-3C (multifamily residential condominium) District: 6.44 acres out of Lot 6, Block 15, Steele and Pershing Subdivision, Hidalgo County, Texas; 901 East Yuma Avenue. (**REZ2016-0013**)
2. Rezone from R-3A (multifamily residential apartments) District to R-3C (multifamily residential condominium) District: All of units 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 6A, 6B, 7A, 7B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, Lakes Condominium Association of Owners situated out of Block 3, Lakes Business Park Phase 2, Hidalgo County, Texas; 901 East Redbud Avenue. (**REZ2016-0014**)

3. Rezone from C-3 (general business) District to R-1 (single family residential) District: 5.867 acres out of Lot 2, Block 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 8400 North 10th Street. **(REZ2016-0015)**
4. Rezone from R-1 (single family residential) District to C-3 (general business) District: 0.454 acres out of Lot 1, Unicorn Acres Subdivision, Hidalgo County, Texas; 2901 Gumwood Avenue. **(REZ2016-0016)**

c) **CONDITIONAL USE PERMITS:**

1. Request of Melissa A. Aguirre, for a Conditional Use Permit, for one year, for a home occupation (office/ party rentals) at Lot 23B, Block 30, Balboa Acres Subdivision, Hidalgo County, Texas; 3400 Helena Avenue. **(CUP2016-0060)**
2. Request of Courtney A. Miller, for a Conditional Use Permit, for one year, for a home occupation (office/ construction) at Lots 8 and 9, Window Rock Estates Subdivision, Hidalgo County, Texas; 3617 Walnut Avenue. **(CUP2016-0059)**
3. Request of Armando Rios, for a Conditional Use Permit, for one year, for a portable food concession stand at the 96.53 feet East of the North 127.55 feet North of Lot 1, Alta Loma Subdivision, Hidalgo County, Texas; 2309 Galveston Avenue. **(CUP2016-0064)**
4. Request of Yvette Villa, for a Conditional Use Permit, for one year, for a bar at Lots 1 and 2, Mejia #1 Subdivision, Hidalgo County, Texas; 2000 Nolana Avenue. **(CUP2016-0058)**
5. Request of Enrique Martinez, Jr., for a Conditional Use Permit, for one year, for a nightclub at Lots 1 and 2, Main International Subdivision, Hidalgo County, Texas; 6000 North 10th Street. **(CUP2016-0063)**
6. Request of Cesar Valdez, for a Conditional Use Permit, for one year, for a bar at Lot 3, Bentsen Road Plaza Subdivision, Hidalgo County, Texas; 4501 Expressway 83. **(CUP2016-0065)**
7. Request of Solani, LLC, for a Conditional Use Permit, for one year, for a bar at the North 150 feet of Lot 1, Gateway Plaza Shopping City Subdivision, Hidalgo County, Texas; 925 Lindberg Avenue. **(CUP2016-0057)**

8. Request of JACR, LLC dba Gamehaus Gastropub, for a Conditional Use Permit, for five years, for a bar, at Lots 13 and 14, Nolana Terrace Subdivision, Hidalgo County, Texas; 2109 Nolana Avenue. **(CUP2016-0042)(TABLED: 04/19/2016)(REMAINED TABLED:05/03/2016)**

**6) DISCUSSION:**

**7) INFORMATION ONLY:**

**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.

# **EXECUTIVE SESSION**

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, May 3, 2016, at 3:33 p.m. in the Municipal Building City Commission Room at City Hall, 1300 Houston Avenue, McAllen, Texas.

<b>Present:</b>	<b>Pepe Cabeza de Vaca</b> <b>John Millin</b> <b>Mark Wright</b> <b>Michael D. Hovar</b> <b>Brenton M. Baldree</b> <b>Daniel Santos</b> <b>Robert Luciano</b>	<b>Chairperson</b> <b>Vice- Chairperson</b> <b>Member</b> <b>Member</b> <b>Member</b> <b>Member</b> <b>Member</b>
<b>Absent:</b>	<b>Mark Wright</b>	<b>Member</b>
<b>Staff Present:</b>	<b>Julianne Rankin</b> <b>Michelle Leftwich</b> <b>Victor Flores</b> <b>Ed Taylor</b> <b>Luis Mora</b> <b>Kim Guajardo</b> <b>Miguel Martinez</b> <b>Rodrigo Sanchez</b> <b>Cristina Garcia</b> <b>Allan Garces</b> <b>Gardenia Perez</b> <b>Susana De La Cerda</b>	<b>Director of Planning</b> <b>Assistant City Manager</b> <b>Assistant City Attorney</b> <b>Senior Planner</b> <b>Senior Planner</b> <b>Planner III</b> <b>Planner II</b> <b>Planner II</b> <b>Planner I</b> <b>Planner I</b> <b>Administrative Supervisor</b> <b>Secretary</b>

**PLEDGE OF ALLEGIANCE**      Chairperson- Mr. Pepe Cabeza de Vaca

**INVOCATION**                      Member - Mr. Daniel Santos

**CALL TO ORDER**                  Chairperson - Mr. Pepe Cabeza de Vaca

**1. MINUTES:**

- a) Minutes for Regular Meeting held on April 19, 2016.

The minutes for the regular meeting held on April 19, 2016 were approved as submitted. The motion to approve was made by Mr. John Millin. Mr. Brent Baldree seconded the motion, which carried unanimously with five members present and voting.

## 2. SITE PLAN:

- a) Lot 4, Shops at 29 Subdivision; 2624 U.S. Expressway 83 – Shops at 20, Ltd.  
**(SPR2016-0008) SEC**

Mr. Martinez stated the property was located on the north side of U.S. Expressway 83 and approximately 500 feet east of S. 29<sup>th</sup> Street and was zoned C-3 (general business) District. The adjacent zoning was C-3 District in all directions.

The property was part of Shops at 29 Subdivision, which was recorded on January 15, 2016. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

The applicant was proposing to construct a 3,597 sq. ft. building on the property for restaurant use. Based on the building square footage, 48 parking spaces were required; 56 parking spaces were provided. Three of the provided parking spaces must be accessible, one of which must be van accessible with an 8 ft. wide aisle. Access to the site was proposed to be from the interior service drive. Required landscaping for the lot was 3,916 sq. ft. with trees required as follows: 14 – 2 ½” caliper trees, or 7 – 4” caliper trees, or 4 – 6” caliper trees, or 28 palm trees. A ten foot landscape strip was required inside the lot line along the interior drive on the west and north side of the property. A 2 ft. landscape strip was provided along the south side of the property adjacent to the drainage ditch that was part of Lot 1. 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 shade tree, as required by ordinance. A 6 ft. buffer was required around the dumpster area if visible from the street. No structures were permitted over easements. All building setbacks were in compliance with the plat note requirements and zoning ordinance.

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

Being discussion of the item, Mr. Brent Baldree **moved** to approve the site plan subject to the conditions noted, paving and building permit requirements, and the subdivision and zoning ordinances. Mr. John Millin seconded the motion with five members present and voting.

- b) Lot 1, Block 7, McAllen Addition; 1601 Business Highway 83 - Granchelli  
Construction **(SPR2016-0011) TABLED: 04/19/2016**

Mr. John Millin moved to have item removed from the table and Mr. Daniel Santos seconded the motion with five members present and voting.

Mr. Martinez stated the property was located on the south side of Business Highway 83 between S. 16th & S. 17th Street. The property was zoned C-3 (general commercial) District. The surrounding zoning was C-3 (general commercial) District to the east, south, and west, and C-4 (commercial industrial) District to the north.

The applicant was proposing to improve the existing parking lot with 20 additional parking spaces. Access to the site was proposed to be from an existing 24 ft. wide curb cut along South 17th Street. The two existing curb cuts along Business Highway 83 would be closed off. Existing landscaping and trees would remain onsite. A 6 ft. buffer was required around dumpsters if visible from the street. The parking lot would have private controlled access through S. 17th Street. The location of the electric gate allows for one car stacked inside the property. The vehicles entering the parking lot would use the shoulder for additional stacking. No structures were permitted to be built over easements.

Staff recommended approval of the site plan.

Mr. David John Dominguez approached the podium and stated he was an asset manager and Ms. Ada Medina stated she was asset manager and owner of the property.

Mr. Pepe Cabeza de Vaca stated that in the previous meeting there had been some discussion regarding the site plan request and the item had gotten tabled to given the time owner and tenants time to communicate regarding the intentions of the request.

Mr. Dominguez stated he had sent a correspondence to Mr. John Millin and to Mr. Pepe Cabeza de Vaca. Mr. Pepe Cabeza de Vaca stated he had not received it. Mr. Millin did received it.

Mr. Dominguez stated they met all requirements the city required. Ms. Ada Medina stated all other issues had to be between the landlord and tenants, those issues had nothing to do with the City of McAllen. They stated the city did not have any jurisdiction regarding the security issues. Mr. Pepe Cabeza de Vaca stated they wanted them to be good neighbors and that would make it the Planning and Zoning jurisdiction.

Mr. Dominguez stated it was known that there were going to be improvements as back to 2013. He stated they had sent a site plan to GSI Forth Worth and they have known for years of the parking lot improvements.

Ms. Medina stated they were complying with all city requirements and assured all issues with the landlord and tenants would get resolved.

Mr. Millin asked if anyone with GSA was present.

Mr. Christopher Anzaldua, local operations manager for GSA approached the podium. He stated some of the facts were true such as communication with the regional office but it was just recently they were notified of this particular project. The plans were still under review and the plans had not been given to GSA in the past years as indicated. GSA had received them about a week ago and there were still many questions by the tenant's agencies.

Mr. Millin asked Mr. Anzaldua if he was there representing GSA, the tenant in the Bentsen Tower. Mr. Anzaldua stated they lease the facility Bentsen Tower, which have the following agencies: US Marshalls, US Probation, Federal District Judges and much more. Mr. Millin inquired if he was requesting more time to review the plans and for communication to transpire about project details.

Mr. Anzaldua stated he just wanted to state the facts of what was happening but did not want to stop them from continuing with their project since it was their property. They would like to get more information since it was an adjacent property and their concern was security since it was a federal court house. He knew for the fact that their legal counsel and GSA legal counsel were in communication.

Judge Ricard Hinojosa, Chief Judge of District State of Texas, Judge Randy Crane and Judge Micaela Alvarez were present in opposition of the request. He stated the Judges present were speaking on behalf of the 200 people that work in the building. The money for the security officers for the building is from the Federal court security budget. In order to make necessary budget preparation in security they needed information about the project. Mr. Hinojosa stated plans had recently been sent to GSA were dated 2014 but they had not received any plans until the Planning and Zoning requested the information. There had been no contact from the landlord with no explanation. He stated some explanation and working together would be very helpful.

Judge, Alvarez stated she supported Chief Judge Ricardo Hinojosa in his effort to bring this matter to the attention of the building owners. They do have good communication but have the public trust; as well to consider.

Judge, Randy Crane stated he shared the same frustration the judges have with no contact and no information about the project was going on there.

Ms. Aida Medina stated the plans had been submitted to GSA which was her point of contact as early as 2012. She stated it was there responsibility to relay the information to the tenants of the building, the contract was with the General Services Administration. She had submitted a copy of plans to Linda Garcia and to Lisa Smith in the Fort Worth, Jeff Serria and Dee Graham all had copies as early as 2012 when they were working on making the improvements to the property. She had an email were she was advising the people at GSA of project. Ms. Medina stated it had also been brought to their attention by legal counsel that an erosion problem was present and that they needed to repair parking lot. Repair would have been completer already if permit requested in February had been approved.

Mr. Dominguez stated if the tenants had issues or complains they needed to address them to their GSA representative. Ms. Medina stated she specifically had been instructed to not to go through the tenants but to go straight through GSA. Their lease was signed with GSA. Mr. Millin stated the GSA representative had stated he needed more information.

Mr. Mike Hovar walked in.

Mr. John Millin moved to table the item. Mr. Roberto Luciano seconded the motion. Which carried with four members voting aye and one abstention. Mr. Brenton Baldree abstained.

### 3. CONSENT:

- a) Coronado Estates Phase I Subdivision; 4301 Yuma Avenue – Hector Rodriguez **(Final)(SUB2016-0002)** SEA

Item was not heard but approved with conditions.

Ms. Guajardo stated the property consisted of 20 lots for single family residential. The replat was previously submitted by the developer back in 2011 and was reactivating his request. S. Bentsen Road had 60 ft. ROW existing with 40 ft. of paving and curb & gutter on both sides. Yuma Avenue had 30 ft. from centerline for 60 ft. ROW with 40 ft. of paving and curb & gutter on both sides. S. 43rd Lane had min. of 50 ft. ROW with 32 ft. of paving and curb & gutter on both sides. Front setbacks were 25 ft. Rear setbacks were 10 ft. or greater for easements, except 25 ft. for double fronting lots. Interior sides were 6 ft. or greater for easements. Corner setbacks were 10 ft. or greater for easements. Garage setbacks were 18 ft. except where greater setback was required; greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on S. Bentsen Road, Yuma Avenue and on both sides of S. 43rd Lane. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses and along S. Bentsen Road and Yuma Avenue. 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. A note on the plat stated no curb cut, access, or lot frontage permitted along S. Bentsen Road and Yuma Avenue. Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Subdivision was proposed as private. Park Fee of \$700.00 per dwelling unit to be paid prior to recording. Park fee required for the met increase; verify with parks. The Trip Generation and Traffic Impact Analysis (TIA) were approved by the Traffic Operations Department. Preliminary replat was approved by the Planning and Zoning Commission at their meeting of February 2, 2016. Revised preliminary replat approved by the Planning & Zoning Commission at their meeting of February 2, 2016. As part of the public hearing for the resubdivision. License agreement for the portion of the existing island in the ROW was approved by the City Commission on April 11, 2016. Existing plat notes remained the same for the resubdivision. The project engineer had indicated that no associated recreation was proposed; however, if one was proposed then a Conditional Use Permit would be required.

Staff recommended approval of the resubdivision in final form.

As part of the consent agenda, Mr. John Millin **moved** to approve the subdivision final form. Mr. Brent Baldree seconded the motion with six members present and voting.

#### **4. SUBDIVISIONS:**

- a) The Centre Subdivision; 500 North Cynthia Street - Aaron Garza and James Anthony Reyna (Preliminary)(SUB2016-0021) AGES**

Ms. Guajardo stated it was a 4 lot subdivision plat that was located at the northeast corner of N. Cynthia Street and E. Ebony Avenue. The property was vacant and was zoned and proposed for Duplex Fourplex. N. Cynthia Street & E. Ebony Avenue required a 5 ft. ROW dedication for 30 ft.

from centerline for 60 ft. ROW with 40 ft. of paving and curb & gutter on both sides. Owner must escrow monies for improvements if not built prior to plat recording. Front setbacks along N. Cynthia Street were 20 ft. or greater for easements for Lots 1 & 2. Front setbacks along E. Ebony Avenue were 20 ft. or greater for easements for Lots 3 & 4. Rear and interior side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Corner setbacks were 10 ft. or greater for easements on the west of Lot 3 along N. Cynthia Street. Garage setbacks were 18 ft. except where greater setback was required; greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on N. Cynthia Street and E. Ebony Avenue. 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, or industrial zones/uses. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. A park fee of \$700 per dwelling unit was required to be paid prior to recording. A Trip Generation was needed to determine if TIA was required, prior to final plat. Existing plat notes remained the same for that portion of the resubdivision. A public hearing was required at time of final for the resubdivision. Need to show existing easements and comply with setbacks per the recorded plat.

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

Being no discussion of the item, Mr. Daniel Santos moved to approve the resubdivision in preliminary form subject to the conditions noted, and utility & drainage approvals. Mr. John Millin seconded the motion with six members present and voting.

**b) Misodi Subdivision; 7712 South Jackson Road - Ramon Garcia (Preliminary)(SUB2016-0023) QHA**

Ms. Guajardo stated it was a one lot subdivision plat located on the west side of S. Jackson Road between E. Thomas Road and E. Dicker Road. The property was recently annexed into the city on November 23, 2015 with a zoning of C-4 (commercial industrial). A Conditional Use Permit for a flea market was required prior to final plat approval. South Jackson Road, Project engineer was to clarify existing ROW and centerline of the road to determine required dedication for 120 ft. ROW with paving and curb & gutter to be done by the state. S. "K" Center Street (west boundary) had 60 ft. - 70 ft. ROW with 40 ft. - 44 ft. of paving and curb & gutters on both sides. Owner must escrow monies for improvements if not built prior to recording. E/W Collector (south boundary) had 60 ft. - 70 ft. ROW with 40 ft. - 44 ft. of paving and curb & gutters on both sides. Owner must escrow monies for improvements if not built prior to recording. Staff was reviewing collector roadway requirement; would determine prior to final. Alley/service drive easement was required for commercial properties. Front setbacks along S. Jackson Road - 60 ft. or greater for approved site plan or easements. S. "K" Center Street had 30 ft. - 35 ft. setback or greater for approved site plan or easements. Side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements on the north side of Lot 1. Corner setbacks for E/W Collector (south boundary) were 30 ft. - 35 ft. or greater for approved site plan or easements and were to be determined prior to final. All setbacks are subject to increase for easements or

approved site plan. A 4 ft. wide minimum sidewalk was required on S. "K" Center Street and E/W collector (south boundary) as may be required. A 5 ft. wide sidewalk along S. Jackson Road was to be verified with Engineering Department. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. A note on the plat stated a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. A Trip Generation was needed to determine if TIA was required, prior to final plat. A Conditional Use Permit was required for a flea market, prior to final plat. The plat must comply with the City's Access Management Policy for driveway spacing.

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

Being no discussion of the item, Mr. John Millin moved to approve the subdivision in preliminary form subject to the conditions noted, and utility & drainage approvals. Mr. Mike Hovar seconded the motion with six members present and voting.

**c) BRI Subdivision; 2220 Sprague Road - Manuel De Jesus Barba (Preliminary)(SUB2016-0022) SEA**

Ms. Guajardo stated the property was a one lot commercial subdivision located on the northeast corner of N. 23rd Street and Sprague Road. The existing zoning was C-4 (commercial industrial) and a 6,000 square foot retail building was proposed to be constructed on the property. N. 23rd Street had 20 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW with paving and curb & gutter to be done by the state. Sprague Road had 20 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW with 52 ft. - 65 ft. of paving curb & gutter on both sides. Owner must escrow monies for improvements if not built prior to plat recording. Alley/service drive easement required for commercial properties. Front setbacks along Sprague Road were 40 ft. or greater for approved site plan or easements. Rear and interior side setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. Corner setbacks along N. 23rd Street were 60 ft. or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on Sprague Road. A 5 ft. wide sidewalk on N. 23rd Street; was to be verified by the Engineering Department. 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, or industrial zones/uses. An 8 ft. masonry wall was required between single family residential and commercial, industrial, or multi-family residential zones/uses. A note on the plat stated a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. A Trip Generation was needed to determine if TIA was required, prior to final plat. Plat must comply with the City's Access Management Policy for driveway spacing. A ROW clip was required at the street intersection.

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

Being no discussion of the item, Mr. Brent Baldree moved to approve the subdivision in preliminary form subject to the conditions noted, and utility & drainage approvals. Mr. Roberto Luciano seconded the motion with six members present and voting.

#### **4) PUBLIC HEARING (to be conducted at 4:00 p.m.)**

##### **a) ORDINANCE:**

1. An ordinance amending the code of ordinances of the City of McAllen by Amend Division 13 ("Heart Of The City Overlay Districts") to Article V ("Districts") of Chapter 138 ("Zoning") to revise restrictions pertaining to the "Entertainment And Cultural Overlay District" and to eliminate the "Downtown Retail Overlay District" providing for publication; providing for severability, and ordaining other provisions related to the subject matter hereof.

The Heart of the City Overlay Districts were located in the Downtown Central Business District. They were the ECOD--the Entertainment and Cultural Overlay District; and the DROD--the Downtown Retail Overlay District. The Districts were established in 2005 with a clause in the Ordinance causing the two districts to sunset in 2015, unless amended or extended. The City Commission reviewed the districts' status in November 2015 and extended the ordinance for six months. They have reviewed proposed changes that include removing the DROD designation and allowing the ECOD overlay district to continue in the future. In preparing and reviewing options and proposed changes to the ordinance, several public meetings were held with property and business owners. Amendments considered initially were as follows: limitations on permit holders with late hours TABC permits restricting patrons to age 21 and over; a limitation on the number of special permits; prohibition on amplified music outdoors, adding penalties by the City to TABC violations, and prohibiting BYOB establishments. It was noted that the general consensus of property owners and business owners in attendance was opposition to the draft changes with the exception of prohibiting BYOB establishments. The City had received written requests from five property owners to be excluded from the ECOD. They have indicated that the district does not benefit their businesses and they aren't entertainment establishments. Excluding these properties from the district prohibits them from becoming a "Special Permit Holder" entertainment establishment in the future. In the future, if a fee was assessed for costs of city services to property owners in the ECOD, these properties may be excluded. The attached ordinance includes the changes originally proposed. Those that received opposition at the various public meetings are shown with strike through. As an overlay zoning district in the City's Zoning Ordinance, a public hearing process was required under State law and City Code to present and hear comments on the proposed district

standards, the physical location of the district and whether the district continues in the future. Recommendations by the Planning & Zoning Commission will be forwarded to the City Commission for a public hearing on May 25, 2016 and their action to approve, disapprove, or modify the ordinance.

Ms. Juli Rankin, Director of Planning stated they had met with the some of the public and property owners in the ECOD and DROD in regards the proposed improvements. Ms. Rankin read the ordinance and stated the strikes on the ordinance were basically items the property owners asked to be removed from the proposed ordinance. She stated some of the items that were removed and items that were added to the ordinance.

Being no discussion of the item, Mr. John Millin moved to approve the amending ordinance. Mr. Mike Hovar seconded the motion with six members present and voting.

### **REZONING:**

1. Rezone from R-1 (single family residential) District to R-2 (duplex-fourplex residential) District: Lot 13, Block 3, Milmor Addition, Hidalgo County, Texas; 1720 Maple Avenue. **(REZ2016-0012)**

Mr. Sanchez stated the property was located on the northeast corner of Maple Avenue and Bicentennial Boulevard. The lot had 50 feet of frontage along Maple Avenue and a depth of 150 feet for a tract size of 7,500 square feet. The applicant was requesting R-2 (duplex-fourplex residential) District in order to construct a triplex. A feasibility plan had not been submitted to the Planning Department for a triplex. Adjacent zoning was R-1 (single family residential) District to the east and south, C-1 (office building) District to the north, and R-3A (multifamily residential apartments) District to the west across Bicentennial Boulevard. The tract comprises one lot that was vacant. Surrounding land uses were single family residences, Department of Public Safety offices and Bicentennial Hike and Bike Trail.

The Foresight McAllen Comprehensive Plan designates the future land use as Auto Urban Residential.

The development trend for single family properties adjacent to Bicentennial Boulevard was duplex-fourplex residential and multifamily residential. The property was zoned R-1 (single family residential) District during comprehensive zoning in 1979. A rezoning request for the subject property to C-2 (neighborhood commercial) District for a water mill was disapproved in 2003. Three rezoning requests to R-3A (multifamily residential apartment) District and R-3C (multifamily residential condominium) District located to the south were approved from 1979 to 2015 and multifamily developments were constructed on two of the requests. Residential lots adjacent to the east side of Bicentennial Boulevard between Ivy and Kendlewood Avenue were rezoned to R-2 (duplex-fourplex residential) District in 1979. Only three (3) lots along the east side of Bicentennial Boulevard between Hackberry Avenue and Pecan Boulevard remain zoned R-1 (single family residential) District. Two of these lots requested commercial rezoning in the past and were disapproved since Bicentennial Boulevard was not designated as a commercial corridor.

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 proposed zoning was consistent with duplex-fourplex residential and multifamily residential development trends along the east side of Bicentennial Boulevard. The requested zoning was adjacent to Bicentennial Boulevard which was designated as a high-speed arterial and was used to carry traffic crosstown. Bicentennial Boulevard contains four travel lanes, a left turn lane, a parking lane along the east side and curb and gutter. Landscaping requirement was 750 square feet of landscape material, 50% of the front yard with landscaping material including side yards within the front yard and 3 trees with a caliper of 2 ½ inches and a height of 10 feet. An approved site plan was required prior to issuance of any building permits.

Staff recommended approval of the rezoning request.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the rezoning being requested and there was no one present to speak in opposition.

Being no discussion of the item, Mr. Brent Baldree **moved** to approve the rezoning request. Mr. Daniel Santos seconded the motion with six members present and voting.

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

Staff requested item to be heard out of order.

Item 5c6 was heard first.

6. Request of JACR, LLC dba Gamehaus Gastropub, for a Conditional Use Permit, for five years, for a bar, at Lots 13 and 14, Nolana Terrace Subdivision, Hidalgo County, Texas; 2109 Nolana Avenue.  
**(CUP2016-0042) TABLED: 04/19/2016**

Mr. John Millin **moved** to have item removed from the table and Mr. Mike Hovar seconded the motion with six members present and voting.

The property was located on the south side of Nolana Avenue, approximately 122 ft. west of North 21<sup>st</sup> Street and was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the west, north and east and R-3A (apartments) District to the south. Surrounding land uses include commercial businesses and single and multi-family residential. A bar was allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

Currently, there was a 9,860 sq. ft. commercial building on the property that was being utilized as a restaurant and assembly/game area. The applicant was proposing to utilize the building for a bar. The proposed hours of operation were from 4:00 p.m. to 2:00 a.m. Monday through Friday and 11:00 a.m. to 2:00 a.m. Saturday and Sunday. Based on the square footage 116 parking spaces were required and 36 parking spaces were provided on site. Parking agreements have been submitted and were being reviewed in order to determine if they comply.

The Health and Fire Departments have inspected the establishment; however, a final inspection would be finalized during the building permit process. A police report was requested since the establishment had been operating as a restaurant and assembly/game area.

The establishment must also comply with requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 600 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 was within 600 ft. of residentially zoned properties to the south;
- 2) The property must be as close as possible to a major arterial and shall no generate traffic onto residential sized streets. The property had direct access to Nolana Avenue and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage 116 parking spaces were required and 36 parking spaces were provided on site. Parking agreements have been submitted and were being reviewed in order to determine if they comply;
- 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. There should be sufficient lighting in front of the building;
- 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 maximum occupancy of the establishment would be determined at time of building permit.

If the permit was approved, parking agreements must be approved and comply with the city ordinance. No hours should overlap.

This item was heard at the April 19, 216 Planning and Zoning Commission meeting. There was a surrounding business owner present to speak in opposition of the request and the applicant was present.

The board discussed the parking agreements, patrol around the residential area, and the number of complaints for the establishment. After discussion the board unanimously voted to table the item to allow the applicant to update the parking agreements and submit new ones as needed.

Staff had spoken with the applicant and they've requested that the item remain tabled to allow more time to obtain the necessary parking agreements.

Staff recommended that the item remain tabled to allow the applicant more time to update and/or obtain new parking agreements.

Mr. Victor Flores, Assistant City Attorney, gave an update the park agreement, which had been submitted on Friday and staff was still pending the verification process. He stated therefore staff was recommending to table the item.

After the update of the item, Mr. John Millin **moved** to table the item. Mr. Mike Hovar seconded the motion which carried with five members voting aye and one abstention. Mr. Brent Baldree abstained.

After the motion had been made Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition.

1. Request of Vincent G. Huebinger, for a Conditional Use Permit, for life of use, for a personal wireless service facilities, at the 0.98 acres coming out of the West 200 feet of the South 213.50 feet of Block 1, Whitewing Addition Unit No. 1 Subdivision, Hidalgo County, Texas; 2330 La Vista Avenue. **(CUP2016-0053)**

Ms. Garcia stated the property was located on the northeast corner of La Vista Avenue and North 24<sup>th</sup> Street, approximately 340 feet west of North 23<sup>rd</sup> Street and was zoned C-3 (general business) District. The adjacent zoning was A-O District in all directions. Surrounding land uses include single family residences and vacant land. A personal wireless service facility was permitted in a C-3 zone with a conditional use permit.

The applicant was proposing to install an 80 feet tall stealth monopole with three concrete pad spaces for equipment shelters and generators on the property. The site plan submitted shows a proposed driveway from North 24<sup>th</sup> Street. Other commercial developments in the area were required to access the side street, and not North 24<sup>th</sup> Street. Therefore, staff recommends that the site plan be revised to eliminate the drive to North 24<sup>th</sup> Street and instead have the drive access from La Vista Avenue.

The proposal would need to meet all minimum setbacks and building permit requirements, and be made co-locatable. Federal Aviation Administration (FAA) approval must be obtained prior to beginning construction. In addition, the request must comply with requirements set forth in Section 138-118(11) of the Zoning Ordinance as follows:

- 1) Broadcast pole structure shall comply with the height requirements of the Airport Zoning Ordinance and the requirements set forth by the McAllen International Airport Advisory Board. FAA approval must be obtained prior to beginning construction;

- 2) Maximum height of pole or tower structure of 80 ft. within commercial zones or within 200 ft. of an existing residential structure. Proposing to install an 80 feet tall stealth monopole;
- 3) Maximum height of pole or tower structure of 120 ft. within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever was greater shall be utilized;
- 4) One broadcast pole structure allowed per lot within commercial or industrial zone. There was no other pole structure on the property;
- 5) Only one pole or tower structure allowed per lot or tract within a commercial or industrial zone;
- 6) The applicant shall attempt to locate the proposed facility on an existing structure, as per subsection k-m of this section. If co-location of the proposed wireless facility was not possible (as per subsections k-m of this section) then the applicant for a personal wireless service facility must submit at least two alternatives designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection "h" below) that was treated with architectural material (e.g.) "stealth" design so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design was used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation. The proposed 80 ft. monopole was stealth;
- 7) Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 ft. measured in a direct line of another tower. There were no co-locatable towers within 1,000 feet;
- 8) Minimum setback of one-half the street right of way from the property line, 10 ft. from side yard, and 10 ft. from rear, unless greater requirements as noted on subdivision plat. The proposed 80 ft. monopole would need to meet all minimum setbacks;
- 9) A masonry wall shall be required as a buffer if pole or tower structure located within the front or side yard, or adjacent to a residential use or zone. Masonry wall required on the west and south sides;
- 10) The equipment structure installed at the base of the proposed tower shall be not be greater than 180 sq. ft. and constructed to conform to the predominant architectural environment;
- 11) A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting. Landscaping/vegetation required on the west and south sides;
- 12) The pole or tower structure must be constructed or installed with the capabilities of locating thereon additional PWSF when tower or pole was greater than 80 ft. in height. The applicant

agrees to cooperate with other PWSF providers in co-locating additional facilities on permitted support structures;

- 13) A permittee shall exercise good faith in co-locating with other providers and sharing the permitted structure, provided such shared use does not give rise to a substantial technical level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of co-location. In the event a dispute arises as to whether a permittee had exercised good faith in accommodating other users, the city may require a third party technical study at the expense of either or both the applicant and permittee;
- 14) All conditional use applicants shall demonstrate good-faith, reasonable efforts in developing a co-location alternative for their proposed PWSF site, which efforts shall be documented to the City and shall include, but not limited to, providing technical details sufficient to determine co-locations efforts. If the applicant asserts that co-location was not possible, the applicant must provide, in addition to the foregoing, an affidavit in a form provided by the city stating that all efforts to co-locate the PWSF at an existing facility have been exhausted and that there was no possibility of co-location on the existing towers;
- 15) Failure to comply with the co-location requirements of this section may result in denial of a permit request or revocation of an existing permit; and
- 16) No form of pollution shall emanate beyond the immediate property line of the permitted use.

Staff recommended approval of the request, for life of the use, subject to a revised site plan showing the drive access on La Vista Avenue, Section 138-118(11) of the Zoning Ordinance, building permit and fire department requirements.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was present.

Mr. Vincent G. Huebinger, the applicant, presented a slide show of examples of the proposed tower.

The board inquired about the issue with North 24<sup>th</sup> Street. The board also stated during the site plan they could re-evaluate the access to the North 24<sup>th</sup> Street.

Staff indicated due to the residential uses/zone across N. 24<sup>th</sup> Street access was not granted to other commercial developments. Restrictions had been placed on other subdivision plats.

After a brief discussion of the item, Mr. Mike Hovar moved to approve the conditional use permit for the life of the use, Section 138-118(11) of the Zoning Ordinance, building permit and fire department requirements, and allowing the access drive through North 24<sup>th</sup> Street. Mr. John Millin seconded the motion with six members present and voting.

2. Request of Joe Vela on behalf of Idea Quest, for a Conditional Use Permit, for life of the use, for an institutional use (school), at Lot 1, Idea Quest Subdivision, Hidalgo County, Texas; 14001 North Rooth Road. **(CUP2016-0054)**

Ms. Garcia stated the property was located at the southwest corner of Russell Road and North Rooth Road (North 29<sup>th</sup> Street). The property was zoned A-O (agriculture & open space) District. The adjacent zoning was A-O to the north and east and R-1 (single family residential) District to the south and west. The surrounding land uses include single family residential, Elias Longoria Middle School, Flores - Zapata Elementary School, and vacant land. An institutional use was permitted in an A-O zone with a conditional use permit and in compliance with requirements.

The property was part of IDEA Quest Subdivision, which was recorded on March 2014. A note on the plat states that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

Currently, the property had an existing school that was built prior to the property being annexed into the city. The applicant was proposing to pave an area for bus parking with an access road on the west side of the school and a sports court on the south side of the property, as well as fencing the property. Trail Blazer Avenue between North 29<sup>th</sup> Lane and North 31<sup>st</sup> Street was previously abandoned by the plat on March 2014. The abandoned section of roadway would be fenced with gates on the east and west sides. The fire department had inspected the site, they have no problem with fencing and gating the property; however, the fire department connection would need to be placed outside the fenced area so that it be available in an emergency.

There are 155 parking spaces provided on site and 25 parking spaces proposed. The drop off\pickup of the children for the parents was located on the east side. The school would have a separate bus loop for drop off\pick up of the children, which was located on the west side of the property.

Staff had received a call from a surrounding neighbor with a complaint that the school busses are cutting through the neighborhood streets.

Right-of-way permits would be required and are subject to complying with all the requirements for landscaping, access, setbacks, parking, etc. 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 school had access to Russell Road and North Rooth Road and may 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 1.5 parking spaces per classrooms and offices, the required parking was 107 spaces for the school; 180 spaces are provided on site (155 existing spaces and an additional 25 spaces proposed);

- 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 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. An opaque fence was required on the south, west, and 186.00 feet on the southeast sides.

Staff recommended approval of the request, for life of the use, subject to the Zoning Ordinance, Right-of-Way Permit requirements and Fire Department requirements, which includes the relocation of the fire department connection.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was present.

Being no discussion of the item, Mr. John Millin **moved** to approve the conditional use permit for the life of the use, subject to the Zoning Ordinance, Right-of-Way Permit requirements and Fire Department requirements, which includes the relocation of the fire department connection. Mr. Daniel Santos seconded the motion with six members present and voting.

- 3. Request of Patricia Martinez, for a Conditional Use Permit, for one year, for a home occupation (daycare) at Lot 31, Ivory Palms Subdivision, Hidalgo County, Texas; 3508 North 38th Street. (CUP2016-0051)**

Ms. Garcia stated the property was located on the east side of North 38<sup>th</sup> Street, approximately 160 ft. south of Jonquil Avenue. The property dimensions were 60 ft. by 100 ft. and it was zoned R-1 (single family residential) District. The adjacent zoning was R-1 District to the north, west, and south and C3-L (light commercial) District to the east. Surrounding land uses include single family residences and commercial businesses. A home occupation was permitted in an R-1 zone with a conditional use permit.

The initial conditional use permit was approved for this location by the Planning and Zoning Commission on November 4, 2003. The conditional use permit was renewed annually; however, it was not renewed in 2015. Due to the time frame since the last approval, it had to come before the Planning and Zoning Commission for consideration.

The applicant was proposing to continue to operate a day care from the existing residence. The proposed hours of operation were from 7:30 a.m. to 6:00 p.m. Monday through Friday. The proposed use shall meet all the minimum standards and applicable ordinances.

The premises had been inspected and cleared by the Health and Fire Departments. The establishment must also 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 back yard fence was provided;
- 3) Provide paved area adjacent to street for pickup and delivery of children. A paved driveway was provided for the required pickup and delivery of children;
- 4) Area used for the day care facility should be clearly secondary to the use of the structure. The applicant proposes to continue to use the garage for the daycare area as per the attached floor plan;
- 5) Person who applies for permit must reside at location for which the permit was 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 were no other daycares within 600 ft.;
- 7) No more than one-day care shall be located on a dead-end street or cul-de-sac. This was the only day care located on North 38<sup>th</sup> Street;
- 8) Day care facilities shall not be located on a half street or a street that was accessed by a half street. North 38<sup>th</sup> Street was 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 was proposing to care for up to 12 children;
- 10) No signs were permitted. No signs were proposed;
- 11) No more than one additional employee that does not reside on the premises was permitted. The applicant was proposing one additional employee; and
- 12) The property owner shall sign the application or the applicant shall provide a letter of authorization from the property owner. The applicant was the owner.

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

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The

applicant was present.

Being no discussion of the item, Mr. John Millin **moved** to approve the request of the conditional use permit, for one year, subject to compliance with requirements in Section 138-118(8) of the Zoning Ordinance, Health and Fire Department requirements. Mr. Roberto Luciano seconded the motion with six members present and voting.

4. Request of Antonio Reyna, for a Conditional Use Permit, for one year, for a portable food concession stand at Lot 1, Block 26, McAllen Addition Subdivision, Hidalgo County, Texas; 322 South 16th Street.  
**(CUP2016-0056)**

Ms. Garcia stated the property was located at the northwest corner of South 16<sup>th</sup> Street and Dallas Avenue. The property was zoned C-3 (commercial business) District. The adjacent zoning was C-3 District north, east, and west and R-3A (apartments) District to the south. Surrounding land uses include commercial business, multi-family residences, and Sacred Heart Church. A portable food concession stand was permitted in a C-3 zone with a conditional use permit.

There was currently a commercial building on the property that was being utilized as an art gallery. The applicant was proposing to place and operate a 320 sq. ft. portable food concession stand with 1,744 sq. ft. of sitting area. Total parking requirement was 37 spaces based on the existing building (9 spaces) and the 2,064 sq. ft. area for the portable food concession stand with seating area (28 spaces). There was no parking provided on site. The applicant submitted a parking agreement for 14 parking spaces. During inspection, staff observed that the property where the agreement was had only 7 parking spaces available, leaving the establishment with a 30 parking space deficiency. The applicant had submitted an application for a special exception to the parking requirements with the Zoning Board of Adjustment.

The Health and Fire Departments have inspected the stand; however, a final inspection would be required during the building permit process. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

1. The proposed use shall not be located in a residentially zoned area. The portable food concession stand was located in a C-3 District;
2. The proposed use shall be inspected by the Building Inspector and comply with applicable building codes;
3. The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Total parking requirement is 37 spaces based on the existing building (9 spaces) and the 2,064 sq. ft. area for the portable food concession stand with seating area (28 spaces). There was no parking provided on site. The applicant submitted a parking agreement for 14 parking spaces. During inspection, staff observed that the property where the agreement was had only 7 parking spaces available, leaving the establishment with a 30 parking space deficiency. The applicant had submitted an application for a special exception to the parking requirements with the Zoning Board of Adjustment.

4. A portable building or trailer for the proposed use shall be properly anchored to the ground;
5. The proposed use shall comply with the zoning district setback requirements; and
6. Water and sewage disposal facilities must be available and may be required to the proposed use. Restroom facilities were provided on site.

Staff recommended disapproval of the request based on non-compliance with requirement #3 (parking) of Section 138-118(9) of the Zoning Ordinance.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was present.

The board inquired about the parking agreement the seating area location and size.

Mr. Antonio Reyna, the applicant stated he had an agreement signed with the owner directly north him, but was under the impression that 14 parking spaces were available. He was informed only 7 spaces met city standards. He indicated his plans to use all the rear of property for a beer garden restaurant in order bring revenue, so in the future he could open an art gallery using the existing building.

After a brief discussion of the item, Mr. John Millin **moved** to approve the conditional use permit, for one year, subject to the variance request approval by the Zoning Board of Adjustments. Mr. Roberto Luciano seconded the motion with six members present and voting.

5. Request of David O. Karam, for a Conditional Use Permit, for one year, for a portable building greater than 10'x12'(storage), at Lot 1, Bimawecy Subdivision, Hidalgo County, Texas; 1005 East Nolana Avenue. **(CUP2016-0048)**

Ms. Garcia stated the property was located on the northwest corner of East Nolana Avenue and North "K" Center Street and was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the east, west and south and A-O (agriculture & open space) District to the north. Surrounding land uses include commercial businesses and First United Methodist Church. A portable building was allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

Currently, the property had an existing building being used as an orthopedic center with eight (8) 8 ft. X 10 ft. portable pods at the rear of the property.

The applicant was proposing to place a 50 ft. X 60 ft. portable building for storage use for the orthopedic center business on the property. The applicant stated that the pods would be removed once the portable building was on site. The placement of the portable building would need to be reviewed to assure that the required parking was complying and adequate circulation was provided by all departments. During inspection staff observed the parking lot having potholes that need to be fixed and parking spaces to be restriped.

The Fire Department had inspected the site; however, a final inspection was pending once the portable building was placed on site. 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 existing main building was for office use;
- 2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property had access to East Nolana Avenue;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the approximate square footage, 107 parking spaces are required for the main business; approximately 178 parking spaces were provided on site. Once the potholes were fixed and the spaces restriped, staff can determine the number of parking spaces provided;
- 4) Must provide for garbage and trash collection and disposal. A dumpster was 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; and
- 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.

Staff recommended approval of the request, for one year only, subject to conditions noted, Section 138-118(3) of the Zoning Ordinance, building permit and Fire Department requirements.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit being requested and there was no one present to speak in opposition. The applicant was present.

The board inquired what was behind the building.

Mr. David Karam, the applicant stated the building would be a pre manufacture metal building and it would replace the existing PODS. It would be located in the back of the RGV facility and would have the same colors as the building. He stated the doctor wanted it for storage on site to place office files and to place beds and other accessories. Mr. Karam stated it extra parking was located at the rear of the property. He stated there was enough flow for vehicles to pass as opposite direction around the building.

After a brief discussion, Mr. Daniel Santos **moved** to recommend approval of the conditional use permit for one year, subject to conditions noted, Section 138-118(3) of the Zoning Ordinance, building permit and Fire Department requirements. Mr. Mike Hovar seconded the motion which

carried with four members voting aye and two abstentions. Mr. Brent Baldree and Mr. John Millin abstained.

**6) DISCUSSION: NONE**

**7) INFORMATION ONLY:**

**8) EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071(CONSULTATION WITH ATTORNEY)**

**ADJOURNMENT**

There being no further business to come before the Planning & Zoning Commission, Mr. John Millin adjourned the meeting at 5:05 p.m., Mr. Mike Hovar seconded the motion which carried unanimously with five members present and voting.

\_\_\_\_\_  
Chairperson, Pepe Cabeza de Vaca

ATTEST: \_\_\_\_\_  
Susana De La Cerda, Secretary

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 13, 2016

**SUBJECT: SITE PLAN APPROVAL FOR LOT 5A, LOTS 4A & 5A SAVANNAH PARK SUBDIVISION; 1800 S. 6<sup>th</sup> STREET.**

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**GOAL:**

The goal of a site plan is to 1) promote a vibrant economy of commercial businesses, 2) ensure compliance with city requirements, 3) assists in the orderly and harmonious development of the city, and 4) enhancement of the general welfare.

**BRIEF DESCRIPTION:**

The property is located at the northwest corner of S. 6<sup>th</sup> Street and Savannah Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions.

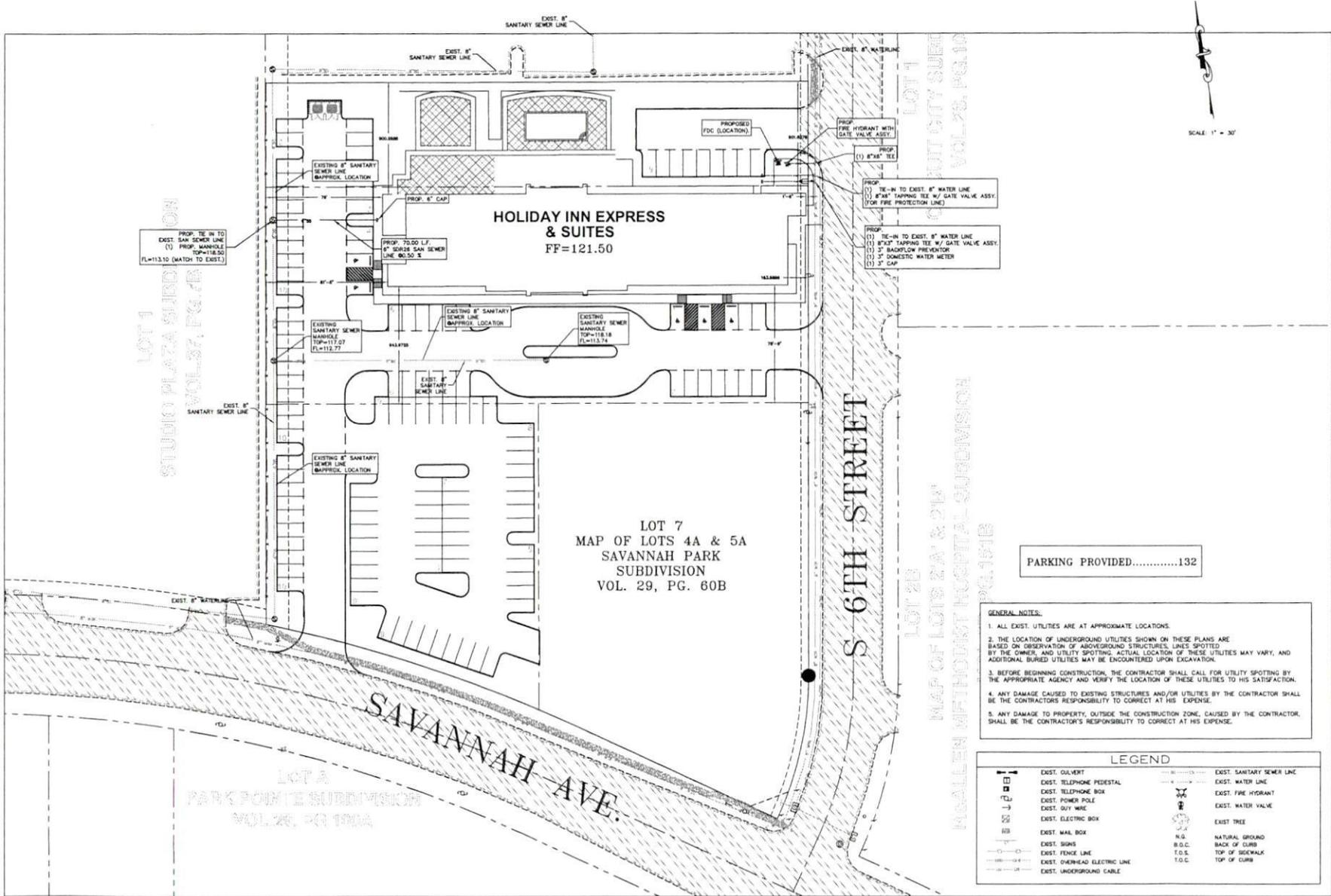
The property is part of Lot 5A, Lots 4A & 5A Savannah Park Subdivision which was recorded in May 1994. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

The applicant is proposing to construct a 4 - story 115 room hotel on the property. Based on the number of rooms and commercial areas (10 spaces), 125 parking spaces are required; 125 parking spaces are provided. Five of the proposed parking spaces must be accessible, one of which must be van accessible with an 8 ft. wide aisle. Access to the site is to be from two 26 ft. wide curb cuts along S. 6<sup>th</sup> Street and one 28 ft. curb cut along Savannah Avenue. The curb cut furthest north on S. 6<sup>th</sup> street has to be a right-in right-out only as per agreement with City Engineer. Required landscaping for the lot is 11,584 sq. ft. with trees required as follows: 28 – 2 ½” caliper trees, or 14– 4” caliper trees, or 7 – 6” caliper trees, or 56 palm trees. A minimum 10 ft. wide landscaped strip is required inside the property line along S. 6<sup>th</sup> St., and Savannah Avenue. 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. A 4 ft. wide sidewalk is required along S. 6<sup>th</sup> St., and Savannah Avenue as well as a 6 ft. buffer around dumpsters if visible from the street. No structures are permitted over easements. All building setbacks are in compliance with the plat note requirements and zoning ordinance.

**RECOMMENDATION:**

Staff recommends approval of the site plan subject to conditions as noted, paving and building permit requirements, and the Subdivision and Zoning Ordinances.





PROP. TE-IN TO EXIST. SAN SEWER LINE  
(1) PROP. MANHOLE TOP=118.50  
FL=113.10 (MATCH TO EXIST.)

PROP. 70.00 LF 6" SOURCE SAN SEWER LINE @0.50 %

EXISTING SANITARY SEWER MANHOLE  
TOP=118.18  
FL=113.74

PROP. (1) TE-IN TO EXIST. 8" WATER LINE  
(1) 8" TAPPING TEE W/ GATE VALVE ASSY. FOR FIRE PROTECTION LINE

PROP. (1) TE-IN TO EXIST. 8" WATER LINE  
(1) 8" TAPPING TEE W/ GATE VALVE ASSY.  
(1) 2" BACKFLOW PREVENTOR  
(1) 3" DOMESTIC WATER METER  
(1) 3" CAP

PARKING PROVIDED.....132

- GENERAL NOTES:**
1. ALL EXIST. UTILITIES ARE AT APPROXIMATE LOCATIONS.
  2. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THESE PLANS ARE BASED ON OBSERVATION OF ABOVEGROUND STRUCTURES, LINES SPOTTED BY THE OWNER, AND UTILITY SPOTTING. ACTUAL LOCATION OF THESE UTILITIES MAY VARY, AND ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED UPON EXCAVATION.
  3. BEFORE BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL CALL FOR UTILITY SPOTTING BY THE APPROPRIATE AGENCY AND VERIFY THE LOCATION OF THESE UTILITIES TO HIS SATISFACTION.
  4. ANY DAMAGE CAUSED TO EXISTING STRUCTURES AND/OR UTILITIES BY THE CONTRACTOR SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CORRECT AT HIS EXPENSE.
  5. ANY DAMAGE TO PROPERTY, OUTSIDE THE CONSTRUCTION ZONE, CAUSED BY THE CONTRACTOR, SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CORRECT AT HIS EXPENSE.

**LEGEND**

[Symbol]	EXIST. CULVERT	[Symbol]	EXIST. SANITARY SEWER LINE
[Symbol]	EXIST. TELEPHONE PEDESTAL	[Symbol]	EXIST. WATER LINE
[Symbol]	EXIST. TELEPHONE BOX	[Symbol]	EXIST. FIRE HYDRANT
[Symbol]	EXIST. POWER POLE	[Symbol]	EXIST. WATER VALVE
[Symbol]	EXIST. GUY WIRE	[Symbol]	EXIST. TREE
[Symbol]	EXIST. ELECTRIC BOX	[Symbol]	N.G.
[Symbol]	EXIST. MAIL BOX	[Symbol]	NATURAL GROUND
[Symbol]	EXIST. SIGN	[Symbol]	B.O.C.
[Symbol]	EXIST. SIGN	[Symbol]	BACK OF CURB
[Symbol]	EXIST. FENCE LINE	[Symbol]	T.O.S.
[Symbol]	EXIST. OVERHEAD ELECTRIC LINE	[Symbol]	TOP OF SIDEWALK
[Symbol]	EXIST. UNDERGROUND CABLE	[Symbol]	T.O.C.
		[Symbol]	TOP OF CURB

**RIO DELTA ENGINEERING**  
FIRM REGISTRATION No. F-7628  
TEXAS LICENSED SURVEYING FIRM No. 10194027  
921 S. 10TH AVENUE EDINBURG, TEXAS 78539  
(TEL) 956-380-5152 (FAX) 956-380-5083



DESIGN: OSCAR CORDOVA III  
CHECKED: IVAN GARCIA P.E. R.P.L.S.  
DRAWN: IVAN GARCIA P.E. R.P.L.S.  
DATE: JANUARY, 2018

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF IVAN GARCIA, P.E. 115662 ON JANUARY, 2018. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

REVIEW

**OVER-ALL UTILITY LAYOUT**  
**HOLIDAY INN EXPRESS HOTEL & SUITES**  
McALLEN, TEXAS

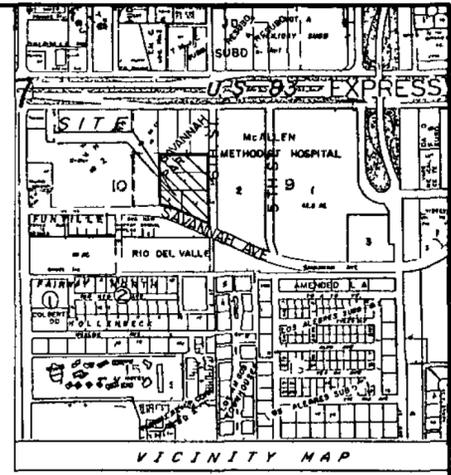
ENG 15 043



NETES AND BOUNDS

A 4.13 ACRE TRACT OF LAND - BEING ALL OF LOTS 4, 5, 6 AND 7, SAVANNAH PARK, CITY OF McALLEN, HIDALGO COUNTY, TEXAS RECORDED IN VOL 27, PAGE 55-A, MAP RECORDS

BEGINNING at an iron pin at the Northeast corner of said Lot 4, for the Northeast corner hereof, said point being on the West line of 60 foot South 6th Street, THENCE, with the East line of Lots 4, 5, and 7, and West line of South 6th Street, South 8 Deg 42 Min 10 Sec West, 472.73 feet to the point of beginning of a curve to the right, for a point on the East line hereof, THENCE, with the East line of Lot 7 and West line of South 6th Street in a Southerly direction with said curve to the right, on a radius of 227.3 feet through an arc of 24 Deg 48 Min 44 Sec and a distance of 98.43 feet to an iron pin at the Southeast corner of Lot 7, for the Southeast corner hereof, THENCE, with the South line of Lot 7 and North line of 80 foot Savannah Avenue, North 56 Deg 29 Min 06 Sec West, 149.88 feet to the point of beginning of a curve to the left, for a point in the South line hereof, THENCE, continuing with the South line of Lots 7 and 6 and the North line of 80 foot Savannah Avenue in a Westerly direction, with said curve to the left, on a radius of 963.28 feet through an arc of 12 Deg 51 Min 43 Sec and distance of 216.24 feet to an iron pin at the Southwest corner of Lot 6, for the Southwest corner hereof, THENCE, with the West line of Lots 6, 5 and 4, North 8 Deg 42 Min 10 Sec East, 437.14 feet to an iron pin at the Northwest corner of Lot 4, for the Northwest corner hereof, THENCE, with the North line of Lot 4, South 81 Deg 17 Min 50 Sec East, 361.80 feet to the PLACE OF BEGINNING Containing 4.13 acres of land, more or less



MAP OF LOTS 4A & 5A SAVANNAH PARK

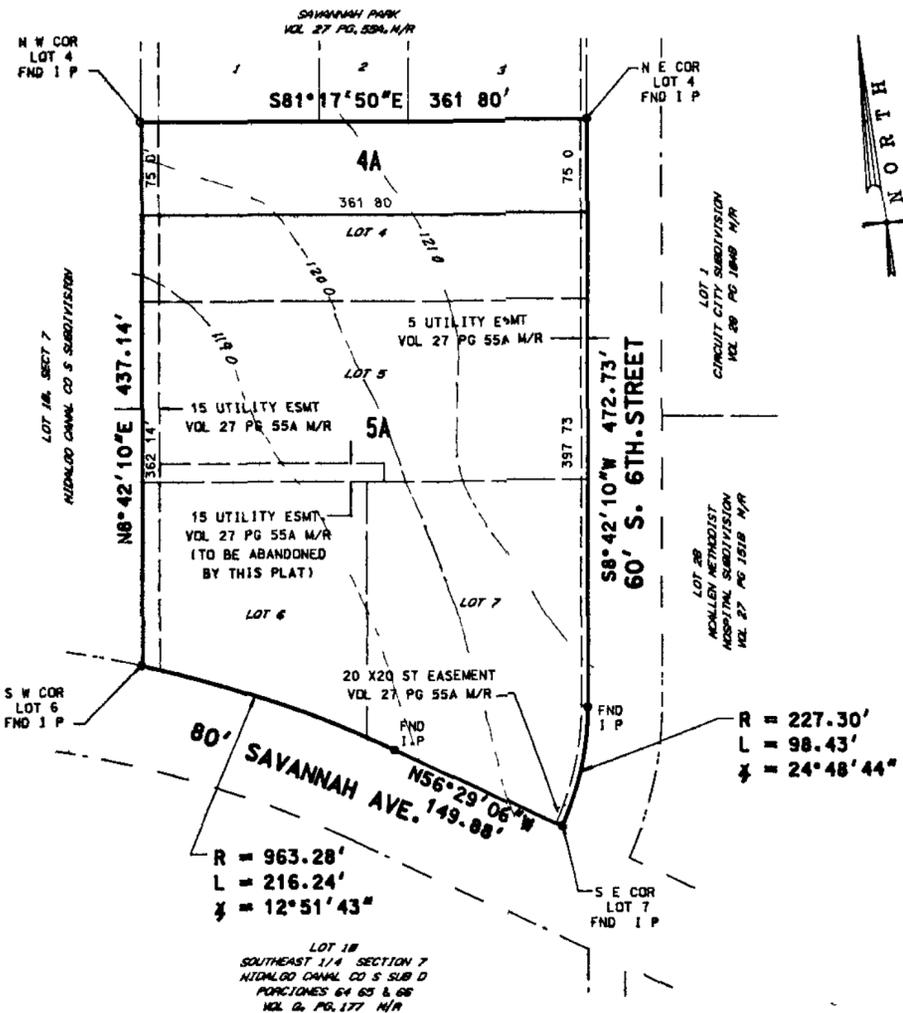
McALLEN, TEXAS

BEING A RESUBDIVISION OF LOTS 4, 5, 6, AND 7, SAVANNAH PARK CITY OF McALLEN HIDALGO COUNTY TEXAS (VOL 27, PG 55A, M/R) CONTAINING 4.13 AC MORE OR LESS

PREPARED BY FABIAN, NELSON & MEDINA, INC. 320 N 15TH STREET, McALLEN TEXAS SCALE 1"=100' DATE 4-22-94

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

Signature of Stephen Spoor, Registered Professional Engineer, P.E. Registration No. 56752



R = 963.28' L = 216.24' angle = 12°51'43"

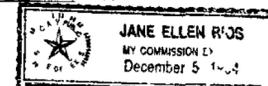
R = 227.30' L = 98.43' angle = 24°48'44"

STATE OF TEXAS COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE SAVANNAH PARK SUBDIVISION TO THE CITY OF McALLEN, TEXAS, 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, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ROSE TING KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 17th DAY OF May 1994



Signature of Rose Ting, Trustee, 601 W EXPRESSWAY 83, McALLEN, TEXAS 78503

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 SURVEYOR # 1590 IN THE STATE OF TEXAS HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS DERIVED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND

Recorded In Volume 29 Page 60B of the map records of Hidalgo County, Texas Velden and Hunt, Inc. County Surveyors

Signature of Plinio C Medina, Registered Professional Land Surveyor, McAllen, Texas

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

APPROVED FOR RECORDING BY COMMISSIONERS' COURT This the 17th day of May 1994 WILLIAM "BILLY" LEO, County Clerk Hidalgo County, Texas By ... Deputy

APPROVED FOR RECORDING HIDALGO CO PLANNING DEPT BY ... DATE 5-17-94

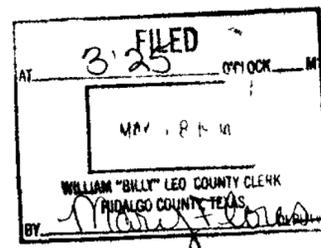


Signature of Mayor, City of McAllen

CHECKED FOR DRAINAGE BY: ... 5-11-94

M72-B SAVANNAH NT NOTES

- 1. FINISH FLOOR ELEVATION SHALL BE THE NUMBER OF INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT AS FOLLOWS LOT 4A - 18" LOT 5A - 25" 2. THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO 480343 0010 C, DATED 11-2-82 3. MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS FRONT - 40' FROM SAVANNAH AVENUE 30' FROM SOUTH 6TH STREET SIDE & REAR - ACCORDING TO ZONING ORDINANCE, EASEMENTS OR APPROVED SITE PLAN, WHICHEVER REQUIRES THE GREATER SETBACK 4. A 4 FT WIDE CONCRETE SIDEWALK IS REQUIRED ALONG WEST SIDE OF SOUTH 6TH STREET AND NORTH SIDE OF SAVANNAH AVENUE 5. A 6 FT HIGH BUFFER IS REQUIRED FROM ANY RESIDENTIAL ZONE/USE 6. STORM WATER DETENTION IS REQUIRED FOR EACH LOT IN THIS SUBDIVISION AS FOLLOWS LOT 4A - 0.10 AC-FT LOT 5A - 0.63 AC-FT 7. DEVELOPER IS REQUIRED TO PROVIDE AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT PRIOR TO APPLICATION FOR BUILDING PERMIT 8. SITE PLAN MUST BE APPROVED BY PLANNING AND ZONING COMMISSION PRIOR TO PERMIT ISSUANCE



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 13, 2016

**SUBJECT: SITE PLAN APPROVAL FOR PROPOSED LOT 1, BEECH COMMERCE, SUBDIVISION; 111 N. 23<sup>rd</sup> Street**

---

**GOAL:**

The goal of a site plan is to 1) promote a vibrant economy of commercial businesses, 2) ensure compliance with city requirements, 3) assists in the orderly and harmonious development of the city, and 4) enhancement of the general welfare.

**BRIEF DESCRIPTION:**

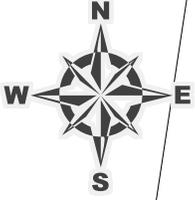
The property is located on the southwest corner of Beech Avenue and N. 23<sup>rd</sup> Street and is zoned I-1 (light industrial) District. The adjacent zoning is C-3 (general commercial) District to the northeast, and I-1 in all directions.

The property is part of the proposed Beech Commerce Subdivision, which received final approval by the Planning & Zoning Commission on February 2, 2016. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

The applicant is proposing to construct a 11,370 sq. ft. building on the property for retail/warehouse use. Based on the square footage of the building, 32 parking spaces are required; 32 spaces are provided. Two of the proposed parking spaces must be accessible, one of which must be van accessible with an 8 ft. aisle. Access to the site is proposed to be from two 24 ft. wide curb cuts along Beech Avenue. Required landscaping for the lot is 3,305 sq. ft. with trees required as follows: 13 – 2 ½” caliper trees, or 7 – 4” caliper trees, or 4 – 6” caliper trees, or 26 palm trees. A minimum 10 ft. wide landscaped strip is required inside the property line along Beech Avenue and North 23<sup>rd</sup> Street. A variance to allow for a five foot wide landscape strip along Beech Avenue instead of the ten foot required was granted by the Zoning Board of Appeals on April 20, 2016. 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. A minimum 4 ft. wide sidewalk is required along N. 23<sup>rd</sup> Street and Beech Avenue, as well as a 6 ft. buffer around dumpsters if visible from the street. No structures are permitted over easements.

**RECOMMENDATION:**

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



**LOCATION**

EBONY AV

DATE PALM AV

BEECH AV

US BUSINESS 83

AUSTIN AV

ONT AV

AUTO ZONE  
SUBDIVISION

101  
JTC ENGR

AUTO  
SHACK

VALLEY WELDING  
SUPPLY LOT A

PROPOSED  
BEECH COMMERCE  
SUBDIVISION

98  
L1

99

100

11  
C-3

12  
R-2

14 15  
C-3

16

R-2

14  
C-3

13  
R-2

15  
C-3

R-2

1

28

14  
C-3

20  
R-2

1

15  
C-3

R-2

28

22ND ST

21

C-3

L1

L1

1  
C-3

8

C-4

17

R-2

12

1

L1

2

L1

12

1

L1

1

L1

7

6

12

28

1

8

13

22TH ST

9

7-A

16

7

20

17

25TH ST

7  
YOUNG'S

12

1

11  
R-2

6

24TH ST

12

1

R-2

12  
C-3

6

12

C-4

5

C-4

13

12  
R-2

1  
R-2

14

12  
R-2

1  
C-3

R-2

12  
C-3

12  
C-3

C-4

S 22ND 1/2 ST

R-3A  
THE VILLAS  
AT BEAUMONT

S 22ND ST

7

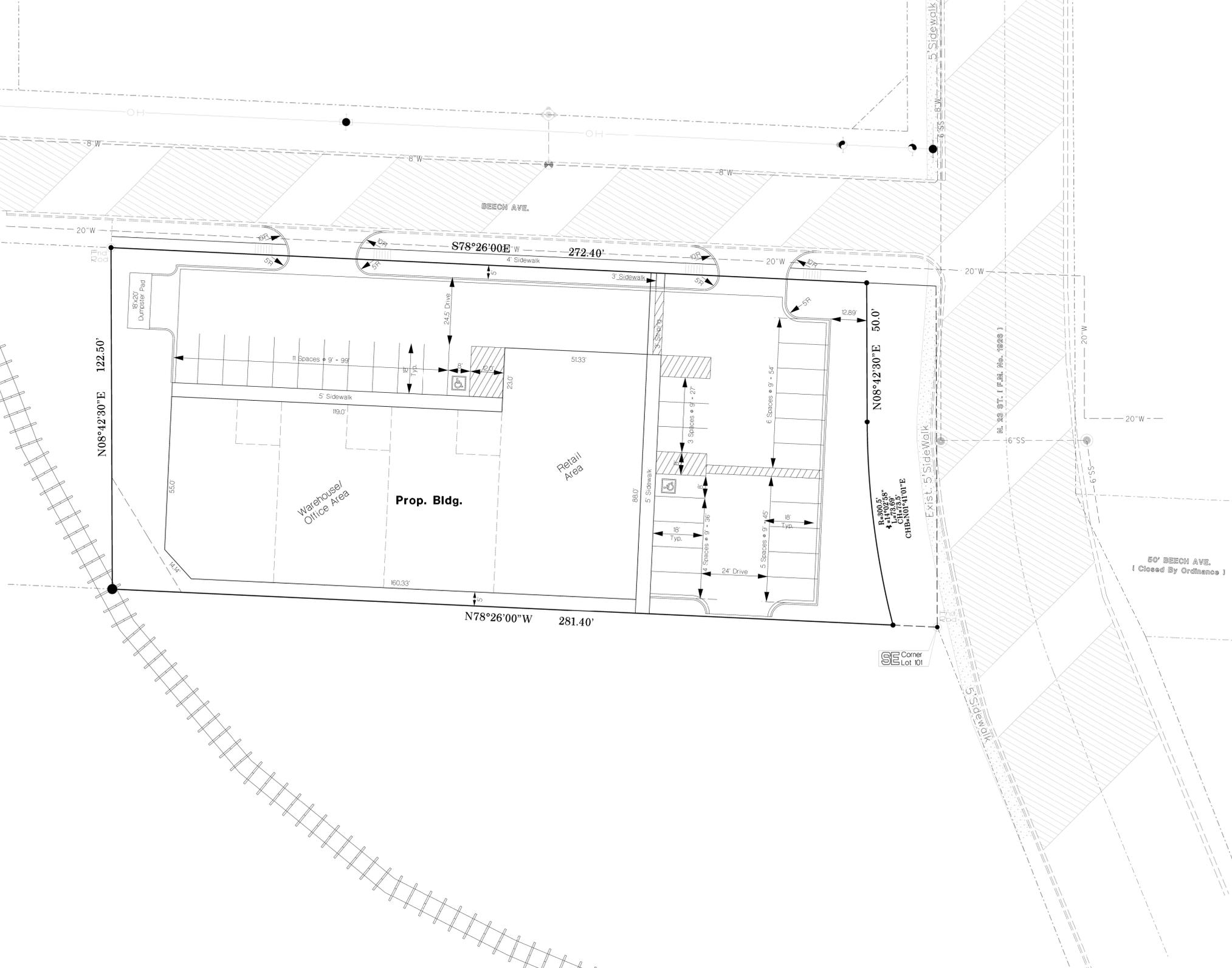
10

C-3

VALLEY WELDING SUPPLY  
SUBDIVISION  
v 21, pg 32 M/R

LOT "A"

Site Summary	
Gross Lot Area:	36,286 sq. ft.
Net Lot Area:	33,043 sq. ft.
Landscape Required:	3,305 sq. ft.
Landscape Provided:	5,178 sq. ft.
Landscape Required: (in front of Bldg.)	1,653 sq. ft.
Landscape Provided: (in front of Bldg.)	2,583 sq. ft.
Retail Bldg. Area:	4,192 sq. ft.
Parking Required:	14
Warehouse Bldg. Area:	6,546 sq. ft.
Parking Required:	4
Office Bldg. Area:	750
Parking Required:	4
Total Parking Required:	22
Total Parking Provided:	31



Prepared by:  
SPOOR ENGINEERING CONSULTANTS, Inc.  
202 South 4th. Street  
McALLEN, TEXAS 78501  
eMail spooreng@sbcglobal.net  
TEL: (956) 683 1000 FAX: (956) 683 0022

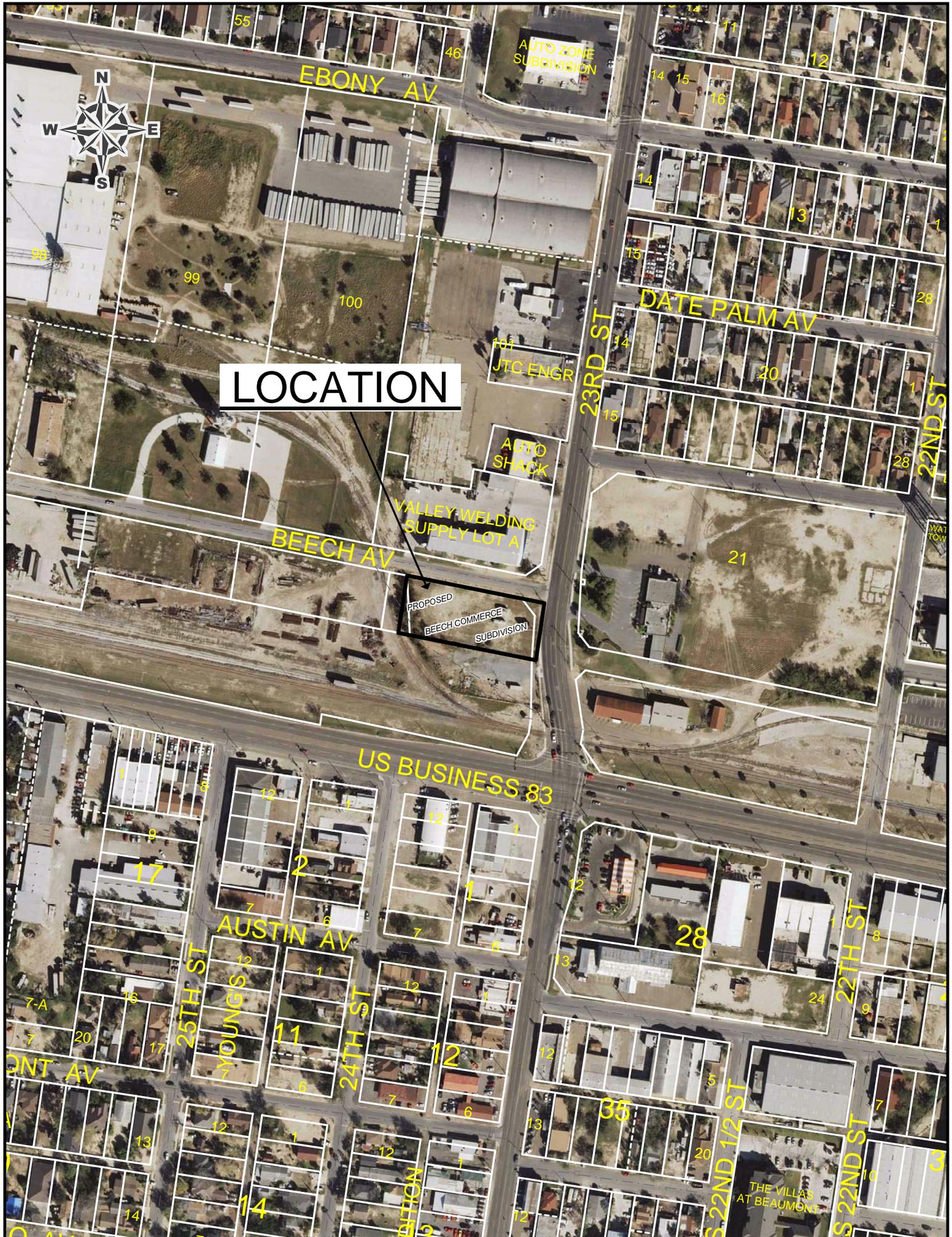


PROJECT  
**BEECH COMMERCE**  
*McAllen, Texas*

NAME OF PLAN  
**SITE PLAN**

DATE: Jan. 20, 2016  
SCALE: 1" = 20'  
DRAWING BY:  
FB

SHEET NUM.  
**C-1**  
OF SHEETS



LOCATION

PROPOSED  
BEECH COMMERCE  
SUBDIVISION

EBONY AV

DATE PALM AV

BEECH AV

US BUSINESS 83

AUSTIN AV

25TH ST

24TH ST

23RD ST

22ND ST

22TH ST

S 22ND 1/2 ST

S 22ND ST

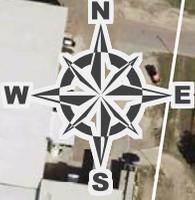
AUTO ZONE  
SUBDIVISION

JTC ENGR

AUTO  
SHACK

VALLEY WELDING  
SUPPLY LOT A

THE VILLAS  
AT BEAUMONT





## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** February 29, 2016

**SUBJECT:** **SITE PLAN APPROVAL FOR PROPOSED UNITS 1A, 1B, 2A, 2B, 9A, 9B, 10A, 10A, 10B, 11A, 11B, 12A, 12B OUT OF BLOCK 3A OF BLOCKS 3A, 4A, AND 5A LAKES BUSINESS PARK SUBDIVISION: 901 E. REDBUD**

---

**GOAL:**

The goal of a site plan is to 1) promote a vibrant economy of commercial businesses, 2) ensure compliance with city requirements, 3) assists in the orderly and harmonious development of the city, and 4) enhancement of the general welfare.

**BRIEF DESCRIPTION:**

The property is located on the north side of E. Redbud Avenue, approximately 270 ft. east of N. McColl Road, and is zoned R-3A (multi-family residential) District and C-1 (Office) District. The adjacent zoning is C-3 (general commercial) District to the west, C-1 and R-3A to the south, and C-3 & R-3A to the north.

The property is part of Blocks 3A, 4A and 5A Lakes Business Park Subdivision, which was recorded on January 6, 2003. Site plan approval is required when five or more apartment units are proposed to be constructed on the same lot.

The applicant is proposing to construct a 48 apartment units on the property. Based on 48 – 2 bedroom units, 96 parking spaces are required; 140 parking spaces are provided. Five of the required parking spaces must be accessible parking spaces, one of which must be van accessible with an 8 ft. aisle. Access to the property is proposed to be from the four existing 24 wide ft. curb cuts along E. Redbud Ave. Required landscaping for the lot is 21,387 sq. ft. with trees required as follows: 40 – 2 ½” caliper trees, or 20 – 4” caliper trees, or 10 – 6” caliper trees, or 80 palm trees. A minimum 10 ft. wide landscape strip is required inside the property line along E. Redbud Avenue. Every parking space needs to be within 50 ft. of a landscape area with a shade tree. A 4 ft. wide sidewalk is required along E. Redbud Avenue. A 6 ft. buffer is required around dumpsters if visible from the street, and from adjacent residential and commercial zones/uses. No structures are permitted over easements. All building setbacks are in compliance with the plat note requirements and zoning ordinance. Site plan approval will be required when the remaining balance of the property is developed.

**RECOMMENDATION:**

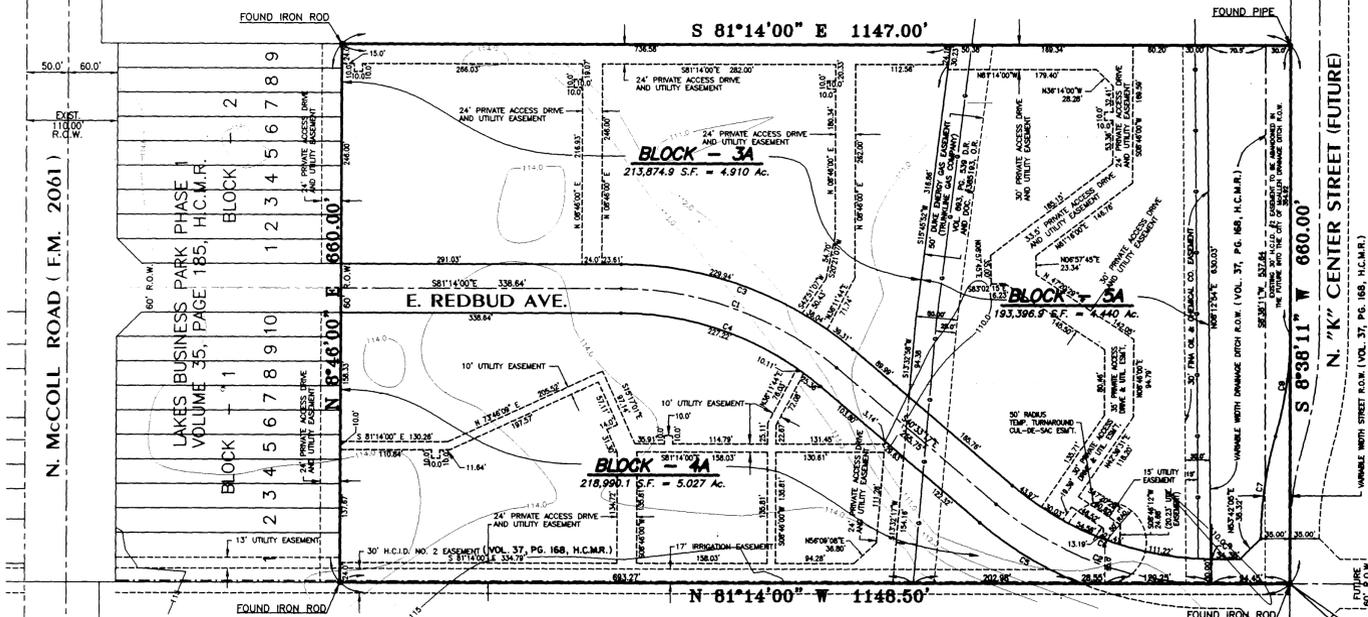
Staff recommends approval of the site plan subject to the conditions noted, paving and building permit requirements, and the subdivision and zoning ordinances.







LOT 1, BLOCK 7, STEELE & PERSHING SUBDIVISION  
VOL. 8, PG. 115 H.C.D.R.



LOT 6, BLOCK 7, STEELE & PERSHING SUBDIVISION  
VOL. 8, PG. 115 H.C.D.R.

**BLOCKS 3A, 4A AND 5A  
LAKES BUSINESS PARK  
PHASE 2 SUBDIVISION**

17.390 Ac. BEING A RESUBDIVISION OF  
BLOCKS 3, 4 AND 5  
LAKES BUSINESS PARK PHASE 2  
AS RECORDED IN VOLUME 37, PAGE 168  
HIDALGO COUNTY MAP RECORDS  
CITY OF McALLEN  
HIDALGO COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 17.390 ACRES, SITUATED IN THE CITY OF McALLEN, TEXAS, BEING ALL OF LAKES BUSINESS PARK PHASE 2 AS RECORDED IN VOLUME 37, PAGE 168, HIDALGO COUNTY MAP RECORDS, ALSO BEING A PART OR PORTION OF LOT 1, BLOCK 7, STEELE AND PERSHING SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8, PAGE 115, HIDALGO COUNTY DEED RECORDS, SAID 17.390 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 7, STEEL AND PERSHING SUBDIVISION, FOR THE SOUTHEAST CORNER OF THIS TRACT;  
THENCE N 81°14'00" W ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK 7, A DISTANCE OF 1148.50 FEET TO THE SOUTHWEST CORNER OF THIS TRACT;  
THENCE N 08°46'00" E ALONG THE E LINE OF LAKES BUSINESS PARK PH I, AS PER VOLUME 35, PAGE 185, HIDALGO COUNTY MAP RECORDS, A DISTANCE OF 660.00 FEET TO THE NORTHWEST CORNER OF THIS TRACT;  
THENCE S 81°14'00" E A DISTANCE OF 1147.00 FEET TO THE NORTHEAST CORNER OF THIS TRACT;  
THENCE S 08°39'11" W ALONG THE EAST LINE OF SAID LOT 1, BLOCK 7, AND THE WEST LINE OF LOT 1, SECTION 3, A.J. MCCOLL SUBDIVISION, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING, CONTAINING 17.390 ACRES OF LAND, MORE OR LESS.

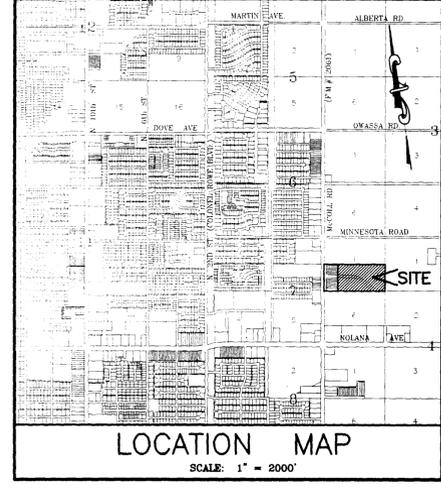
FILED FOR RECORD IN:  
HIDALGO COUNTY  
BY J.D. SALINAS, III  
COUNTY CLERK  
ON: 10-03 AT 3:06 AM/PM  
BY A RECORDING NUMBER 115451  
DEPUTY

Recorded in Volume 41 Page 107  
of the map records of Hidalgo  
County, Texas  
J.D. Salinas III  
County Clerk

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	CH DIRECTION	CHORD	ARC LENGTH
C1	40°40'43"	400.00'	148.28'	N60°53'38"W	278.06'	283.99'
C2	40°40'44"	400.00'	148.28'	S60°53'38"E	278.06'	283.99'
C3	40°40'43"	430.00'	159.40'	N60°53'38"W	298.92'	305.29'
C4	40°40'43"	370.00'	137.16'	N60°53'38"W	257.21'	262.69'
C5	19°08'59"	430.00'	72.54'	S50°07'46"E	143.05'	143.72'
C6	40°26'57"	370.00'	136.31'	S60°46'45"E	255.82'	261.21'
C7	15°56'21"	455.18'	63.73'	S16°36'22"W	126.22'	126.63'
C8	15°56'21"	455.18'	63.73'	N16°36'22"E	126.22'	126.63'
C9	00°13'46"	370.00'	0.74'	S81°07'07"E	1.48'	1.48'

DRAWN BY: G.A.T. DATE: 06/29/02  
SURVEYED CHECKED: [Signature] DATE: 9-18-02  
FINAL CHECK: [Signature] DATE: 9-18-02

**M MELDEN & HUNT INC.**  
CONSULTANTS • ENGINEERS • SURVEYORS  
115 W. McINTIRE OFF: (956) 381-0981  
EDINBURG, TX 78839 FAX: (956) 381-1879  
E-MAIL: msh@meldenandhunt.com ESTABLISHED 1947



STATE OF TEXAS  
COUNTY OF HIDALGO

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 'BLOCKS 3A, 4A, AND 5A, LAKES BUSINESS PARK PHASE 2' 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.

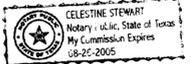
PAUL MOXLEY, PRESIDENT  
TEXAS STATE BANK

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED PAUL MOXLEY, 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 GIVEN UNDER MY HAND AND SEAL OF

OFFICE, THIS THE 17th DAY OF Sept, 20 02

Celestine Stewart  
NOTARY PUBLIC, HIDALGO COUNTY, TEXAS  
MY COMMISSION EXPIRES: 8-26-05



THIS PLAT HAS BEEN EXCLUDED BY HIDALGO COUNTY IRRIGATION DISTRICT No. 2.

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.218(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1  
BY: [Signature] 10/3



STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS 'BLOCKS 3A, 4A AND 5A, LAKES BUSINESS PARK PHASE 2' TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OF CONSIDERATION THEREIN EXPRESSED.

ROBERT RODRIGUEZ  
EVENING SHADE LTD.  
ROBERT RODRIGUEZ  
4413 N. MCCOLL  
McALLEN, TEXAS 78504

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROBERT RODRIGUEZ, 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 GIVEN UNDER MY HAND AND SEAL OF

OFFICE, THIS THE 17th DAY OF Sept, 20 02

Celestine Stewart  
NOTARY PUBLIC, HIDALGO COUNTY, TEXAS  
MY COMMISSION EXPIRES: 8-26-05



STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, FRED L. KURTH, A REGISTERED PROFESSIONAL ENGINEER AND REGISTERED PUBLIC LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT AND IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREDIN DESCRIBED.

Fred L. Kurth 9-18-02  
FRED L. KURTH, RPE # 54151 RPLS # 4750  
DATE SURVEYED: 09-31-99  
DATE PREPARED: 07/12/02 (updated)  
T-520, PG. 22-29 JOB No. 02074.00



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.

ATTESTED BY:  
CITY SECRETARY



[Signature]  
MAYOR, CITY OF McALLEN

DATE: 10/19/02

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.

[Signature]  
CHAIRMAN, PLANNING COMMISSION

DATE: 12/23/02

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** April 15, 2016

**SUBJECT: SITE PLAN APPROVAL FOR LOT 1, BLOCK 7, MCALLEN ADDITION  
SUBDIVISION; 1601 U.S. BUSINESS HWY 83.**

---

**GOAL:**

The goal of a site plan is to 1) promote a vibrant economy of commercial businesses, 2) ensure compliance with city requirements, 3) assists in the orderly and harmonious development of the city, and 4) enhancement of the general welfare.

**BRIEF DESCRIPTION:**

The property is located on the south side of Business Highway 83 between S. 16<sup>th</sup> & S. 17<sup>th</sup> Street. The property is zoned C-3 (general commercial) District. The surrounding zoning is C-3 (general commercial) District to the east, south, and west, and C-4 (commercial industrial) District to the north.

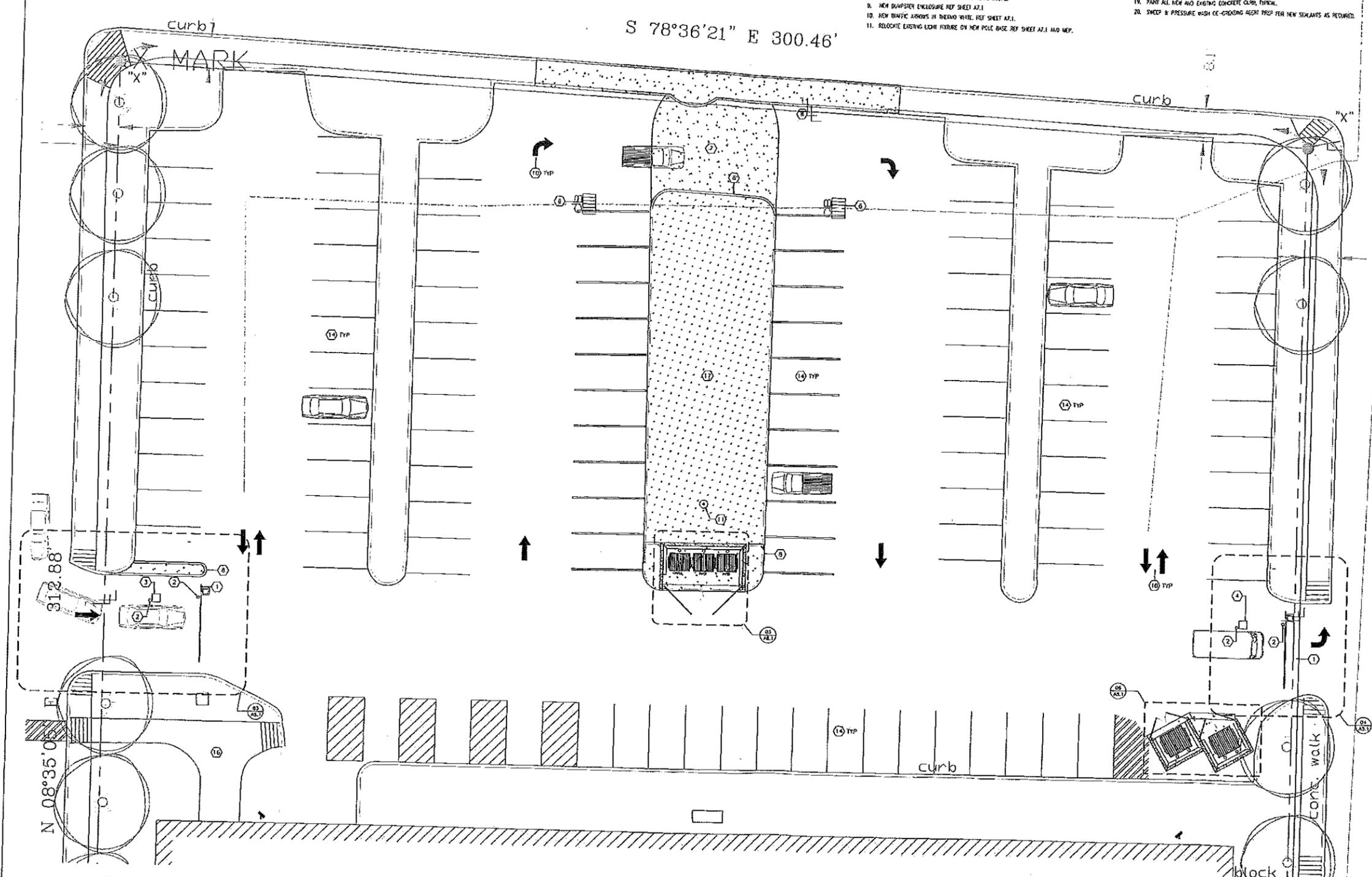
The applicant is proposing to improve the existing parking lot with 20 additional parking spaces. Access to the site is proposed to be from an existing 24 ft. wide curb cut along South 17<sup>th</sup> Street. The two existing curb cuts along Business Highway 83 will be closed off. Existing landscaping and trees will remain onsite. A 6 ft. buffer is required around dumpsters if visible from the street. The parking lot will have private controlled access through S. 17<sup>th</sup> Street. The location of the electric gate allows for one car stacked inside the property. The vehicles entering the parking lot will use the shoulder for additional stacking. No structures are permitted to be built over easements.

**RECOMMENDATION:**

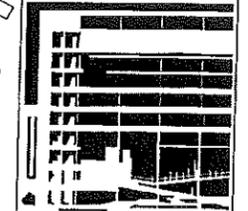
Staff recommends approval of the site plan.



- NOTES
1. NEW PARKING GATE, FINISH MEASUREMENT 1750 OR EQUAL, REF SHEET A7.1
  2. NEW STAINLESS STEEL BOLLARD, REF. A7.1
  3. NEW ENTRANCE CONTROL TERMINAL, FINISH MEASUREMENT 200 OR EQUAL, REF SHEET A7.1
  4. NEW EXIT CONTROL TERMINAL, FINISH MEASUREMENT 1000 OR EQUAL, REF SHEET A7.1
  5. REMOVE CURB AND SLAB AS REQUIRED PER NEW PARKING, REF CIVIL SCOPE.
  6. REMOVE EXISTING MANHOLES, INSTALL NEW CURB BARRIS AND SURROUNDING FLAT WORK, REF CIVIL.
  7. NEW CONCRETE SIDEWALK, REF CIVIL, REMOVE LANDSCAPE, CAP IRRIGATION LINES AS REQUIRED.
  8. NEW CONCRETE SIDEWALK AND CURB, REF CIVIL SCOPE.
  9. NEW DAMPENER ENCLOSURE, REF SHEET A7.1
  10. NEW TRAFFIC ARROWS IN TRAFFIC WHITE, REF SHEET A7.1.
  11. RELOCATE EXISTING LIGHT FIXTURE ON NEW POLE BASE, REF SHEET A7.1 AND MEP.
  12. NEW PEDESTRIAN CROSSING STRIPES, REFLECTIVE WHITE.
  13. NEW HC RAWS, REF CIVIL SCOPE.
  14. RE STRIPED PARKING AREAS, TYPICAL, BOTH SIDES.
  15. NEW AUTOMATIC PAY STATION, REF SHEET A7.1
  16. NEW CONCRETE SIDEWALK TO BE ADA ACCESSIBLE, REF CIVIL SCOPE.
  17. REMOVE IRRIGATION LINES AS REQUIRED PER NEW SCOPE OF WORK.
  18. NEW HC SIGNS.
  19. PAINT ALL NEW AND EXISTING CONCRETE CURBS, TYPICAL.
  20. SWEEP & PRESSURE WASH CE-GRADING AREA PREP PER NEW SIGNANTS AS REQUIRED.



01 SITE PLAN  
1/8" = 1'



FRANK P. KEY & ASSOCIATES  
1100 E JASMINE AVE. SUITE 104  
MCKINNEY, TX 75001  
TEL. 956-654-1110, FAX 956-884-1113  
www.frankpkey@aol.com

DATE	REVISION NO & DESCRIPTION	BY
10-21-13	ISSUED FOR 65% REVIEW	VP
08-15-13	ISSUED FOR 65% REVIEW	VP
09-11-14	ISSUED FOR PRELIM	VP
01-08-15	RE-ISSUED FOR PRELIM	VP
03-19-15	ISSUED FOR BUILDING PERMITS	VP

DESIGNED BY: ES, VP  
PROJECT BY: VP, FPK

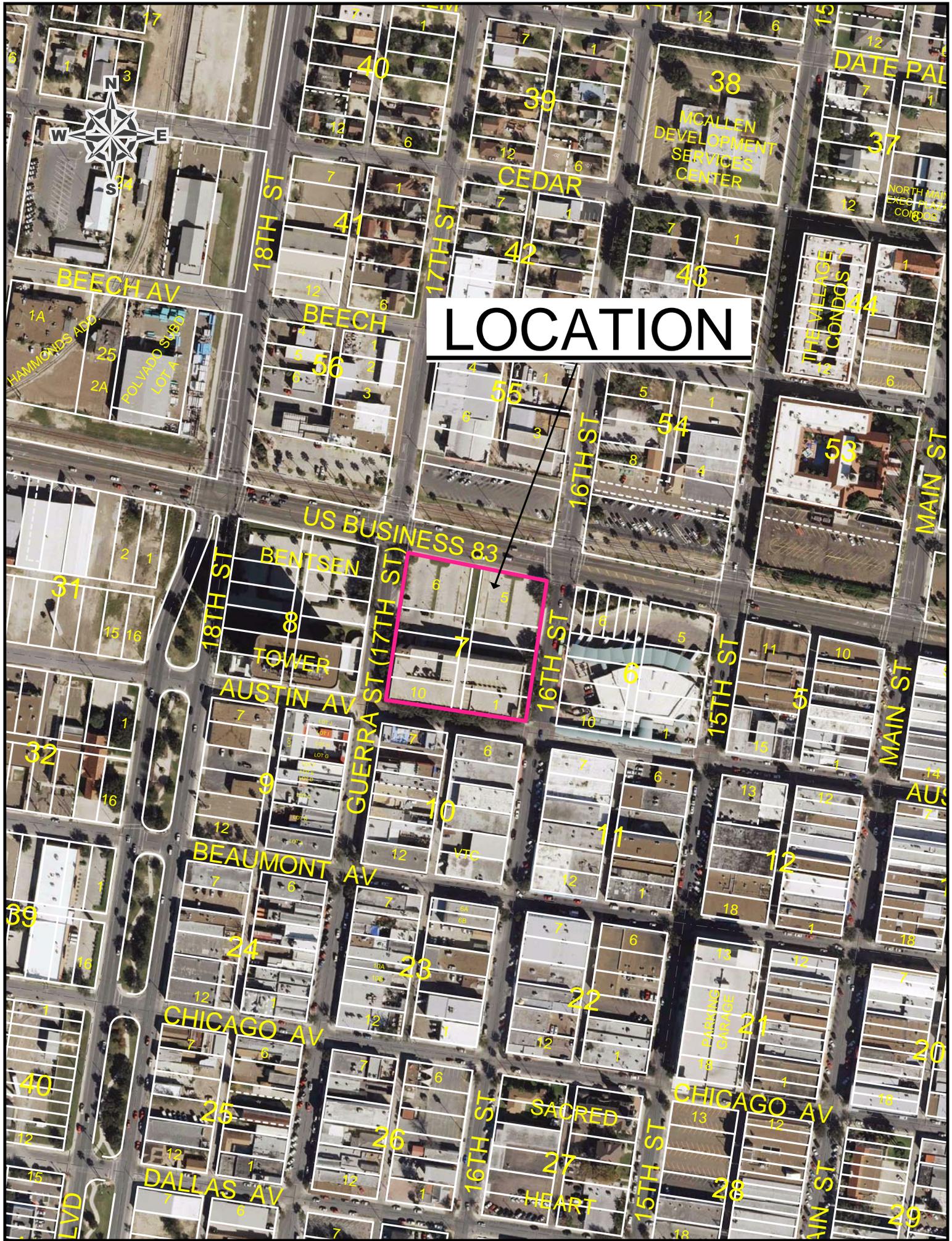
THE USE OF THESE DRAWINGS IS RESTRICTED TO THE ORIGINAL PURPOSE FOR WHICH THEY WERE PREPARED. REPRODUCTION WITHOUT WRITTEN PERMISSION OF THE OWNER IS PROHIBITED. FPK

Vizta Properties  
SITE IMPROVEMENTS  
U.S. Federal Courthouse  
McAllen, Texas

EAST SITE PLAN

DATE: 7-17  
SCALE: AS SHOWN  
SHEET: A4.1  
OF: 8

RECEIVED  
APR 12 2016  
BY: *B. Callan*



LOCATION



83

STATE

18th

1721	1717	1713
5	7	
6	8	
13	9	
17	10	
21	11	
23	12	
1722	1718	1714

1709	1705	1701
	6	8
		9
		10
		14
		18
		22
		24
1710	1706	1702

1621	1617	1613
5	6	
9	7	
13	8	
17	14	13
21	10	
1622	1618	1614

1609	1605	1601
		2
		6
	4	10
	5	14
	2	18
	1	22
1610	1606	1602

17th

16th

Austin



City of McAllen  
 Planning Department  
**APPLICATION FOR**

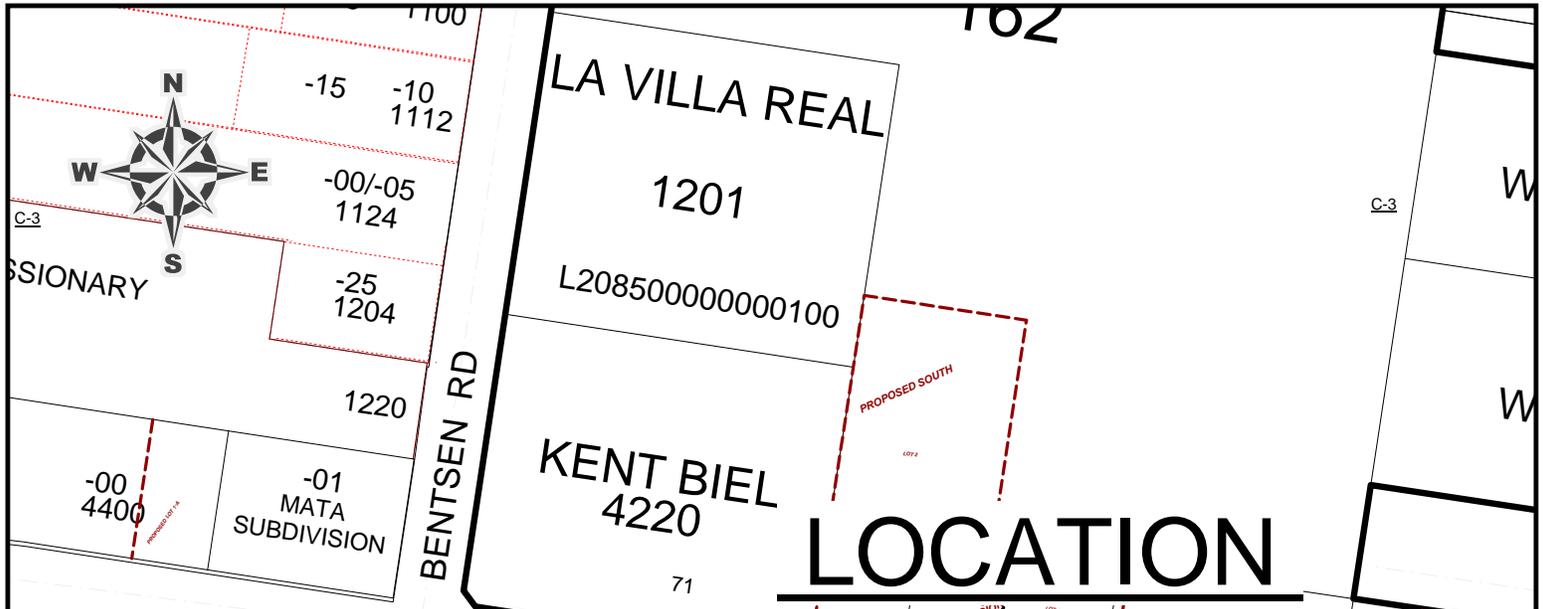
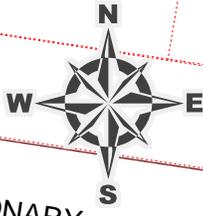
1300 Houston Avenue  
 McAllen, TX 78501  
 P. O. Box 220  
 McAllen, TX 78505-0220  
 (956) 681-1250  
 (956) 681-1279 (fax)

**SUBDIVISION PLAT REVIEW**

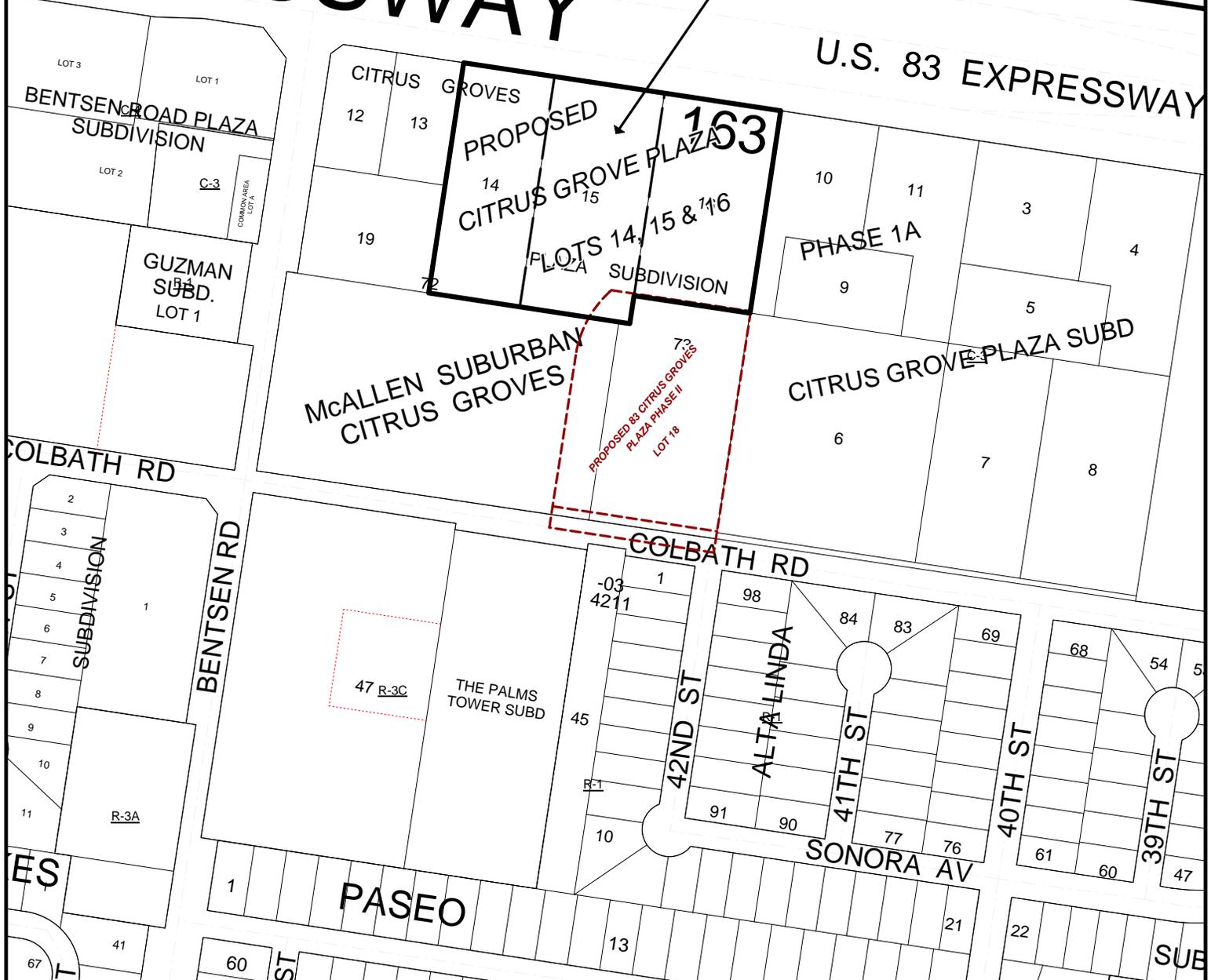
2016-0025

<b>Project Description</b>	Subdivision Name <u>"AMENDED" LOTS 14, 15 &amp; 16, CITRUS GROVE PLAZA SUBDIVISION</u> Location <u>APPROXIMATELY: BETWEEN BENTSEN RD &amp; WARE RD, FRONTING SOUTH SIDE OF EXPRESSWAY 83</u> City Address or Block Number _____ Number of lots <u>3</u> Gross acres <u>5.52</u> Net acres _____ Existing Zoning <u>Cor</u> Proposed <u>Comm</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>comm.</u> Proposed Land Use <u>comm.</u> Irrigation District # _____ <b>Residential</b> Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Commercial</b> Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <b>ETJ</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>\$0.00</u> Legal Description <u>LOTS 14, 15 &amp; 16, CITRUS GROVE PLAZA SUBDIVISION</u>
<b>Owner</b>	Name <u>SOLLOA &amp; ASSOCIATES, LLC</u> Phone <u>956-627-5419</u> Address <u>4037 W. EXPRESSWAY 83, SUITE 150</u> City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78501</u> E-mail _____
<b>Developer</b>	Name <u>SOLLOA &amp; ASSOCIATES, LLC</u> Phone <u>956-627-5419</u> Address <u>4037 W. EXPRESSWAY 83, SUITE 150</u> City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78501</u> Contact Person <u>FERNANDO SOLLOA</u> E-mail <u>SOLLOAHOMES@GMAIL.COM</u>
<b>Engineer</b>	Name <u>MAS ENGINEERING, LLC</u> Phone <u>956-537-1311</u> Address <u>4037 W. EXPRESSWAY 83, SUITE 150</u> City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78501</u> Contact Person <u>MARIO A. SALINAS, P.E.</u> E-mail <u>MSALINAS6973@ATT.NET</u>
<b>Surveyor</b>	Name <u>SALINAS ENGINEERING &amp; ASSOCIATES</u> Phone <u>956-682-9081</u> Address <u>2221 DAFFODIL AVE</u> City <u>MCALLEN</u> State <u>TEXAS</u> Zip <u>78501</u> E-mail <u>DSALINAS@SALINASENGINEERING.NET</u>

**RECEIVED**  
 APR 20 2016  
 BY: [Signature]



**EXPRESSWAY**



LOT 1, KENT BIEL SUBDIVISION,  
RECORDED IN VOL. 43, PAGE 75,  
MAP RECORDS, HIDALGO COUNTY, TEXAS

R.E. HORN'S ADDITION TO MCALLEN  
FIRST SUBURBAN SUBDIVISION  
E 125.91' - N 204.11' LOT 71  
& N 204.11' LOT 73  
VOL. 5, PG. 26, H.C.M.R.  
MAP RECORDS, HIDALGO COUNTY, TEXAS



SCALE 1"=40'

# MAP OF "AMENDED" CITRUS GROVE PLAZA LOTS 14, 15 & 16 SUBDIVISION McALLEN, TEXAS

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE "AMENDED" CITRUS GROVE PLAZA, LOTS 14, 15 & 16 SUBDIVISION TO THE CITY OF McALLEN, TEXAS AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATERLINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE), WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

By: Solloa & Associates, LLC  
Fernando Solloa, President and member  
200 S. 10th St. #905  
McAllen TX, 78501

Date

STATE OF TEXAS:  
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED FERNANDO SOLLOA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY \_\_\_\_\_ OF \_\_\_\_\_, 2016

NOTARY PUBLIC

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 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 SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

MAYOR, CITY OF McALLEN

Date

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: RAUL E. SESIN P.E. DISTRICT MANAGER

Date

STATE OF TEXAS  
COUNTY OF HIDALGO

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 CITRUS GROVE PLAZA, LOTS 14, 15 & 16 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 PROPERTY AS PROVIDED FOR HEREIN.

THE TRUST OF JOHN VAN RAMSHORST  
BY: MARIBEL DUECK

ALMA RUBY VAN RAMSHORST

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARIBEL DUECK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

NOTARY PUBLIC

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ALMA RUBY VAN RAMSHORST, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

NOTARY PUBLIC

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, DAVID O. SALINAS, 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.

SALINAS ENGINEERING & ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
2221 DAFFOIL AVE.  
MCALLEN, TEXAS 78501

DATE

DATE OF PREPARATION: 03/10/2016

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, MARIO A. SALINAS, A LICENSED PROFESSIONAL ENGINEER, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

DATE

MARIO A. SALINAS  
LICENSED PROFESSIONAL ENGINEER # 96611  
4037 W. EXP.83, SUITE 150  
MCALLEN, TEXAS 78501

## MAS ENGINEERING LLC.

CONSULTING ENGINEERING  
FIRM NO. F-15499

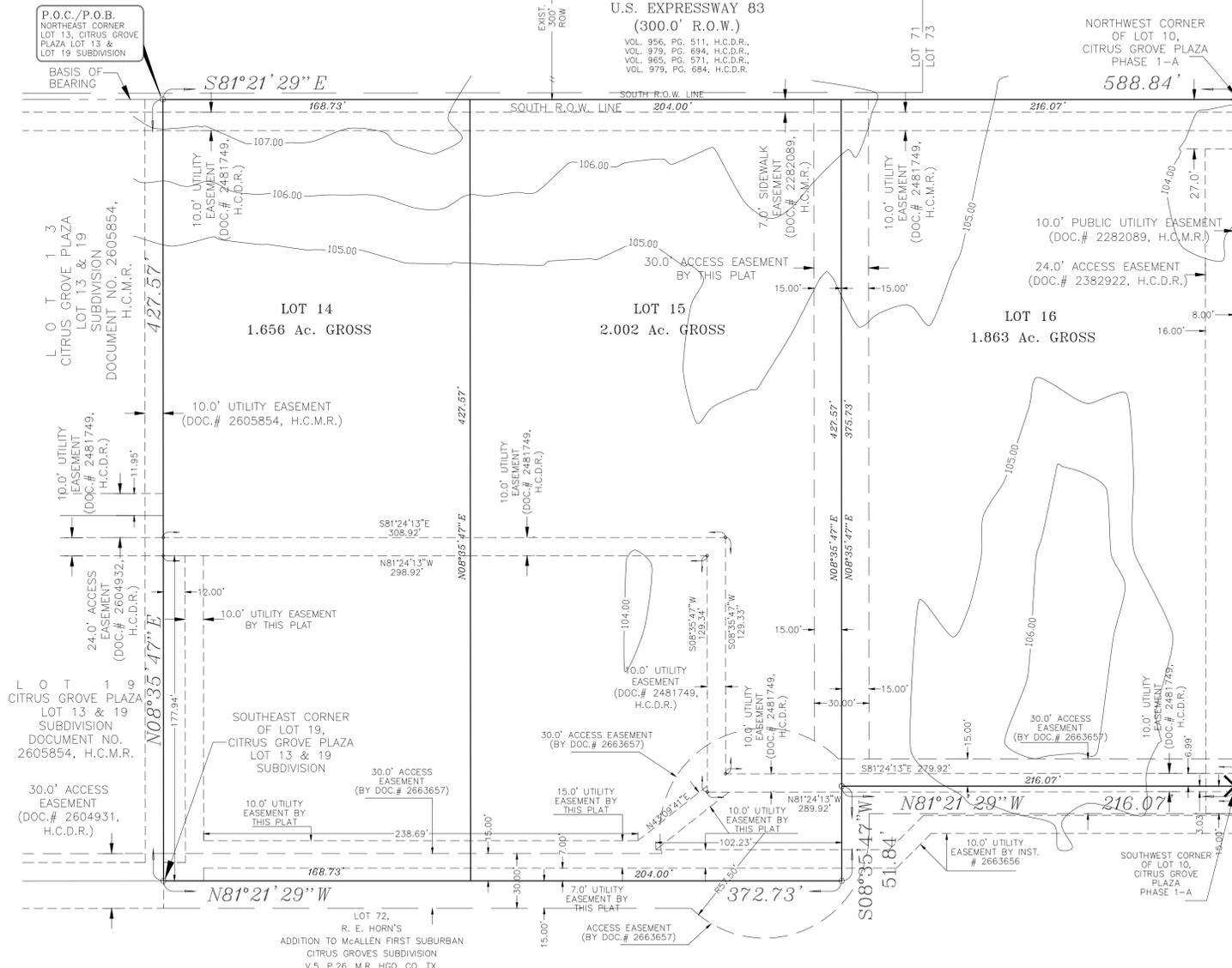
4037 W. EXP.83, SUITE 150  
MCALLEN, TEXAS. 78501

PH. (956) 537-1311  
E-MAIL: MSALINAS6973@ATT.NET

RECEIVED

By Nikki Marie Cavazos at 3:24 pm, Mar 10, 2016

RECEIVED E-MAIL 03/10/2016 AT 11:04 AM



FILED FOR RECORD IN  
HIDALGO COUNTY

AUTOMATICALLY  
HIDALGO COUNTY CLERK

ON \_\_\_\_\_ AT \_\_\_\_\_ AM

INSTRUMENT NUMBER \_\_\_\_\_

OF MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY \_\_\_\_\_ DEPUTY

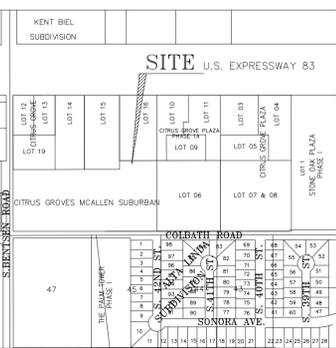
### METES AND BOUNDS DESCRIPTION

BEING A 5.52 GROSS ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF A PORTION OF LOTS 72 AND 73, R.E. HORN'S ADDITION TO MCALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 05, PAGE 26, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 5.52 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
COMMENCING AT A 1/2 INCH DIAMETER IRON ROD FOUND ON THE NORTHEAST CORNER OF CITRUS GROVES PLAZA LOT 13 AND 19 SUBDIVISION, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 2605854, MAP RECORDS OF HIDALGO COUNTY, TEXAS, CARVED OUT OF SAID LOT 72 FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

- (1) THENCE, SOUTH 81 DEGREES 21 MINUTES 29 SECONDS EAST, COINCIDENT WITH THE SOUTH RIGHT-OF-WAY LINE OF THE EASTBOUND FRONTAGE ROAD OF U.S. EXPRESSWAY 83, A DISTANCE OF 588.84 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON THE NORTHWEST CORNER OF LOT 10, CITRUS GROVE PLAZA PHASE 1-A, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 2385526, MAP RECORDS OF HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (2) THENCE, SOUTH 08 DEGREES 35 MINUTES 47 SECONDS WEST, COINCIDENT WITH THE WEST LINE OF SAID LOT 10, A DISTANCE OF 375.73 FEET TO AN "X" CUT ON A CONCRETE DRIVE ON THE SOUTHWEST CORNER OF SAID LOT 10 FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (3) THENCE, NORTH 81 DEGREES 21 MINUTES 29 SECONDS WEST, ALONG A LINE PARALLEL TO THE SOUTH RIGHT-OF-WAY LINE OF SAID EXPRESSWAY, A DISTANCE OF 216.07 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR AN INSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;
- (4) THENCE, SOUTH 08 DEGREES 35 MINUTES 47 SECONDS WEST, ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 10, A DISTANCE OF 51.84 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR AN OUTSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;
- (5) THENCE, NORTH 81 DEGREES 21 MINUTES 29 SECONDS WEST, ALONG A LINE PARALLEL TO THE SOUTH RIGHT-OF-WAY LINE OF SAID EXPRESSWAY, A DISTANCE OF 372.73 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON THE SOUTHEAST CORNER OF LOT 19, OF SAID CITRUS GROVE PLAZA LOT 13 & 19 SUBDIVISION FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- (6) THENCE, NORTH 08 DEGREES 35 MINUTES 47 SECONDS EAST, COINCIDENT WITH THE EAST LINE OF SAID LOTS 13 AND 19, A DISTANCE OF 427.57 TO THE POINT OF BEGINNING, CONTAINING 5.52 GROSS ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: NORTH LINE OF SAID CITRUS GROVE PLAZA LOT 13 & 19 SUBDIVISION, MCALLEN, H.C.T.  
N:\M&B.2015\5.52.061515

### VICINITY MAP





Reviewed On: 5/13/2016

<b>SUBDIVISION NAME: CITRUS GROVE PLAZA, LOTS 14, 15, &amp; 16 (AMENDED)</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
U.S. Expressway 83: 300 ft. ROW existing Paving: by the state Curb & gutter: by the state	Compliance
* 800 ft. Block Length:	NA
* 600 ft. Maximum Cul-de-Sac:	NA
<b>ALLEYS</b>	
* Service drive to be reviewed as part of the site plan.	Applied
<b>SETBACKS</b>	
* Front: U.S. Expressway 83 - 75 ft. or greater for approved site plan or easements	Compliance
* Sides: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Corner:	NA
* Rear: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Garage:	NA
* ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on U.S. Expressway 83	Compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
* Perimeter buffers must be built at time of Subdivision Improvements.	NA
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along:	NA
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	Compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	Applied

<p>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.</p>	<p>NA</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>NA</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p>
<p><b>LOT REQUIREMENTS</b></p>	
<p>* Lots fronting public streets:</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area:</p>	<p>Compliance</p>
<p><b>ZONING/CUP</b></p>	
<p>* Existing: C-3 Proposed: commercial</p>	<p>Compliance</p>
<p>* Rezoning Needed Before Final Approval</p>	<p>NA</p>
<p><b>PARKS</b></p>	
<p>* Land dedication in lieu of fee:</p>	<p>NA</p>
<p>* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.</p>	<p>NA</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p><b>TRAFFIC</b></p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>NA</p>
<p>* Traffic Impact Analysis (TIA) required prior to final plat.                  **Per Traffic, the previous Traffic Impact Analysis (TIA) will be honored subject to compliance with the Access Management Policy.</p>	<p>Complete</p>
<p><b>COMMENTS</b></p>	
<p>Comments: *Per Traffic, need to keep access easements to provide internal circulation.                  **Abandonment of existing utility easement to be done by separate instrument - scheduled for the City Commission meeting on May 23, 2016.</p>	<p>Applied</p>
<p><b>RECOMMENDATION</b></p>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY/FINAL FORM.</p>	<p>Applied</p>





**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)

<b>Project Description</b>	Subdivision Name <u>Ad Astra View</u>
	Location <u>6 1/8 North Taylor Road</u>
	City Address or Block Number <u>9601 N. Taylor Road</u>
	Number of Lots <u>1</u> Gross acres <u>1.56</u> Net acres <u>1.51</u>
	Existing Zoning <u>n/a</u> Proposed <u>R-1</u> Rezoning Applied For Yes <input type="checkbox"/> No <input type="checkbox"/> Date _____
	Existing Land Use <u>vacant</u> Proposed Land Use <u>Residential</u> Irrigation District # <u>United</u>
	Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>n/a</u>
	Legal Description <u>1.56 acres out of Lot 456, John H. Shary Subdivision</u>
	_____
<b>Owner</b>	Name <u>Alfonso Puente Rodriguez</u> Telephone <u>(956)451-6777</u>
	Address <u>2305 So. 26<sup>th</sup> Street</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78503</u>
	E-mail <u>rodriguezdan99@yahoo.com</u>
<b>Developer</b>	Name <u>Alfonso Puente Rodriguez</u> Telephone <u>(956)451-6777</u>
	Address <u>2305 So. 26<sup>th</sup> Street</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78503</u>
	E-mail <u>rodriguezdan99@yahoo.com</u>
<b>Engineer</b>	Name <u>Spoor Engineering Consultants, Inc.</u> Telephone <u>(956)683-1000</u>
	Address <u>202 South 4<sup>th</sup> Street</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>
	Contact Person <u>Steve Spoor</u> E-mail <u>Spooreng@sbcglobal.net</u>
<b>Surveyor</b>	Name <u>Carlos Vasquez – CVQ Land Surveyors</u> Telephone <u>(956)6181551</u>
	Address <u>517 Beaumont Avenue</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>
	E-mail <u>cvq@cvqls.com</u>

**RECEIVED**  
 JAN 21 2016

REF # 34813 BY: MC 10:30am  
 Sub 2016-0004 pd 225



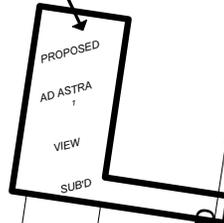
466

TAYLOR ROAD (52)



LOCATION

456



-20  
9800

-22  
HIDALGO COUNTY  
DRAINAGE DIST #1

-07  
HIDALGO COUNTY  
DRAINAGE DIST

457

-15,-17  
9600

-18  
5012

-00  
4912

-25

6 MILE LINE

TAYLOR ROAD

-05

-4

-20  
9412

5021

4913

4901

HOOPER  
MANOR

-25  
9324

-27

9300  
-45

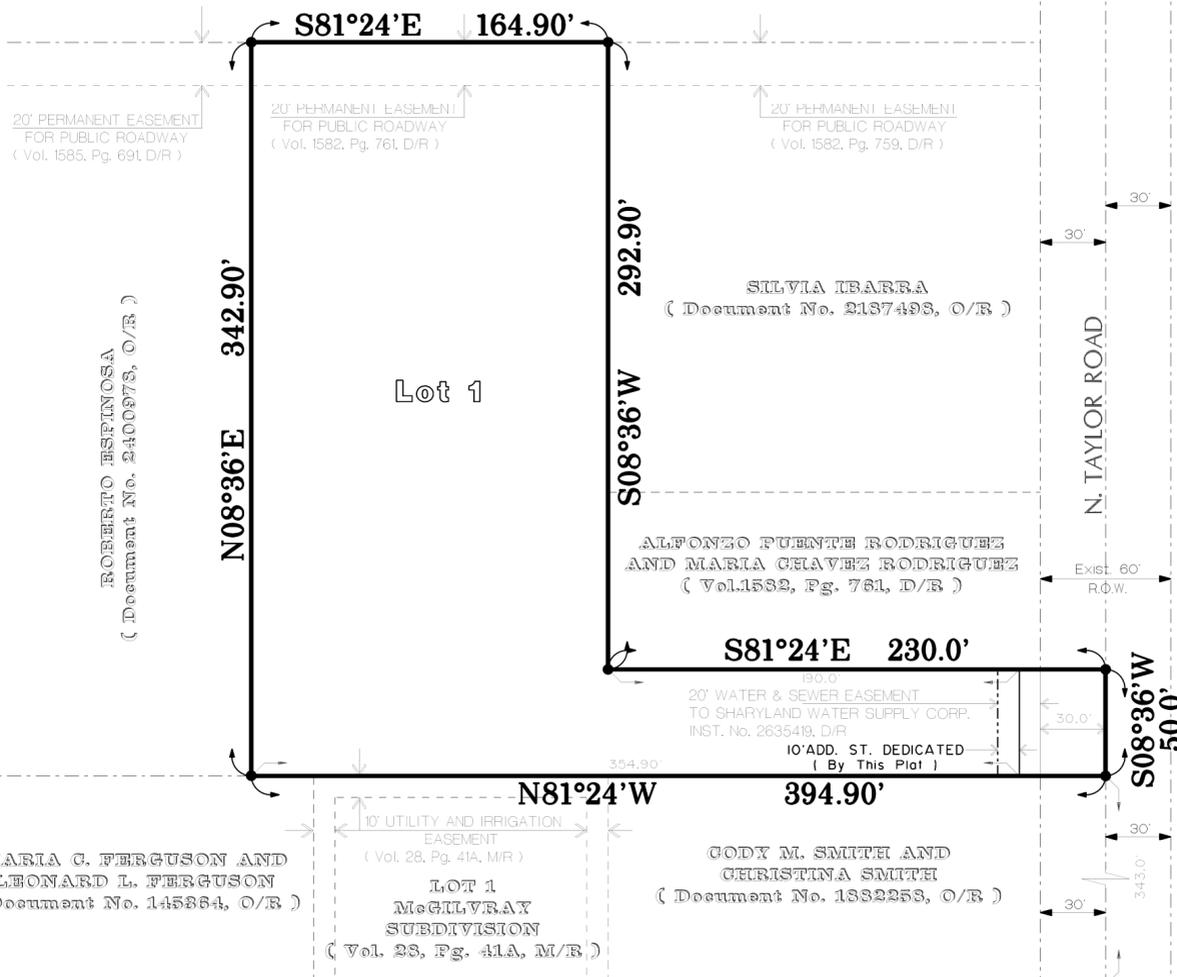
446

LITTLE  
PARADISE 9209

9209

447

165.0' DRAIN DITCH R.O.W.  
( Vol. 2884, Pg. 677, D/R )



**METES & BOUNDS**

A tract of land containing 1.56 acres of land, situated in Hidalgo County, Texas, being a part or portion of LOT 456, JOHN H. SHARY SUBDIVISION, recorded in Volume 1, Page 17, Map Records, Hidalgo County, Texas, also being a part or portion of a tract of land conveyed to Alfonso Puentes Rodriguez and Maria Chavez Rodriguez, recorded in Volume 1582, Page 761, Deed Records, Hidalgo County, Texas, and said 1.56 acres of land being more particularly described by metes and bounds as follows:

COMMENCING at a nail found within the right-of-way of N. Taylor Road for the Southeast corner of said Lot 456, THENCE North 08°36'00" East, within the right-of-way of said N. Taylor and along the East line of said Lot 456, a distance of 343.00 feet to a nail set for the Southeast corner of said Rodriguez tract and the Northeast corner of a tract of land conveyed to Cody M. Smith and Christina Smith, recorded in Document No. 1882258, Official Records, Hidalgo County, Texas, for the Southeast corner of this tract and the POINT OF BEGINNING;

THENCE North 81°24'00" West, with the common line of said Rodriguez tract and said Smith tract, at 30.00 feet pass an iron pipe found on the West right-of-way line of said N. Taylor Road, at 230.66 feet pass an iron pipe found for the Northwest corner of said Smith tract and the Northeast corner of McGilvray Subdivision, recorded in Volume 28, Page 41A, Map Records, Hidalgo County, Texas, at 367.00 feet pass a 5/8" iron rod found for the Northwest corner of said McGilvray Subdivision and the Northeast corner of a tract of land conveyed to Maria C. Ferguson and Leonard L. Ferguson, recorded in Document No. 1454364, Official Records, Hidalgo County, Texas, and continuing a total distance of 394.90 feet to an iron pipe found for the Southeast corner of a tract of land conveyed to Roberto Espinoza, recorded in Document No. 2400978, Official Records, Hidalgo County, Texas, and the Southwest corner of said Rodriguez tract for the Southwest corner of this tract of land;

THENCE North 08°36'00" East, with the common line of said Rodriguez tract and said Espinoza tract, at 322.90 feet pass an iron pipe found on the South right-of-way line of an ingress and egress easement described in Volume 1582, Page 761, Deed Records, Hidalgo County, Texas, and continuing a total distance of 342.90 feet to a 1/2" iron rod with a plastic cap stamped "CVO LS" set on the South line of a 165.00 foot Hidalgo County Drainage District No. 1 easement, recorded in Volume 2884, Page 677, Deed Records, Hidalgo County, Texas, the Northeast corner of said Espinoza tract and the Northwest corner of said Rodriguez tract for the Northwest corner of this tract;

THENCE South 81°24'00" East, with the common line of said drainage easement and said Rodriguez tract, a distance of 164.90 feet to a 1/2" iron rod with a plastic cap stamped "CVO LS" set on the Northernmost Northeast corner of said Rodriguez tract for the Northernmost Northeast corner of this tract;

THENCE South 08°36'00" West, with the East line of said Rodriguez tract, at 210.00 feet pass an iron pipe found for an inside corner of said Rodriguez tract, and continuing a total distance 292.90 feet to a 1/2" iron rod with a plastic cap stamped "CVO LS" set for an inside corner of this tract;

THENCE South 81°24'00" East, at 200.00 feet pass a 1/2" iron rod with a plastic cap stamped "CVO LS" set on the West right-of-way line of said N. Taylor Road, and continuing a total distance of 230.00 feet to a nail set for the Southernmost Northeast corner of this tract;

THENCE South 08°36'00" West, within the right-of-way of said N. Taylor and along the East line of said Lot 456 a distance of 50.00 feet to the POINT OF BEGINNING, containing 0.790 acres of land, more or less.

**NOTES:**

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:  
A.- LOT 1: FRONT - 25 FT.  
B. OTHERS- IN ACCORDANCE WITH ZONING ORDINANCE OR TO EASEMENT LINE WHICHEVER IS GREATER.
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE CENTER LINE OF PAVEMENT.
- THIS PROPERTY FALLS IN ZONE 'B' OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0010 C, REVISED NOVEMBER 2, 1982.
- A 6' BUFFER OPAQUE IS REQUIRED FROM ADJACENT / BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES / USES. AN 8' MASONARY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES / USES.
- 4' SIDEWALK REQUIRED ALONG N. TAYLOR ROAD.
- BENCHMARK- STATION NAME: MC\* 59 SET BY ARANDA & ASSOC. LOCATED AT THE SOUTHEAST CORNER OF EXPRESSWAY 83 AND WARE RD. ELEV.- 106.50 FT (NAVD88)
- OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT. MASTER DRAINAGE AND DETENTION IS ON FILE AT CITY ENGINEERING DEPT.
- STORM WATER DETENTION OF 0.25 AC-FT IS REQUIRED FOR THIS SUBDIVISION.



Jan-13-2016  
1"=60'



MAP  
OF  
**AD ASTRA VIEW**



*McAllen, Texas*  
BEING A SUBDIVISION OF A 1.56 ACRE TRACT OF LAND OUT OF THE LOT 456, J. H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; recorded in vol. 1, page 17, Map Records Hidalgo County, Texas.

**NOTARIAL MAP**

Prepared by:  
Spoor Engineering Consultants, Inc.  
FIRM - F-6003  
Consulting Engineers - Civil Land Planning  
302 South 4th Street  
McALLEN, TEXAS 78501  
TEL. (956) 683-1000 FAX (956) 683-1002  
spooreng@sbcglobal.net

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE "AD ASTRA VIEW" SUBDIVISION TO THE CITY OF McALLEN, TEXAS, 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, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE), WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

STATE OF TEXAS:  
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Alfonso Puentes Rodriguez, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

NOTARY PUBLIC \_\_\_\_\_ DATE \_\_\_\_\_

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 THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 4608 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 GROUND.

CARLOS VASQUEZ, RPLS # 4608  
CVO LAND SURVEYORS  
517 BEAUMONT ST.  
McALLEN, TEXAS 78501  
DATE \_\_\_\_\_

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.

REGISTERED PROFESSIONAL ENGINEER  
P. E. REGISTRATION No. 56752

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.21(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION. BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA, IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

BY: RALL E. SPOOR  
GENERAL MANAGER

**RECEIVED**  
By Nikki Marie Cavazos at 9:39 am, May 11, 2016

DATE \_\_\_\_\_



Reviewed On: 5/13/2016

<b>SUBDIVISION NAME: AD ASTRA VIEW</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
N. Taylor Road: 10 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides	Compliance
Rice Avenue (north boundary): 30 ft. ROW dedication required for 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides Project engineer, on behalf of the developer is requesting that an additional 30 ft. ROW not be required along the north side since there is an existing access easement by document #340274 that allows access to several tracts of land from Mile 6 Road.	Non-compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
<b>SETBACKS</b>	
* Front: N. Taylor Road - 45 ft. or greater for easements	Non-compliance
* Rear: in accordance with the Zoning Ordinance, or greater for easements	Compliance
* Sides: in accordance with the Zoning Ordinance, or greater for easements	Compliance
* Corner: Setback along Rice Avenue to be determined based on variance request	TBD
* Garage: 18 ft. except where greater setback is required	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on N. Taylor Road and Rice Avenue as may be required	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along:	NA

<p>* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.</p>	<p>NA</p>
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	<p>NA</p>
<p>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.</p>	<p>NA</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>NA</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p>
<p><b>LOT REQUIREMENTS</b></p>	
<p>* Lots fronting public streets:</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area:</p>	<p>Compliance</p>
<p><b>ZONING/CUP</b></p>	
<p>* Existing: ETJ Proposed: residential</p>	<p>Compliance</p>
<p>* Rezoning Needed Before Final Approval</p>	<p>NA</p>
<p><b>PARKS</b></p>	
<p>* Land dedication in lieu of fee:</p>	<p>NA</p>
<p>* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.</p>	<p>NA</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p><b>TRAFFIC</b></p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>NA</p>
<p>*Per Traffic, the trip generation was waived based on single family residential use.</p>	
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>NA</p>
<p><b>COMMENTS</b></p>	
<p>Comments: *Project engineer to submit document for the 20 ft. permanent easement for public roadway.                  **Ownership map of surrounding area has been received and shows property adjacent to the west has access through the 20 ft. permanent easement for public roadway along the north side. However, the adjacent property is vacant and the 20 ft. easement for public roadway is not paved.                  ***The project engineer is requesting that an additional 30 ft. ROW not be required along the north side since there is an existing access easement by document #340274 that was granted allowing access to several tracts from Mile 6 Road.</p>	<p>Applied</p>
<p><b>RECOMMENDATION</b></p>	
<p>Recommendation: STAFF RECOMMENDS THAT THE ITEM BE TABLED PENDING ADDITIONAL INFORMATION FOR STAFF REVIEW.</p>	<p>Applied</p>

*Spoor Engineering Consultants, Inc.*  
Consulting Engineers – Civil Land Planning

April 18, 2016

Julianne R. Rankin, FAICP  
Director of Planning  
City of McAllen  
1300 Houston Avenue  
McAllen, Texas 78501

Re: Proposed Ad Astra View,  
1.56 acres out of J.H. Shary Subd.  
Lot 456

Dear Mrs. Rankin:

As agent for the Owner of the above referenced project, I hereby request a variance to the Subdivision Ordinance to not require the additional 30 feet of right of way on the north side of the proposed Ad Astra View for future Rice Avenue. There is an existing 20 ft. Permanent Easement for Public Roadway (Rice Avenue) to allow access to the property on the West (Owned by Roberto Espinoza). In addition, a Deed of Right of Way (Document #340274) was granted to allow access to several tracts within J.H. Shary Lot 456 from Mile 6 Road. Because of this access point from Mile 6 Road, we feel that Rice Avenue on the north side of the lot should not require the additional 30 feet of right of way. I further request a variance to the Subdivision Ordinance to not require the paving of the said future Rice Avenue.

Please advise if other information is required.

Sincerely,



---

Steve Spoor, P.E.

RECEIVED  
MAY 02 2016  
BY: BL 3:15pm



1=100'

HCDD 2884/677

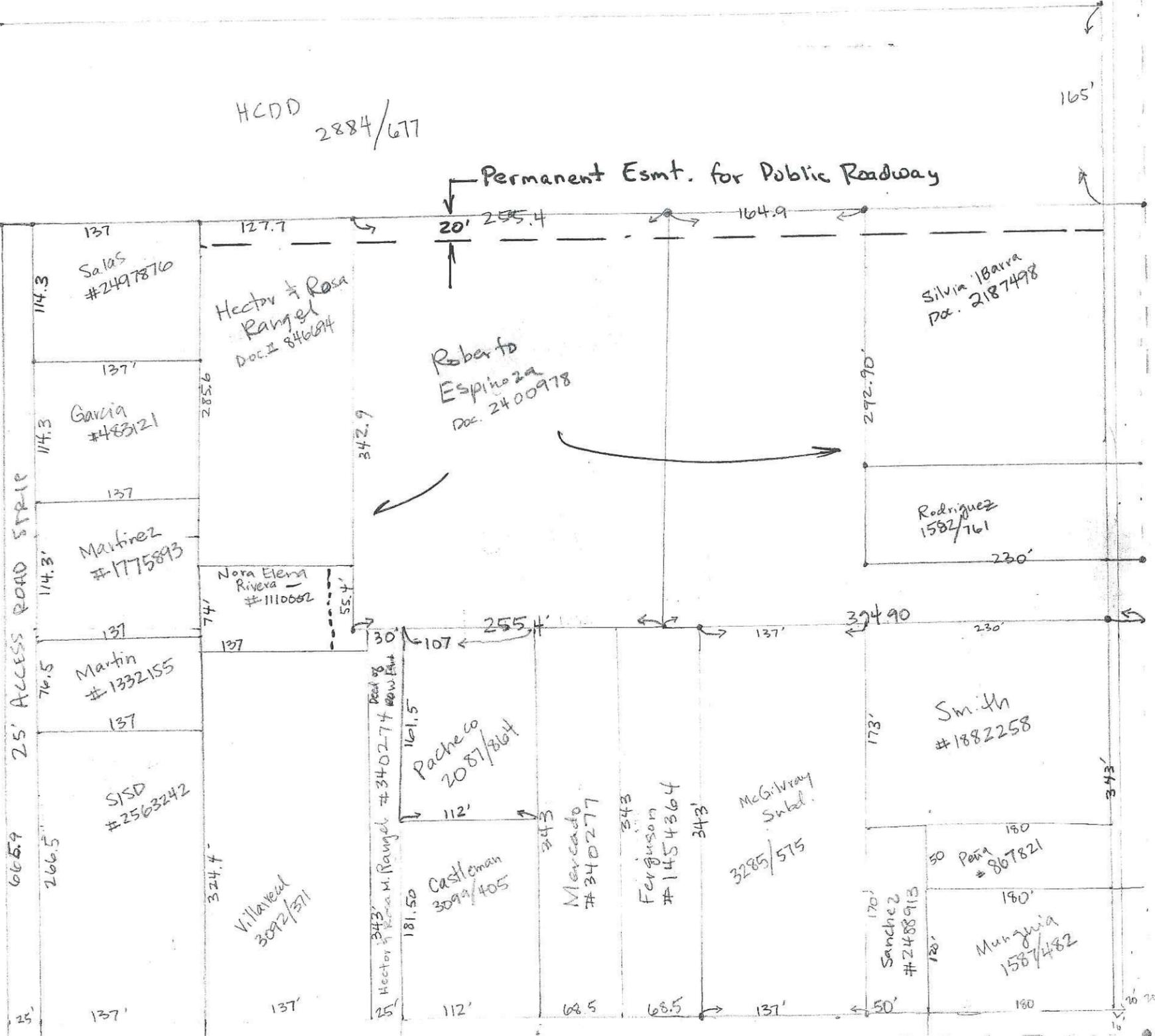
Permanent Esmt. for Public Roadway

25' ACCESS ROAD STRIP

N. Taylor Rd.

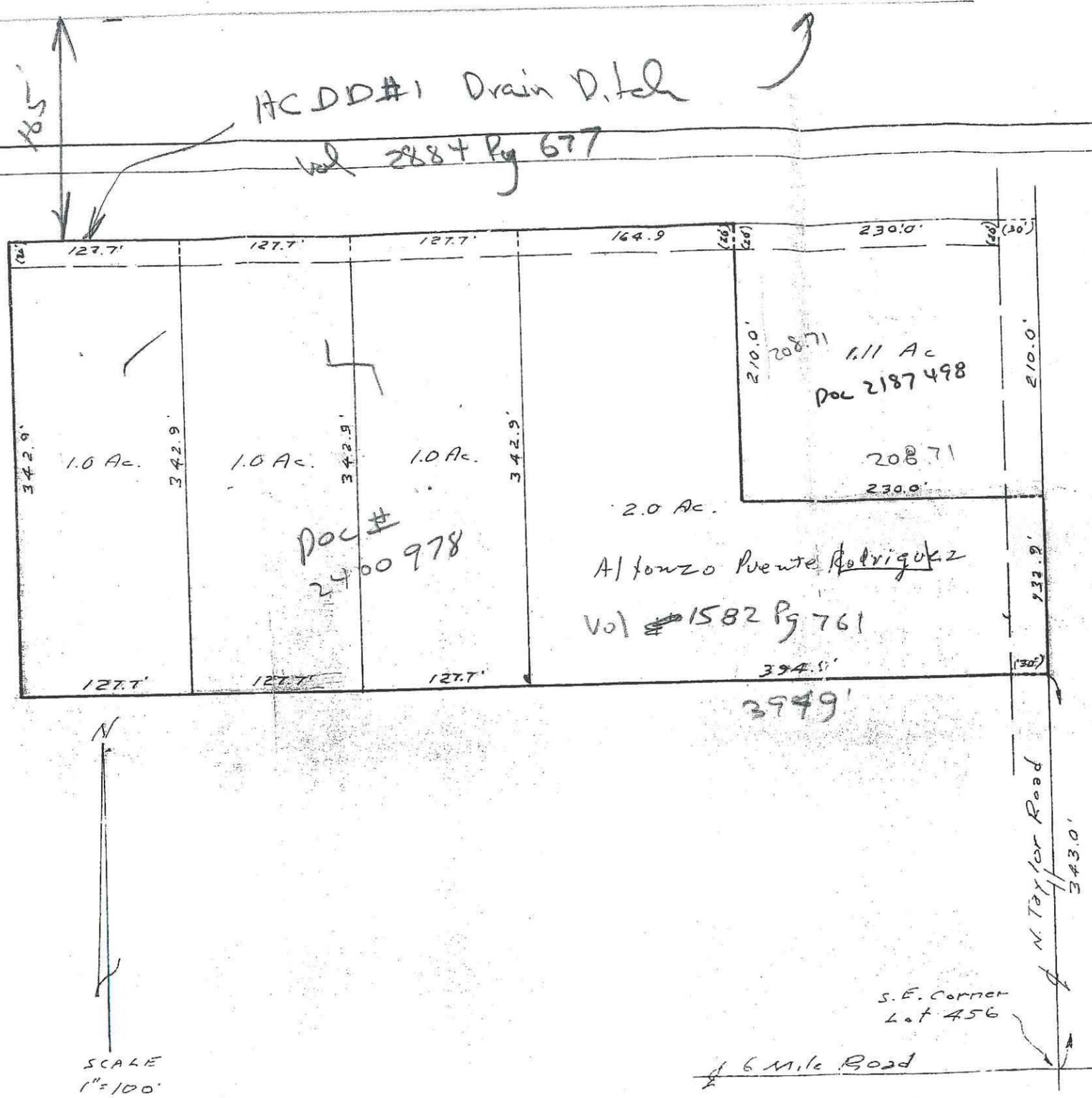
Mile 6 N. Rd.

SEC L456



Road

504'



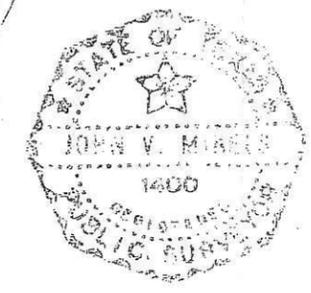
PLAT OF

OF 4 PARCELS OF LAND OUT OF A 5.02  
 ACRE TRACT OF LAND OUT OF THE SOUTH  
 27.08 ACRES OF LOT 456, JOHN H. SHARY  
 SUBDIVISION OF PORCIONES 58, 59 & 60,  
 HIDALGO COUNTY, TEXAS.

I, JOHN V. MIKELS, REGISTERED PUBLIC SURVEYOR,  
 DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT  
 IS A TRUE AND CORRECT REPRESENTATION OF THE  
 PROPERTY THEREON DESCRIBED AS PREPARED BY ME  
 FROM SURVEYS MADE BY ME ON THE GROUND OF THE  
 SOUTH 27.08 ACRES OF LOT 456, JOHN H. SHARY  
 SUBDIVISION, HIDALGO COUNTY, TEXAS.

*John V. Mikels*

MAY 18, 1978  
 MISSION, TEXAS





466

TAYLOR ROAD (52)

PROPOSED TAYLOR CROSSING SUBDIVISION

LOCATION

456

PROPOSED  
AD ASTRA  
VIEW  
SUBD

HIDALGO COUNTY  
DRAINAGE DIST #1

HIDALGO COUNTY  
DRAINAGE DIST #2

457

6 MILE LINE

TAYLOR ROAD

20  
9412

9821

4913

49011

FOOTER  
WAVOR

25  
9324

27

9300  
45

446

LITTLE  
PARADISE

9209

9209

447



**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)

2016-0024

<b>Project Description</b>	Subdivision Name <u>Zinnia Crossing</u>
	Location <u>North 10<sup>th</sup> Street and Zinnia Avenue</u>
	City Address or Block Number <u>5217 N. 10<sup>th</sup> Street</u>
	Number of Lots <u>1</u> Gross acres <u>1.0</u> Net acres <u>0.87</u>
	Existing Zoning <u>C-3</u> Proposed <u>C-3</u> Rezoning Applied For Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Date _____
	Existing Land Use <u>Apartments</u> Proposed Land Use <u>Commercial</u> Irrigation District # <u>3</u>
	Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>N/A</u>	
Legal Description <u>Being a 1.0 gross acre tract of land, more or less, out of the South 1/2 of Lot 3, and the Northwest 1/4 of Section 11, Hidalgo Canal Company's Subdivision</u>	

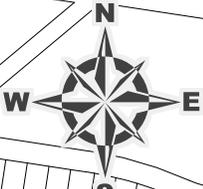
<b>Owner</b>	Name <u>Nanak, Ltd.</u> Telephone _____
	Address <u>108 Bluebird Avenue</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u>
	E-mail _____

<b>Developer</b>	Name <u>Nanak, Ltd.</u> Telephone _____
	Address <u>108 Bluebird Avenue</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78504</u>
	E-mail _____

<b>Engineer</b>	Name <u>Spoor Engineering Consultants, Inc.</u> Telephone <u>(956)683-1000</u>
	Address <u>202 South 4<sup>th</sup> Street</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>
	Contact Person <u>Steve Spoor</u>
	E-mail <u>Spooreng@sbcglobal.net</u>

<b>Surveyor</b>	Name <u>David O. Salinas, Salinas Engineering</u> Telephone <u>(956)682-9081</u>
	Address <u>2221 Daffodil Avenue</u>
	City <u>McAllen</u> State <u>Texas</u> Zip <u>78501</u>
	E-mail <u>dsalinas@salinasengineering.com</u>

**RECEIVED**  
 APR 22 2016  
 BY: ACAD



NORTH LOT 1

5600

1

TEXAS LOT 2 LOT 1 VINTAGE

DOVE AVE

AVALON SQUARE LOT 1

1 2  
3 4

CARDINAL AV

11TH ST

LOT 2

H2550-00-011-0002-03

5

3 TOWNHOUSES

LOCATION

THE COURTYARD AMENDED

10TH ST

A.C.R. SUBD

1 2

3

SCHUPP PARK

BLUEBIRD AV

W.W. COMPLEX

CASA TACO NORTH LOT A

12

14

PROPOSED Lot A ZINNIA CROSSING

LOT 1 RHINO SUBD

11

13

LOT 2

14

8TH ST

VALLEY HEALTH PLAZA

A & A SUBD

13

SUB

74  
57

105 101 100

UNIT 4

YUCCA AVE

91

PRIZE 6

TOWN & COUNTRY SUBDIVISION UNIT No.1 UNIT No.2 LOT B

N. 10th. ST.

ZINNIA AVE

MEDPLEX NORTH SUBDIVISION

ZINNIA 11A ESTATES 10A

3A

9TH ST

5

6

1

9

8

7

12

7

XANTHISIMA AVE

86

85

SION

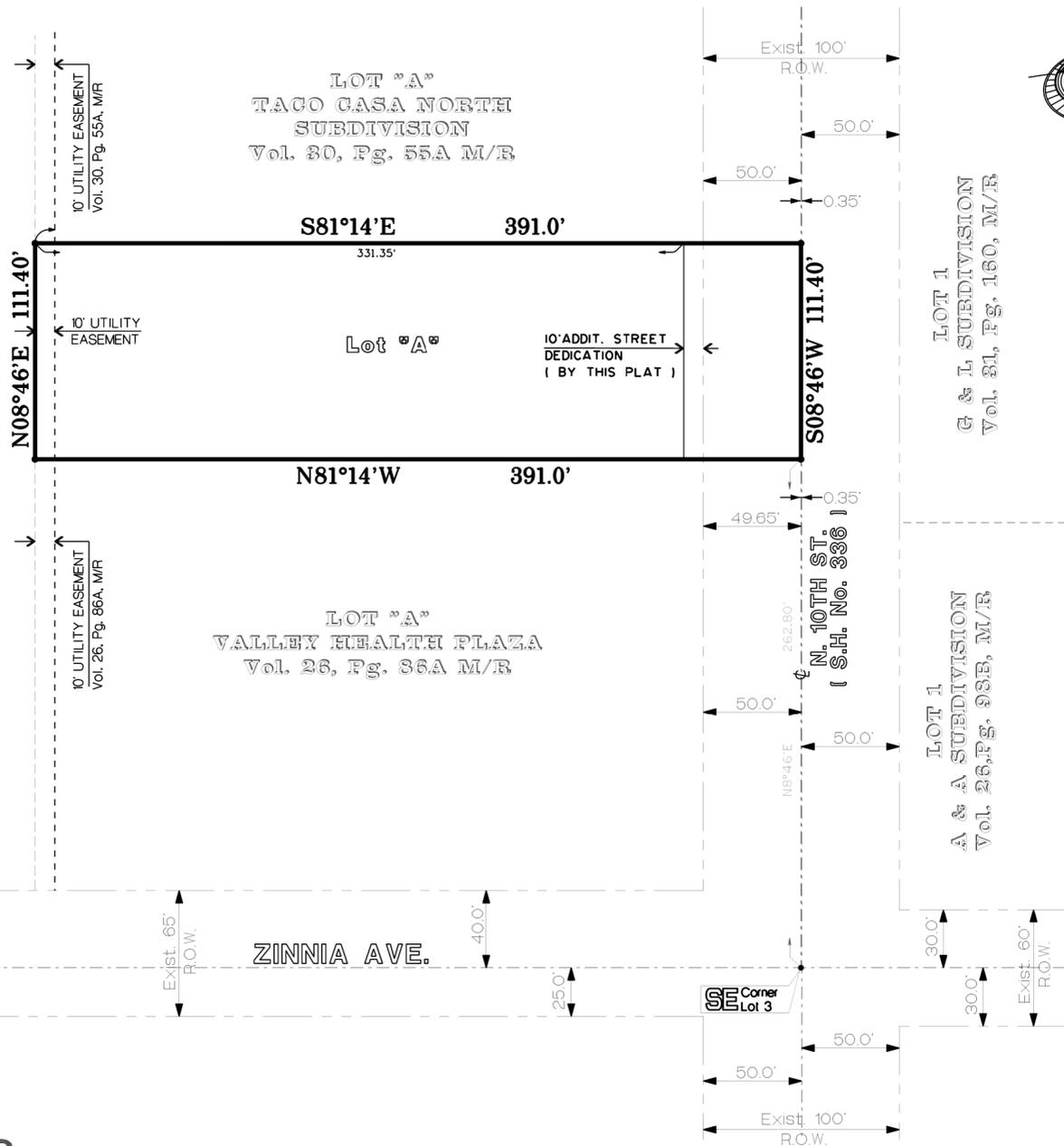
UNIT 3

83

LOT A-1 WISTERIA EXECUTIVE SUITES

WOODLAND

BILL SCHEUPE PARK  
LOT 8, SECTION II  
HIDALGO CANAL CO'S SUBD  
Vol. 11, Pg. 4, D/R



**NOTES:**

- 1.) MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
  - A. FRONT - 60' OR GREATER FOR APPROVED SITE PLAN
  - B. OTHERS - IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR APPROVED SITE PLAN OR EASEMENT
- 2.) MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.
- 3.) THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0005 C, REVISED NOVEMBER 2, 1982.
- 4.) A 6' BUFFER OPAQUE IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- 5.) 4' SIDEWALK REQUIRED ALONG N. 10TH ST.
- 6.) BENCHMARK.- STATION NAME: MC\* 77 SET BY ARANDA & ASSOC. LOCATED AT THE NORTHWEST CORNER OF N. 23rd ST. AND MILE 3 RD. ELEV.- 126.53 FT (NAVD88)
- 7.) OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT.
- 8.) STORM WATER DETENTION OF 0.15 AC-FT IS REQUIRED FOR THIS SUBDIVISION.
- 9.) SITE PLAN APPROVAL IS REQUIRED FROM PLANNING & ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.

**METES & BOUNDS**

A 100 ACRE TRACT OF LAND OUT OF LOT 3, NORTHWEST ¼, SECTION II, HIDALGO CANAL CO. SUBD., HIDALGO COUNTY, TEXAS, ACCORDING TO PAT RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at a point on the East line of Lot 3, North 08 Deg, 46 Min, East, 262.8 feet from the Southeast corner of Lot 3, for the Southeast corner of the following described tract of land, said point being in North 10th Street (S.H. #336);

THENCE, parallel to the South line of Lot 3, North 81 Deg, 14 Min, West, at 49.65 feet pass the West line of North 10th Street, and the Northeast corner of Lot 'A' Valley Health Plaza, City of McAllen, recorded in Volume 26, Page 86A, Map Records, and at 391.0 feet the Northwest corner of said Lot 'A', for the Southwest corner hereof;

THENCE, parallel to the East line of Lot 3, North 08 Deg, 46 Min, East, 111.40 feet to the Southwest corner of Lot 'A', Casa Taco North Subdivision, City of McAllen, recorded in Volume 30, Page 55A, Map Records, for the Northwest corner hereof;

THENCE, with the South line of said Lot 'A', South 81 Deg, 14 Min, East, at 34.35 feet pass the Southeast corner of said Lot 'A', and the West line of North 10th Street, and at 391.0 feet a point on the East line of Lot 3, for the Northeast corner hereof;

THENCE, with the East line of Lot 3, in North 10th Street, South 08 Deg, 46 Min, West, 111.40 feet to the POINT OF BEGINNING. Containing 100 acre of land, more or less, of which the East 49.65 feet, comprising 0.13 acre, lies in North 10th Street.



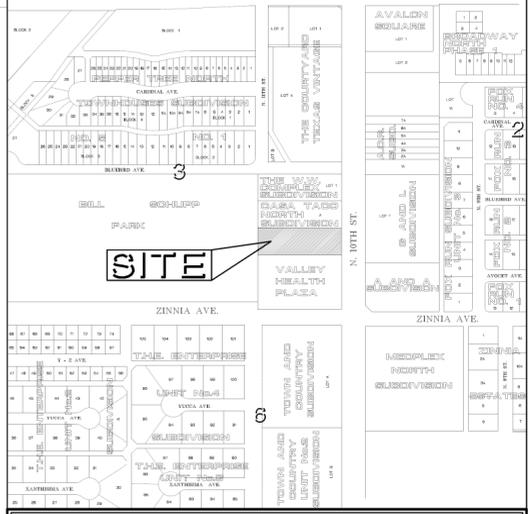
April-19-2016  
1"=60'

**MAP OF ZINNIA CROSSING**

*McAllen, Texas*

BEING A SUBDIVISION OF A 1.00 AC. TRACT OF LAND OUT OF LOT 3, SECTION II, HIDALGO CANAL COMPANY'S SUBDIVISION, OF PORCIONES 64.65 & 66, Hidalgo County, Texas according to plat recorded in vol. Q, page 177, Deed Records Hidalgo County, Texas.

**LOCATION MAP**



Prepared by:  
**Spoor Engineering Consultants, Inc.**  
FIRM # F-6003  
Consulting Engineers - Civil Land Planning  
**202 South 4th Street**  
**McALLEN, TEXAS 78501**  
TEL. (956) 683-1000 FAX (956) 683-1002  
spooreng@sbcglobal.net

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE "ZINNIA CROSSING" SUBDIVISION TO THE CITY OF McALLEN, TEXAS, 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, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE), WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

NANK MANAGEMENT, LLC, a Texas Limited Liability Company  
Its General Partner

BY: Harinder K. Jain, Managing Member  
108 Bluebird Ave.  
McAllen, Texas 78504

STATE OF TEXAS:  
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Harinder K. Jain, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

NOTARY PUBLIC \_\_\_\_\_ DATE \_\_\_\_\_

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 THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 5242 IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOW THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF McALLEN, TEXAS.

PABLO (PALL) PENA II \_\_\_\_\_ DATE \_\_\_\_\_  
REGISTERED PROFESSIONAL LAND SURVEYOR  
1001 WHITEWING AVE.  
McALLEN, TEXAS 78501  
TEPLS FIRM # 1008720

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.

REGISTERED PROFESSIONAL ENGINEER  
P. E. REGISTRATION No. 56752

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.

MAYOR, CITY OF McALLEN \_\_\_\_\_ DATE \_\_\_\_\_

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: RAUL E. SESIN, P.E., C.E.M. \_\_\_\_\_ DATE \_\_\_\_\_  
GENERAL MANAGER

**RECEIVED**  
By Nikki Marie Cavazos at 10:16 am, Apr 28, 2016



Reviewed On: 5/11/2016

<b>SUBDIVISION NAME: ZINNIA CROSSING</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
N. 10th Street: 10 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by the state	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
<b>ALLEYS</b>	
*Service drive easement required for commercial properties; to be reviewed as part of the site plan.	Applied
<b>SETBACKS</b>	
* Front: N. 10th Street - 60 ft. or greater for approved site plan or easements	Non-compliance
* Others: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Sides:	NA
* Corner:	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 5 ft. wide sidewalk required on N. 10th Street.	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along:	NA
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	Compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA

<p>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.</p>	<p>NA</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>NA</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p>
<p><b>LOT REQUIREMENTS</b></p>	
<p>* Lots fronting public streets:</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area:</p>	<p>Compliance</p>
<p><b>ZONING/CUP</b></p>	
<p>* Existing: C-3 Proposed: commercial</p>	<p>Compliance</p>
<p>* Rezoning Needed Before Final Approval</p>	<p>NA</p>
<p><b>PARKS</b></p>	
<p>* Land dedication in lieu of fee:</p>	<p>NA</p>
<p>* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.</p>	<p>NA</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p><b>TRAFFIC</b></p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>Non-compliance</p>
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>TBD</p>
<p><b>COMMENTS</b></p>	
<p>Comments:</p>	<p>NA</p>
<p><b>RECOMMENDATION</b></p>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY &amp; DRAINAGE APPROVALS.</p>	<p>Applied</p>





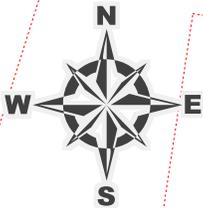
City of McAllen  
 Planning Department  
**APPLICATION FOR  
 SUBDIVISION PLAT REVIEW**

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

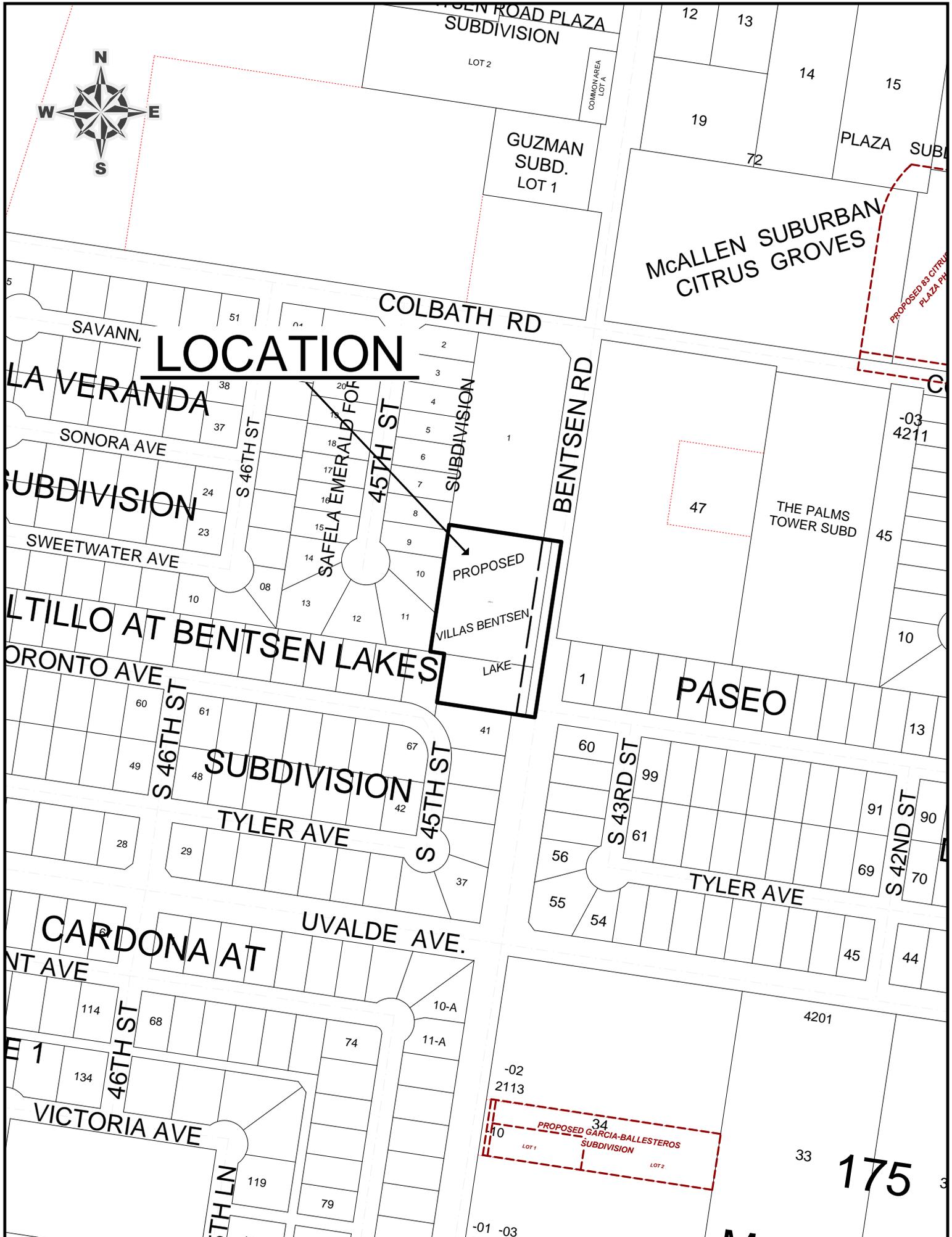
<b>Project Description</b>	Subdivision Name <u>VILJAS BENTSEN LAKE</u> Location <u>WEST SIDE OF S. BENTSEN RD. 453 FEET SOUTH OF COLBATH AVE</u> City Address or Block Number _____ Number of lots <u>1</u> Gross acres <u>2.0</u> Net acres <u>1.65</u> Existing Zoning <u>R3A</u> Proposed <u>R3A</u> Rezoning Applied For <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date _____ Existing Land Use <u>VAC.</u> Proposed Land Use <u>Apartment</u> Irrigation District # <u>UNITED IRR. DISTRICT</u> Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>0</u> Legal Description <u>A 2.00 ACRE TRACT OF LAND OUT OF LOT 168, JOHN A. SHANK SUBDIVISION, HIDALGO COUNTY, TEXAS</u>
<b>Owner</b>	Name <u>Francisco de la Fuente</u> Phone <u>956-607-3305</u> Address <u>1001 S 10th st G #222</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u> E-mail <u>francisco70@me.com</u>
<b>Developer</b>	Name <u>Francisco de la Fuente</u> Phone <u>956-607-3305</u> Address <u>1001 S. 10th st G #222</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u> Contact Person <u>Francisco</u> E-mail <u>francisco 70 @ me.com</u>
<b>Engineer</b>	Name <u>GUICERMO "Willie" ARRATA</u> Phone <u>784-0218</u> Address <u>526 D. 5th St.</u> City <u>Donna</u> State <u>Tx</u> Zip <u>78537</u> Contact Person <u>Willie</u> E-mail <u>gmainengineering@yahoo.com</u>
<b>Surveyor</b>	Name <u>REYNARDO ROBLES</u> Phone <u>968-2422</u> Address <u>107 W. HUISACHE</u> City <u>WESLACO</u> State <u>Tx</u> Zip <u>78596</u> E-mail _____

RECEIVED  
 APR 29 2016

BY: DC 3:29pm



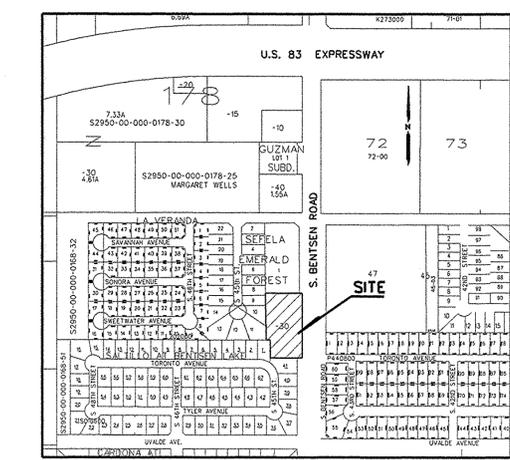
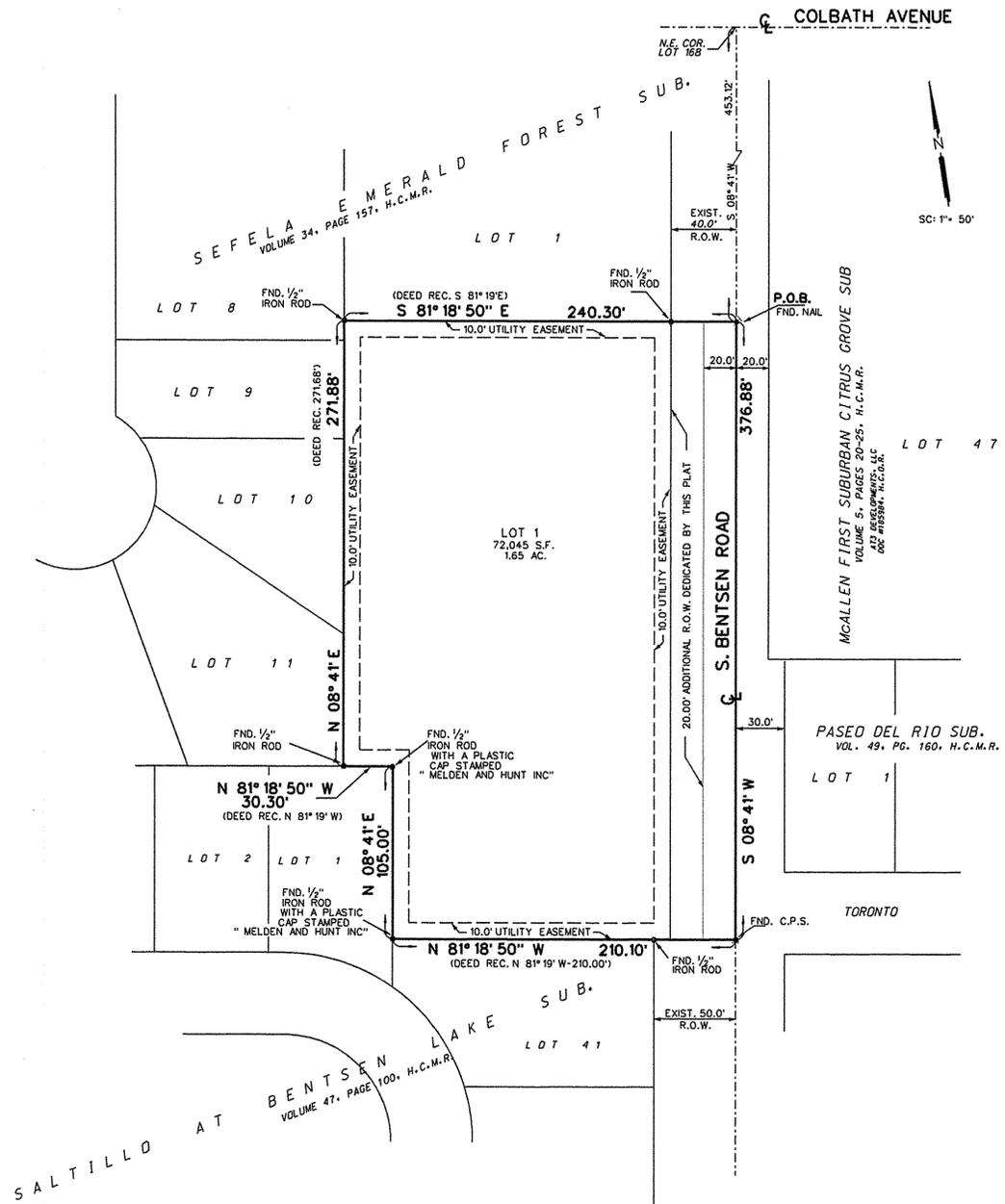
# LOCATION



PROPOSED  
VILLAS BENTSEN  
LAKE

PROPOSED GARCIA-BALLESTEROS  
SUBDIVISION

175



# VILLAS BENTSEN LAKE

A 2.00 ACRE TRACT OF LAND OUT OF LOT 168, JOHN H. SHARY SUBDIVISION, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS.

STATE OF TEXAS  
COUNTY OF HIDALGO

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

### METES AND BOUNDS

A 2.00 ACRE TRACT OF LAND OUT OF LOT 168, JOHN H. SHARY SUBDIVISION, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A NAIL FOUND ON THE EAST LINE OF SAID LOT 168 FOR THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED, SAID NAIL ALSO BEING LOCATED ON THE CENTERLINE OF S. BENTSEN ROAD AND BEARS S 08° 41' W, 453.12' FROM THE NORTHEAST CORNER OF LOT 168:

THENCE S 08° 18' 50" W, ALONG THE EAST LINE OF LOT 168 AND THE CENTERLINE OF S. BENTSEN ROAD, A DISTANCE OF 376.88' TO A COTTON PICKER SPINDLE FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT:

THENCE N 81° 18' 50" W, WITH THE NORTH LINE OF LOT 41 OF SALTILLO AT BENTSEN LAKE SUBDIVISION AS PER MAP RECORDED IN VOLUME 47, PAGE 100, MAP RECORDS, HIDALGO COUNTY, TEXAS, AT A DISTANCE OF 20.00' PASS THE WEST R.O.W. LINE OF S. BENTSEN ROAD, AT A DISTANCE OF 50.00' PASS A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF LOT 41 AND CONTINUING FOR A TOTAL DISTANCE OF 210.10' (DEED N 81° 19' W - 210.00') TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "MELDEN & HUNT INC" FOUND FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED:

THENCE N 08° 41' E, 105.00', WITH THE EAST LINE OF LOT 1 OF SAID SALTILLO AT BENTSEN LAKE SUBDIVISION TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "MELDEN & HUNT INC" FOUND FOR AN INNER CORNER HEREOF AND THE NORTHEAST CORNER OF SAID LOT 1:

THENCE N 81° 18' 50" W (DEED N 81° 19' W), 30.30' WITH THE NORTH LINE OF SAID LOT 1, SALTILLO AT BENTSEN LAKE SUBDIVISION TO A 1/2" IRON ROD FOUND FOR THE MOST WESTERLY SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED:

THENCE N 08° 41' E, 271.88' (DEED 271.68'), WITH AN EASTERLY LINE OF SEFELA EMERALD FOREST SUBDIVISION AS PER MAP RECORDED IN VOLUME 34, PAGE 157 OF THE HIDALGO COUNTY MAP RECORDS TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED:

THENCE S 81° 18' 50" E, (DEED S 81° 19' E) WITH THE SOUTH LINE OF LOT 1, SEFELA EMERALD FOREST SUBDIVISION, AT A DISTANCE OF 240.30' PASS A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 1 AND CONTINUING FOR A TOTAL DISTANCE OF 240.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.00 ACRES OF LAND MORE OR LESS.

### GENERAL NOTES:

- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:  
FRONT: 40.0' OR GREATER FOR EASEMENTS  
REAR: 10.0' FOR EXISTING EASEMENT  
INTERIOR SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS  
GARAGE: 18 FT, EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SET BACK APPLIES
- NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT.
- MINIMUM FINISH FLOOR ELEVATION TO BE 18" ABOVE TOP OF CURB AT CENTER OF THE LOT.
- FLOOD ZONE "B1" - AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE(1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.  
COMMUNITY-PANEL No. 480334 0400 C  
MAP REVISED: NOVEMBER 16, 1982
- ALL LOT CORNERS MARKED WITH No. 4 REBAR UNLESS OTHERWISE NOTED.
- BENCH MARK ELEV. = 107.00, MC 80
- DRAINAGE DETENTION REQUIRED FOR THIS PROPERTY IS 0.01 AC-FT
- SWPPP WILL BE REQUIRED AT THE TIME OF CONSTRUCTION.
- 4 FT WIDE MINIMUM SIDEWALK REQUIRED ON ON THE WEST SIDE OF S. BENTSEN ROAD
- 6.0 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES  
A 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED TO ISSUANCE OF A BUILDING PERMIT.
- SITE PLAN MUST BE APPROVED BY THE PLANNING & ZONING COMMISSION PRIOR TO ISSUANCE OF BUILDING PERMIT.
- LOT 1 WILL BE FOR MULTI-FAMILY USE.

FRANCISCO DE LA FUENTE \_\_\_\_\_ DATE \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED FRANCISCO DE LA FUENTE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC, FOR THE STATE OF TEXAS

### APPROVED BY DRAINAGE DISTRICT:

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

HIDALGO COUNTY DRAINAGE DISTRICT No. 1

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

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.

CHARMAN, PLANNING COMMISSION

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.

MAYOR, CITY OF MCALLEN

STATE OF TEXAS  
COUNTY OF HIDALGO

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

REYNALDO ROBLES \_\_\_\_\_ DATE \_\_\_\_\_  
REG. PROFESSIONAL LAND SURVEYOR # 4032  
P.O. BOX 476  
107 W. HUISACHE ST.  
WESLACO, TEXAS, 78596  
PH. 956-968-2422

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, GUILLERMO A. ARRATIA, A LICENSED PROFESSIONAL ENGINEER, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

GUILLERMO A. ARRATIA \_\_\_\_\_ DATE \_\_\_\_\_  
LICENSED PROFESSIONAL ENGINEER No. 94001  
526 N. 5TH ST.  
DONNA, TEXAS, 78537



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

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

RECEIVED  
By Nikki Marie Cavazos at 3:53 pm, Apr 29, 2016

DATE OF PREPARATION: APRIL 2016

**NAIN ENGINEERING, L.L.C.**  
CONSULTING ENGINEER

526 N. 5TH STREET FIRM NO. F-9050 PH. (956) 784-0218  
DONNA, TEXAS, 78537 E-MAIL: NAINENGINEERING@YAHOO.COM



Reviewed On: 5/12/2016

<b>SUBDIVISION NAME: VILLAS BENTSEN LAKE</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
S. Bentsen Road: 20 ft. ROW dedication required for 40 ft. from centerline for 80 ft. ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to plat recording.	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
<b>SETBACKS</b>	
* Front: S. Bentsen Road - 40 ft. or greater for easements *Project engineer, on behalf of the developer has submitted a request to reduce the setback to 10 ft.; however, staff is not ready to present the request since additional information is being requested.	Non-compliance
* Rear: in accordance with the Zoning Ordinance, or greater for easements	Non-compliance
* Sides: in accordance with the Zoning Ordinance, or greater for easements	Compliance
* Corner:	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies	Compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on S. Bentsen Road.	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along:	NA
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA

<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	<p>NA</p>
<p>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.</p>	<p>NA</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>NA</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p>
<p><b>LOT REQUIREMENTS</b></p>	
<p>* Lots fronting public streets:</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area:</p>	<p>Compliance</p>
<p><b>ZONING/CUP</b></p>	
<p>* Existing: R-3A Proposed: apartments</p>	<p>Compliance</p>
<p>* Rezoning Needed Before Final Approval</p>	<p>NA</p>
<p><b>PARKS</b></p>	
<p>* Land dedication in lieu of fee:</p>	<p>NA</p>
<p>* Park Fee of \$19,600 based on 28 dwelling units at \$700 each is required to be paid prior to recording.</p>	<p>Applied</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p><b>TRAFFIC</b></p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>Non-compliance</p>
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>TBD</p>
<p><b>COMMENTS</b></p>	
<p>Comments:</p>	<p>NA</p>
<p><b>RECOMMENDATION</b></p>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY &amp; DRAINAGE APPROVALS.</p>	<p>Applied</p>

**NAIN ENGINEERING, L.L.C.**  
CONSULTING ENGINEER  
526 N. 5<sup>TH</sup> STREET, DONNA, TEXAS. 78537 PH. (956) 784-0218  
FIRM NO. F-9050

May 10, 2016

To: Kim Guajardo  
City of McAllen

Re: **VILLAS BENTSEN LAKE**

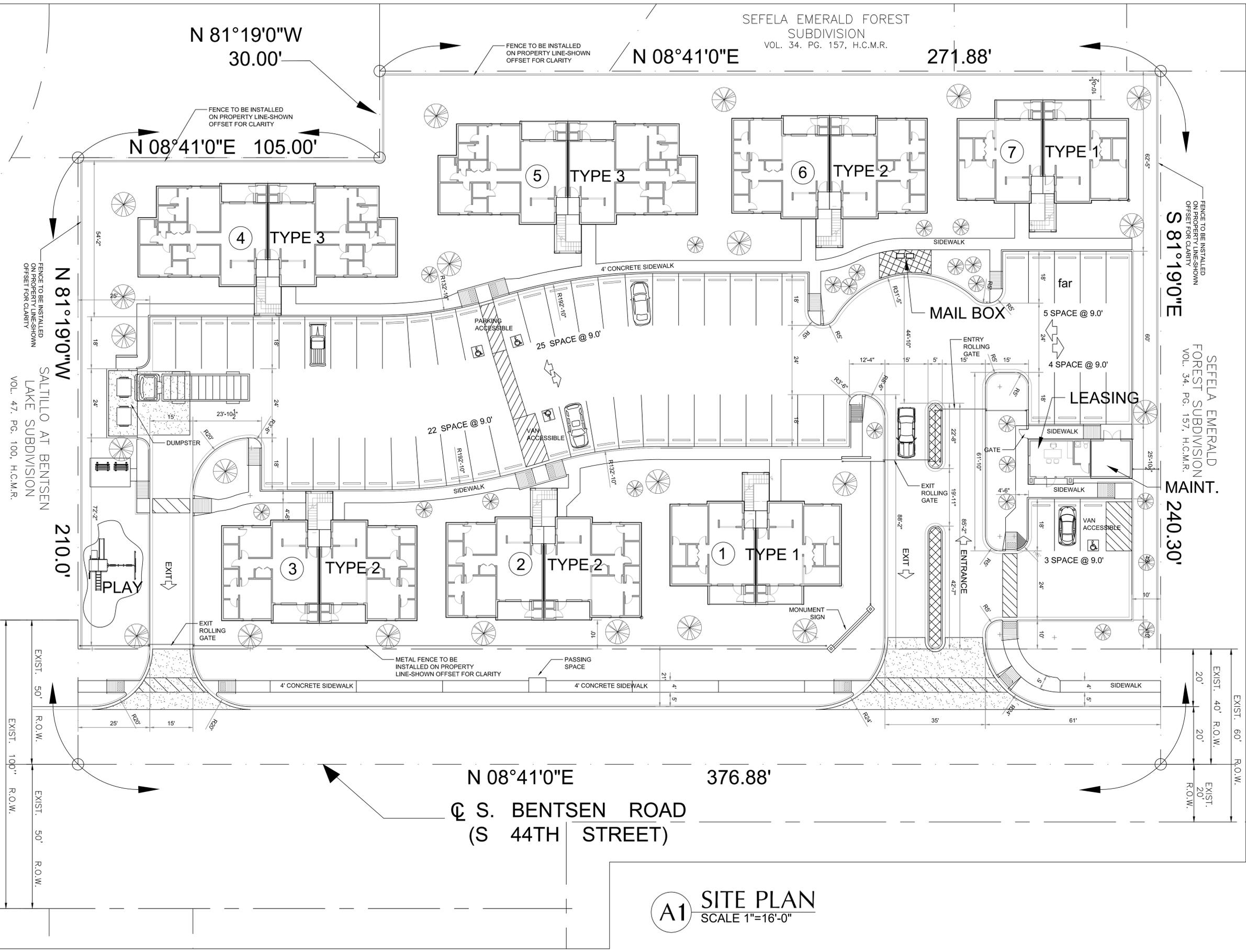
Kim,

We want to request a Variance to the front and rear set back, to use 10.00 feet , in order to accommodate the proposed Apartment Units as shown on the attached layout. The front of the apartment along S. Bentsen Road will be from the interior parking lot.

  
Guillermo A. Arratia, P.E.

**RECEIVED**

By Nikki Marie Cavazos at 8:16 am, May 11, 2016



**A1 SITE PLAN**  
SCALE 1"=16'-0"

**PROJECT INFORMATION**

BLDG. TYPE	A UNIT 820.61 SQ. FT.	B UNIT 1,020.79 SQ. FT.	C UNIT 1,279.00 SQ. FT.	BLDG FOOTPRINT TOTAL SQ. FT.	BLDG TOTAL SQ. FT.	TOTAL NUMBER OF BUILDINGS	TOTAL SQ. FT. FOR BUILDING TYPE
TYPE 1	4			2,031.38	4,062.76	2	8,125.52
TYPE 2		4		2,425.18	4,850.36	3	14,551.08
TYPE 3			4	2,941.50	5,883.00	2	11,766.00
<b>TOTAL</b>	<b>8</b>	<b>12</b>	<b>8</b>			<b>7</b>	<b>34,442.60</b>

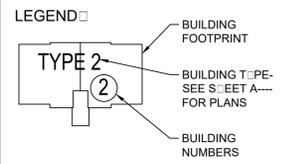
  

OTHER BUILDINGS			
LEASING/MAINTENANCE BUILDING	500.00	1	500.00
Leasing office	304.00		
Maintenance	196.00		
<b>TOTAL NUMBER OF BUILDINGS / GROSS SQ. FT.</b>		<b>8</b>	<b>34,942.60</b>

SPACE PARKING REQUIRED  
 8 UNITS ONE BEDROOM 8 @ 1.5 = 12  
 20 UNITS 2 & 3 BEDROOM 20 @ 2 = 40  
**TOTAL = 52**

TOTAL PARKING PROVIDED: 59

PARKING REQUIRED  3  
 PARKING PROVIDED  4  
 VAN ACCESSIBLE SPACE PROVIDED: 2



- NOTES**
- ALL GROUND FLOOR UNITS, LEASING OFFICE AND AMENITIES TO BE LOCATED ON A CONTINUOUS ACCESSIBLE ROUTE. RE. SHEET A FOR ACCESSIBLE DETAILS
  - SHOULD CONFLICTS EXIST BETWEEN CIVIL DRAWINGS AND ARCHITECTURAL DRAWINGS, CIVIL DRAWINGS SHALL GOVERN FOR PLACEMENT OF BUILDING, ROADWAYS, AND PARKING
  - RE. CIVIL DRAWINGS FOR UTILITY TIE-IN LOCATIONS.

General Notes

No.	Revision	Date
001	Permit	4/11/16

Firm Name and Address

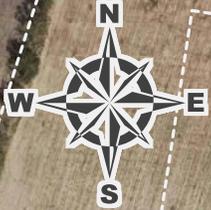
**VILLAS LAKE BENTSEN**  
 S. BENTSEN ROAD  
 (S. 44TH STREET)  
 McALLEN TX

PROJECT ARCHITECTURAL SITE PLAN

Sheet **A001**

Date 4/11/2016

Scale 1"=16'-0"



# LOCATION



PROPOSED  
VILLAS BENTSEN  
LAKE

PROPOSED GARCIA-BALLESTEROS  
SUBDIVISION

175



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

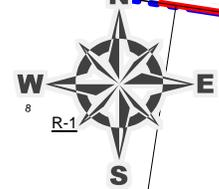
1300 Houston Avenue  
 McAllen, TX 78501  
 P. O. Box 220  
 McAllen, TX 78505-0220  
 (956) 681-1250  
 (956) 681-1279 (fax)

<b>Project Description</b>	Subdivision Name <u>Spanish Oaks at Frontera</u> Location <u>N. 10th St. - 1300' (+/-) North of Wisconsin Rd.</u> City Address or Block Number <u>8400 N. 10th St.</u> Number of lots <u>53</u> Gross acres <u>18.865</u> Net acres <u>17.733</u> Existing Zoning <u>R1/C3</u> Proposed <u>R1/C3</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date <u>4/14/2016</u> Existing Land Use <u>vacant</u> Proposed Land Use <u>single family commercial</u> Irrigation District # <u>3</u> Residential Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Estimated Rollback tax due <u>[City: \$184,137.35]</u> <u>\$1,038,767.03 ACAD</u> Legal Description <u>18.865 acres out of Lot 2, Block 3, Hidalgo Canal Co. Subdivision</u>
<b>Owner</b>	Name <u>Niko Iluminacion de Mexico</u> Phone <u>(956) 630-9401 (David Ewers)</u> Address <u>612 Nolana, Suite 220</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> E-mail _____
<b>Developer</b>	Name <u>Verturo Interests, LLC</u> Phone <u>(956) 213-2844</u> Address <u>P.O. Box 610</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78505</u> Contact Person <u>Joseph W. Holand</u> E-mail <u>jwholand@verturointerests.com</u>
<b>Engineer</b>	Name <u>Melden &amp; Hunt Inc</u> Phone <u>(956) 381-0981</u> Address <u>115 W. Mc Intyre St.</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u> Contact Person <u>Fred L. Kurth, P.E., R.P.L.S.</u> E-mail <u>fkurth@meldenandhunt.com</u>
<b>Surveyor</b>	Name <u>Melden &amp; Hunt, Inc.</u> Phone <u>(956) 381-0981</u> Address <u>115 W. Mc Intyre St.</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78541</u> E-mail <u>fkurth@meldenandhunt.com</u>

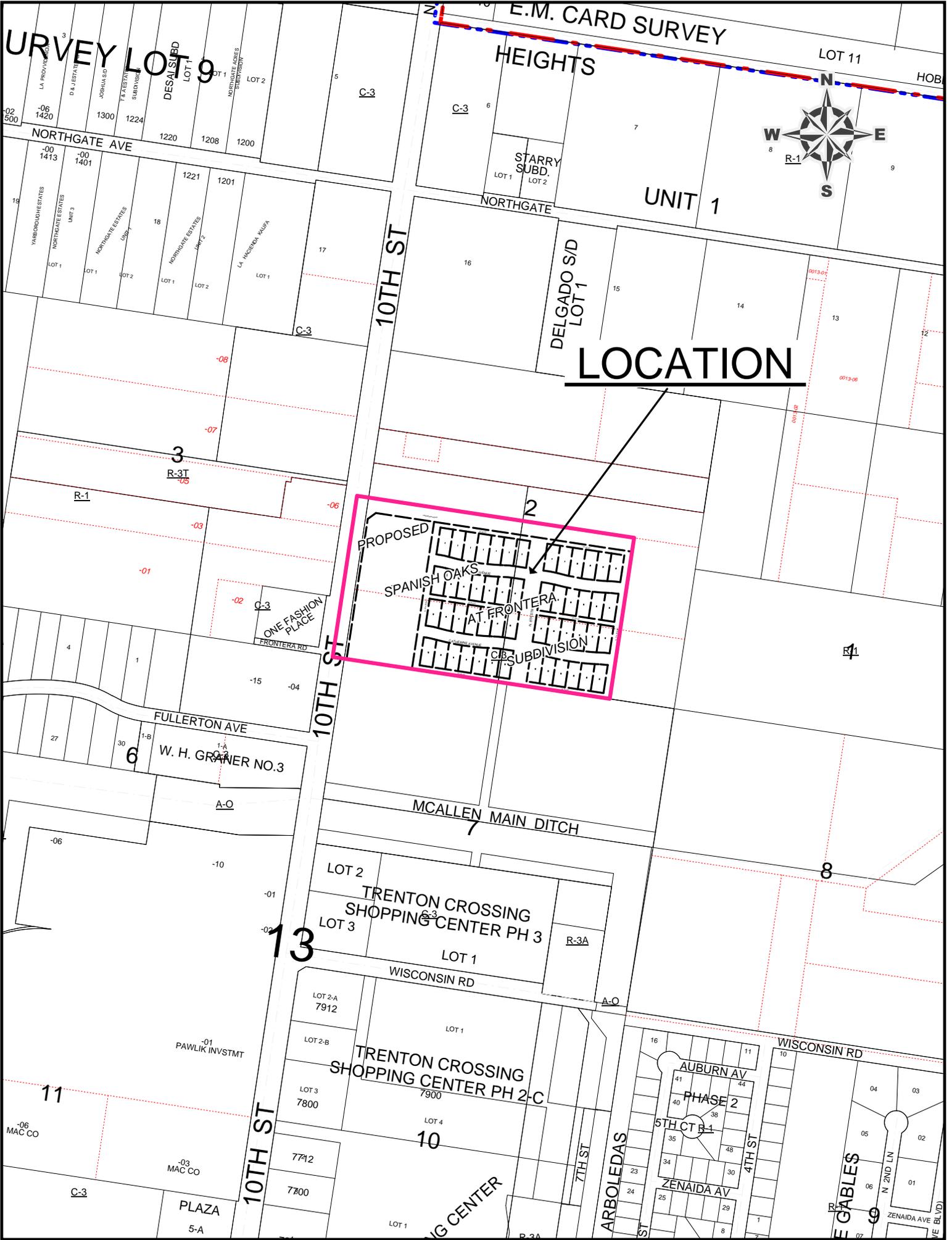
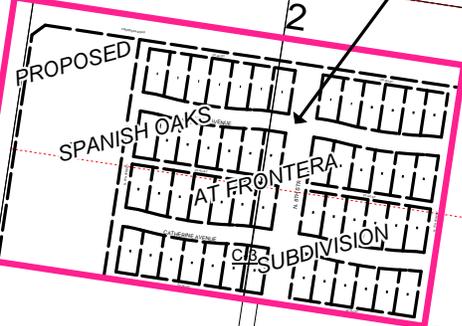
**RECEIVED**  
 APR 29 2016  
 BY: OC 2:35pm

# SURVEY LOT 9

# E.M. CARD SURVEY HEIGHTS



# LOCATION





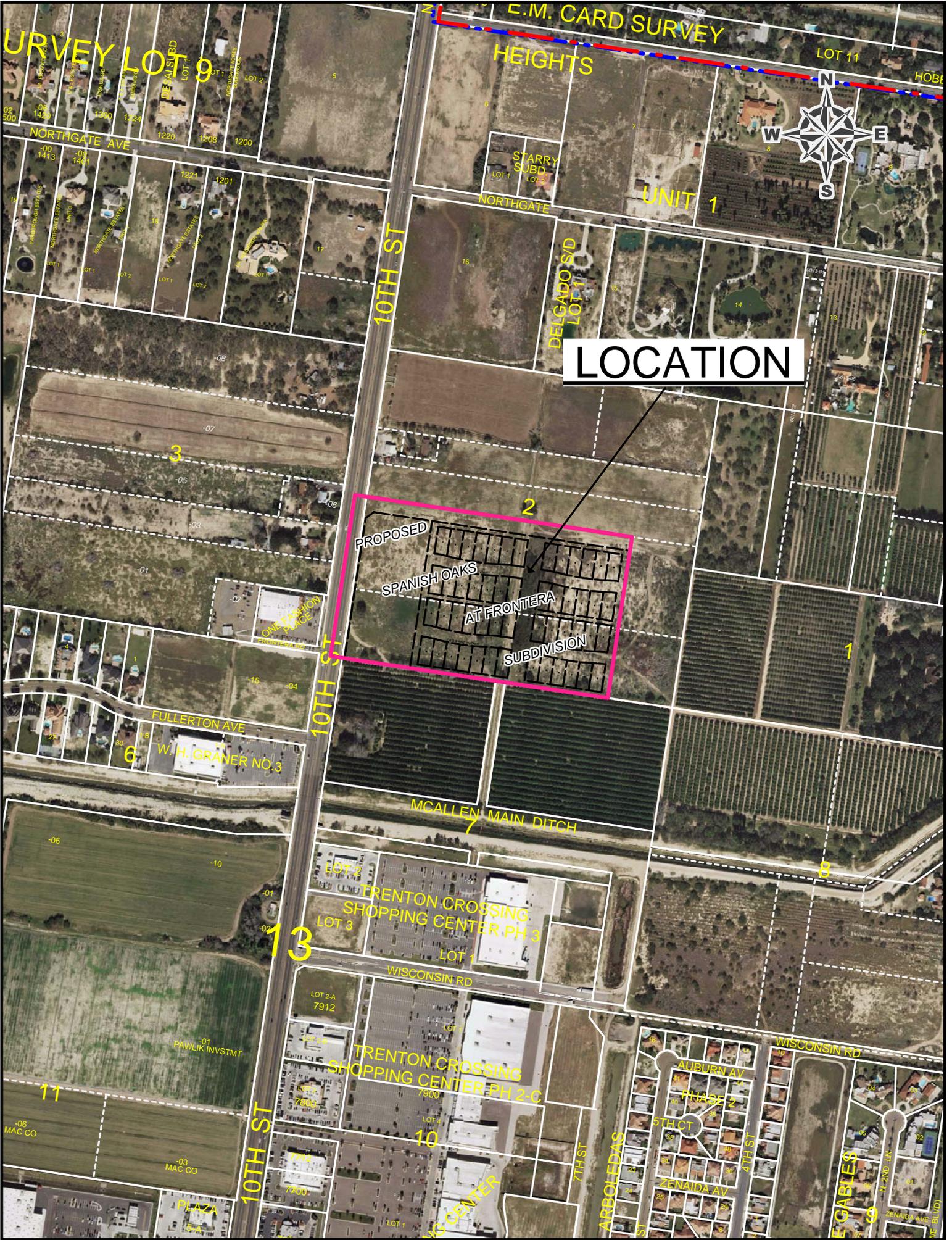


Reviewed On: 5/13/2016

<b>SUBDIVISION NAME: SPANISH OAKS AT FRONTERA</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
<p>N. 10th Street: 10 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb &amp; gutter: by the state</p> <p>Frontera Road: 60 ft. ROW Paving: 40 ft. Curb &amp; gutter: both sides *Alignment of Frontera Road under review.</p> <p>N. 8th Street: 74 ft. ROW proposed Paving: approx. 48 ft. Curb &amp; gutter: both sides *Project engineer to clarify if residential streets are proposed as private. If so, streets must comply with and be built according to city standards.</p> <p>N. 7th Street: 30 ft. ROW proposed Paving: 24 ft. proposed Curb &amp; gutter: both sides</p> <p>N. 9th Street: 30 ft. ROW proposed Paving: 24 ft. proposed Curb &amp; gutter: both sides</p> <p>* 800 ft. Block Length:</p> <p>* 600 ft. Maximum Cul-de-Sac:</p>	Compliance
	Applied
	Applied
	Non-compliance
	Non-compliance
	Compliance
NA	
<b>ALLEYS</b>	
<p>ROW: 20 ft. Paving: 16 ft. *Alleys provided within the residential portion of the subdivision. **Fence easement needed along Frontera Road since alley is parallel to the street. ***Alley/service drive easement required for commercial properties</p>	Non-compliance
<b>SETBACKS</b>	
<p>* Front: 25 ft. or greater for easements for Lots 1-52 N. 10th Street: 60 ft. or greater for approved site plan or easements for Lot 53</p> <p>* Rear: in accordance with the Zoning Ordinance, or greater for easements (Lots 1-52) Lot 53: in accordance with the Zoning Ordinance, or greater for approved site plan or easements</p> <p>* Interior Sides: in accordance with the Zoning Ordinance, or greater for easements (Lots 1-52) Lot 53 - in accordance with the Zoning Ordinance, or greater for approved site plan or easements</p> <p>* Corner: 10 ft. or greater for easements for Lots for the residential lots Lot 53 - 30 ft. or greater for approved site plan or easements along Frontera Road.</p> <p>* Garage: 18 ft. except where greater setback is required; greater setback applies for Lots 1-52</p> <p>*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS FOR LOTS 1-52 **ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN FOR LOT 53</p>	Non-compliance
	Non-compliance
	Non-compliance
	Non-compliance
	Compliance
	Applied

<b>SIDEWALKS</b>	
<ul style="list-style-type: none"> <li>* 4 ft. wide minimum sidewalk required on Frontera Road, and on both sides of all interior streets.</li> <li>* 5 ft. wide sidewalk required on N. 10th Street; verify with Engineering Department.</li> <li>* Perimeter sidewalks must be built or money escrowed if not built at this time.</li> </ul>	Non-compliance
	Applied
<b>BUFFERS</b>	
<ul style="list-style-type: none"> <li>* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses and along Frontera Road.</li> <li>* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.</li> <li>*Perimeter buffers must be built at time of Subdivision Improvements.</li> </ul>	Compliance
	Compliance
	Applied
<b>NOTES</b>	
<ul style="list-style-type: none"> <li>* No curb cut, access, or lot frontage permitted along:</li> <li>* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance for Lot 53.</li> <li>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</li> <li>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.</li> <li>* 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.</li> <li>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</li> </ul>	NA
	Non-compliance
	NA
	TBD
	TBD
	TBD
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets: Project engineer to clarify if residential streets are proposed as private.</li> <li>* Minimum lot width and lot area:</li> </ul>	Applied
	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: C-3 &amp; R-1 Proposed: C-3 &amp; R-1</li> <li>*Rezoning from C-3 to R-1 for the residential portion of the subdivision needed prior to final.</li> <li>* Rezoning Needed Before Final Approval</li> </ul>	Non-compliance
	Applied
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee:</li> <li>* Park Fee of \$36,400 based on 52 dwelling units at \$700 each is required to be paid prior to recording.</li> <li>* Pending review by the Parkland Dedication Advisory Board and CC.</li> </ul>	NA
	Applied
	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* Trip Generation to determine if TIA is required, prior to final plat.</li> </ul>	Complete

<p>* Traffic Impact Analysis (TIA) required prior to final plat.  *Per Traffic, a Level 1 TIA is required.</p>	Non-compliance
<b>COMMENTS</b>	
<p>Comments: *Streets names to comply with city assigned street names.  **If private, secondary access is required based on Section 134-67(c) of the Subdivision Ordinance if subdivision is proposed to be gated with 30 or more dwelling units.  ***Fence easement needed between the alley and Frontera Road ROWs.  ****The location of Frontera Road connection to N. 10th Street is under staff review.</p>	Applied
<b>RECOMMENDATION</b>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY &amp; DRAINAGE APPROVALS.</p>	Applied



URVEY LOT 9

E.M. CARD SURVEY  
HEIGHTS

LOT 11

HOBE



STARRY  
SUBD  
LOT 1  
LOT 2

UNIT 1

NORTHGATE

NORTHGATE AVE

10TH ST

DELGADO S/D  
LOT 1

LOCATION

PROPOSED  
SPANISH OAKS  
AT FRONTERA  
SUBDIVISION

FULLERTON AVE

W. H. GRÄNER NO. 3

MCALLEN MAIN DITCH

TRENTON CROSSING  
SHOPPING CENTER PH 3  
LOT 3  
LOT 1

WISCONSIN RD

TRENTON CROSSING  
SHOPPING CENTER PH 2-C  
LOT 1  
LOT 2

WISCONSIN RD

W CENTER

AUBURN AV

PHASE 2

5TH CT

ZENAIDA AV

4TH ST

EGABLES

ZENAIDA AVE  
N RAND EX  
US BLVD

10TH ST

7TH ST

ARBOLEDAS  
ST

4TH ST

EGABLES

1200 1224 1201 1226 1508 1200

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MAC CO

PLAZA

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City of McAllen  
Planning Department

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

APPLICATION FOR  
SUBDIVISION PLAT REVIEW

Project Description

Subdivision Name PLAZA 4200 SUBD.  
 Location 4200 W. PECAN (S.W. COR. PECAN & N. 42ND ST.)  
 City Address or Block Number 4200 W. PECAN  
 Number of lots 5 Gross acres 2.827 Net acres 2.827  
 Existing Zoning C-3 Proposed C-3 Rezoning Applied For Yes  No  Date \_\_\_\_\_  
 Existing Land Use VACANT Proposed Land Use COMMERCIAL  
 Residential Replat Yes  No  Commercial Replat Yes  No  ETJ Yes  No   
 Agricultural Tax Exemption Yes  No  Estimated Rollback tax due NA. O. 85  
 Legal Description All of lots 70-82, COPPERFIELD ESTATES SUBD.

Owner

Name INMOBILIARIA DEL VALLE, LLC Phone \_\_\_\_\_  
 Address 706-G SAN ANGELO CIR  
 City MISSION State TX Zip 78572  
 E-mail N.A.

Developer

Name Same as Owner ↑ Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Contact Person \_\_\_\_\_  
 E-mail \_\_\_\_\_

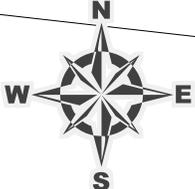
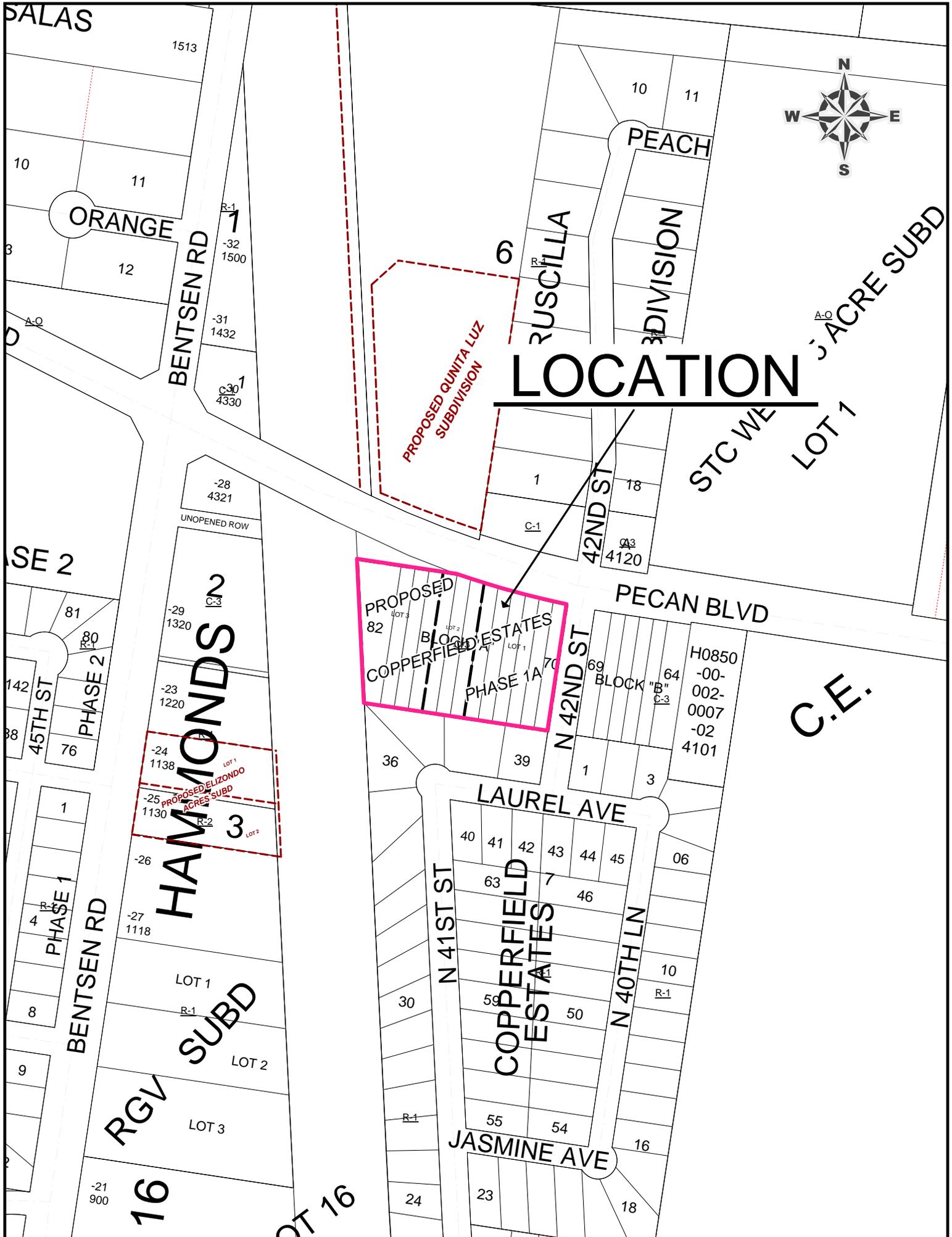
Engineer

Name B.I.G. Engineering Phone 956-687-3355  
 Address 6316 N. 10th Street, Bldg. "A", Suite 102  
 City McAllen State TX Zip 78504  
 Contact Person Rene Barrera, P. E.  
 E-mail rene@big-engineering.com

Surveyor

Name LEO L. RODRIGUEZ, RPLS Phone 956-491-1013  
 Address P.O. Box 1830  
 City EDINBURG State TX Zip 78009  
 E-mail N.A.

RC# 354,427  
 RECEIVED  
 FEB 12 2016  
 BY: P. O. Gram  
 SUB 2014-0013



# LOCATION

PROPOSED QUINTA LUZ  
SUBDIVISION

PROPOSED  
COPPERFIELD ESTATES  
BLOCK 1  
PHASE 1A

PROPOSED ELIZONDO  
ACRES SUBD

## HAMMONDS

## RGV SUBD

## COPPERFIELD ESTATES

## C.E.

SALAS  
1513  
ORANGE  
BENTSEN RD  
1500  
1432  
4330

SE 2  
45TH ST  
PHASE 2  
76

PHASE 1  
BENTSEN RD  
LOT 1  
LOT 2  
LOT 3  
16  
900

10 11  
PEACH  
RUSCILLA  
DIVISION  
6  
42ND ST  
4120

5 ACRE SUBD  
STC WELLS  
LOT 1

PECAN BLVD

N 42ND ST  
BLOCK "B"  
C-3  
H0850  
-00-  
002-  
0007  
-02  
4101

LAUREL AVE  
N 41ST ST  
N 40TH LN  
JASMINE AVE  
16  
18

# PLAT OF COPPERFIELD ESTATES PHASE 1A

McALLEN, TEXAS

A 2.827 ACRE TRACT BEING A RESUBDIVISION OF ALL OF LOTS 70-82, COPPERFIELD ESTATES, VOLUME 37, PAGE 127, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

STATE OF TEXAS  
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS COPPERFIELD ESTATES PHASE 1A SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSE THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

INMOBILIARIA DEL VALLE, LLC  
706-G SAN ANGEL CIRCLE  
MISSION, TEXAS 78572  
BY: \_\_\_\_\_, MANAGING MEMBER

STATE OF TEXAS  
COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR HIDALGO COUNTY, TEXAS  
EXPIRATION DATE: \_\_\_\_\_

STATE OF TEXAS  
CITY OF McALLEN

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

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF TEXAS  
CITY OF McALLEN

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

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HIDALGO

I, LEO LOZANO RODRIGUEZ JR., R.P.L.S., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN AND THAT ALL CORNERS HAVE BEEN LOCATED AS INDICATED.

LEO LOZANO RODRIGUEZ JR., R.P.L.S.  
REG. PROFESSIONAL LAND SURVEYOR #2448  
P.O. BOX 1830  
EDINBURG, TEXAS 78540  
FIRM NO. \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HIDALGO

I, RENE BARRERA, P.E., A LICENSED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, LICENSE NUMBER TX. 86862, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

*RENE BARRERA*  
For Review Only  
2/8/16  
RENE BARRERA, P.E.  
LICENSED PROFESSIONAL ENGINEER No. 86862

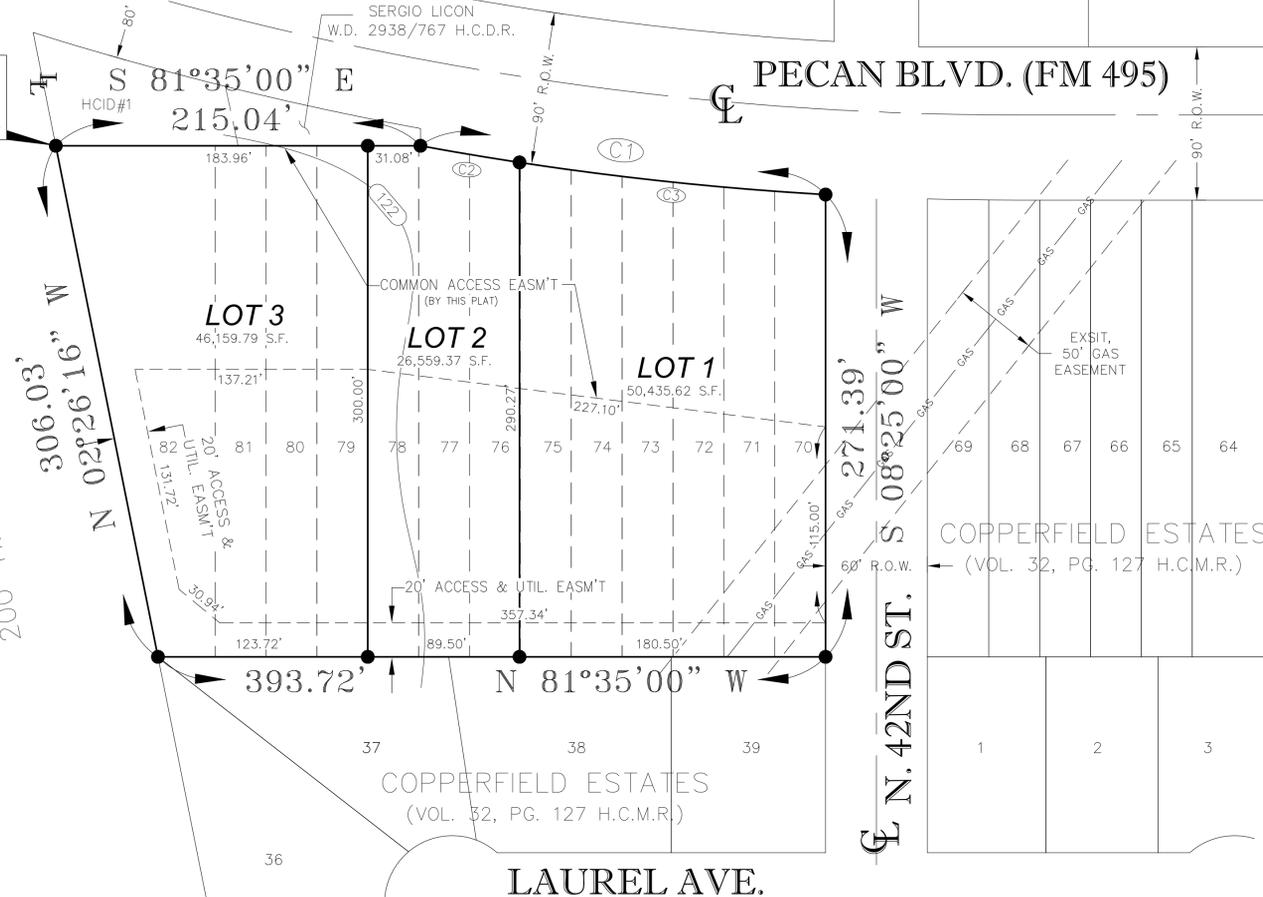


PRINCIPAL CONTACTS:		FIRM REG. NO. 6435	
NAME	ADDRESS	CITY & ZIP	PHONE
OWNER: INMOBILIARIA DEL VALLE	706-G SAN ANGEL CIR.	MISSION, TX. 78572	
ENGINEER: RENE BARRERA, P.E.	6316 N. 10TH ST.	McALLEN, TX. 78501	956-687-3355
SURVYOR: LEO RODRIGUEZ	P.O. BOX 1830	EDINBURG, TX. 78540	956-491-1013

DRUSCILLA SUBD.  
(VOL. 19, PG. 132 H.C.M.R.)

P.O.B.  
N.W. COR., LOT 82  
COPPERFIELD EST. SUBD.

200' H.C.D.D. #1 R.O.W.

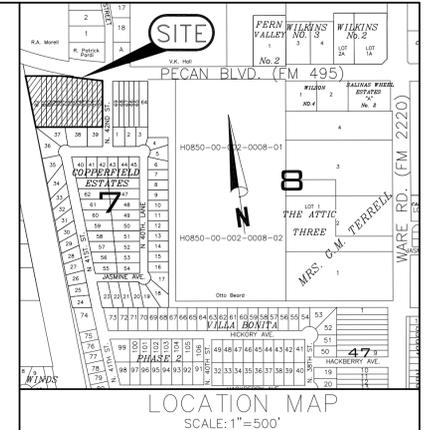


CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	BEARING
C1	1959.88'	240.77'	7°2'22"	120.55'	240.64'	S 74°44'44" E
C2	1959.88'	59.24'	1°43'55"	29.62'	59.24'	S 80°30'31" E
C3	1959.88'	181.55'	5°18'27"	90.84'	181.48'	S 84°01'42" E

GENERAL PLAT NOTES:

- MINIMUM SETBACK LINES:  
FRONT (PECAN BLVD.) ..... 140.0' OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS  
REAR ..... 49.0' OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS  
SIDE, ALONG 42ND STREET ..... 10.0 FEET  
OTHERS: IN ACCORDANCE WITH ZONING ORDINANCE OR GRATER FOR SITE PLAN OR EASEMENTS  
\*\*\*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN
- FLOOD ZONED DESIGNATION: ZONE "C"  
COMMUNITY PANEL NO. 480343 0005 C  
MAP REVISED: NOVEMBER 2, 1982
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AS MEASURED AT FRONT AND CENTER OF LOT.
- IN ACCORDANCE WITH THE COUNTY DRAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY REQUIREMENTS, THIS DEVELOPMENT WILL BE REQUIRED TO DETAIN A TOTAL OF XXXX AC-FT OF STORM RUNOFF. (XXXX PER LOT)
- UNLESS OTHERWISE NOTED ON THIS PLAT, THE LOTS ARE MONUMENTED BY 1/2 INCH WIDE BY 18" LONG IRON RODS.
- BENCHMARK: COTTON PICKER SPINDLE @ POWER POLE LOCATED APPROXIMATELY 170 FEET EAST OF THE NORTHEAST CORNER OF THIS SUBDIVISION. ELEV.= 123.27
- SITE PLAN MUST BE APPROVED BY PLANNING AND ZONING COMMISSION PRIOR TO ISSUANCE OF BUILDING PERMITS.
- AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
- 4-FOOT WIDE MINIMUM SIDEWALK IS REQUIRED ON N. 42ND STREET AND ALONG PECAN BLVD. (FM 495).
- A 6-FOOT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL, AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.
- AN 8-FOOT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- ADDITIONAL FIRE HYDRANTS MAY BE REQUIRED AT BUILDING PERMIT STAGE.

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF PRELIMINARY REVIEW, AND COMMENTS UNDER THE AUTHORITY OF RENE BARRERA, P.E. 86862 ON 2/8/16. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, AND/OR PERMIT PURPOSES.



SCALE: 1" = 50'  
BEARING BASIS AS PER  
COPPERFIELD ESTATES SUBD.

LEGEND

- - FD. 1/2" IRON ROD
- - SET 1/2" IRON ROD
- ▲ - FD. CPS

COPPERFIELD ESTATES PHASE 1A SUBDIVISION IS LOCATED WITHIN CITY LIMITS OF McALLEN, TEXAS, IN CENTRAL HIDALGO COUNTY AND IS FURTHER LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF 42ND STREET AND PECAN BLVD (FM 495)  
DATE OF PREPARATION: 12/4/2015  
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM No: 6435

METES AND BOUNDS DESCRIPTION

A 2.827 ACRE TRACT BEING ALL OF LOTS 70-82, COPPERFIELD ESTATES, VOLUME 37, PAGE 127, MAP RECORDS OF HIDALGO COUNTY, TEXAS (ORIGINALLY OUT OF LOT 7, BLOCK 2, C.E. HAMMOND'S SUBDIVISION, VOL. 1, PG. 8, MAP RECORDS OF HIDALGO COUNTY). SAID 2.827 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 7, BLOCK 2, C.E. HAMMOND'S SUBDIVISION, ALSO BEING THE NORTHWEST CORNER OF LOT 82, COPPERFIELD ESTATES SUBDIVISION, FOR THE PLACE OF BEGINNING.

THENCE, S 81°35'00" E, COINCIDENT WITH THE NORTH LINE OF SAID LOT 7, ALSO ALONG THE NORTH LINE OF LOTS 78-82, COPPERFIELD ESTATES, A DISTANCE OF 215.00 FEET TO AN OUTER CORNER AND LYING ON THE SOUTH R.O.W. LINE OF PECAN BLVD. (FM 495)

THENCE, ALONG THE SOUTH R.O.W. LINE OF SAID PECAN BLVD. (FM 495), IN A SOUTHERLY DIRECTION THROUGH THE ARC OR A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 07°2'22", A RADIUS OF 1959.88', AND A CHORD OF S 74°44'44" E 240.64' FEET, A DISTANCE OF 240.77 TO THE NORTHEAST CORNER OF LOT 70, COPPERFIELD ESTATES FOR THE NORTHEAST CORNER THIS TRACT OF LAND.

THENCE, S 08°25'00" W, PARALLEL TO THE EAST LINE OF SAID LOT 7 AND COINCIDENT WITH THE EAST LINE OF LOT 70, COPPERFIELD ESTATES, A DISTANCE OF 271.39 FEET TO THE SOUTHWEST CORNER OF SAID LOT 70, FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE, N 81°35'00" W, PARALLEL TO THE SOUTH LINE OF SAID LOT 7, ALONG THE SOUTH LINE OF LOTS 70-82, COPPERFIELD ESTATES, A DISTANCE OF 393.72 FEET TO THE SOUTHWEST CORNER OF LOT 82, COPPERFIELD ESTATES, FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

THENCE, N 02°26'16" W, COINCIDENT WITH THE WEST LINE OF SAID LOT 7, HAMMOND'S SUBDIVISION AND THE WEST LINE OF SAID LOT 82, COPPERFIELD ESTATES, A DISTANCE OF 306.03 FEET TO THE NORTHWEST CORNER OF THIS TRACT OF LAND ALSO BEING THE PLACE OF BEGINNING, CONTAINING 2.827 ACRES OF LAND, MORE OR LESS.

HIDALGO COUNTY IRRIGATION DISTRICT No. 1

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT No. 1 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D. No. 1 RIGHT OF WAY OR EASEMENTS WITH THE EXPRESSED WRITTEN PERMISSION OF THE H.C.I.D. No. 1.

PRESIDENT \_\_\_\_\_ SECRETARY \_\_\_\_\_

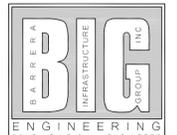
HIDALGO COUNTY DRAINAGE DISTRICT No. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE SECTION 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE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

HIDALGO COUNTY DRAINAGE DISTRICT No. 1

BY: \_\_\_\_\_ DATE: \_\_\_\_\_



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



ON: \_\_\_\_\_ AT \_\_\_\_\_ AM/PM  
INSTRUMENT NUMBER \_\_\_\_\_  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: \_\_\_\_\_ DEPUTY

6316 N. 10TH ST.  
McALLEN, TX 78504  
956-687-3355, FAX: 956-992-8801

RECEIVED  
By Nikki Marie Cavazos at 3:25 pm, Mar 22, 2016  
RECEIVED VIA EMAIL ON 3/22/2016 AT 3:12 PM



Reviewed On: 5/12/2016

<b>SUBDIVISION NAME: COPPERFIELD ESTATES PHASE 1A</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
Pecan Blvd. (FM 495): 50 ft. ROW existing for 100 ft. ROW Paving: by the state Curb & gutter: by the state *Project engineer, on behalf of the developer is requesting a variance to not require the additional ROW along Pecan Blvd. The City Commission granted variance to not require the additional 10 ft. ROW dedication for 120 ft. ROW on Pecan Blvd. at their meeting of April 25, 2016.	Compliance
N. 42nd Street: 60 ft. ROW existing Paving: 40 ft. Curb & gutter: both sides	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
<b>ALLEYS</b>	
* 20 ft. access and utility easement existing	Compliance
<b>SETBACKS</b>	
* Front: 140 ft.	Applied
* Rear: 49 ft.	Applied
* Sides: as per city ordinance, except 20 ft. for the west side of Lot 3	Applied
* Corner: N. 42nd Street - 10 ft.	Compliance
* Garage: 18 ft. except where greater setback is required; greater setback applies	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on Pecan Blvd. and N. 42nd Street.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	NA
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along:	NA

<p>* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance to include setbacks, parking, landscaping, access, etc. Areas pertaining to said site plan to be maintained by the owners for the benefit of all the lots.</p>	<p>Applied</p>
<p>* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.</p>	<p>Applied</p>
<p>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen</p>	<p>NA</p>
<p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p>	<p>NA</p>
<p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p>
<p><b>LOT REQUIREMENTS</b></p>	
<p>* Lots fronting public streets:</p>	<p>Compliance</p>
<p>* Minimum lot width and lot area:</p>	<p>Compliance</p>
<p><b>ZONING/CUP</b></p>	
<p>* Existing: C-3 Proposed: C-3</p>	<p>Compliance</p>
<p>* Rezoning Needed Before Final Approval</p>	<p>NA</p>
<p><b>PARKS</b></p>	
<p>* Land dedication in lieu of fee:</p>	<p>NA</p>
<p>* Park Fee of \$700 per dwelling unit is required to be paid prior to recording</p>	<p>NA</p>
<p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p>
<p><b>TRAFFIC</b></p>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p>	<p>Compliance</p>
<p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>NA</p>
<p><b>COMMENTS</b></p>	
<p>Comments: *Preliminary replat approved by the Planning and Zoning Commission on March 1, 2016. **Revised Preliminary plat approved by the Planning and Zoning Commission on April 25, 2016. ***Existing plat notes remain the same for the resubdivision.</p>	<p>Applied</p>
<p><b>RECOMMENDATION</b></p>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE RESUBDIVISION IN FINAL FORM SUBJECT TO DRAINAGE APPROVAL.</p>	<p>Applied</p>



# LOCATION



PROPOSED  
COPPERFIELD ESTATES  
PHASE 1A

PROPOSED CUNTA LUZ  
SUBDIVISION

PROPOSED ELIZONDO  
ACRES SUBD

HAMMONDS 2

RGLV SUBD

COPPERFIELD  
ESTATES

PEACH  
DIVISION

RUSCILLA

STC WELLS 1/2 ACRE SUBD

PECAN BLVD

LAUREL AVE

JASMINE AVE

C.E.I.

BENTSEN RD

42ND ST

N 42ND ST

N 41ST ST

N 40TH LN

SE 2

45TH ST

BENTSEN RD

16

LOT 16

STC WELLS

LOT 7

LOT 1

LOT 2

LOT 3

24

23

18

36

39

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**Memo**

**TO:** Planning & Zoning Commission

**FROM:** Planning Staff

**DATE:** May 02, 2016

**SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT TO R-3C (MULTIFAMILY RESIDENTIAL CONDOMINIUM) DISTRICT: 6.44 ACRES OUT OF LOT 6, BLOCK 15, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 901 EAST YUMA AVENUE. (REZ2016-0013)**

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**GOAL:** Zoning regulations must be adopted in accordance with *Foresight McAllen* and designed to 1) lessen congestion, 2) secure safety from fire and other dangers, 3) promote health and general welfare, 4) provide adequate light and air, 5) prevent overcrowding of land 6) avoid undue concentration of population, 7) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 8) protect and preserve places and areas of historical, cultural or architectural importance or significance. L.G.C. Section 211.004.

**LOCATION:** The property is located on the north side of Yuma Avenue approximately 560 feet east of South McColl Road. The tract has 882 feet of frontage along Yuma Avenue and a depth of 636.07 feet at its deepest point for a tract size of 6.44 acres.

**PROPOSAL:** The applicant is requesting R-3C (duplex-fourplex residential) District in order to construct condominiums. A feasibility plan has not been submitted to the Planning Department.

**ADJACENT ZONING:** Adjacent zoning is R-1 (single family residential) District to the east and south and R-3A (multifamily residential apartments) District to the north.

**LAND USE:** The tract comprises one lot that is vacant with paved streets and utilities that were constructed from a previously proposed subdivision under the name of Orange Heights but was never completed or recorded. Surrounding land uses are La Estancia Apartments, Hearthstone Apartments, single family residences, and vacant land.

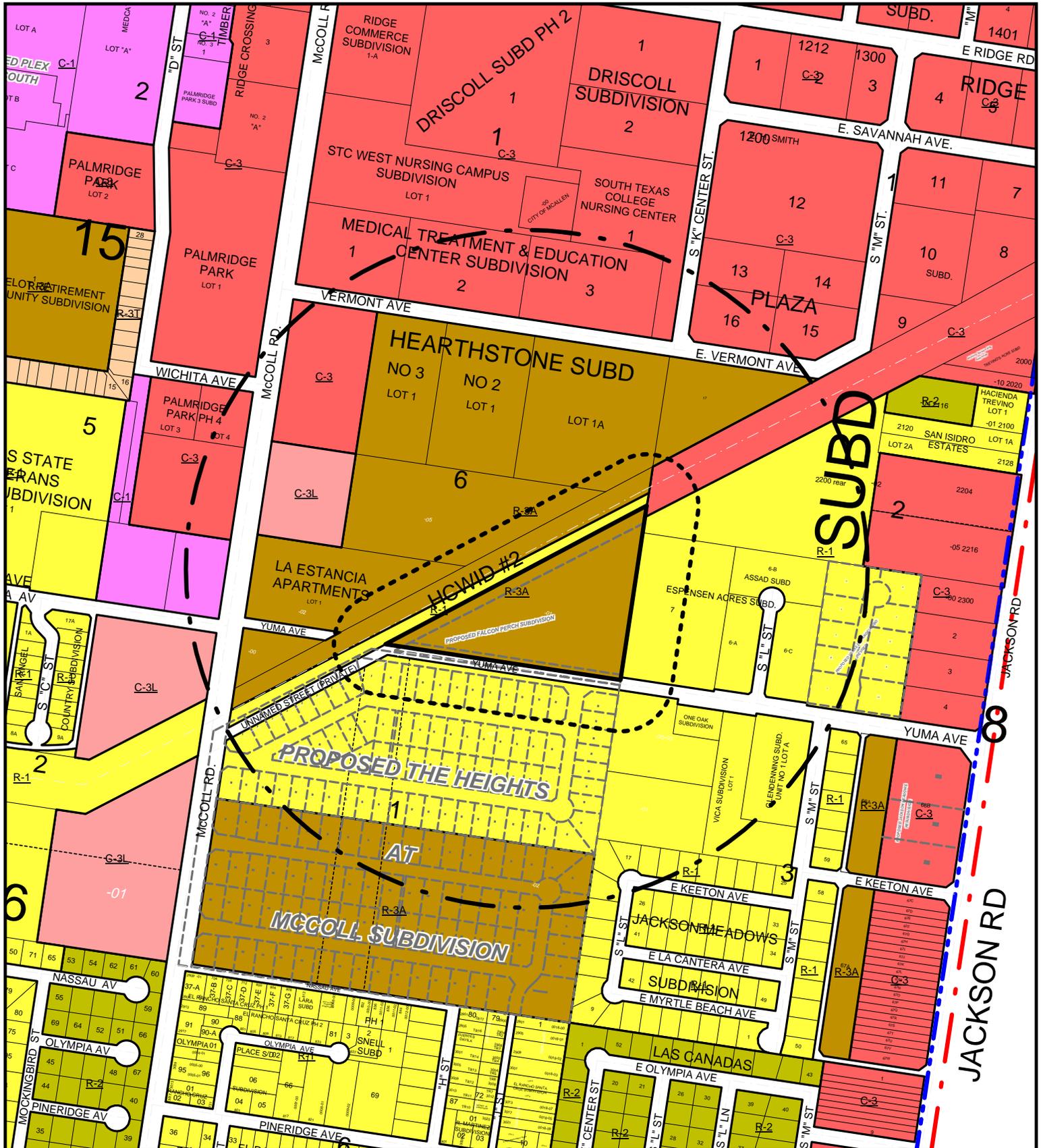
**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use as Urban Multifamily.

**DEVELOPMENT TRENDS:** The development trend in the area is single family along Yuma Avenue and multifamily along McColl Road. A rezoning request for the subject property for R-3T (multifamily residential townhouse) District was approved in July 2005 but the plat was never recorded. A rezoning request for the subject property to R-3A (multifamily residential apartments) District was approved on November 9, 2015. The property to the south was

approved for R-1 (single family residential) District in December 2015 and is vacant. A subdivision named The Heights at McColl Subdivision to the south across Yuma Avenue proposed to be a single family and multifamily development containing 150 lots received Planning and Zoning Commission approval in final form on February 16, 2016. Seven R-1 (single family residential) District requests were approved along Yuma Avenue to the east between 1980 and 2006 and single family residences were constructed.

**ANALYSIS:** The requested zoning conforms to the Urban Multifamily land use designation as indicated on the Foresight McAllen Comprehensive Plan. The maximum number of units permitted on the subject property based upon the tract size ranges from 280 1-bedroom units to 224 2-bedroom units, and 187 3-bedroom units. The number of vehicle trips generated by low-rise apartments was 6.59 vehicle trips per day or a total of 1,845 to 1,232 per day depending on the units. The number of condominium units likely to be constructed would be limited based upon parking and landscaping requirements. The proposed development is compatible with apartments constructed to the north. Yuma Avenue is designated as a major collector with 80 feet of right-of-way and is currently 40 feet of right-of-way with 2 lanes of paved roadway. A paved private road connects Yuma Avenue to McColl Road. A recorded subdivision plat and an approved site plan are required prior to issuance of any building permits.

**RECOMMENDATION:** Staff recommends approval of the rezoning request.



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: 1" = 500'

**AREA MAP**

SUBJECT PROPERTY	200 FT. NOTIFICATION BOUNDARY	1/4 MILE RADIUS	
<b>ZONING LEGEND</b>			
A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)
R-2 (DUPLIX-FOURPLEX)	R-31 (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)
			I-1 (LIGHT INDUSTRIAL)
			I-2 (HEAVY INDUSTRIAL)
			(SPECIAL DISTRICT)

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



**CITY OF McALLEN**  
 PLANNING DEPARTMENT

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

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY



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**CCOLA**

**Memo**

**TO:** Planning & Zoning Commission

**FROM:** Planning Staff

**DATE:** May 17, 2016

**SUBJECT: REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT TO R-3C (MULTIFAMILY RESIDENTIAL CONDOMINIUM) DISTRICT: ALL UNITS 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 6A, 6B, 7A, 7B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, LAKES CONDOMINIUM ASSOCIATION OF OWNERS SITUATED OUT OF BLOCK 3, LAKES BUSINESS PARK PHASE 2, HIDALGO COUNTY, TEXAS; 901 EAST REDBUD AVENUE. (REZ2016-0014)**

---

**GOAL:** Zoning regulations must be adopted in accordance with *Foresight McAllen* and designed to 1) lessen congestion, 2) secure safety from fire and other dangers, 3) promote health and general welfare, 4) provide adequate light and air, 5) prevent overcrowding of land 6) avoid undue concentration of population, 7) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 8) protect and preserve places and areas of historical, cultural or architectural importance or significance. L.G.C. Section 211.004.

**LOCATION:** The subject property is located on the north side of East Redbud Avenue approximately 270 feet east of North McColl Road. The irregularly shaped tract has a 212.5 feet of frontage along East Redbud Avenue and a depth of 341 feet at its deepest point for a tract size of 4.038 acres.

**PROPOSAL:** The applicant is requesting R-3C (multifamily residential condominium) District in order to construct condominiums. A site plan application was submitted to the Planning Department for condominiums on April 27, 2016.

**ADJACENT ZONING:** Adjacent zoning is R-3A (multifamily residential apartments) District to the north and east, C-1 (office building) District to the south, and C-3 (general business) District to the north and west.

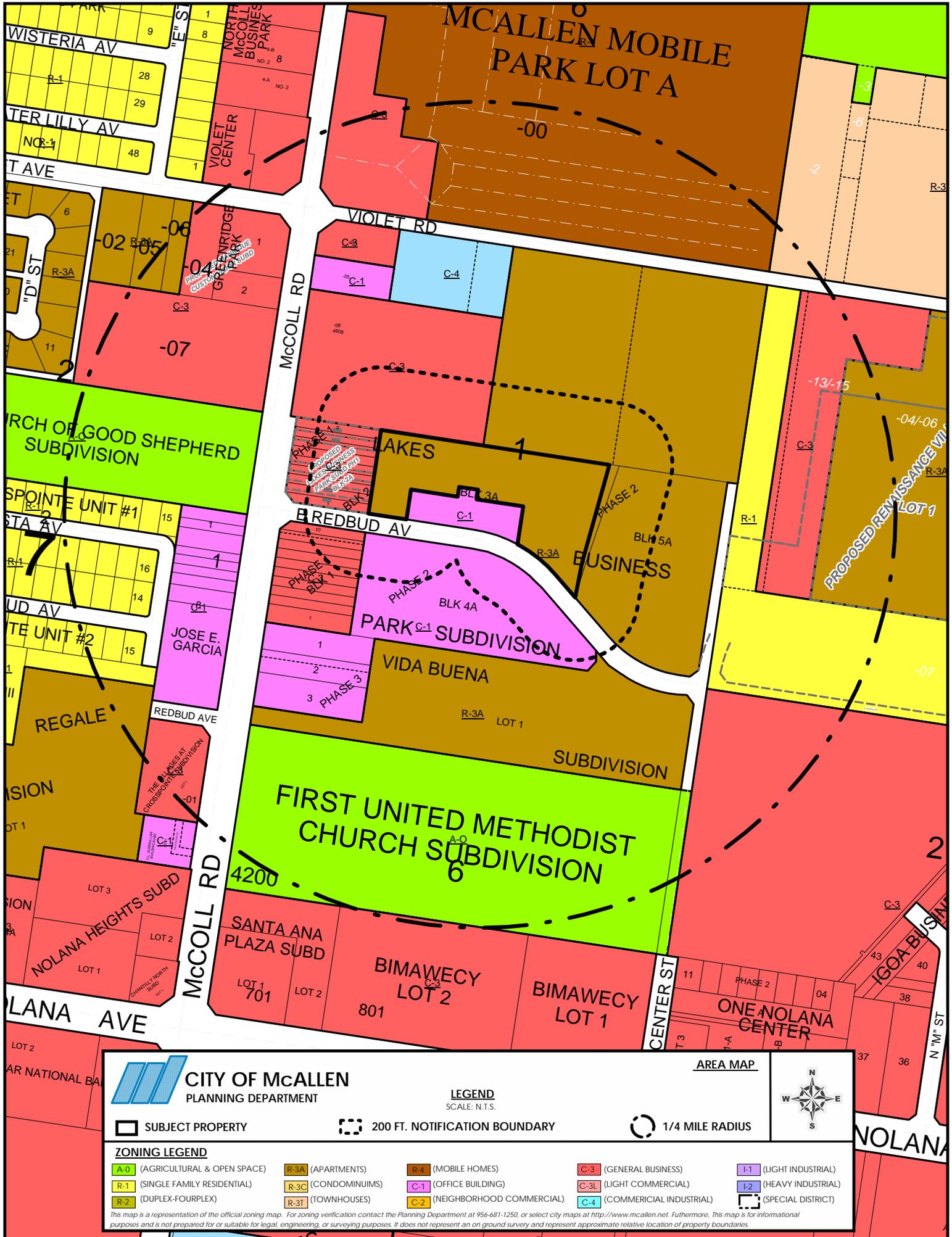
**LAND USE:** The property currently has paved parking lots and vacant condominium building sites. Surrounding land uses are Palm Valley Health Care II, Primos DME Inc., Lifetime Living, Inc., Redbud Place Apartments, and vacant land.

**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use as Auto Urban Commercial.

**DEVELOPMENT TRENDS:** The development trend adjacent to the property is multifamily apartments along Redbud Avenue. The property was zoned to C-1 (office building) District in 1999 and rezoned to R-3A (multifamily residential apartments) District in 2015. The property to the east was rezoned to R-3A (multifamily residential apartments) District in 2002. Properties to the southeast of the subject property were rezoned to R-3A (multifamily residential apartments) District in between 2003 and 2012.

**ANALYSIS:** The requested zoning does not conform to the Auto Urban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan however the existing zoning is multifamily. The number of condominiums units likely to be constructed would be based upon parking and landscaping requirements. The applicant is currently proposing 48 two bedroom units. The number of vehicle trips generated by low-rise condominium was 6.59 vehicle trips per day or a total of 1081 to 725 per day depending on the units. A site plan was submitted to the Planning Department on April 26, 2016 and is pending site plan review. An approved site plan is required prior to issuance of any building permit.

**RECOMMENDATION:** Staff recommends approval of the rezoning request.





**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

**AREA MAP**



 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

 **1/4 MILE RADIUS**

**ZONING LEGEND**

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

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FIR  
CI

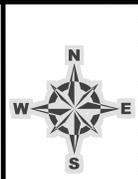


**CITY OF McALLEN**  
PLANNING DEPARTMENT

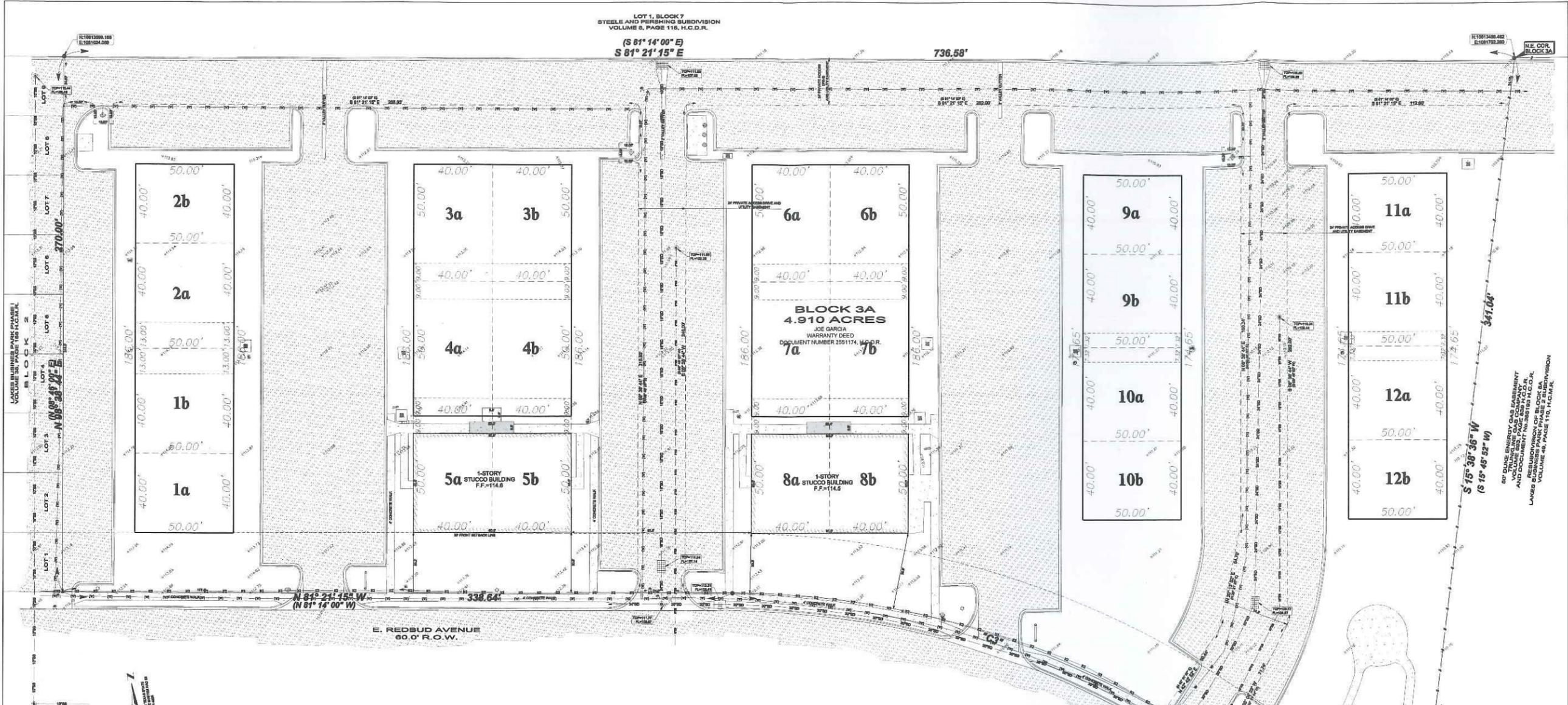
**AERIAL MAP**  
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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NOTES:  
 1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL & SIGNATURE OF SURVEYOR.  
 2. SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT WHICH MAY SHOW ADDITIONAL EASEMENTS AFFECTING THIS TRACT. THE SURVEYOR IS ADVISING THE RECIPIENT OF THIS PLAT THAT ADDITIONAL EASEMENTS MAY AFFECT THIS TRACT.  
 3. ELEVATION DATUM PER NAVD 88 (GEOID 2003)  
 4. ROAD & SIDE SETBACKS NOT SHOWN ON RECORDED MAP OF BLOCKS 3A, 4A, AND 5A LAKES BUSINESS PARK PHASE 2 SUBDIVISION RECORDED IN VOLUME 41, PAGE 107, H.C.M.R. SETBACKS AS PER CITY OF McALLEN ORDINANCE.  
 5. A 10 FOOT EASEMENT UPON THE LOCATION OF THE UNDERGROUND AND OVERHEAD PRIMARY ELECTRICAL CABLES AND ASSOCIATED FACILITIES AND/OR A FIVE FOOT EASEMENT FOR ITS SECONDARY UNDERGROUND AND OVERHEAD ELECTRICAL CABLES AND ASSOCIATED FACILITIES TO CENTRAL ENERGY AND LIGHT COMPANY WITHIN THE SOUTH HALF OF LOT 1, BLOCK 7, STEELE AND PERSHING SUBDIVISION AS RECORDED IN VOLUME 8, PAGE 115, H.C.D.R. BEARINGS IN SETBACKS NOT PLOTTABLE. BLOCKS 3A, 4A, AND 5A LAKES BUSINESS PARK PHASE 2 SUBDIVISION RECORDED IN VOLUME 41, PAGE 107, H.C.M.R. IS PART OR PORTION OF LOT 1, BLOCK 7, STEELE AND PERSHING SUBDIVISION.  
 6. NO RECORDED EASEMENTS FOUND FOR ANY EXISTING UTILITIES FOUND OUTSIDE OF RECORDED EASEMENTS SHOWN ON RECORDED MAP OF BLOCKS 3A, 4A, AND 5A LAKES BUSINESS PARK PHASE 2 SUBDIVISION RECORDED IN VOLUME 41, PAGE 107, H.C.M.R.  
 7. NO IRRIGATION EASEMENTS SHOWN FOR SUBJECT TRACT ON RECORDED MAP OF BLOCKS 3A, 4A, AND 5A LAKES BUSINESS PARK PHASE 2 SUBDIVISION RECORDED IN VOLUME 41, PAGE 107, H.C.M.R.  
 8. NO UNDERGROUND EXCAVATIONS WERE DONE DURING THE PROCESS OF THIS SURVEY.



**PLAT SHOWING  
 UNITS 1a, 1b, 2a, 2b, 3a, 3b, 4a, 4b, 6a, 6b,  
 7a, 7b, 9a, 9b, 10a, 10b, 11a, 11b, 12a, 12b  
 OUT OF BLOCK 3A OF  
 BLOCKS 3A, 4A AND 5A  
 LAKES BUSINESS PARK PHASE 2 SUBDIVISION  
 VOLUME 41, PAGE 107 H.C.M.R.  
 CITY OF McALLEN  
 HIDALGO COUNTY, TEXAS**

- LEGEND**
- FOUND NAIL STAKE
  - FOUND COTTON PICKER SPHINDLE
  - SET NAIL BEARING WITH PLASTIC CAP STAMPED MELDEN & HUNT
  - SET SQUARE OUT
  - LIGHT POLE
  - CABLE PEDERSTAL
  - UNDERGROUND CABLE MARKER
  - SIGN
  - HANDCAP SIGN
  - FIRE HYDRANT
  - WATER METER
  - WATER SERVICE
  - WATER VALVE
  - SANITARY SEWER MANHOLE
  - STORM SEWER MANHOLE
  - TYPE "A" INLET
  - GRATE INLET
  - ELECTRIC BOX
  - TRANSFORMER
  - ELECTRICAL PEDERSTAL
  - GUARD POST
  - WOOD FENCE
  - 12" STORM SEWER LINE
  - 24" STORM SEWER LINE
  - 36" STORM SEWER LINE
  - 12" SANITARY SEWER LINE
  - 18" SANITARY SEWER LINE
  - SPOTTED CABLE LINE
  - SPOTTED WATER LINE
  - WATERLINE
  - ASPHALT AREA
  - CONCRETE AREA
  - R.O.W. - RIGHT OF WAY
  - H.C.M.R. - HIDALGO COUNTY MAP RECORDS
  - H.C.D.R. - HIDALGO COUNTY DEED RECORDS
  - N.C.C.R. - NORTHCENTRAL COUNTY RECORDS
  - 1 - RECORDED PLAT CALLS

Curve Table				
Curve #	Delta	Radius	Tangent	Chord Length
"CC"	94° 47' 43"	430.00'	305.29'	158.40'
				286.92'
				N 81° 00' 53" W (N 67° 53' 33" W)

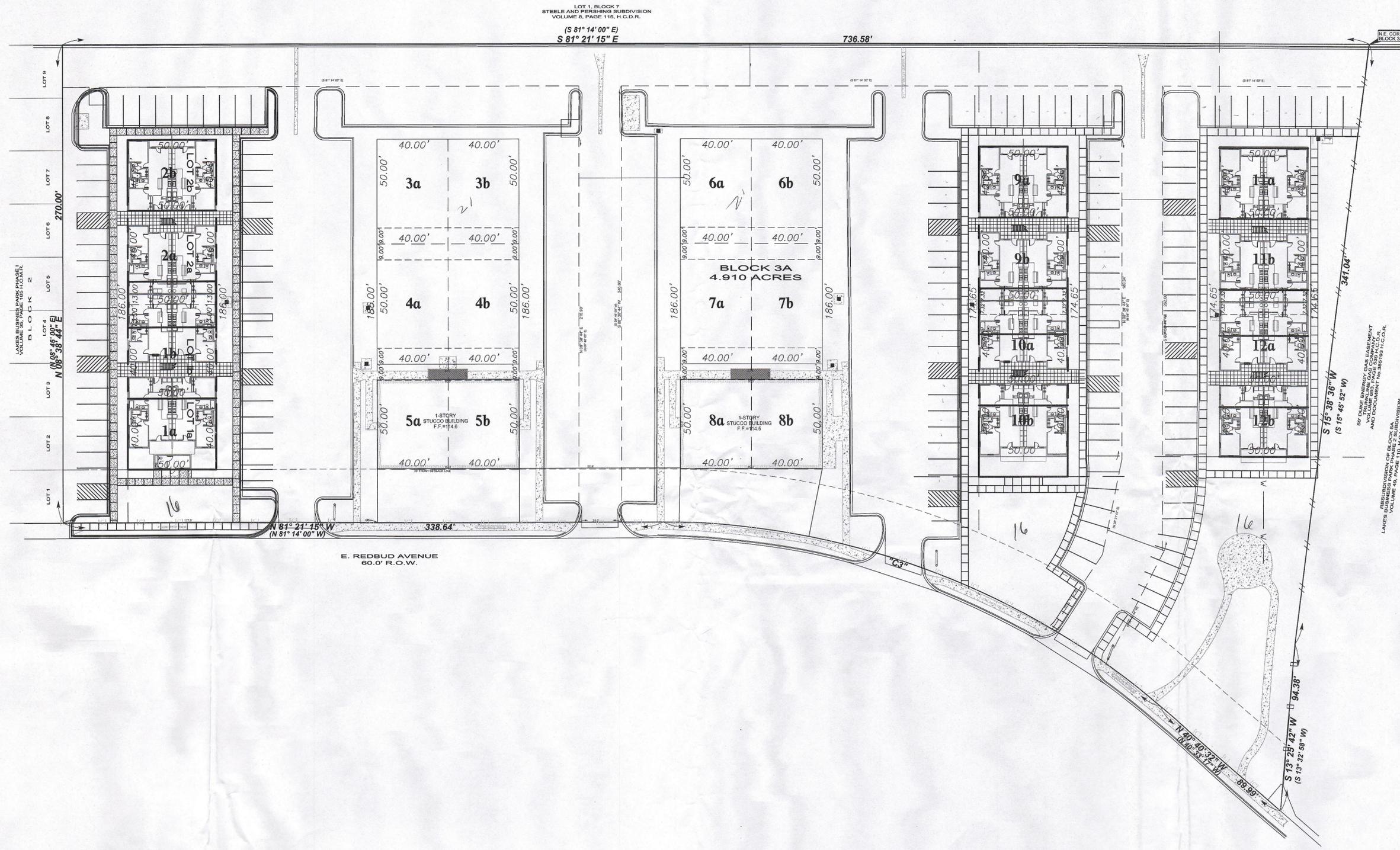
**FLOOD ZONE**  
 ZONE "B"  
 AREAS BETWEEN LINES OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTH OF FLOOD FROM 1.0 TO 3.0 FEET OR MORE OVER SQUARE FEET OF AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.  
 COMPANY PAUL HUBER, 18243 048 C  
 MAP REVISED NOVEMBER 18, 1998

I, FRED L. KURTH, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING PLAT TO BE TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE ON THE GROUND ON 8/24/21 UNDER MY DIRECTION AND SUPERVISION AND WAS NOT INTENDED TO SHOW EASEMENTS.  
 Fred L. Kurth  
 FRED L. KURTH, RPLS No. 4750 DATE: 4-26-16

JOB No. 15057.08  
 DRAWING DATE: 5/14/2015  
 DRAWN BY: J.C.H.  
 FILE NAME: 15057.08  
 1-992, PG. 26-28

REVISION	DATE	BY

**MELDEN & HUNT INC.**  
 CONSULTANTS • ENGINEERS • SURVEYORS  
 115 W. MONTYRE 227 N. P.M. 3187  
 EDWING, TX 75841 85 BRIDGE CTR. 18 THRU  
 PH: (936) 381-8201 PH: (936) 487-8208  
 FAX: (936) 381-1839 FAX: (936) 488-8281  
 TOLL FREE: 1-800-391-1947 www.meldenandhunt.com



LOT 1, BLOCK 7  
 STEELE AND PERBING SUBDIVISION  
 VOLUME 8, PAGE 115, H.C.D.R.  
 (S 81° 14' 00" E)  
 S 81° 21' 15" E

736.58'

50' THE ENERGY GAS PARRANT  
 THE STATE OF TEXAS  
 AND DOCUMENT NO. 385183 H.C.D.R.  
 LAKES BUSINESS PARK PHASE 2 SUBDIVISION  
 VOLUME 41, PAGE 107, H.C.M.R.



**PROPOSED SITE PLAN**  
 SCALE: 1"=30'-0"

**TWO STORY BUILDING**  
**16 TWO BEDROOM APARTMENTS**  
 49 PARKING SPACES PROVIDED

**LEGAL DESCRIPTION:**

UNITS 1a, 1b, 2a AND 2b  
 OUT OF BLOCK 3A OF BLOCKS 3A, 4A AND 5A  
 LAKES BUSINESS PARK PHASE 2 SUBDIVISION  
 VOLUME 41, PAGE 107 H.C.M.R.  
 CITY OF McALLEN  
 HIDALGO COUNTY, TEXAS



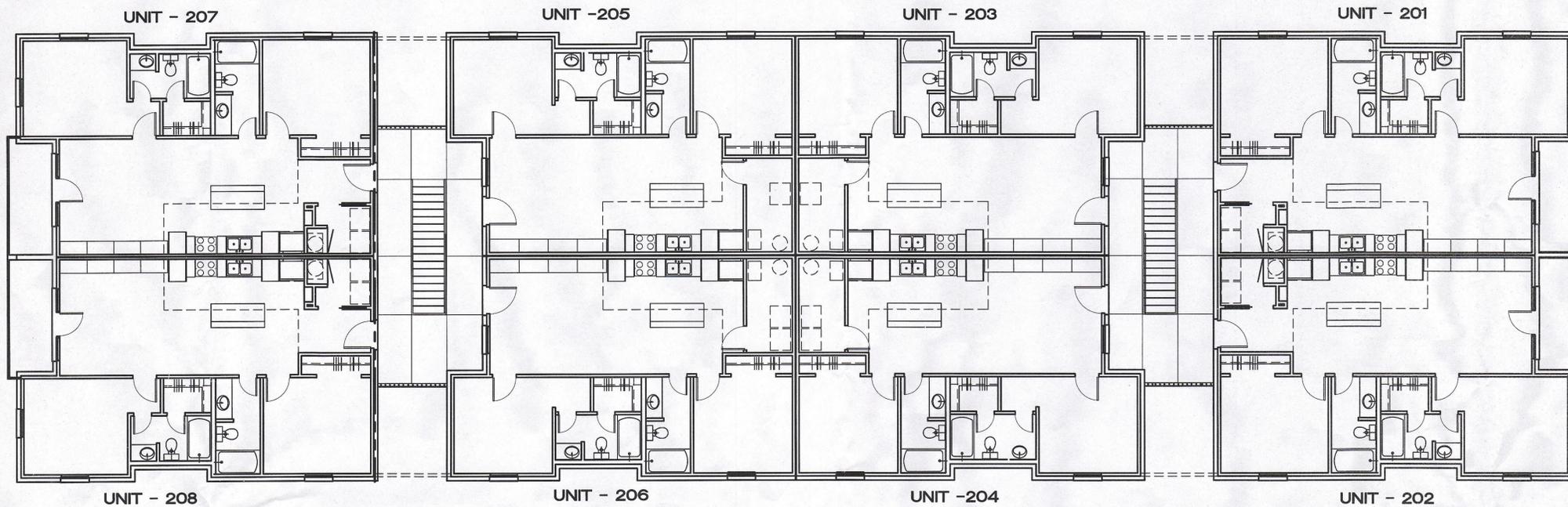
CONSTRUCTION DOCUMENTS  
 FOR RESIDENTIAL PROJECT

PROPOSED APARTMENTS COMPLEX FOR:  
 America's Real Estate Group

JOB #  
 DATE:  
 DRAWN BY:  
 REVISIONS:

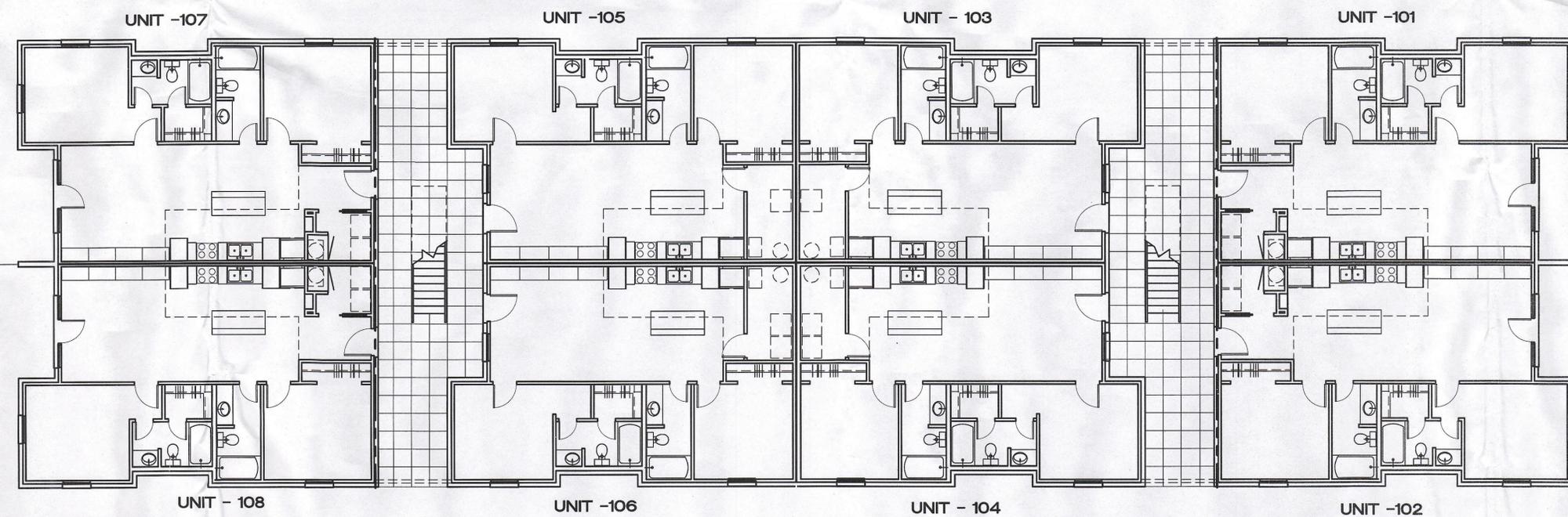
SHEET NO.  
 OF:

SET NO.



2nd FLOOR PLAN

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



1st FLOOR PLAN

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

BUILDING SYNOPSIS

1st FLOOR LIVING AREA.....	7,429 S.F.
2nd FLOOR LIVING AREA.....	7,429 S.F.
1st FLOOR BREEZE WAY.....	1,006 S.F.
2nd FLOOR BREEZE WAY.....	672 S.F.
BALCONIES .....	252 S.F.

**SCHEMATIC DESIGN PACKAGE**

**GUERRERO and ASSOCIATES**  
 ARCHITECTURAL GROUP  
 AMERICAN INSTITUTE OF ARCHITECTS  
 TEXAS SOCIETY OF ARCHITECTS  
 3700 N. 10th Street Suite 220-2nd Floor, McAllen, Texas 78501 • (956) 278-5884



CONSTRUCTION DOCUMENTS  
 FOR REVIEW ONLY

PROPOSED APARTMENTS COMPLEX FOR:  
**America's Real Estate Group**  
 McALLEN, TEXAS

JOB #  
 DATE:  
 DRAWN BY:  
 REVISIONS:

SHEET NO.

**A-2**

OF:

SET NO.



**Memo**

**TO:** Planning & Zoning Commission

**FROM:** Planning Staff

**DATE:** May 17, 2016

**SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 5.867 ACRES OUT OF LOT 2, BLOCK 13, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 8400 NORTH 10<sup>TH</sup> STREET. (REZ2016-0015)**

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**GOAL:** Zoning regulations must be adopted in accordance with *Foresight McAllen* and designed to 1) lessen congestion, 2) secure safety from fire and other dangers, 3) promote health and general welfare, 4) provide adequate light and air, 5) prevent overcrowding of land 6) avoid undue concentration of population, 7) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 8) protect and preserve places and areas of historical, cultural or architectural importance or significance. L.G.C. Section 211.004.

**LOCATION:** The subject property is an interior tract located 290 feet east of North 10<sup>th</sup> Street and 310 feet north of Fullerton Avenue. The property has a width of 369.80 feet and length of 691.13 feet for a tract size of 5.867 acres.

**PROPOSAL:** The applicant is requesting R-1 (single family residential) District in order to establish a single family subdivision. A subdivision plat by the name of Spanish Oaks at Frontera was submitted to the Planning Department on April 14, 2016.

**ADJACENT ZONING:** Adjacent zoning is R-1 (single family residential) District to the east, and C-3 (general business) District to the north, south and west.

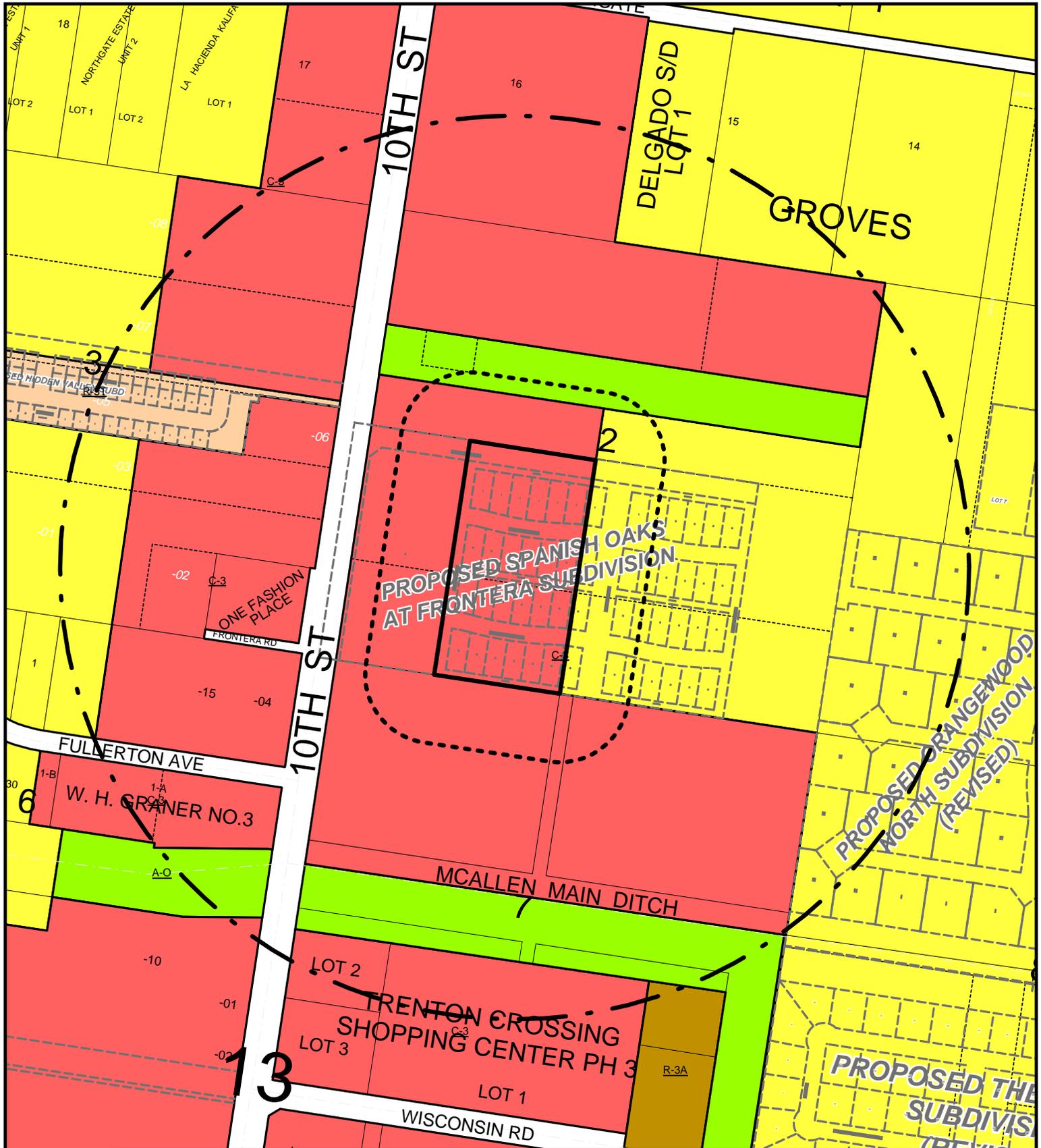
**LAND USE:** The tract comprises two parcels that are currently vacant. Surrounding land uses are single family residences, a rural tract, a lawn mower repair business, The University of Cosmetology Arts, and farmland.

**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use as Suburban Residential.

**DEVELOPMENT TRENDS:** The development trend for properties fronting along 10th Street is single commercial. The property was initially zoned A-O (agricultural-open space) District upon annexation in 1989. The tract was rezoned to C-3 (general business) District in 2015. The tract to the east was rezoned to R-1 (single family residential) District in 2015 as part of city initiated rezoning. Six rezoning requests for C-3 (general business) District for tracts fronting along 10th Street to the east and south were approved between 1993 and 2007 and commercial businesses were constructed. A single family subdivision by the name of Orangewood North is under constructed to the east.

**ANALYSIS:** The requested zoning conforms to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The proposed zoning is appropriate for the establishment of a single family residential subdivision. The tract to the west has a depth of 280 feet that is adequate for commercial development. North 10th Street is designated as a principal arterial with 120 feet of right-of-way and is currently constructed with 4 travel lanes, a left turn lane and shoulders. A proposed median is to be constructed in 2017. A recorded subdivision plat is required prior to the issuance of any building permit.

**RECOMMENDATION:** Staff recommends approval of the rezoning request.





**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

**AREA MAP**



 **SUBJECT PROPERTY**

 **200 FT. NOTIFICATION BOUNDARY**

 **1/4 MILE RADIUS**

**ZONING LEGEND**

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

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# PROPOSED SPANISH OAKS AT FRONTERA SUBDIVISION

2

10TH ST



**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



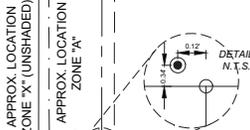
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ALFONSO IBANEZ  
 W.D. VOL. 2055, PG. 967 H.C.O.R.  
**LOT 2, BLOCK 13**  
 HIDALGO CANAL COMPANY SUBDIVISION  
 VOLUME "Q", PAGES 175-177, H.C.D.R.

(S 81° 14' 00" E)  
 S 81° 24' 30" E

1189.00'

**FRONTERA ROAD**



30'x30' CLIP  
 250.00'  
 50.0' R.O.W. EASEMENT TO STATE OF TEXAS VOL. 809, PG. 329, H.C.D.R.  
 10.0' R.O.W.  
 110.0' R.O.W.  
 10.0' ADDITIONAL R.O.W. DEDICATED BY THIS PLAT

(N 08° 46' 00" E)  
 N 08° 35' 30" E  
**N. 10TH STREET (SH 336)**  
 691.13'  
 601.13'  
 53  
 176266.4 SF  
 4.047 AC  
 BENCH MARK ON SITE: SQUARE CUT ON INLET ELEV. = 106.17

50.0' R.O.W. EASEMENT TO STATE OF TEXAS VOL. 777, PG. 448, H.C.D.R. VOL. 839, PG. 545, H.C.D.R.  
 10.0' R.O.W. EASEMENT TO HIDALGO COUNTY VOL. 259, PG. 328, H.C.D.R.

N:16626791.960  
 E:1076975.217



N 81° 24' 30" W  
 (N 81° 14' 00" W)

40.00' R.O.W.  
 H.C.I.D. NO. 3

1189.00'

**LOT 7, BLOCK 13**  
 HIDALGO CANAL COMPANY SUBDIVISION  
 VOLUME "Q", PAGES 175-177, H.C.D.R.

**P.O.B.**

**P.O.C.**  
 S.E. COR.  
 LOT 2  
 BLOCK 13

**LOT 2, BLOCK 13**  
 HIDALGO CANAL COMPANY SUBDIVISION  
 VOLUME "Q", PAGES 175-177, H.C.D.R.

ORANGWOOD NORTH  
 (UNDER CONST.)

15.0' H.C.W.I.D. NO. 3  
 EASEMENT  
 VOL. 724, PG. 247, H.C.D.R.

N:16626580.633  
 E:1078373.416

NOE FERNANDEZ  
 LYDIA FERNANDEZ  
 W.D. DOC. NO. 351703 R

**Memo**

**TO:** Planning & Zoning Commission

**FROM:** Planning Staff

**DATE:** May 3, 2016

**SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 0.454 ACRES OUT OF LOT 1, UNICORN ACRES SUBDIVISION, HIDALGO COUNTY, TEXAS; 2901 GUMWOOD AVENUE. (REZ2016-0016)**

---

**GOAL:** Zoning regulations must be adopted in accordance with *Foresight McAllen* and designed to 1) lessen congestion, 2) secure safety from fire and other dangers, 3) promote health and general welfare, 4) provide adequate light and air, 5) prevent overcrowding of land 6) avoid undue concentration of population, 7) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 8) protect and preserve places and areas of historical, cultural or architectural importance or significance. L.G.C. Section 211.004.

**LOCATION:** The property is located at the southwest corner of 29<sup>th</sup> Street and Gumwood Avenue. The property has 82.50 feet of frontage along North 29<sup>th</sup> Street and 240 feet of frontage along Gumwood Avenue for a tract size of .454 acres.

**PROPOSAL:** The applicant is requesting C-3 (general business) District in order to establish a retail business for snack foods for carry out and on-premise consumption. A feasibility plan has not been submitted to the Planning Department.

**ADJACENT ZONING:** Adjacent zoning is R-1 (single family residential) District in all directions.

**LAND USE:** The tract comprises two parcels that currently are vacant. Adjacent land use is single family residential.

**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use as Auto Urban Residential.

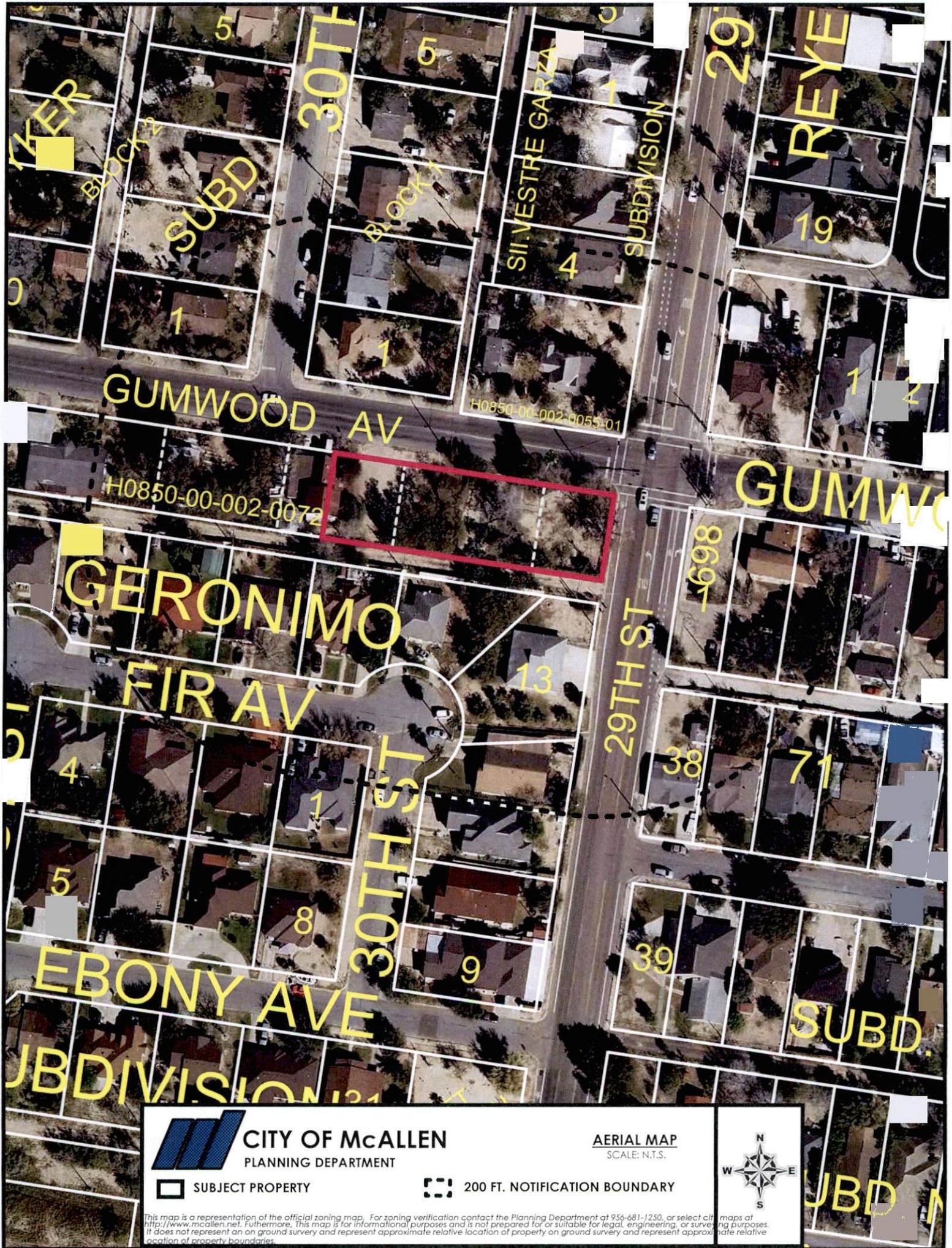
**DEVELOPMENT TRENDS:** The development trend in the area is single family residential. The property was zoned to R-1 (single family residential) District during comprehensive zoning in 1979. A rezoning request for the subject property for C-3 (general business) District was disapproved in March 2012. A rezoning request to R-2 (duplex-fourplex residential) District for the subject property was disapproved on November 23, 2015.

**ANALYSIS:** The requested zoning does not conform to the Auto Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The surrounding area is established single family residential neighborhoods. Gumwood Avenue is designated as a major

collector street with 80 feet of right of way and is constructed with 60 feet of right of way and 36 feet of pavement with 2 travel lanes and curb and gutter. There are sidewalks along the north side of Gumwood Avenue. 29<sup>th</sup> Street is designated as a Minor Arterial with 100 feet of right of way and is currently 70 feet of right of way, four travel lanes, one turning lane, sidewalks along the east side of the street and a posted speed limit of 30 miles per hour. An eight foot masonry wall is required where a nonresidential use is adjacent to a single family use or district. Trees with a caliper of 20 inches or greater in commercial zones are protected and require a permit for removal. A subdivision plat is required since the tract is not a lot of record. Right-of-way dedication and street improvement such as sidewalks may be required. On-premise consumption of food snacks may be classified as a restaurant requiring additional parking. An approved site plan is required before any building permits are issued.

**RECOMMENDATION:** Staff recommends disapproval of the rezoning request.





**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 11, 2016

**SUBJECT: REQUEST OF MELISSA A. AGUIRRE, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (OFFICE/PARTY RENTALS) AT LOT 23B, BLOCK 30, BALBOA ACRES SUBDIVISION, HIDALGO COUNTY, TEXAS; 3400 HELENA AVENUE.**

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**GOAL:**

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

**BRIEF DESCRIPTION:**

The property is located on the north side of Helena Avenue, approximately 330 ft. west of South 3<sup>rd</sup> Street and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 district in all directions. Surrounding land uses include single family residences, a park, and a church. A home occupation is permitted in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

**REQUEST/ANALYSIS:**

The applicant is proposing to operate an office for a party rental business from the existing residence. The business will operate Monday thru Sunday. The applicant stated that no customers will be visiting the residence; all party rentals will be delivered. She is proposing a 5 ft. X 8 ft. trailer for the hauling of the rentals that will be placed at the rear of the property so that it won't be visible from the street and her personal vehicle will be used as well for the hauling of the party rentals.

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.

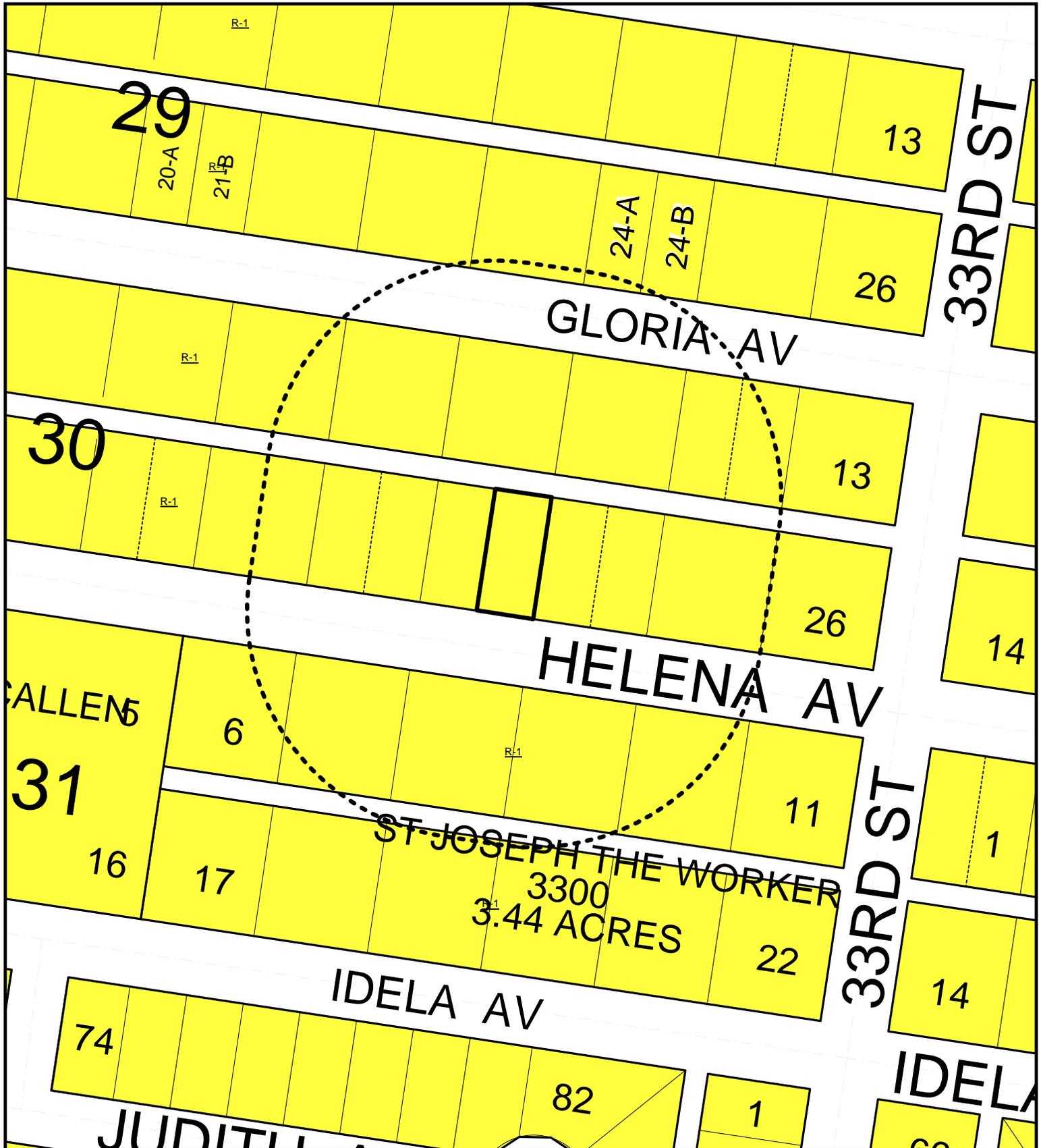
The Fire Department has inspected and cleared the residence which meets all the minimum standards and applicable ordinances. The occupation may not be operational until requirements are complied with and issuance of the certificate. The home occupation must also comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;

- 2) No signs are permitted. No signs are proposed; however, the applicant proposes to use her personal vehicle and a 5' X 8' trailer to haul the party rentals. She has been advised that any signage on the vehicle, would need to be either magnetic signs to be removed at the residence and/or the vehicle would need to be parked where it is not visible from the street;
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. No exterior display is proposed;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant has stated that there will be no other employees;
- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage. Party rentals will be stored in the garage;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant stated that no customers will be visiting the residence, all party rentals will be delivered. She is proposing a 5 ft. X 8 ft. trailer for the hauling of the rentals that will be placed at the rear of the property so that it won't be visible from the street and her personal vehicle will be used as well for the hauling of the party rentals;
- 7) No retail sales (items can be delivered). No retail sales are proposed;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

**RECOMMENDATION:**

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

AREA MAP

**LEGEND**  
SCALE: 1" = 500'



**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

**ZONING LEGEND**

<b>A-0</b> (AGRICULTURAL & OPEN SPACE)	<b>R-3A</b> (APARTMENTS)	<b>R-4</b> (MOBILE HOMES)	<b>C-3</b> (GENERAL BUSINESS)	<b>I-1</b> (LIGHT INDUSTRIAL)
<b>R-1</b> (SINGLE FAMILY RESIDENTIAL)	<b>R-3C</b> (CONDOMINIUMS)	<b>C-1</b> (OFFICE BUILDING)	<b>C-3L</b> (LIGHT COMMERCIAL)	<b>I-2</b> (HEAVY INDUSTRIAL)
<b>R-2</b> (DUPLEX-FOURPLEX)	<b>R-31</b> (TOWNHOUSES)	<b>C-2</b> (NEIGHBORHOOD COMMERCIAL)	<b>C-4</b> (COMMERCIAL INDUSTRIAL)	<b>SPECIAL DISTRICT</b>

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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Alley

Backyard

Fence

~~Garage~~  
Garage /  
Storage  
for rentals

OFFICE

Front  
door

Driveway

Street  
Helena Ave.

RECEIVED  
APR 12 2019  
BY: *Scott's*  
01/11



NOTICE  
HOME BUSINESS  
For  
This Property  
CUP2016-0060

City of McAllen Planning Dept 681-1250  
www.mcallea.net

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 10, 2016

**SUBJECT: REQUEST OF COURTNEY A. MILLER, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (OFFICE/CONSTRUCTION) AT LOTS 8 AND 9, WINDOW ROCK ESTATES SUBDIVISION, HIDALGO COUNTY, TEXAS; 3617 WALNUT AVENUE.**

---

**GOAL:**

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

**BRIEF DESCRIPTION:**

The property is located on the south side of Walnut Avenue, approximately 480 ft. west of North 33<sup>rd</sup> Lane and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 district to the north, east, and south, and A-O (agriculture & open space) District to the west, and C-1 (office building) District to the south as well. Surrounding land uses include single family residences and vacant land. A home occupation is permitted in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

**REQUEST/ANALYSIS:**

The applicant is proposing to operate an office for a tile installation business from the existing residence. The business will operate Monday thru Sunday. The applicant stated that no customers will be visiting the home; the work will be at the customer's residence and/or place of business. 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 Fire Department has inspected and cleared the residence which meets all the minimum standards and applicable ordinances. The occupation may not be operational until requirements are complied with and issuance of the certificate. The home occupation must also comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

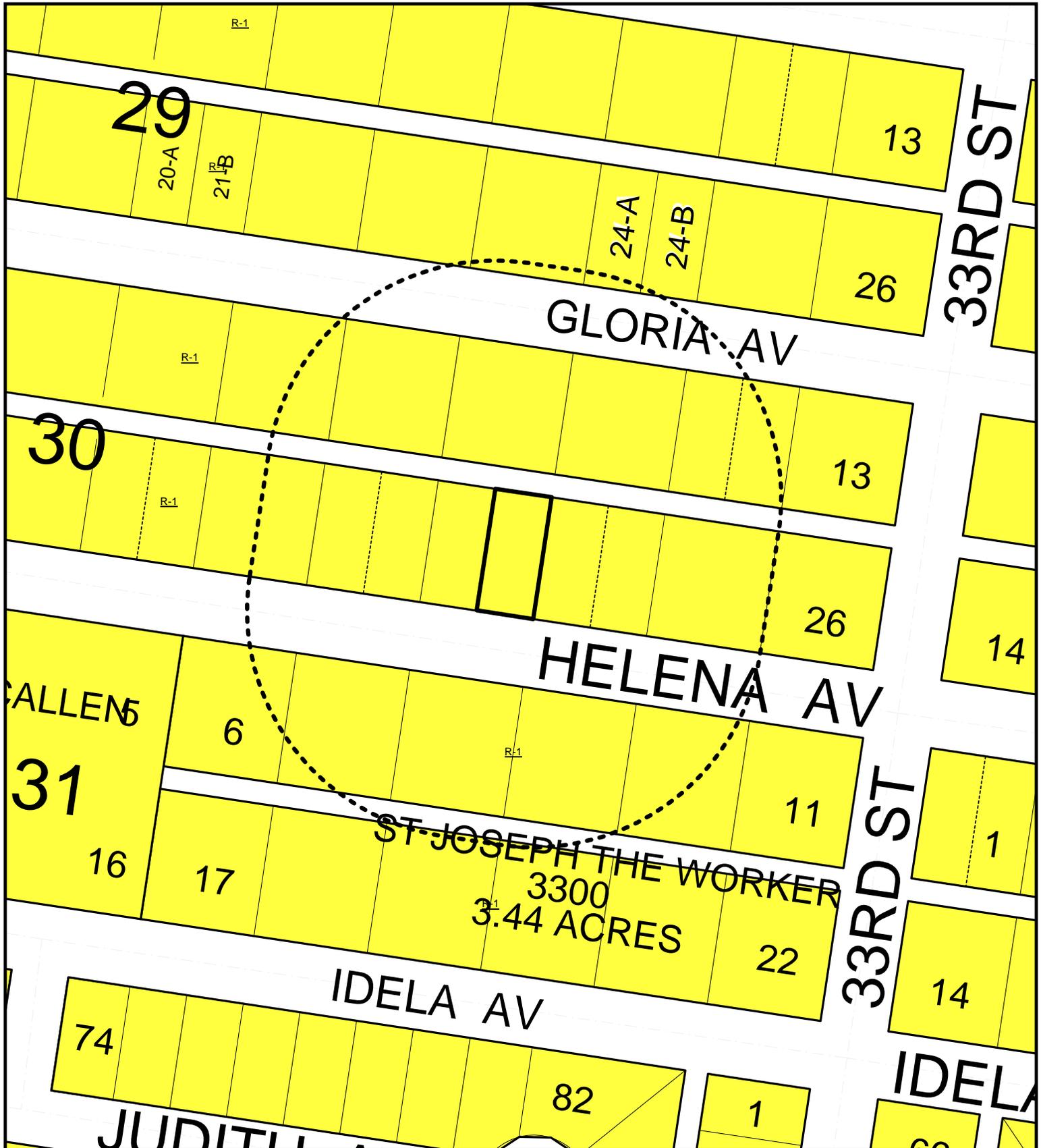
- 1) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;
- 2) No signs are permitted. No signs are proposed; however, the applicant proposes to have a business vehicle that include his tools and equipment. He has been advised

that any signage on the business vehicle, would need to be either magnetic signs to be removed at the residence and/or the vehicle would need to be parked where it is not visible from the street;

- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. No exterior display is proposed;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant has stated that there will be no other employees;
- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage. Any leftover tile will stay at the customers location and the tools will be inside the business vehicle;
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the city traffic engineer. The applicant stated that no customers will be visiting the home, which all work will be at the customer's residence and/or place of business;
- 7) No retail sales (items can be delivered). No retail sales are proposed;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

**RECOMMENDATION:**

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

AREA MAP

**LEGEND**  
SCALE: 1" = 500'



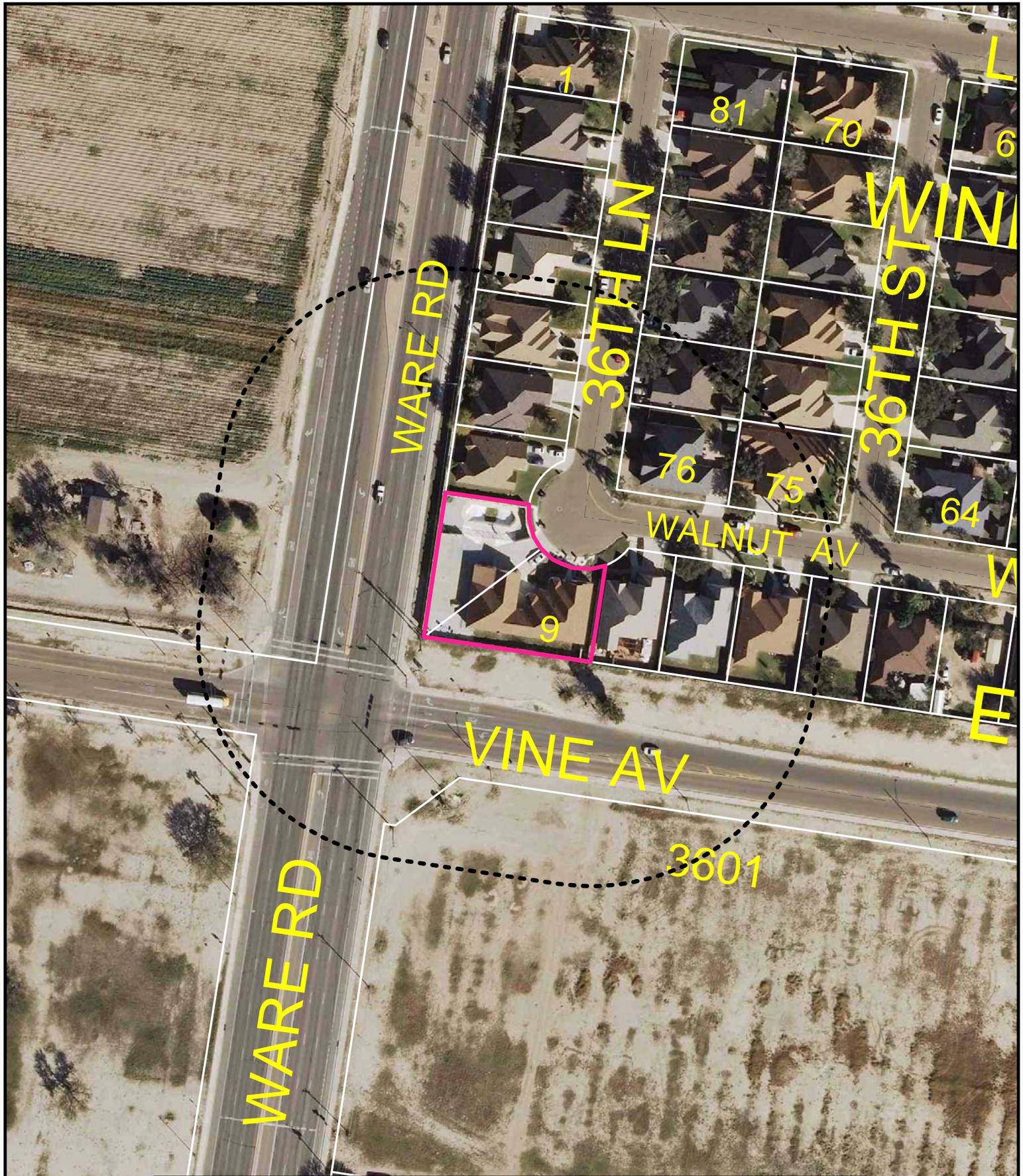
**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

**ZONING LEGEND**

<b>A-0</b> (AGRICULTURAL & OPEN SPACE)	<b>R-3A</b> (APARTMENTS)	<b>R-4</b> (MOBILE HOMES)	<b>C-3</b> (GENERAL BUSINESS)	<b>I-1</b> (LIGHT INDUSTRIAL)
<b>R-1</b> (SINGLE FAMILY RESIDENTIAL)	<b>R-3C</b> (CONDOMINIUMS)	<b>C-1</b> (OFFICE BUILDING)	<b>C-3L</b> (LIGHT COMMERCIAL)	<b>I-2</b> (HEAVY INDUSTRIAL)
<b>R-2</b> (DUPLEX-FOURPLEX)	<b>R-31</b> (TOWNHOUSES)	<b>C-2</b> (NEIGHBORHOOD COMMERCIAL)	<b>C-4</b> (COMMERCIAL INDUSTRIAL)	<b>SPECIAL DISTRICT</b>

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

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



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



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Courtney Miller  
(956) 616-3436

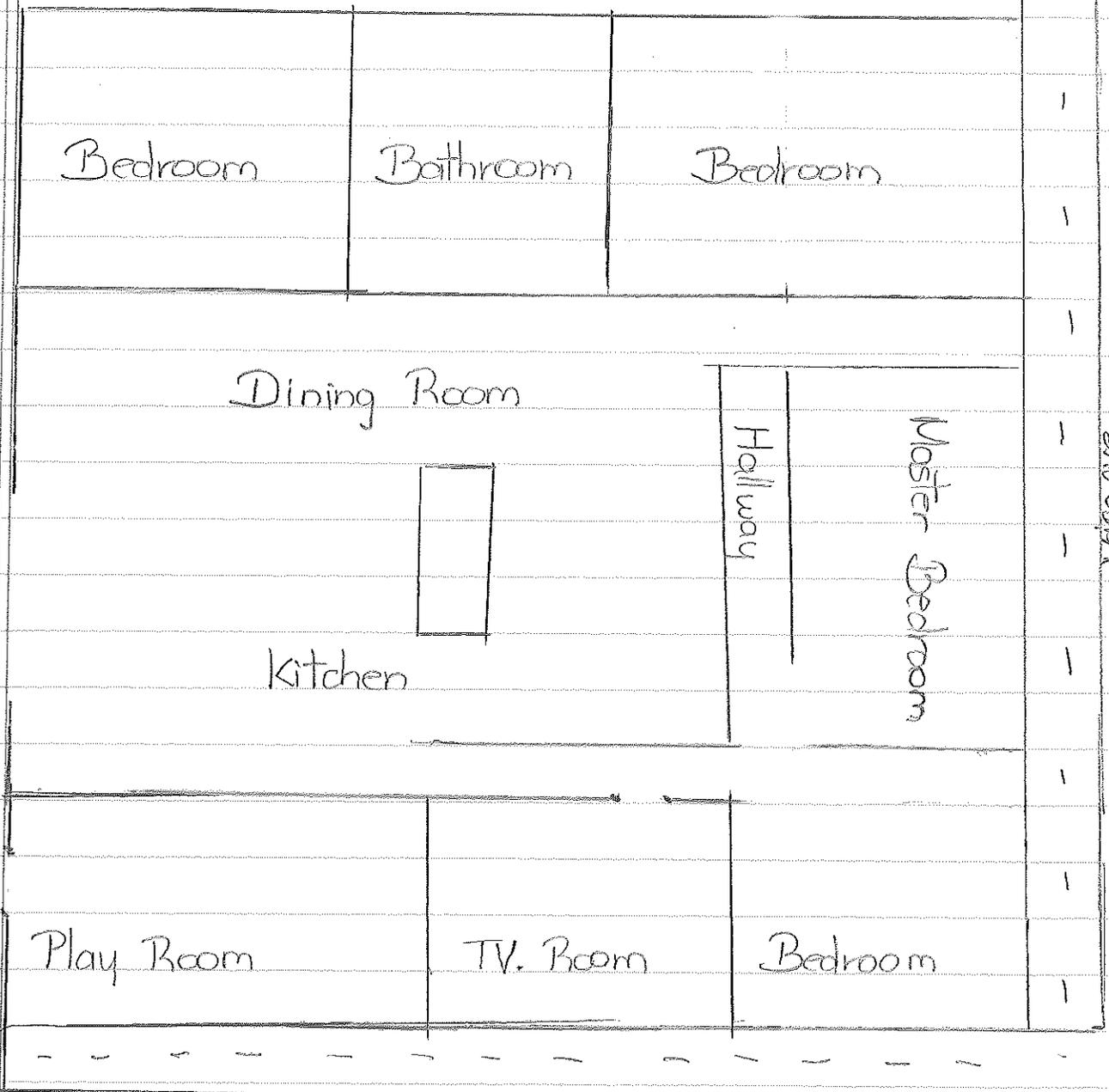
3617 Walnut Ave

Neighbor

N 36th WALKWAT AVE

Driveway

VALE AVE



Water Rd

RECEIVED  
APR 29 2016  
BY: *[Signature]*





3617

NOTICE  
HOME BUSINESS  
For  
This Property  
CUP2016-0059



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 10, 2016

**SUBJECT: REQUEST OF ARMANDO RIOS FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A PORTABLE FOOD CONCESSION STAND AT THE 96.53 FEET EAST OF THE NORTH 127.55 FEET OF LOT 1, ALTA LOMA SUBDIVISION; 2309 GALVESTON AVENUE.**

---

**GOAL:**

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

**BRIEF DESCRIPTION:**

The property is located on the south side of Galveston Avenue, approximately 100 ft. west of South 23<sup>rd</sup> Street and is zoned C-3 (general business) District. The adjacent zoning is C-3 District on the north, south, east and west, and R-1 (single family residential) District also to the north. Surrounding land uses include commercial businesses and single family residences. A portable food concession stand is permitted in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

**HISTORY:**

The initial conditional use permit was approved for a concession stand, for one year, by the Planning and Zoning Commission on June 2, 2009. The permit was renewed annually until 2013. The concession stand has been removed and the property currently is vacant.

**REQUEST/ANALYSIS:**

There is a new applicant proposing to place a 12 ft. X 18 ft. portable food concession stand building on the property. The hours of operation are Monday thru Saturday 11:00 a.m. to 10:00 p.m. Four parking spaces are required for the concession stand. During the site inspection, staff observed that the parking lot needs resurfacing, potholes fixed, and striping of the parking spaces. The applicant has been advised, and he indicated that the parking lot would be brought into compliance with city standards once the permit has been approved.

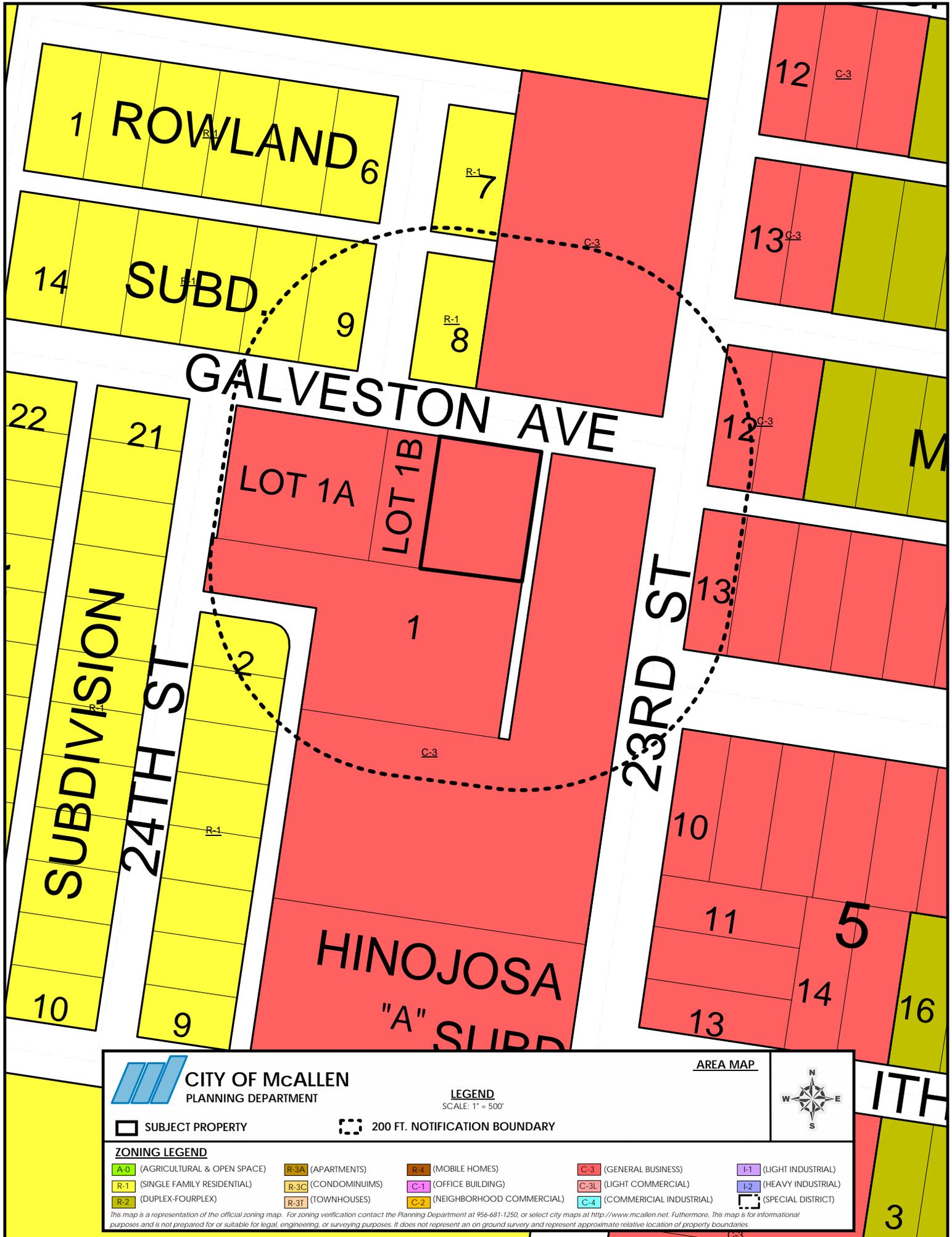
Should the conditional use permit be approved, the applicant must obtain a building permit to place the building on site and must comply with parking, landscaping, building separation and setbacks. The parking area must be paved and striped as part of the building permit process, and must be completed prior to occupancy of the building.

The Health and Fire Departments have conducted their inspections; however, a final inspection is pending during the building permit process. The establishment must also comply with requirements set for in Section 138-118(9) of the Zoning Ordinance and other specific requirements as follows:

- 1) The proposed use shall not be located in a residentially zoned area. The property is zoned C-3 District;
- 2) The proposed use shall be inspected by the Building Inspector and comply with applicable building codes. A building permit will be necessary to place the building on site and all requirements must be met;
- 3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Four parking spaces are required for the concession stand and are provided on site as per site plan. The parking area must be paved and striped prior to occupancy;
- 4) A portable building or trailer for the proposed use shall be properly anchored to the ground;
- 5) The proposed use shall comply with the zoning district setback requirements; and
- 6) Water and sewage disposal facilities must be available and may be required to the proposed use. Restroom facilities will be provided from the adjacent business.

**RECOMMENDATION:**

Staff recommends approval of the request, for one year, subject to compliance with Section 138-118(9) of the Zoning Ordinance, Health and Fire Department requirements, and building permit requirements including a paved parking area.



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: 1" = 500'

AREA MAP



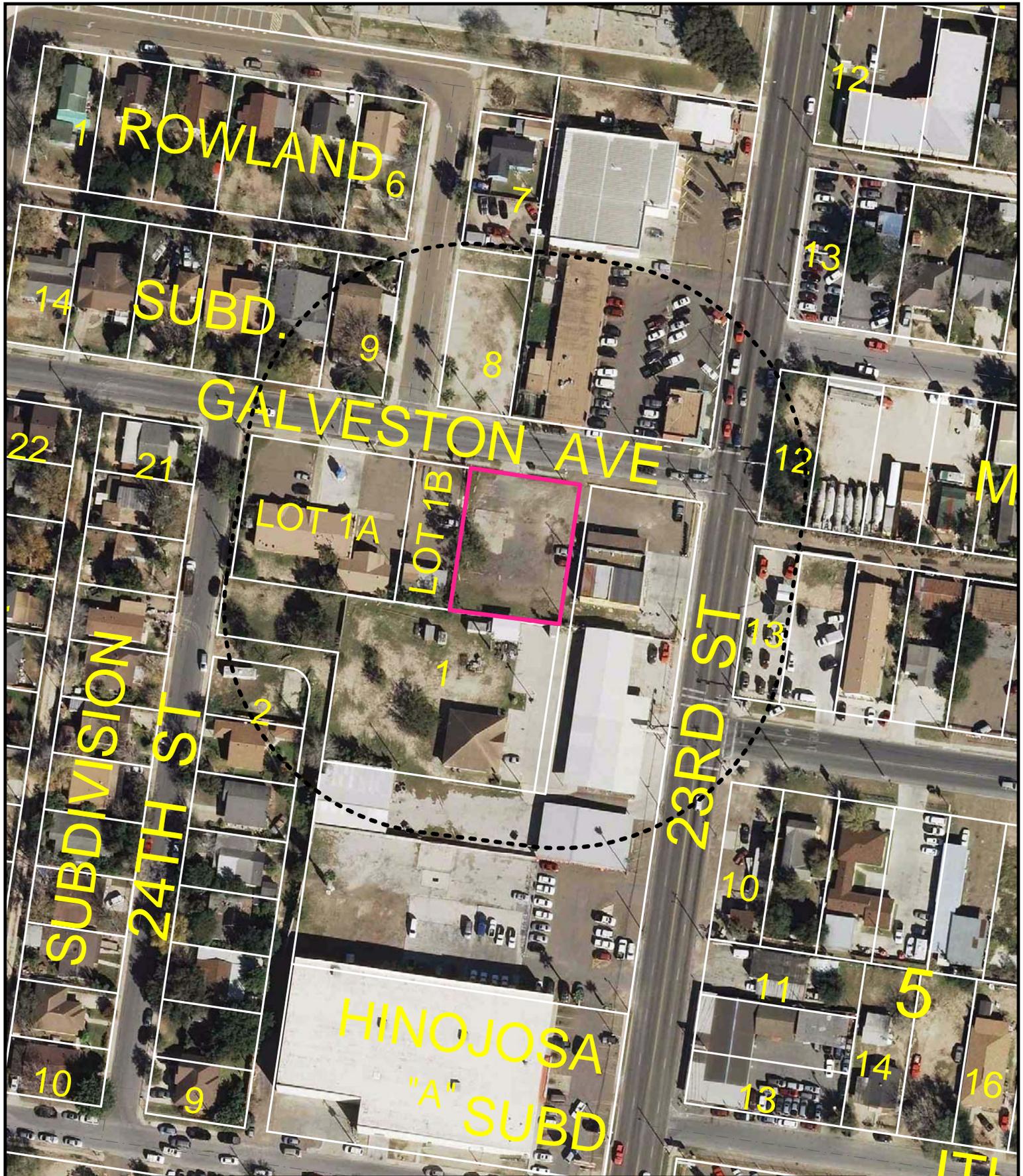
SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

**ZONING LEGEND**

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

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

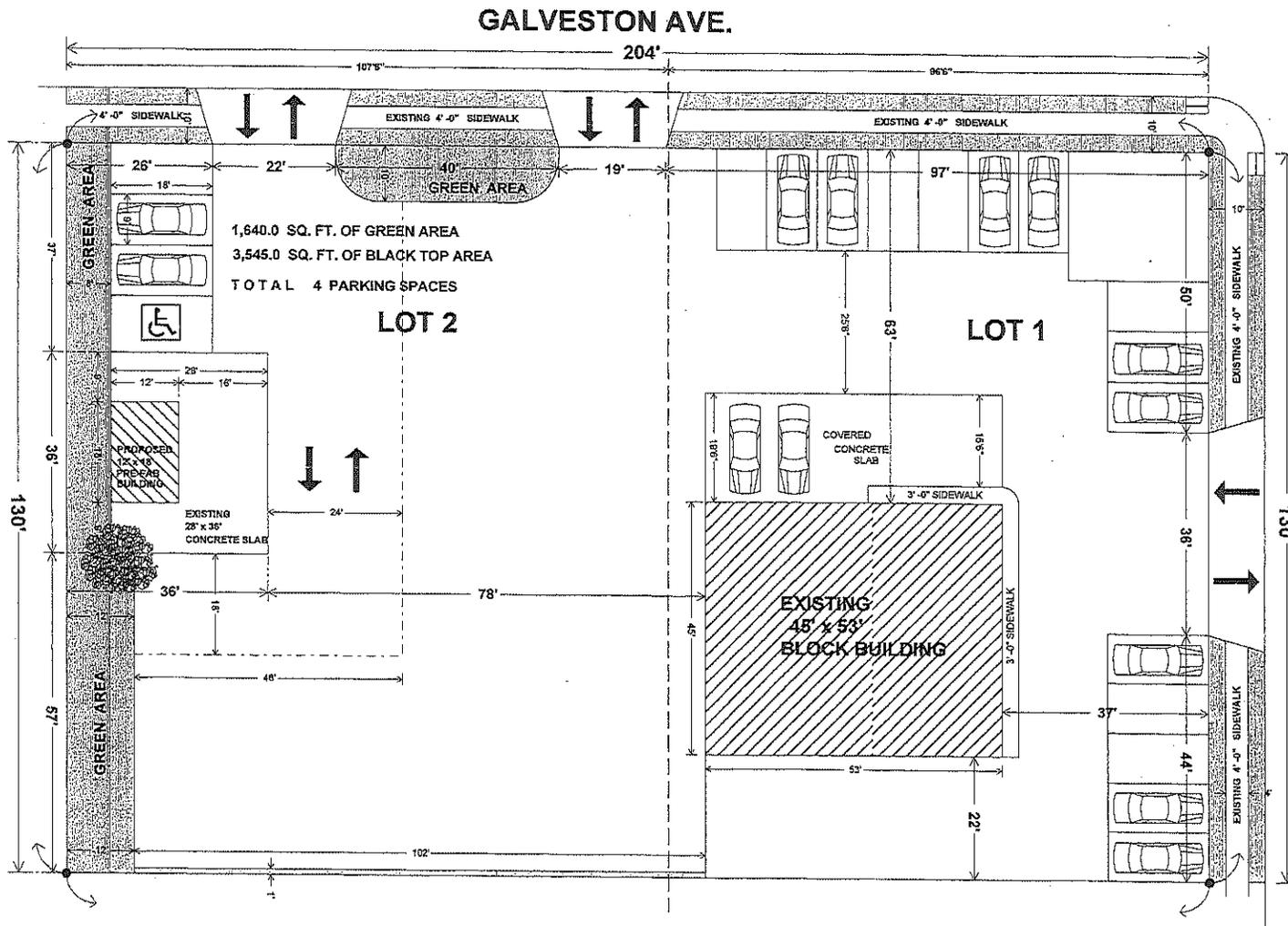
 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY

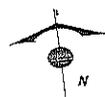


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3



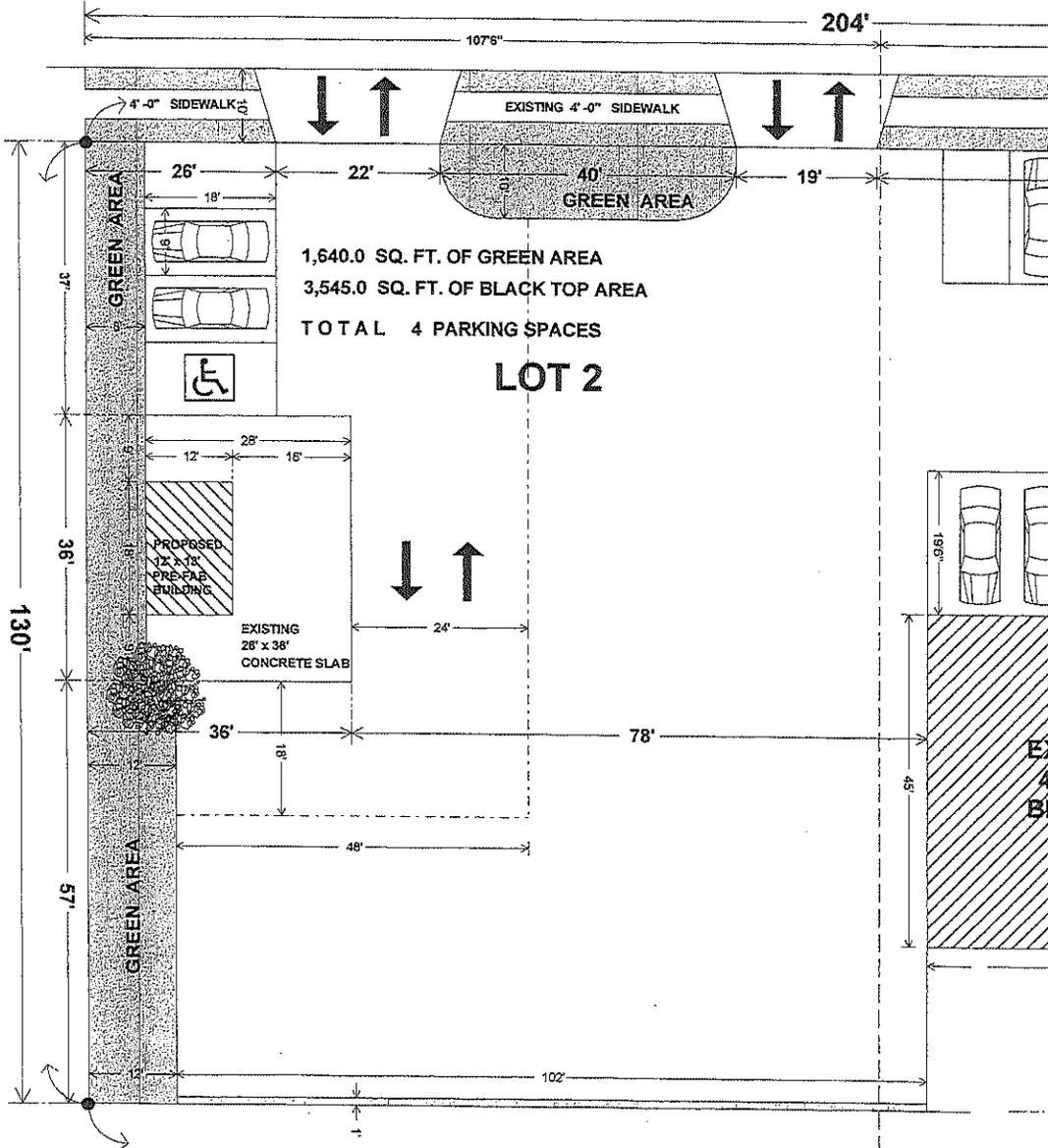
**S. 23 TH. ST.**



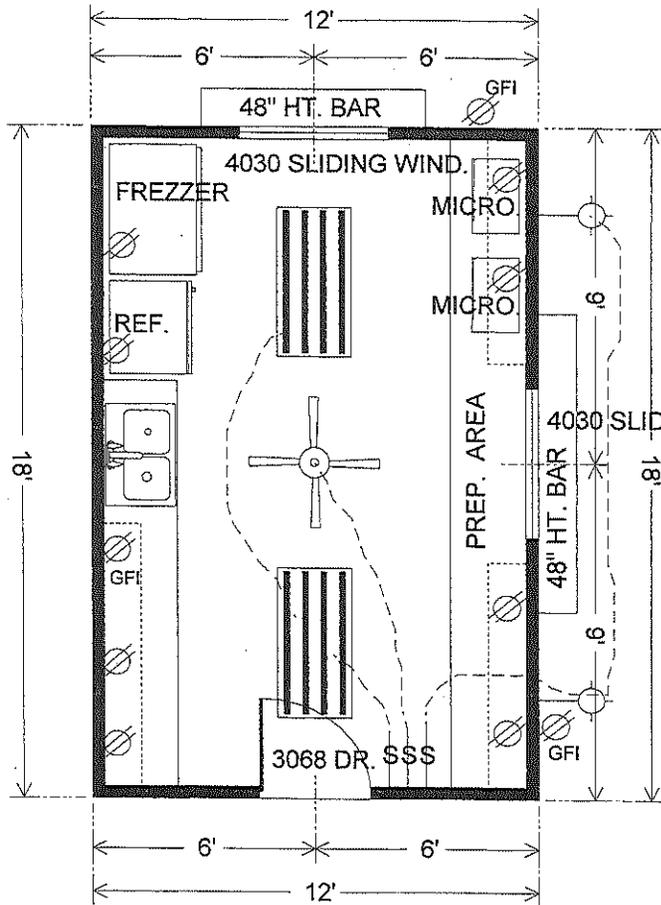
**SITE PLAN**  
SCALE: N/A  
2309 GALVESTON  
ALTA LOMA  
SUB-DIVISION LOT #2  
MC ALLEN, TEXAS

**RECEIVED**  
MAY 05 2015  
BY: \_\_\_\_\_

# GALVESTON AVE.



RECEIVED  
 MAY 05 2013  
 BY: \_\_\_\_\_



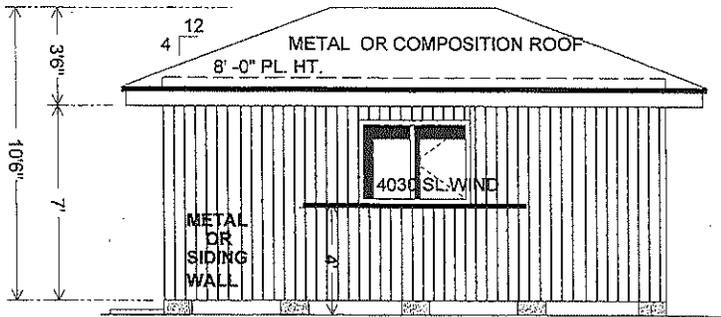
216.0 SQ.FT. TOTAL LIVING AREA

	WALL FIXTURE
	SWITCH
	2040 FLOURECENT LTS.
	CEILING FAN
	110 V. OUTLET

# FLOOR PLAN

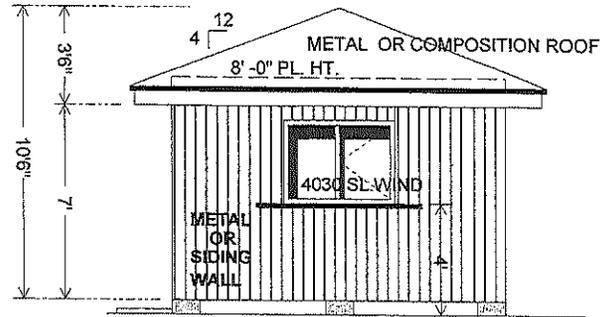
SCALE: 1/4" = 1' - 0"

RECEIVED  
 MAY 05 2010  
 BY: \_\_\_\_\_



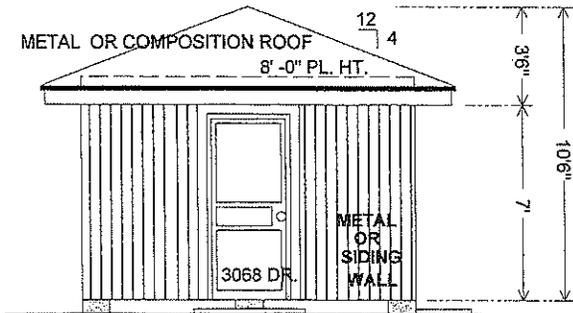
# FRONT ELEV.

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



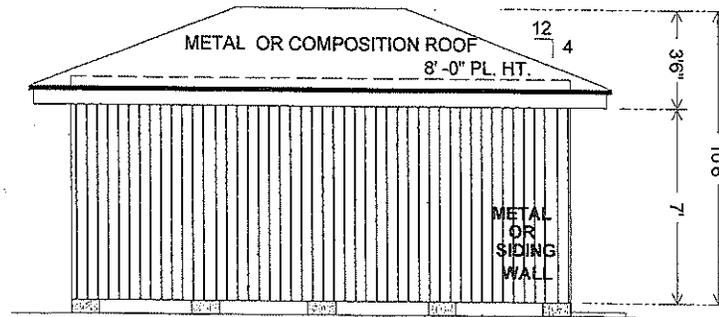
# RIGHT ELEV.

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



# LEFT ELEV.

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



# REAR ELEV.

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

RECEIVED  
MAY 05 2015  
BY: \_\_\_\_\_

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 10, 2016

**SUBJECT: REQUEST OF YVETTE VILLA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOTS 1 AND 2, MEJIA #1 SUBDIVISION; 2000 NOLANA AVENUE.**

---

**GOAL:**

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

**DESCRIPTION:**

The property is located at the northwest corner of Nolana Avenue and Bicentennial Drive and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions and R-1 (single family residential) District to the east. Surrounding land uses include the commercial businesses, offices, restaurants, bars, multi-family residences, and the International Museum of Arts & Science (IMAS). 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 September 29, 2009 with a variance to the 600 ft. distance requirement. The permit since then has been renewed annually by different tenants with variances to the distance requirement by the City Commission. The last approval was on May 11, 2015 for one year, by the City Commission with a variance to the 600 ft. distance requirement, and with the condition for nightly trash pickup and extra security.

**REQUEST/ANALYSIS:**

The applicant is proposing to continue to operate a bar with an outdoor patio area. The proposed hours of operation are Thursday thru Sunday from 9:00 p.m. to 2:00 a.m.

Attached is the police report indicating service calls from May 2015 to present for the establishment. The Health and Fire Departments have inspected and cleared the establishment. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit.

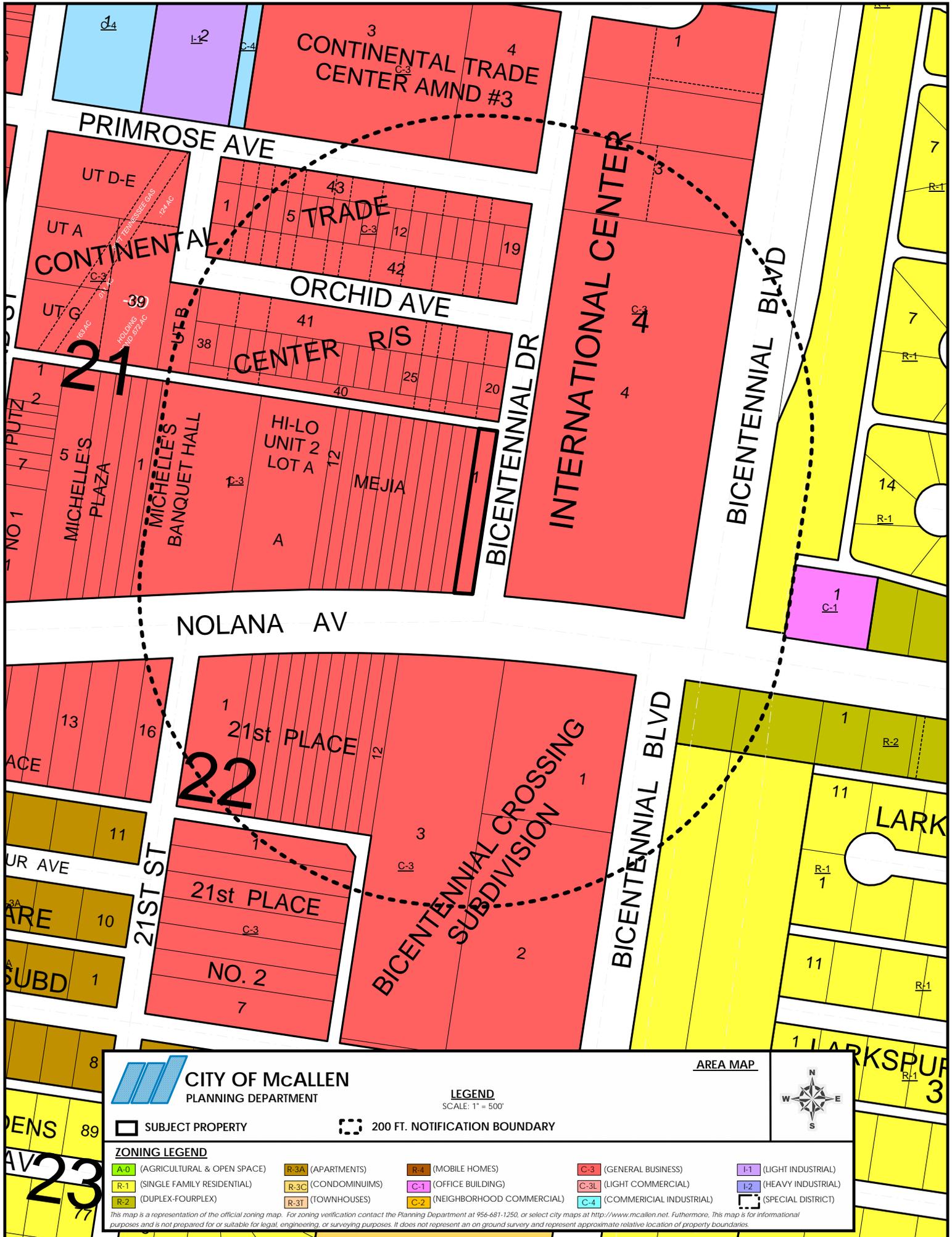
The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 600 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 600 ft. of residentially zones & uses and the International Museum of Arts & Science (IMAS);
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has access to Nolana Avenue and Bicentennial Drive and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently there is a multi-tenant commercial plaza on the property. The plaza is a mixture of retail, fast food restaurants, and bars. At this time, there are two fast food restaurants (Dominos & Billy's BBQ), commercial uses (such as a laundry matt, beauty salon, etc.), a bar (Rehab) and a vacant lease space that had previously been used as a bar. Based on the current uses (except Rehab), 34 parking spaces are required. The existing bar (Rehab) requires 46 parking spaces. The proposed bar would require an additional 73 parking spaces bringing the total parking required for all the uses to 153 spaces; 125 spaces are provided on site.; for a total of 153 spaces for the plaza. The applicant submitted a parking agreement in 2014 for a 5 year term, for 28 additional parking spaces in order to comply with parking. If the vacant space is again occupied for a bar, it would require 46 additional parking spaces and parking would need to be provided;
- 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 maximum occupancy of the establishment will be set at time of building permit.

Should the conditional use permit be approved, conditions as previously noted on the previous approval such as nightly trash pickup and providing extra security would be applied to this request.

**RECOMMENDATION:**

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: 1" = 500'

AREA MAP



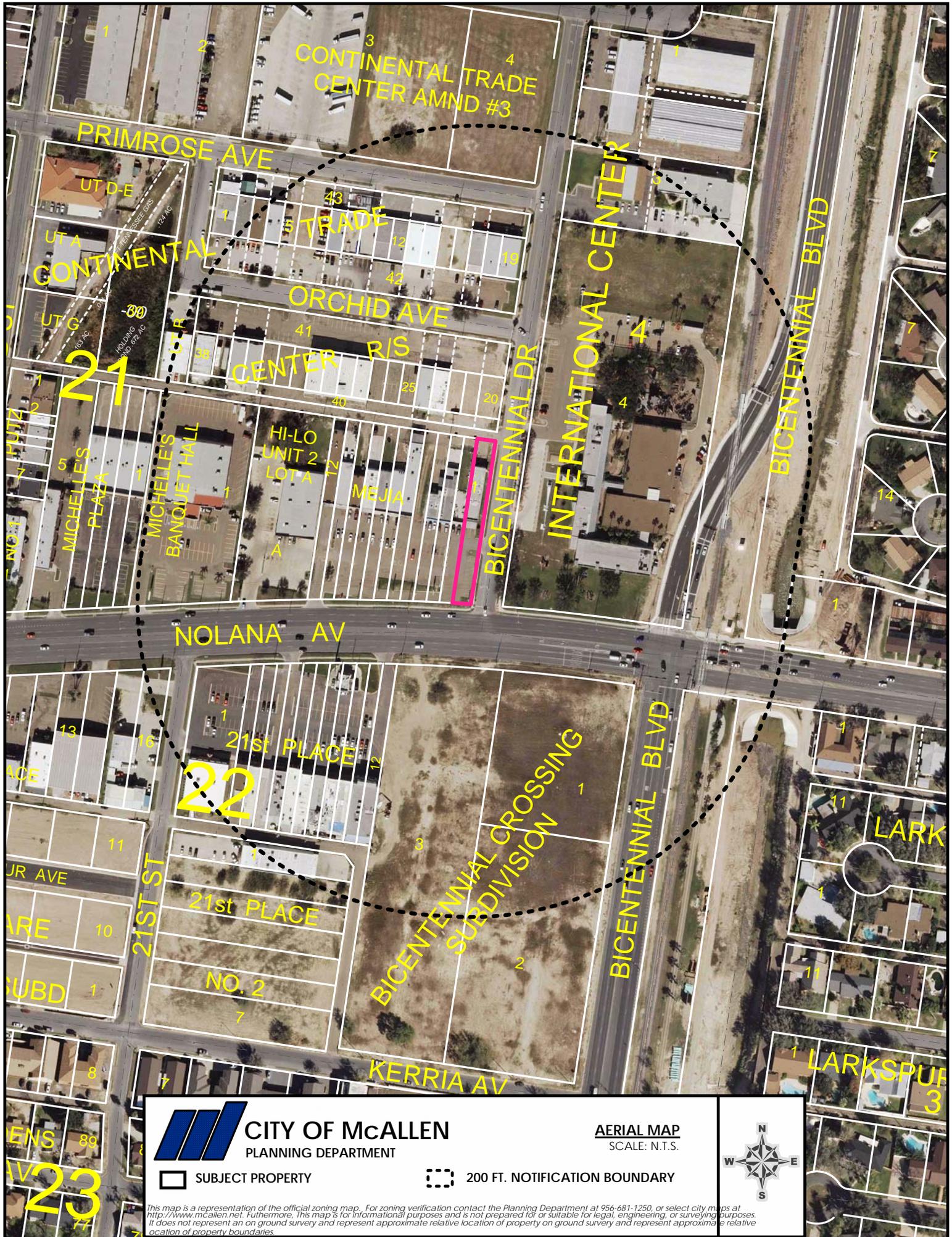
SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

**ZONING LEGEND**

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

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY

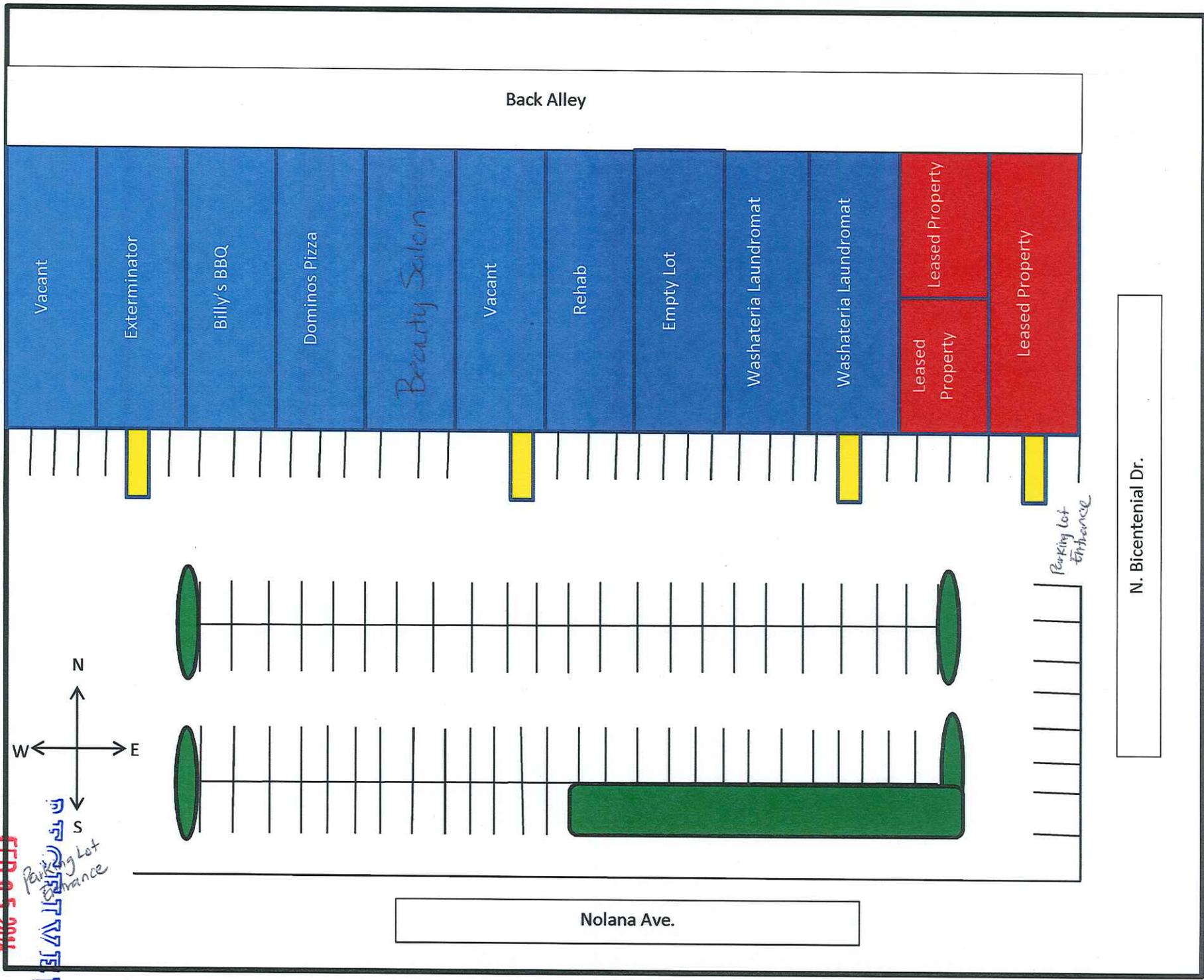
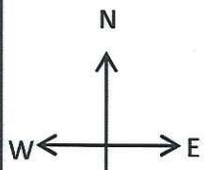


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FEB 05 2014

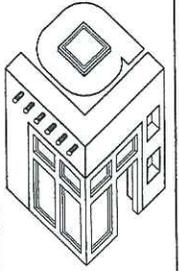
102 S 0 071  
Parking Lot Entrance



Nolana Ave.

Parking lot Entrance

N. Bicentennial Dr.



# M/A Custom Plans

3605 HARVEY MCALEN, TX  
(956) 648.6870  
MADESIGNST@GMAIL.COM  
WWW.MACUSTOMPLANS.COM

THIS DRAWING IS THE PROPERTY OF M/A CUSTOM PLANS AND MAY NOT BE COPIED, REPRODUCED, PUBLISHED OR SUBMITTED FOR PERMITS WITHOUT THE EXPRESSED CONSENT OF M/A CUSTOM PLANS (M/ACP). M/ACP ASSUMES NO LIABILITY FOR HOMES BUILT FROM THESE PLANS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THESE PLANS TO PERFORM THE FOLLOWING:

CONTRACTOR MUST:  
\* VERIFY ALL DIMENSIONS PRIOR TO ANY CONSTRUCTION OR SITE PREP.  
\* VERIFY COMPLIANCE WITH CITY ORDINANCE CODES & RESTRICTIONS WHERE STRUCTURE IS TO BE BUILT.  
\* VERIFY COMPLIANCE WITH ALL SUBDIVISION REQUIREMENTS.  
\* PLANS INDICATE LOCATION ONLY. ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS.

### PROJECT INFORMATION

DATE: JANUARY 04, 2014  
PROJ. No: RES 2014-04-309  
OWNER: GERARDO RODRIGUEZ  
ELEMENT BAR  
SITE: 200 NOLANA STREET  
MCALEN, TX  
956-310-1847

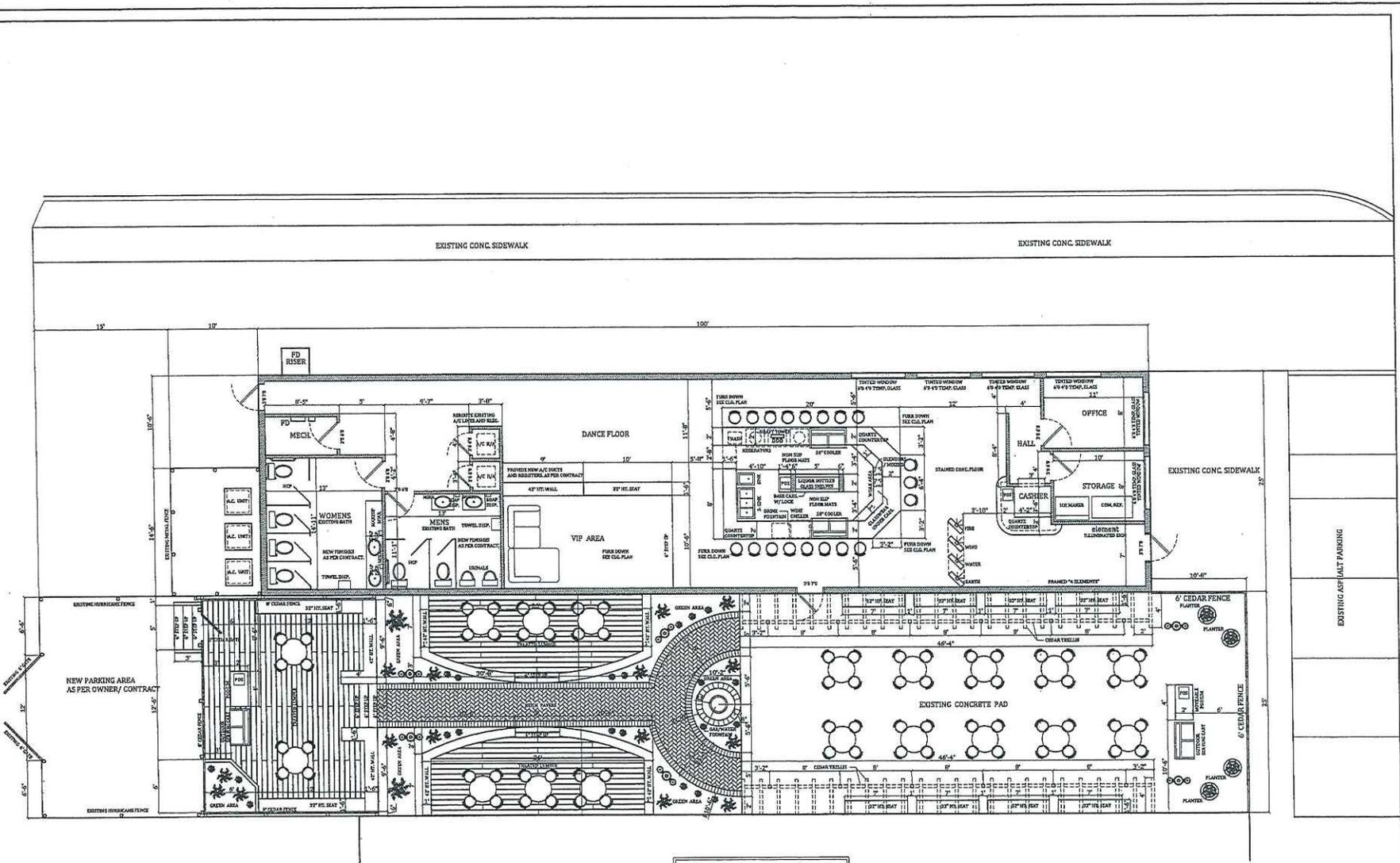
### PROJECT DATA

Updated Plans

WWW.MACUSTOMPLANS.COM

SHEET No.: 1 of 2

M/A CUSTOM PLANS PROVIDES A PLAN SERVICE ONLY, AND RETAINS SOLE PROPRIETORSHIP OF ALL PLANS, CONSTRUCTION DOCUMENTS, & ORIGINAL DESIGNS



PARKING SPACES	
EXISTING BUILDING AREA	2,500 SF
EXISTING CONCRETE PAD	1,425 SF
BRICK PAVEMENT AREA	270 SF
SINGLE LEVEL DRIVE (C)	470 SF
MAIN SITTING DECK	462 SF
NEW PARKING AREA	434 SF
GREEN PARKING FOUNTAIN	273 SF
TOTAL AREA	5,892 SF

RECEIVED  
FEB 18 2014

### PROPOSED FLOOR PLAN

SCALE: 3/16" = 1'

BY: CW

International Museum of Art & Science

1900 W Nolana Ave, McAllen, TX 78504

956-682-1564

Parking Agreement

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

IMAS operating hours are as follows:

Monday: Closed

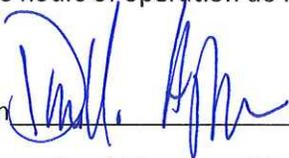
Tues-Wed-Fri-Sat: 9am - 5pm

Thur: 9am - 8pm

Sun: 1pm - 5pm

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

Sign

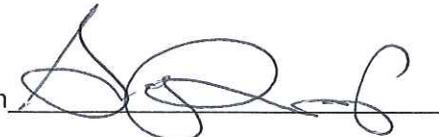
 3.24.14

International Museum of Art & Science

Print Name Danella Hughes

Title Interim Executive Director

Sign



Element Entertainment, LLC

Print Name Gerardo Rodriguez

Title General Manager

MAR 24 2014

Cg 4:20 pm

coin Laundry

element  
PARTS & SERVICE

NOTICE  
BAR  
For  
This Property  
CUP2016-0058

City of McAllen Planning Dept 681-1250  
www.mcallen.net

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 10, 2016

**SUBJECT: REQUEST OF ENRIQUE MARTINEZ, JR., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHTCLUB AT LOTS 1 AND 2, MAIN INTERNATIONAL SUBDIVISION; 6000 NORTH 10<sup>TH</sup> STREET.**

---

**GOAL:**

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

**BRIEF DISCRIPTION:**

The property is located on the east side of North 10<sup>th</sup> Street at Hawk Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north and west, and A-O (agricultural and open space) District to the east and south. Surrounding land uses include single family residences, apartments, offices, retail, and restaurants. A nightclub is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

**HISTORY:**

The initial conditional use permit is approved for this establishment by the Planning and Zoning Commission in January of 1991 and has been renewed annually. At the January 6, 2004 Planning and Zoning Commission meeting, a condition was placed on the approval that there be no parking permitted on the west side of North 10<sup>th</sup> Street, and has been maintained as a condition of the permit approvals. The last permit is approved by the Planning and Zoning Commission on May 19, 2015.

**REQUEST/ANALYSIS:**

The applicant is proposing to continue to operate a bar (Hillbilly's) from the existing 7,200 sq. ft. building. The hours of operation would continue to be from 8:00 p.m. to 2:00 a.m. Wednesday thru Saturday.

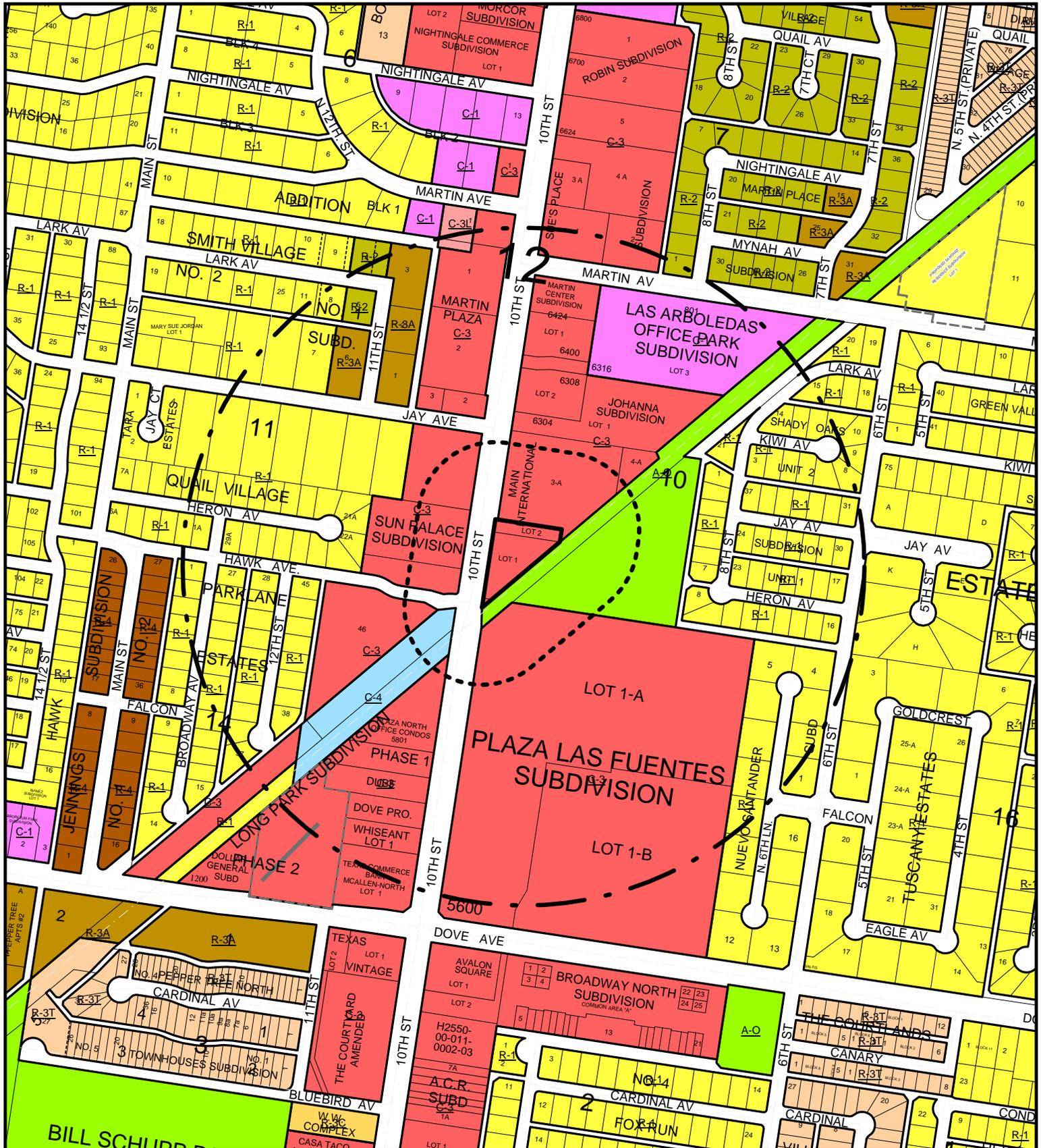
During inspection, staff observed that the parking lot had been resurfaced; however, it needs to be restriped.

The Health and Fire Department have inspected and cleared the establishment, and complies with the health and safety codes and regulations. Attached is the police activity report, which indicates service calls from May 2015 to present. The Planning Department has received no complaints regarding this use. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 300 ft. from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is not within 300 ft. of the above mentioned land 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 has direct access to North 10<sup>th</sup> Street and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on a building capacity of 332 persons, 83 parking spaces are required and are provided as per site plan. The parking lot must be restriped to assure compliance before issuance of the permit;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties. The applicant must make provisions to prevent unauthorized parking 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. Broken bottles and other litter must be cleared from the parking lot; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The allowable number of persons within the building for the use is set at 332 persons.

**RECOMMENDATION:**

Staff recommended approval of the request, for one year, subject to compliance with requirements in Section 138-118(4) of the Zoning Ordinance, Health and Fire Department requirements, parking lot being restriped to assure compliance and maintaining the condition of no parking on the west side of North 10<sup>th</sup> Street.



**CITY OF McALLEN**  
PLANNING DEPARTMENT

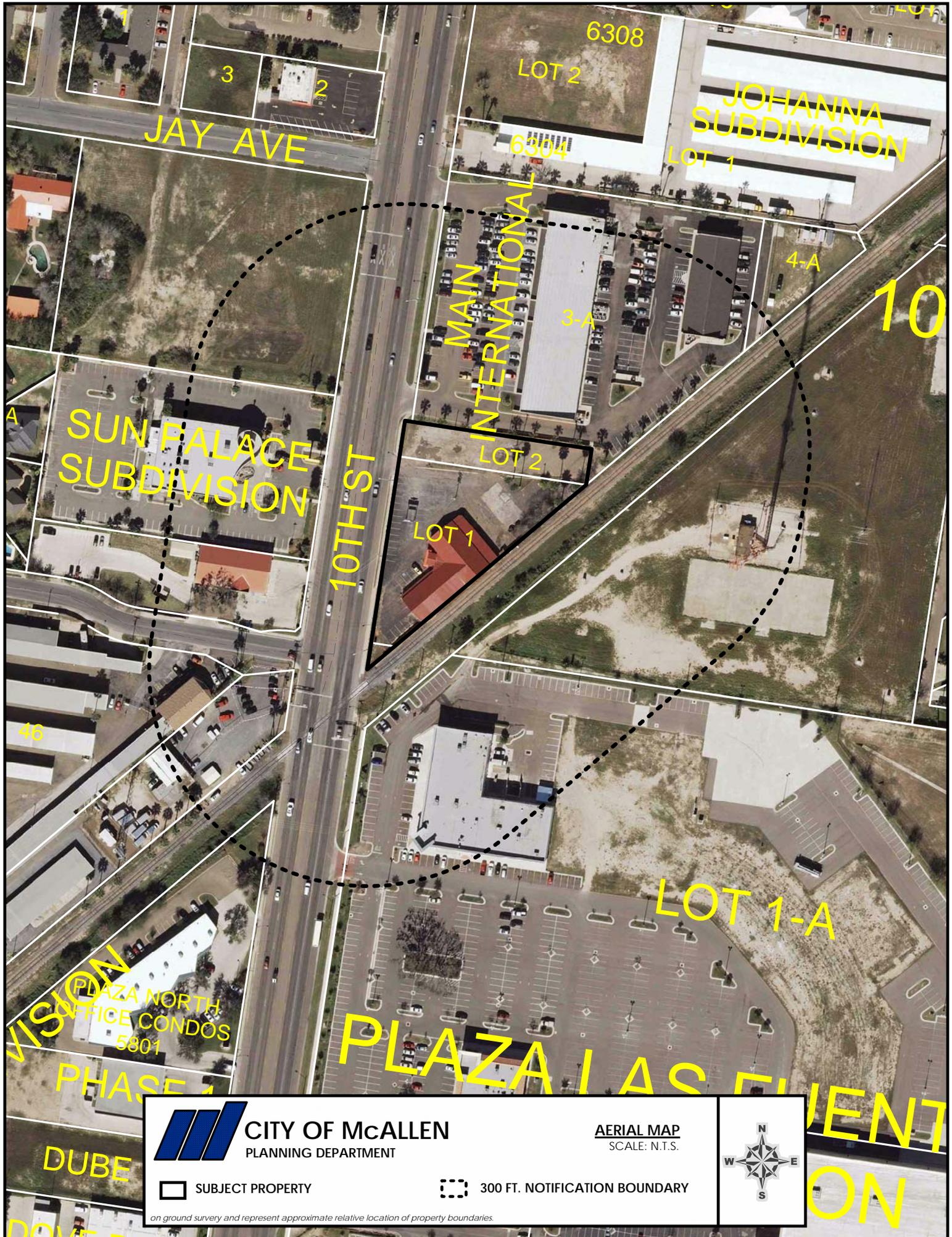
**LEGEND**  
SCALE: 1" = 500'

- |                  |                               |                 |
|------------------|-------------------------------|-----------------|
| SUBJECT PROPERTY | 300 FT. NOTIFICATION BOUNDARY | 1/4 MILE RADIUS |
|------------------|-------------------------------|-----------------|
- 
- |                                 |                     |                               |                             |
|---------------------------------|---------------------|-------------------------------|-----------------------------|
| <b>ZONING LEGEND</b>            |                     |                               |                             |
| A-0 (AGRICULTURAL & OPEN SPACE) | R-3A (APARTMENTS)   | R-4 (MOBILE HOMES)            | C-3 (GENERAL BUSINESS)      |
| R-1 (SINGLE FAMILY RESIDENTIAL) | R-3C (CONDOMINIUMS) | C-1 (OFFICE BUILDING)         | C-3L (LIGHT COMMERCIAL)     |
| R-2 (DUPEX-FOURPLEX)            | R-3I (TOWNHOUSES)   | C-2 (NEIGHBORHOOD COMMERCIAL) | C-4 (COMMERCIAL INDUSTRIAL) |
|                                 |                     |                               | I-1 (LIGHT INDUSTRIAL)      |
|                                 |                     |                               | I-2 (HEAVY INDUSTRIAL)      |
|                                 |                     |                               | (SPECIAL DISTRICT)          |

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AREA MAP



**CITY OF McALLEN**  
PLANNING DEPARTMENT

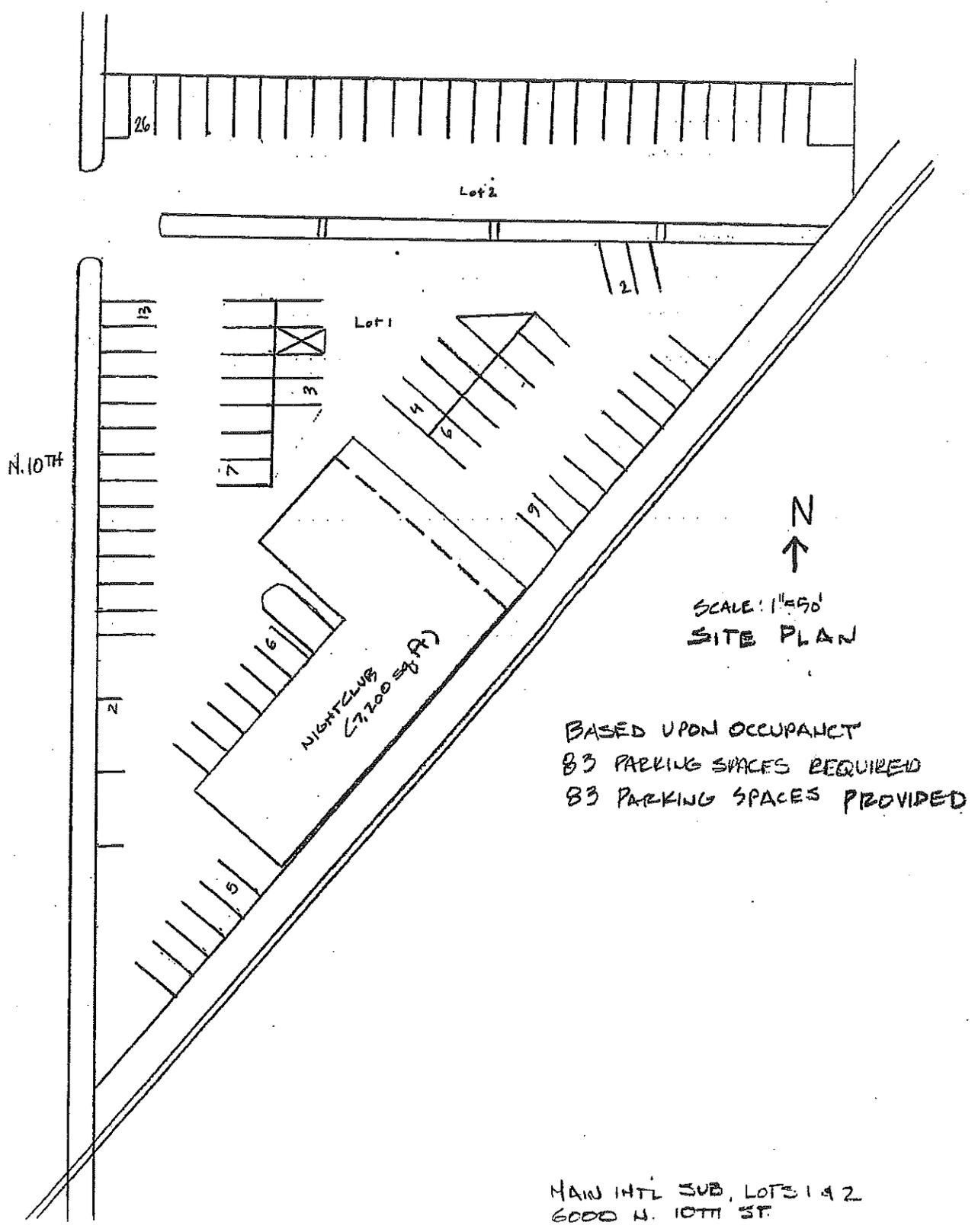
**AERIAL MAP**  
SCALE: N.T.S.

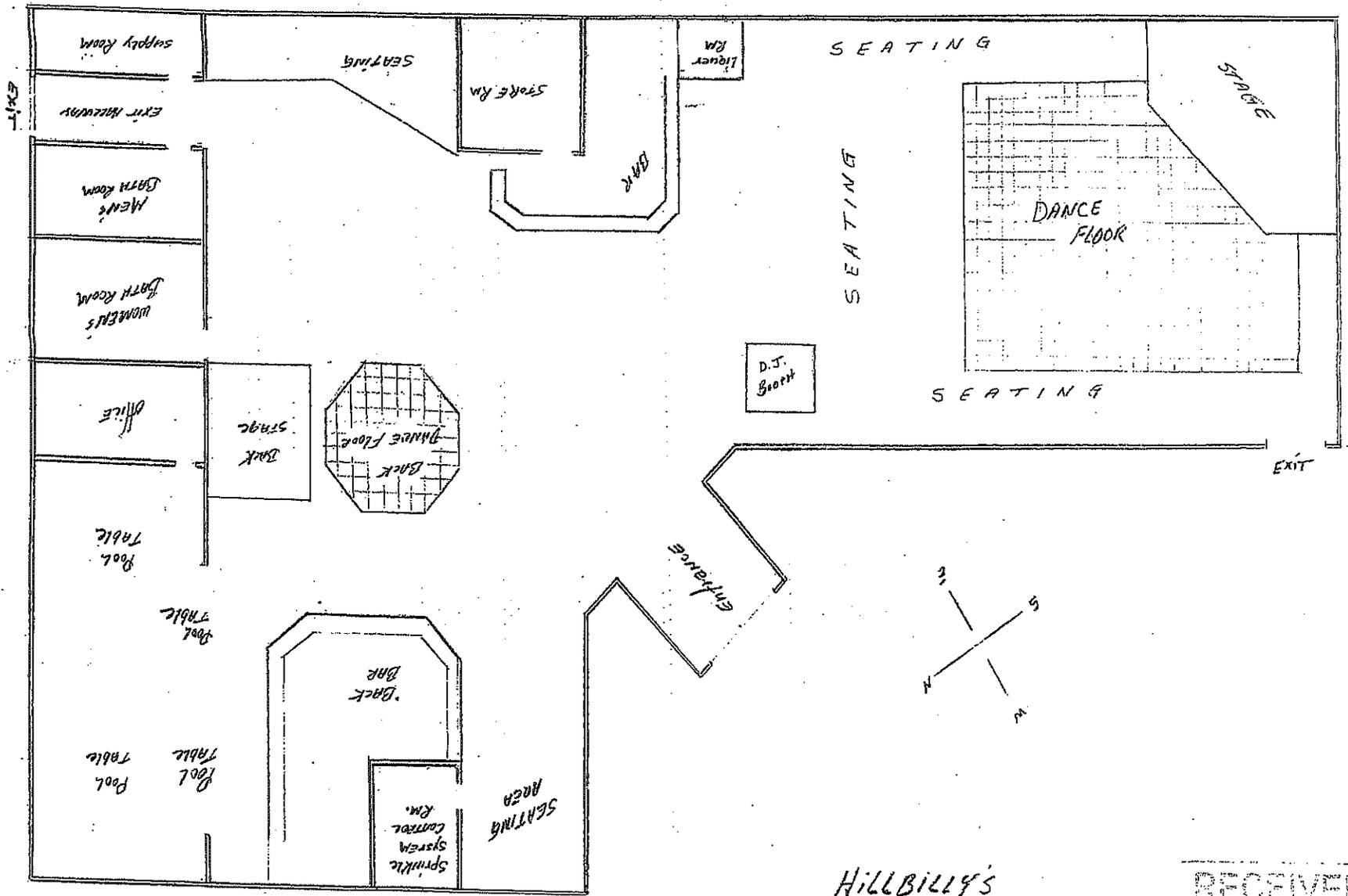
 SUBJECT PROPERTY

 300 FT. NOTIFICATION BOUNDARY



*on ground survey and represent approximate relative location of property boundaries.*





HILLBILLY'S  
 FLOOR PLAN  
 (2000 N 107th STREET)

RECEIVED  
 JAN 06 2004  
 PLANNING DEPARTMENT







# Incident Analysis Report

## Summary

Print Date/Time: 05/11/2016 12:16  
 Login ID: mcpd7004  
 Incident Type: All  
 Call Source: All

From Date: 05/01/2015 00:01  
 To Date: 05/11/2016 12:00

McAllen Police Department  
 ORI Number: TX1080800  
 Officer ID: All  
 Location: 6000 N 10TH ST, MCALLEN

Incident Date/Time	Incident Number	Incident Type	Location	Caller	Source
05/03/2015 18:18	2015-00032697	Alarm Burglary	6000 N 10TH ST	SUPERIOR	Phone
05/10/2015 09:32	2015-00034528	Reckless Driving	6000 N 10TH ST		Phone
06/18/2015 01:20	2015-00044857	Domestic Disturbance	6000 N 10TH ST	JOSHUA CAVAZOS	911
07/23/2015 22:13	2015-00054371	REPO	6000 N 10TH ST	ROEL BUENTELLO	Phone
07/24/2015 13:09	2015-00054514	Alarm Burglary	6000 N 10TH ST	CLAUDIA/SUPERIO	Phone
09/20/2015 02:18	2015-00070095	Lost/Found Property	6000 N 10TH ST	PAULA IBARRA	911
10/02/2015 00:52	2015-00073181	Traffic Complaint/	6000 N 10TH ST		911
10/09/2015 20:32	2015-00075316	Assault	6000 N 10TH ST	C/RAMIRO	Phone
10/15/2015 02:31	2015-00076622	Assist Other Agency	6000 N 10TH ST		Phone
11/14/2015 23:06	2015-00084955	Domestic Disturbance	6000 N 10TH ST	MALE PASSERBY	Phone
11/26/2015 01:00	2015-00087816	Domestic Disturbance	6000 N 10TH ST	FEM PASSERBY	Phone
01/06/2016 21:31	2016-00001471	Suicide Investigation	6000 N 10TH ST	FEM CALLER	911
01/19/2016 14:46	2016-00004659	Self Reporting Incident	6000 N 10TH ST	ANTONIA	Walk In
02/08/2016 18:13	2016-00009897	Domestic Disturbance	6000 N 10TH ST	DIANA	Phone
02/21/2016 02:11	2016-00013234	Assault	6000 N 10TH ST	FEM	Phone
02/23/2016 10:37	2016-00013787	Theft	6000 N 10TH ST	C/JULISSA	Phone
02/26/2016 02:29	2016-00014520	CRIMINAL MISCHIEF	6000 N 10TH ST	PEREZ JAIME	Phone
03/04/2016 20:43	2016-00016579	Accident w/Injuries	6000 N 10TH ST		911
03/20/2016 16:23	2016-00020805	Police Services	6000 N 10TH ST	ISIDRO	Phone
03/23/2016 14:42	2016-00021518	Traffic Complaint/	6000 N 10TH ST	MALE PASSERBY	Phone
04/17/2016 02:09	2016-00028101	Domestic Disturbance	6000 N 10TH ST	OWNER RC	Phone
04/24/2016 14:33	2016-00030088	Theft	6000 N 10TH ST	JOSUA ZAPATA	Phone

Total Matches: 22



**NOTICE  
NIGHT CLUB  
For  
This Property  
CUP2016-0063**

City of McAllen Planning Dept 681-1250  
www.mcallen.net



6000  
SOUTH HILL

NO PARKING

RESERVE

RESERVE

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 11, 2016

**SUBJECT: REQUEST OF CESAR VALDEZ FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT 3, BENTSEN ROAD PLAZA SUBDIVISION; 4501 EXPRESSWAY 83.**

---

**GOAL:**

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

**DESCRIPTION:**

The property is located on the south side of Expressway 83, approximately 290 ft. west of South Bentsen Road and it is zoned C-4 (commercial industrial) District. The surrounding zoning is C-4 to the east and south, and C-3 to the north and west. Surrounding land uses include single family residences, commercial businesses, and vacant land. A bar is allowed in a C-4 zone with a conditional use permit and in compliance with requirements.

**REQUEST/ANALYSIS:**

Currently, there is a 13,000 sq. ft. commercial shell building on the property that is still under construction. At the time of the site inspection, the parking lot had not been constructed.

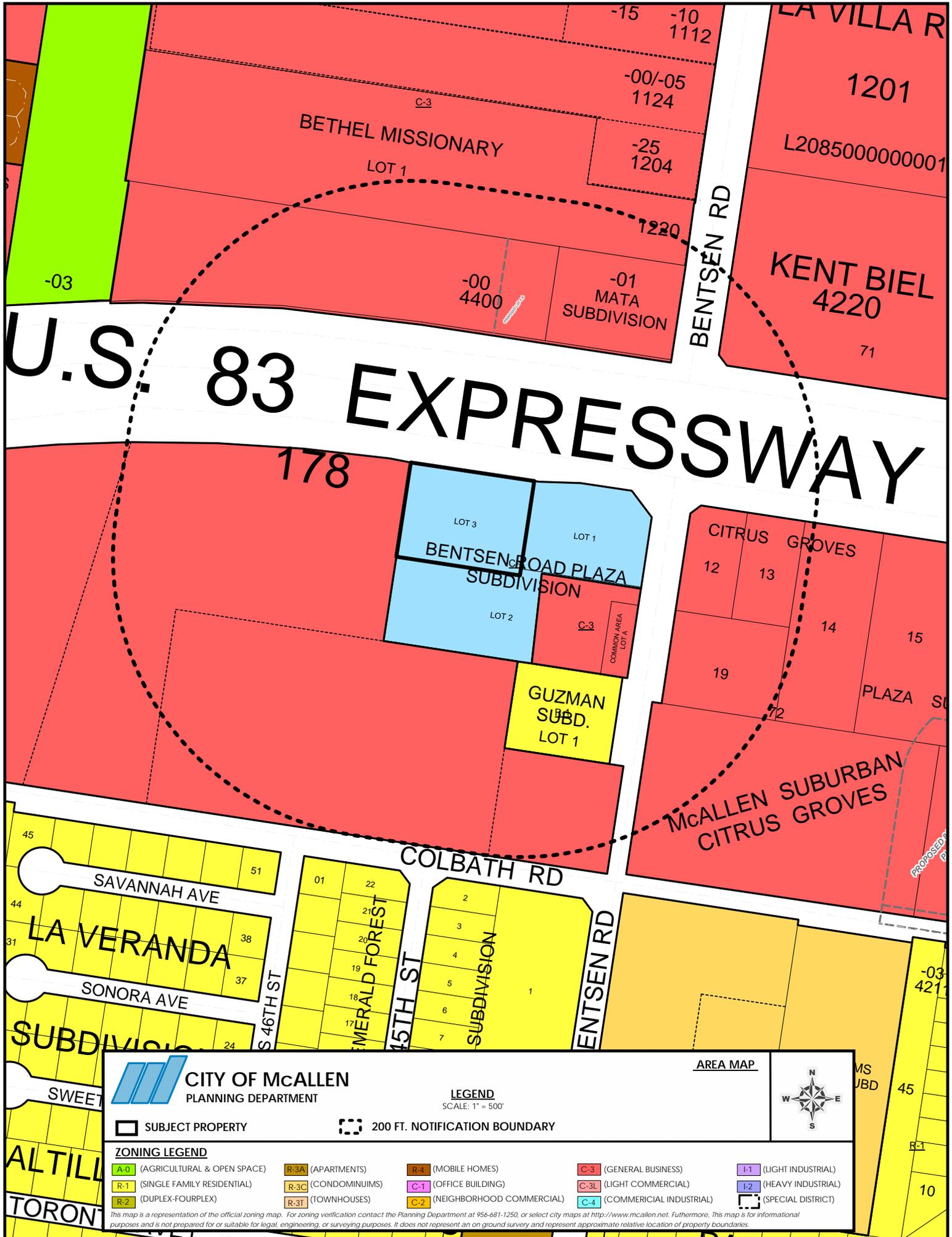
The applicant is proposing to operate a bar from three of the lease spaces. The establishment proposes to be in operation from 6:00 p.m. to 2:00 a.m. Monday thru Saturday. Based on the proposed 8,680 sq. ft. of retail use, 25 parking spaces are required. The proposed 4,320 sq. ft. building lease area, 58 parking spaces are required and 88 parking spaces are provided on the common parking area. The total parking required for all businesses to operate at the same time is 83 parking spaces.

The Health and Fire Departments have inspected the establishment; however, a final inspection will be required during the building permit process. A police activity report was not requested since the bar has not been in operation. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of the above mentioned business, having late hours (after 10:00 p.m.) must be at least 600 ft. from the nearest residence, church, school or publicly-owned property, and must be designed to prevent disruption of the character of adjacent residential area. The shopping center is within 600 ft. of residential zones and uses;
- 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 direct access onto the Expressway 83 eastbound frontage Road and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the 4,320 sq. ft. building lease space, 58 parking spaces are required and 68 parking spaces are provided on the common parking area;
- 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.

**RECOMMENDATION:**

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: 1" = 500'

AREA MAP



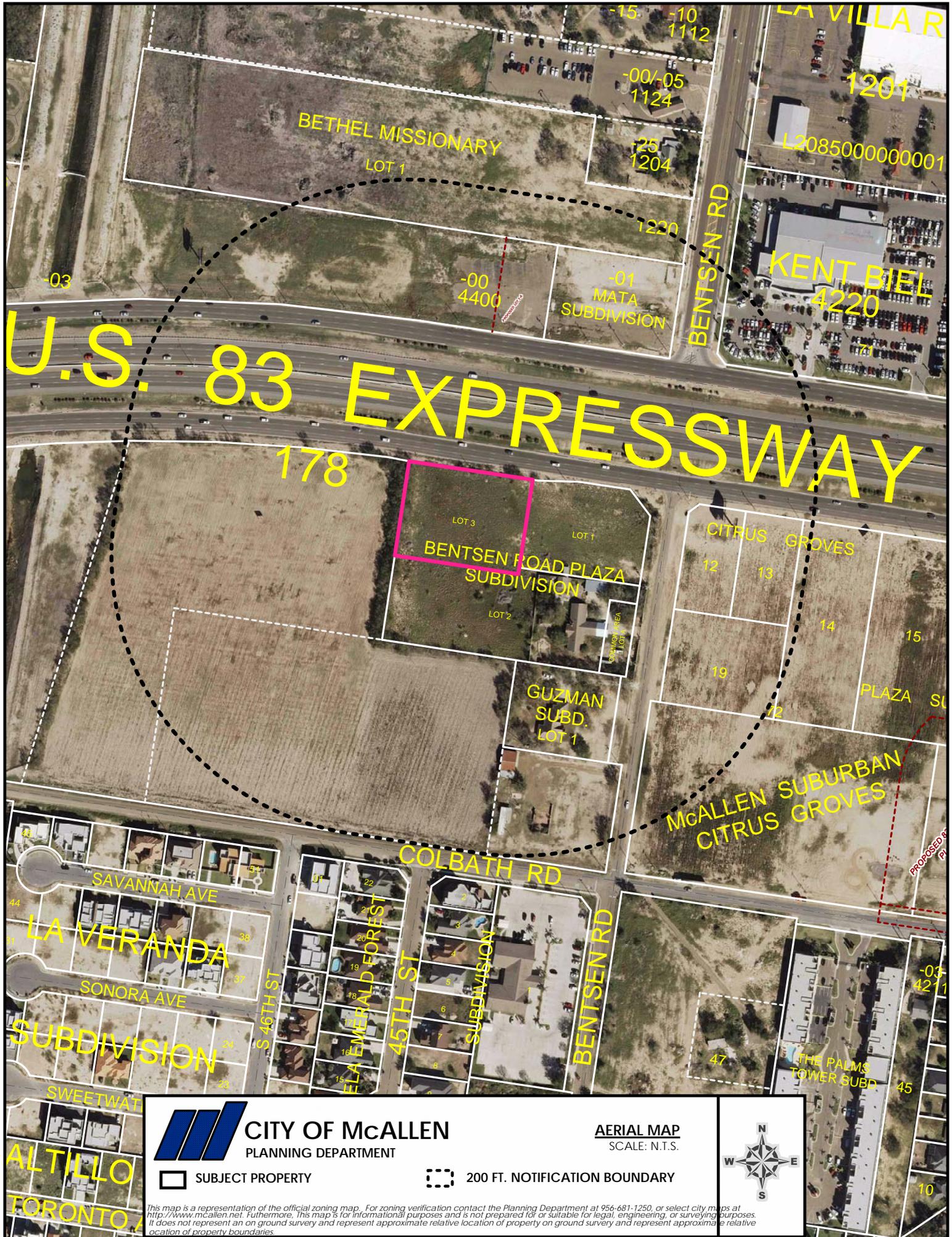
**SUBJECT PROPERTY**

**200 FT. NOTIFICATION BOUNDARY**

**ZONING LEGEND**

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

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

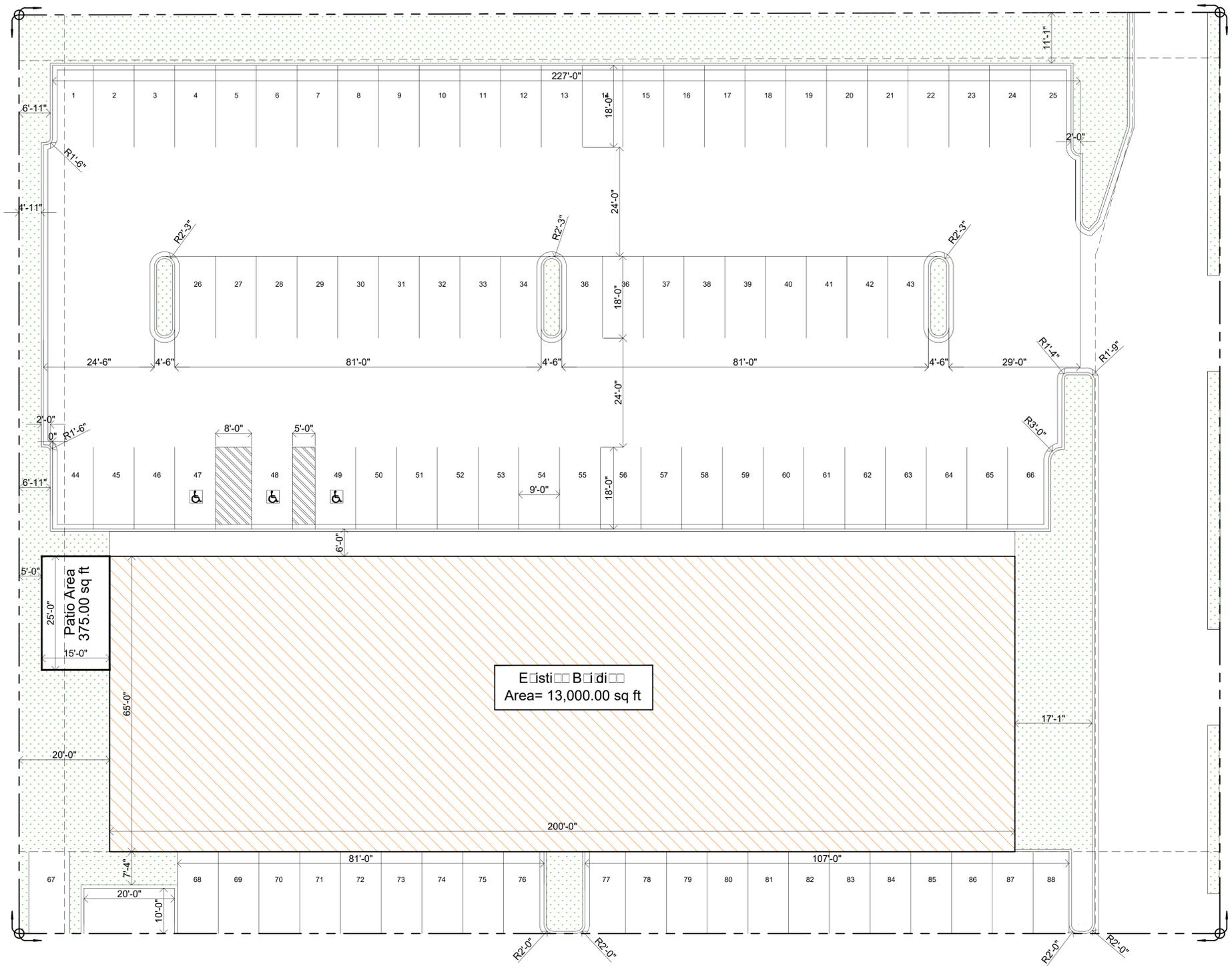
**AERIAL MAP**  
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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LOT AREA	1.23 Ac. / 53,687 SF
LANDSCAPE AREA REQUIRED	5,368 SF
LANDSCAPE AREA PROVIDED	7,035 SF
PARKING SPACES REQUIRED	83 PS
PARKING SPACES PROVIDED	88 PS
RETAIL AREA PROPOSED	8,680 SF
RESTAURANT AREA PROPOSED	4,320 SF

1 SITE PLAN  
C-1

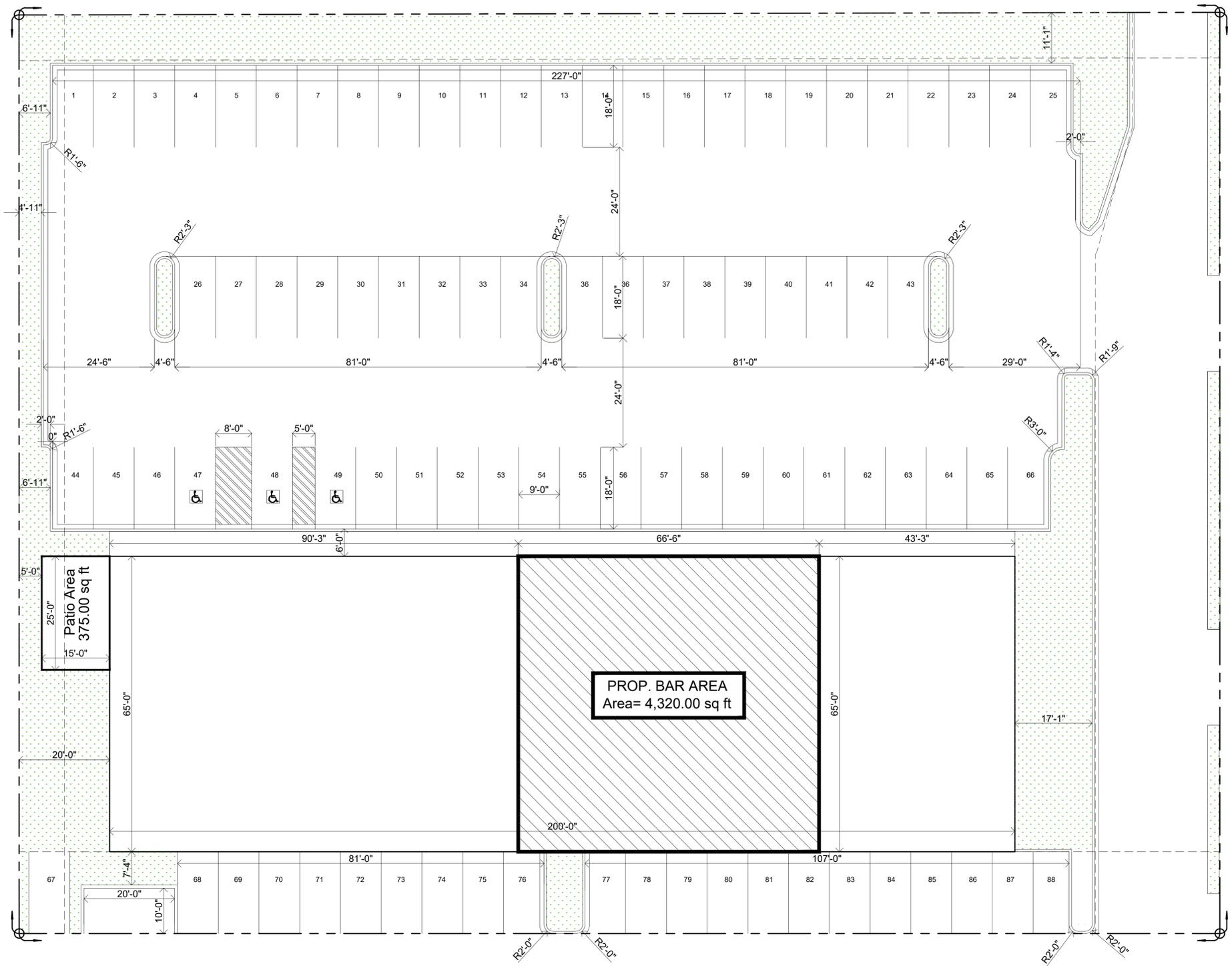
PROJECT NAME: MODERN PLAZA  
 ADDRESS: 4501 US. EXPRESSWAY 83  
 MCALLEN, TX  
 CLIENT INFORMATION: -----

THIS IS THE PROPERTY OF THE PROFESSIONAL ENGINEER WHOSE SEAL APPEARS ON THIS DRAWING AND IT IS UNLAWFUL TO REUSE THIS DRAWING ON ANY OTHER PROJECT, OR TO COPY, TRACE OR IN ANY OTHER WAY, REPRODUCE ANY OR ALL PARTS OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

REVISION: 1 BY: NS APPROVED BY: MAS

DATE PREPARED: 5-9-16

PROJECT No. SHEET No. C-1



Patio Area  
375.00 sq ft

PROP. BAR AREA  
Area= 4,320.00 sq ft

LOT AREA	1.23 Ac. / 53,687 SF
LANDSCAPE AREA REQUIRED	5,368 SF
LANDSCAPE AREA PROVIDED	7,035 SF
PARKING SPACES REQUIRED	83 PS
PARKING SPACES PROVIDED	88 PS
RETAIL AREA PROPOSED	8,680 SF
RESTAURANT AREA PROPOSED	4,320 SF

1 SITE PLAN  
C-1

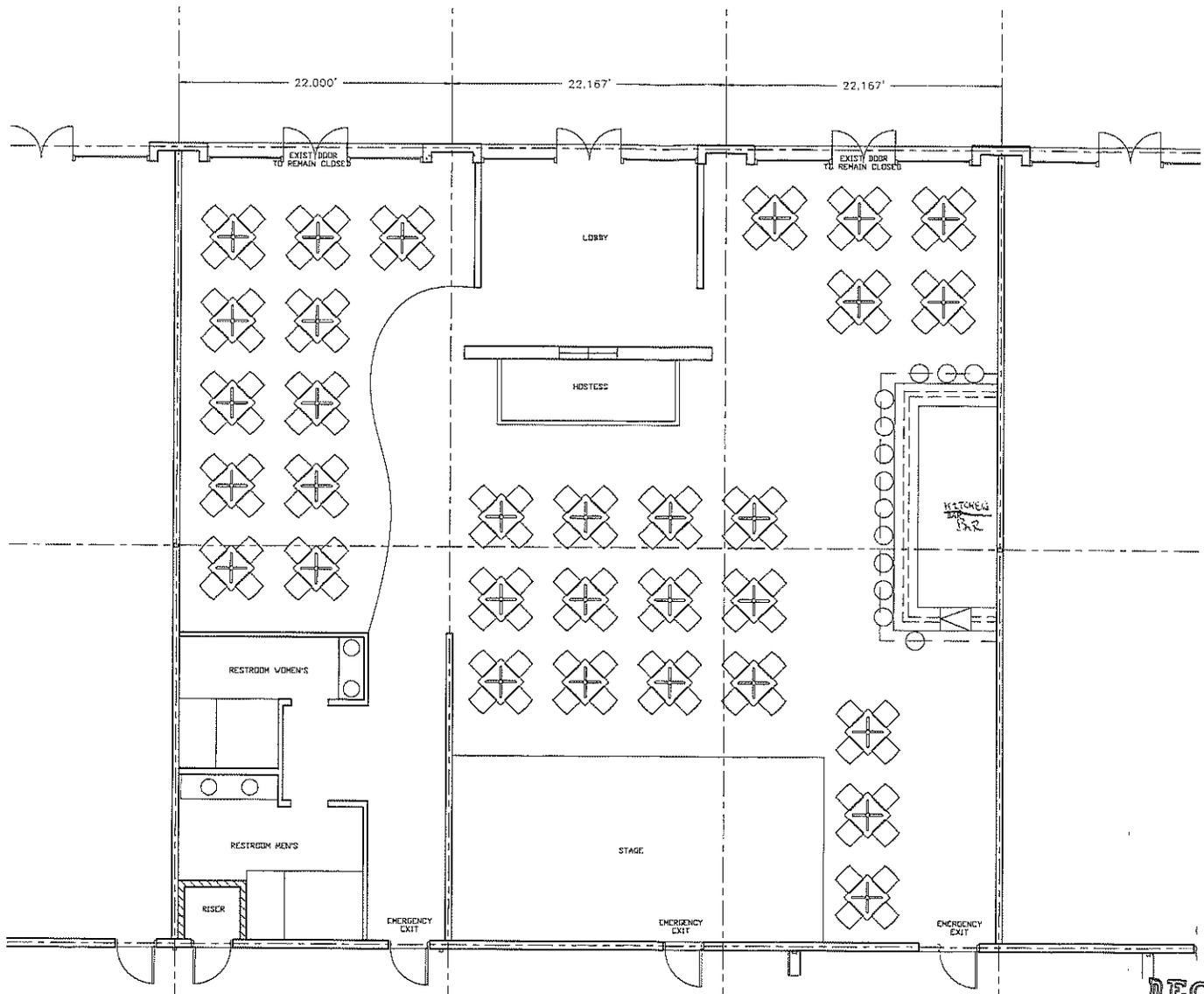
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 MCALLEN, TX  
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REVISION: 1 BY: NS APPROVED BY: MAS

DATE PREPARED: 5-9-16

PROJECT No. SHEET No. C-1



PROJECT NAME:	EVERA
ADDRESS:	MCALLEN TX.
CURTAIN INFORMATION:	L. AUREOLA L.L.C.

**MAS ENGINEERING LLC.**  
CONSULTING ENGINEERING  
FIRM NO. F-15499  
1037 W. EXP. 83, SUITE 150  
MCALLEN, TEXAS, 78501  
PH. (956) 537-1311  
E-MAIL: MSALINAS@390ATT.NET

THIS IS THE PROPERTY OF THE PROFESSIONAL ENGINEER WHOSE SEAL APPEARS ON THIS DRAWING AND IT IS UNLAWFUL TO REPRODUCE THIS DRAWING OR ANY PARTS OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

SHEET NAME:  
**LAYOUT**

REVISION:	BY:	APPROVED BY:
1	AV	MAS

DATE PREPARED: 04-21-2016

PROJECT NO.	SHEET NO.
	A-1

RECEIVED  
APR 21 2016  
BY: *[Signature]*







**NOTICE  
BAR  
For  
This Property  
CUP2016-0065**

 City of McAllen Planning Dept 681-1250  
www.mcallen.net 

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 11, 2016

**SUBJECT: REQUEST OF SOLANI, LLC FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT THE NORTH 150 FEET OF LOT 1, GATEWAY PLAZA SHOPPING CITY SUBDIVISION; 925 LINDBERG AVENUE.**

---

**GOAL:**

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

**BRIEF DESCRIPTION:**

The property is located on the southeast corner of South 10<sup>th</sup> Street and Lindberg Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District in all directions and C-1 (office building) District to the northeast. Surrounding land uses include commercial businesses, offices, a church, and single family residential. A bar is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

**REQUEST/ANALYSIS:**

Currently, there is a 14,000 sq. ft. multi-commercial building on the property with retail use. Of the 14,000 sq. ft. the applicant is proposing to operate a bar out of a 5,000 sq. ft. lease area. Currently, the lease space is being occupied by a retail store (Pink & Blue). The business is closing and will vacate before June 2016. The establishment proposes to be in operation Monday through Sunday from 7 p.m. to 2 a.m. Based on the square footage and retail uses 26, parking spaces are required. The proposed 5,000 sq. ft. bar would require 68 parking spaces; 73 parking spaces are provided on site. The total parking required for all businesses to operate at the same time is 94 spaces; however, the retail businesses close at 7:00 p.m.

Staff has received a letter of opposition with signatures with various concerns. The concerns expressed include the incompatibility with the surrounding neighborhood, trespassing and unauthorized issues, traffic, and noise. The opposition percent is at 9.2 percent of opposition

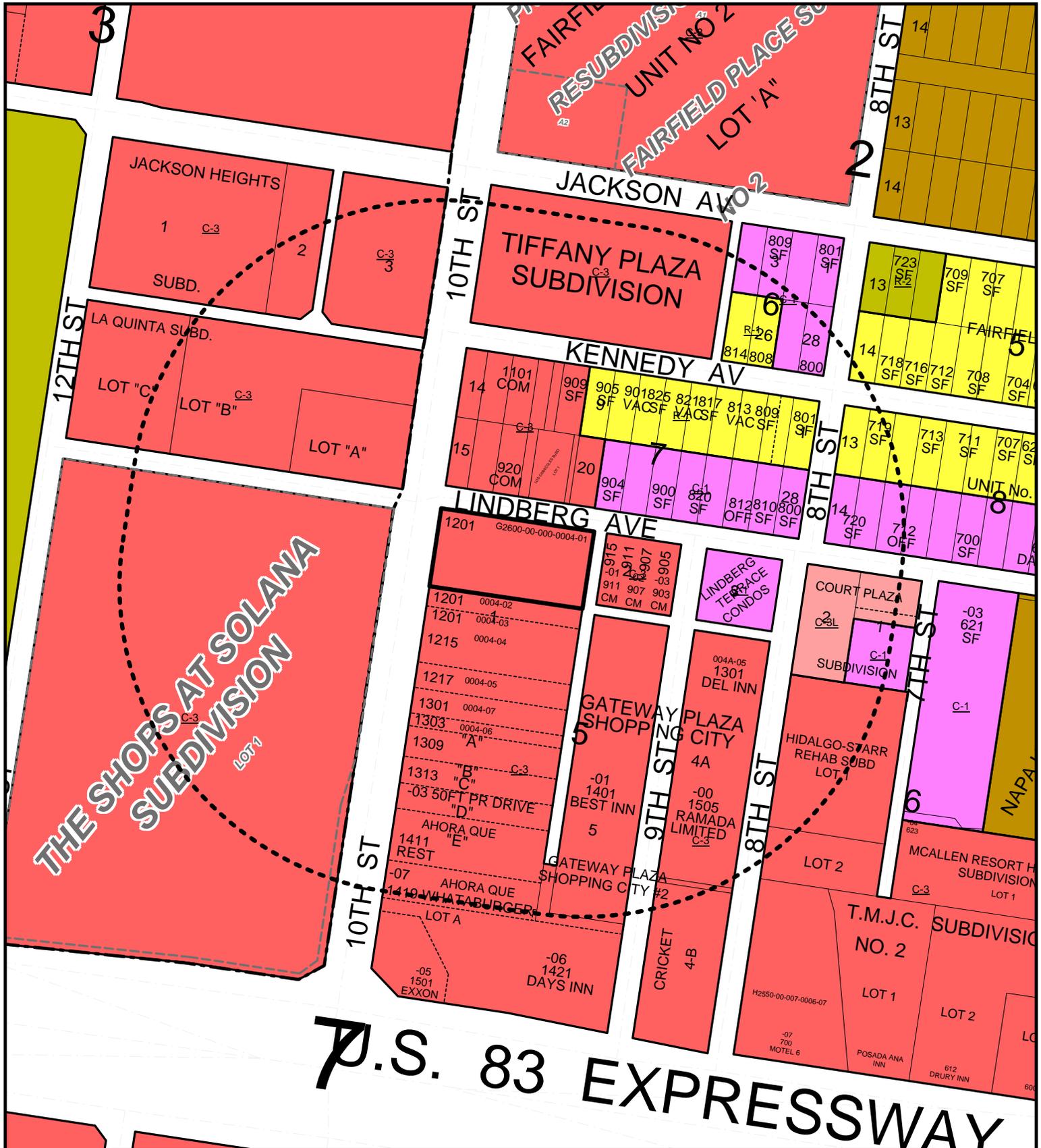
A building permit would be required for any remodeling of the building. The establishment must comply with all requirements of the building permit including parking, landscaping, sidewalks, etc.

The Health and Fire Departments will conduct a final inspection after the space has been remodeled. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 600 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 600 ft. from a church and a residential zone;
- 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 South 10<sup>th</sup> Street and Lindberg Avenue, and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage and retail uses 26, parking spaces are required. The proposed 5,000 sq. ft. bar would require 68 parking spaces; 73 parking spaces are provided on site. The total parking required for all businesses to operate at the same time is 94 spaces; however, the retail businesses close at 7:00 p.m.;
- 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 maximum number of persons allowed will be determined based on a floor plan at the time of building permit application.

**RECOMMENDATION:**

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





**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: 1" = 500'

**AREA MAP**



**SUBJECT PROPERTY**

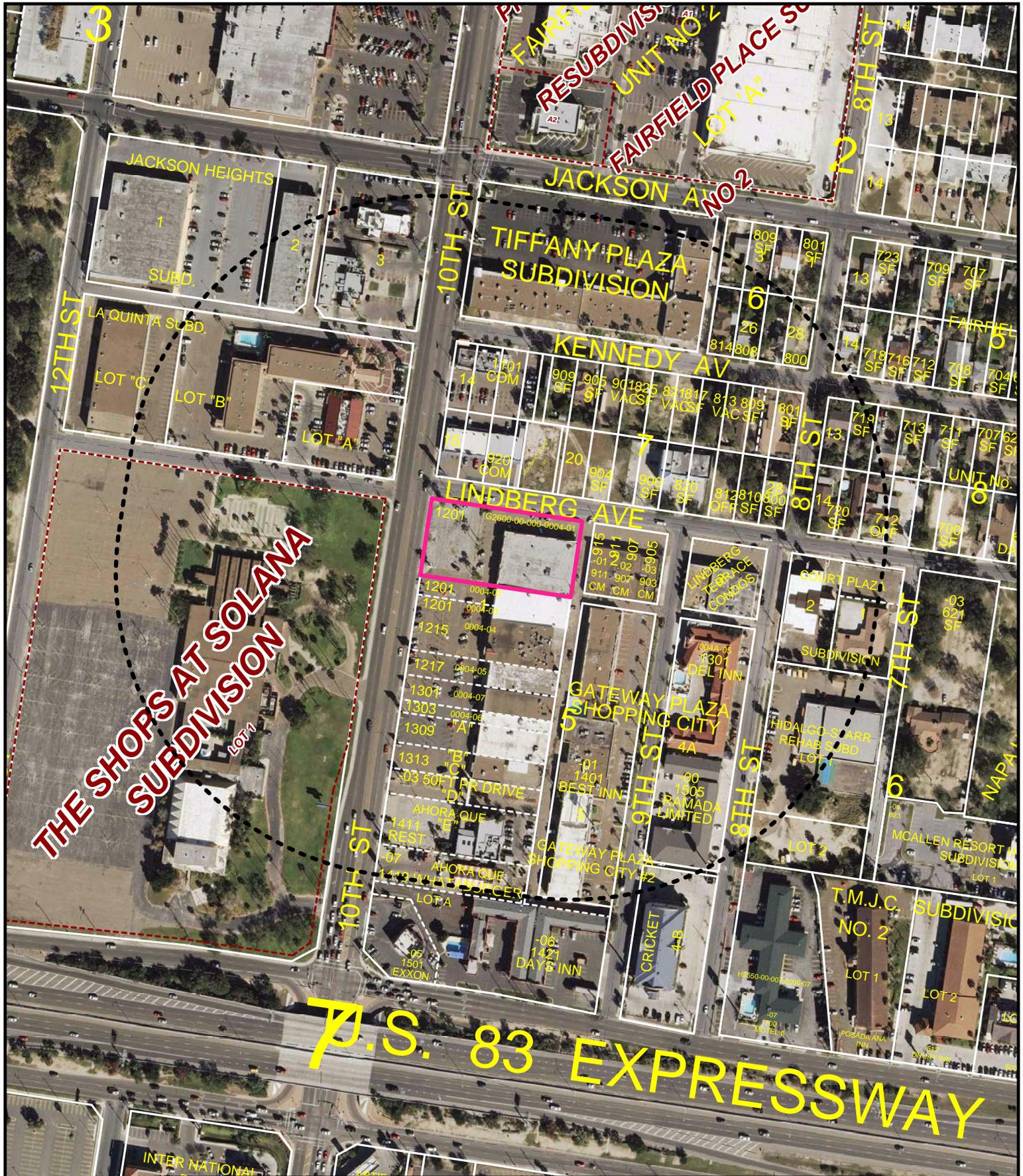
**200 FT. NOTIFICATION BOUNDARY**

**ZONING LEGEND**

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

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DIVISION LOT 1



**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

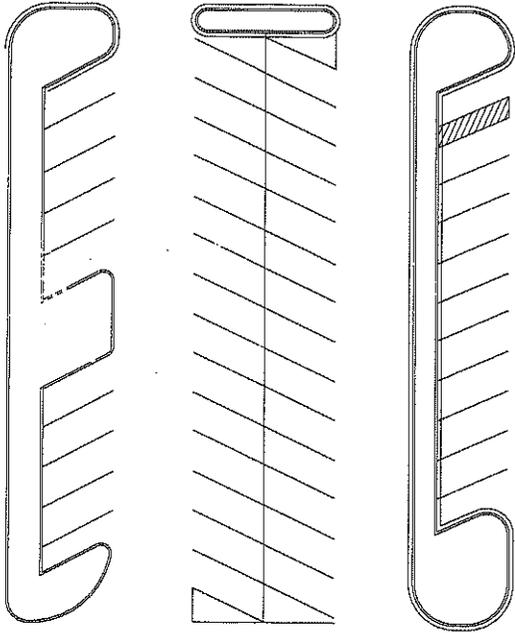
 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY

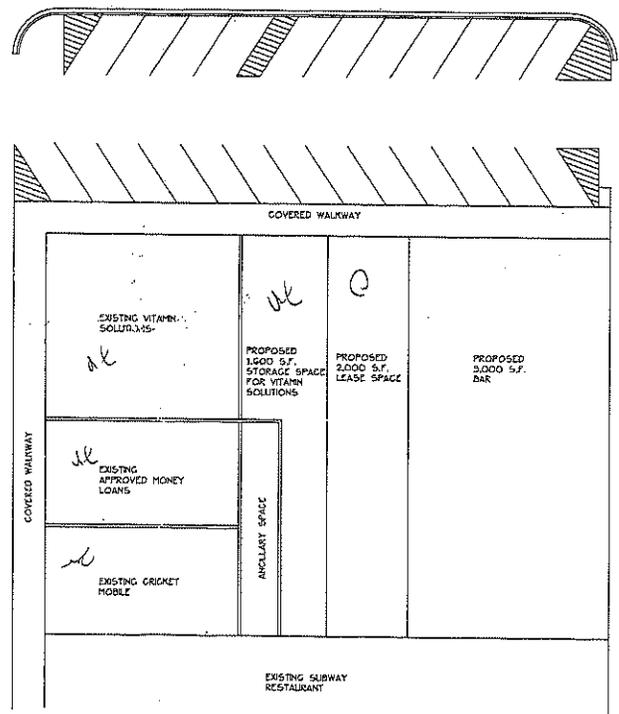


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10th STREET



LINDBURG AVE.



ALLEY



© All rights reserved. Plot 6004

By authority of the State of Texas, I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Texas, do hereby certify that I am the author of the above described plan and that it was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Texas.

LS Drafting Services

EXISTING SITE LAYOUT  
for  
VITAMIN SOLUTIONS  
McAllen, Texas

LS Drafting Services  
McAllen, Texas 78501  
656 891-1287

RECEIVED  
MAY 10 2016  
BY: \_\_\_\_\_

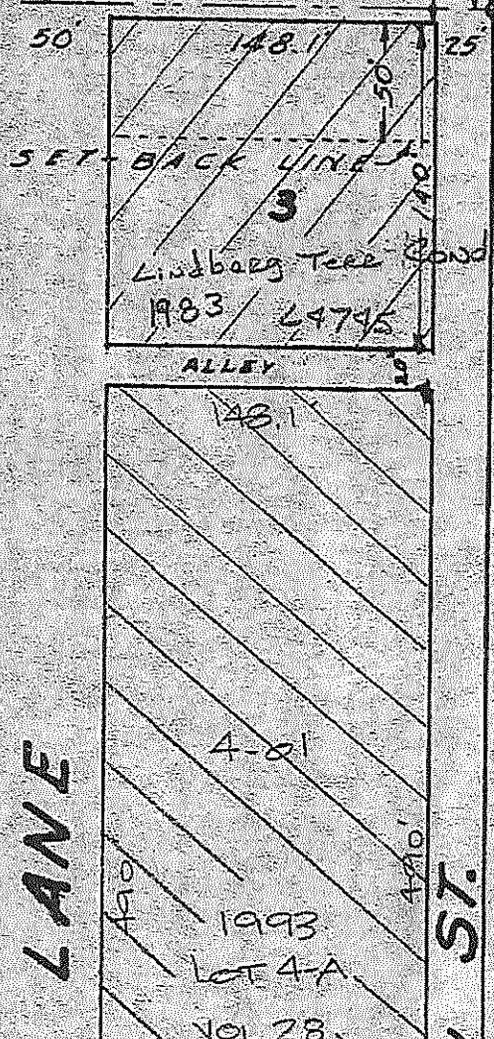
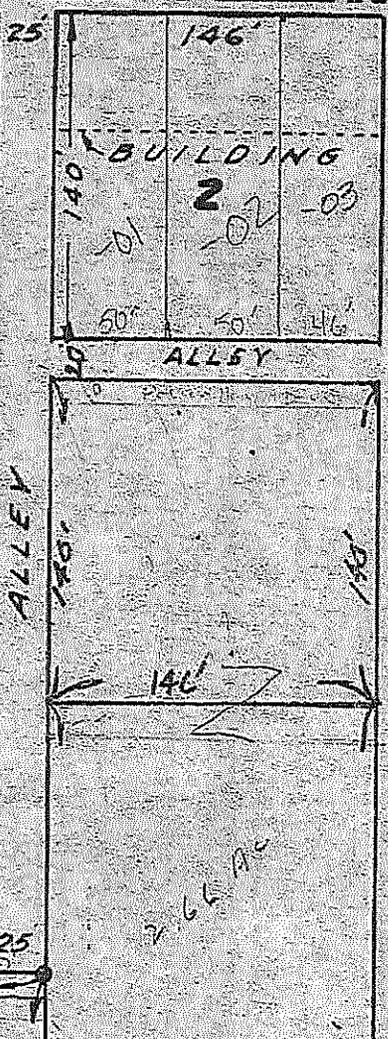
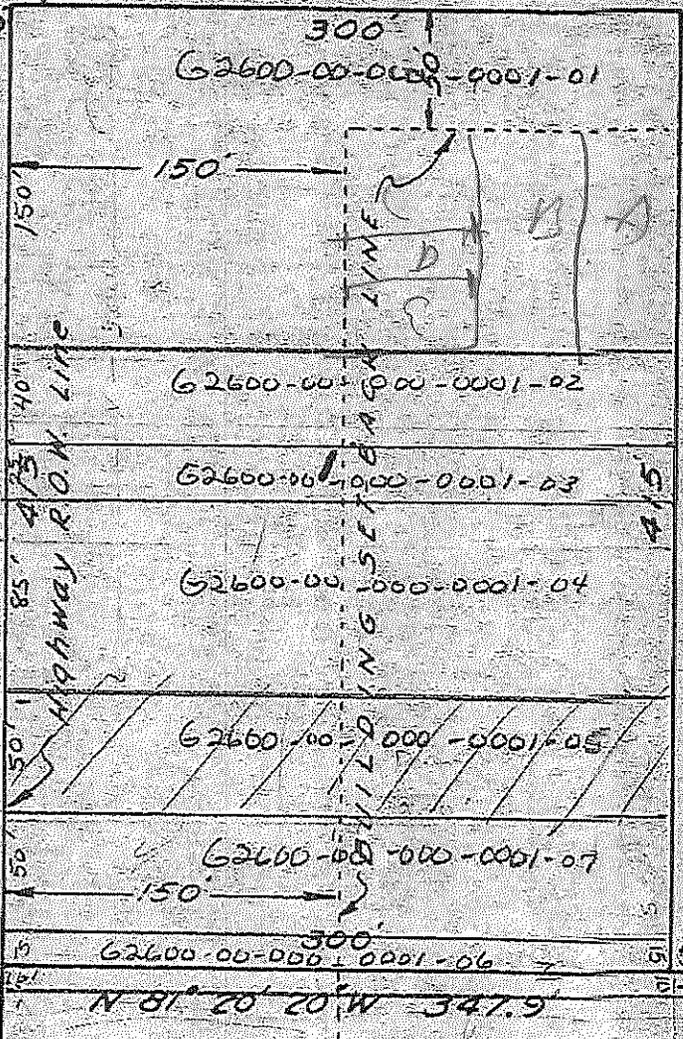


10TH ST. N 8° 42' 10" E 420.9' (STATE HWY.)  
West Line Lot 5

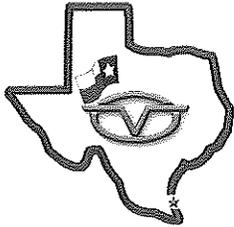
FAIRFIELD PLACE  
BLOCK 7

S 81° 20' 20" E 717.9'  
LINDBERG AVE.

North Line Lot 5



PLAT  
APPRAISAL DIST.  
ONLY



## PAUL G. VEALE, JR.

---

May 5, 2016

Mrs. Julie Rankin  
Director of Planning and Zoning  
City of McAllen  
and  
McAllen Planning and Zoning Commission  
311 North 15<sup>th</sup> Street  
McAllen, TX 78501

RE: CUP Request #2016-0057

Dear Mrs. Rankin and the Honorable Members of the McAllen Planning and Zoning Commission,

This letter is presented to you for the purpose of providing the necessary information needed to support the rejection and denial of the pending request to approve the Conditional Use Permit referenced above for a **BAR** at the North 150 feet of Lot 1, Gateway Plaza Shopping City Subdivision (925 Lindberg Avenue). The specific rationale supporting denial and rejection is as follows:

**Incompatibility with Surrounding Neighborhood.** A church is located within the 200' notification boundary. The church operation involves regular activities which include evening events and assemblies. In addition to the church operation, there are other business operations within the 200 feet notification area which would be adversely affected by the bar and its patrons, as well as many residential properties located along Kennedy Avenue and 8<sup>th</sup> Street—the blocks immediately north and east of the proposed bar location.

**Trespassing and Unauthorized Parking.** It is impossible to control parking. Patrons of the proposed bar will park in the spaces nearest to the bar entry point as possible. These parking spaces, unfortunately ARE NOT on the applicant's premises, but rather on the neighboring property situated along Lindberg Avenue. The current experience of the property owners along Lindberg Avenue associated with patrons of a bar operating south of the proposed bar on Lindberg (Gas Light Club) is that patrons consume beer, liquor and drugs BEFORE entering the bar. Once consumed, the beer cans and/or beer and liquor bottles are thrown down in the parking lot, and the cans and bottles (many of them broken) are left to be cleaned up the next morning by the property owners. As police reports indicate, there have been numerous instances of auto burglary, theft and vandalism associated with the illegally parked vehicles in neighborhood parking areas. Additionally, surveillance videos are used to document the activities described above to the McAllen Police Department investigators.

**Monitoring and Enforcement of CUP.** The realities and consequences of a bar operation are accurately described above. Once a CUP is granted, the City of McAllen does not have the resources or the inclination to monitor compliance and changes in operations which might be contrary to the initial intentions and proclamations of the applicant and the approval conditions granted by the City.

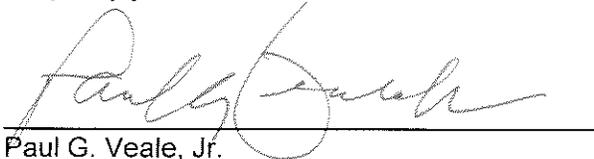


Mrs. Julie Rankin  
McAllen Planning and Zoning Commission  
May 5, 2016  
Page 2

**We request that this letter be made a part of the CUP record. Based on the issues presented herein and other facts, we are hopeful that the Planning and Zoning Commission will recommend rejection of the above referenced CUP request when this matter is presented to the City Commission. Your support and concern for our neighborhood is greatly appreciated.**

We thank you for your interest in our neighborhood.

Very truly yours,



Paul G. Veale, Jr.  
RGCX, Ltd.  
901 Lindberg Ave., McAllen, TX

*Joined by the following neighbors in agreement and support of the protest.*



Raul Villarreal  
Oasis de Gracia Church  
821 Lindberg Ave., McAllen, TX



Dorothy Thomas  
Rio Sunset Ventures, LLC  
907 Lindberg Ave., McAllen, TX

*(signature on separate pg)*

Dr. Joseph Caporusso  
Family Foot Care  
812 Lindberg Ave., McAllen, TX



Jorge L. Martínez  
Dimart Investments, LP  
801-821 Lindberg Ave., McAllen, TX

Mrs. Julie Rankin  
McAllen Planning and Zoning Commission  
May 5, 2016  
Page 2

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Very truly yours,

---

Paul G. Veale, Jr.  
RGCX, Ltd.  
901 Lindberg Ave., McAllen, TX

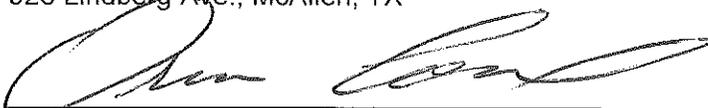
*Joined by the following neighbors in agreement and support of the protest.*

---

Raul Villarreal  
Oasis de Gracia Church  
821 Lindberg Ave., McAllen, TX

---

Clemente Caballero  
Pink & Blue Baby Boutique  
928 Lindberg Ave., McAllen, TX



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Dr. Joseph Caporusso  
Family Foot Care  
812 Lindberg Ave., McAllen, TX

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Jorge L. Martinez  
Dimart Investments, LP  
801-821 Lindberg Ave., McAllen, TX



JAMES E. DARLING, Mayor  
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3  
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4  
RICHARD F. CORTEZ, Commissioner District 1  
TREY PEBLEY, Commissioner District 2  
JOHN J. INGRAM, Commissioner District 5  
VERONICA VELA WHITACRE, Commissioner District 6

ROEL RODRIGUEZ, P.E., City Manager

May 11th, 2016

925 Lindberg Avenue  
CUP2016-0057  
Petition in opposition

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200 Ft. Radius: 352,300 Sq. Ft.  
Subject Property: 45,770 Sq. Ft.  
Total Area of Opposition: 28,187 Sq. Ft.

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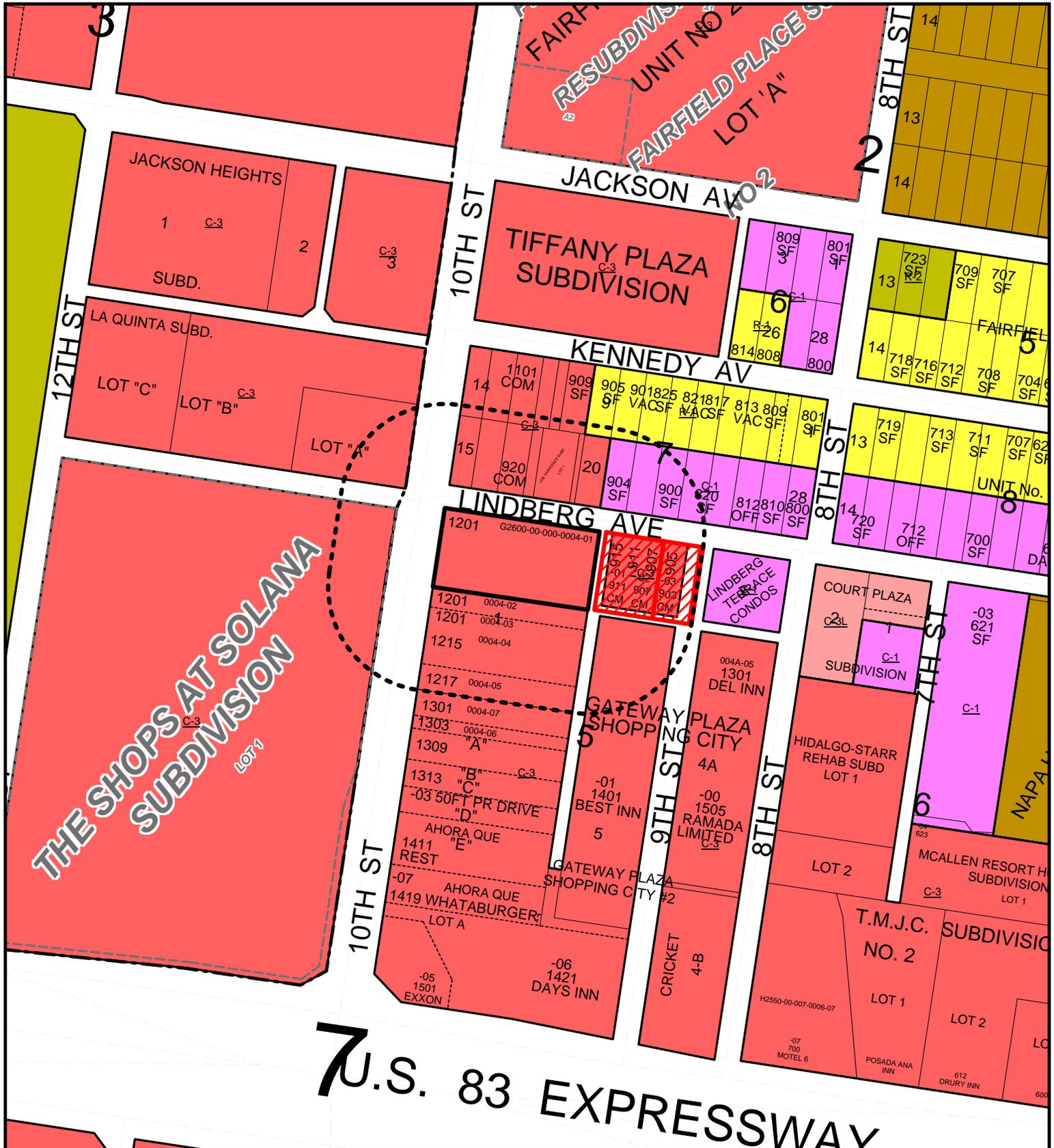
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$\frac{200 \text{ Ft Radius} - \text{Subject Property}}{\text{Total Adjusted Area}}$	$\frac{\text{Total Area of Opposition}}{\text{Total Adjust Area}}$	$= 0.*** \times 100 =$	$\text{Percentage of Opposition}$
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$\frac{352,300 \text{ Sq.Ft.} - 45,770 \text{ Sq.Ft.}}{306,530 \text{ Sq.Ft.}}$	$\frac{28,187 \text{ Sq.Ft.}}{306,530 \text{ Sq.Ft.}}$	$= 0.092 \times 100 =$	$\mathbf{9.2\% \text{ Opposition}}$
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Prepared By: Planning Department



# U.S. 83 EXPRESSWAY

 <b>CITY OF McALLEN</b> PLANNING DEPARTMENT		<b>LEGEND</b> SCALE: N.T.S.	
 SUBJECT PROPERTY	 200 FT. NOTIFICATION BOUNDARY		
 OPPOSITION PETITION	 OPPOSITION WITHIN 200 FT.		

DIVISION  
 LOT 1  
 H.L.H.  
 ENTERPRISES, INC.

LOT 1  
 LOT 2  
 POSADA ANA  
 INN  
 612  
 DRURY INN  
 600





Wak & Blue

Vitamin SOLUTIONS

Money Loans Center

Luby's

NOTICE BAR For This P... CUP2016

**Memo**

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** May 11, 2016

**SUBJECT:** REQUEST OF JACR, LLC DBA GAMEHAUS GASTROPUB, FOR A CONDITIONAL USE PERMIT, FOR FIVE YEARS, FOR A BAR AT LOTS 13 AND 14, NOLANA TERRACE SUBDIVISION; 2109 NOLANA AVENUE.

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**GOAL:**

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

**BRIEF DESCRIPTION:**

The property is located on the south side of Nolana Avenue, approximately 122 ft. west of North 21<sup>st</sup> Street and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the west, north and east and R-3A (apartments) District to the south. Surrounding land uses include commercial businesses and single and multi-family residential. A bar is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

**REQUEST/ANALYSIS:**

Currently, there is a 9,860 sq. ft. commercial building on the property that is being utilized as a restaurant and assembly/game area. The applicant is proposing to utilize the building for a bar. The proposed hours of operation are from 4:00 p.m. to 2:00 a.m. Monday through Friday and 11:00 a.m. to 2:00 a.m. Saturday and Sunday. Based on the square footage, 116 parking spaces are required and 36 parking spaces are provided on site as per site plan. Parking agreements were originally submitted; however, the parking agreements needed updating. During inspection staff observed the parking lot needed some restriping and that there was only one parking space in the rear, for a total of 27 spaces available on site. Updated parking agreements were submitted and were reviewed (see update).

The Fire and Health Departments have inspected the establishment, which meet the minimum safety codes and regulations. Attached is a police activity report with calls from April 2015 to present. Staff has received a letter and several emails with surrounding neighbors in opposition of the request with concerns trash, noise, and parking. A signed petition has been submitted with opposition to the request.

The establishment must also comply with requirements set forth in Section 138-118(4) of

the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned businesses must be at least 600 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 600 ft. of residentially zoned properties to the south;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue and may generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage, 116 parking spaces are required and 27 parking spaces are provided on site. Updated parking agreements were submitted and were reviewed(see update);
- 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. There should be sufficient lighting in front of the building;
- 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 maximum capacity for this establishment is 389 persons.

**UPDATE:**

Parking agreement at 2246 Nolana Avenue:

Provides 32 parking spaces; however, the parking spaces are 750 ft. from the property. The Zoning Ordinance allows for offsite parking not to exceed 500 ft. from any other nonresidential building served. Also, pedestrians would be crossing Nolana Avenue, which is designated as a principal arterial. The development where the parking spaces are located are needed for the businesses at that location.

Parking agreement at 3900 North 23<sup>rd</sup> Street:

Provides 45 parking spaces. There are certain parking spaces that need re-striping and potholes need to be fixed. The distance from the establishment to this location along Nolana Avenue and North 23<sup>rd</sup> Street is approximately 960 ft. and measured directly along the alley behind their business the distance is 470 ft.; however, if the alley is used it would generate traffic into residential areas.

Parking agreement at 2217 Nolana Avenue:

Provides 19 parking spaces that comply. There may be more parking spaces available; however, during inspection of the site, staff observed that the parking spaces were not striped as per the site plan. The applicant stated that the business (National Lube) would not allow additional striping due to the incoming and existing of vehicles through the garage doors. This business closes at 6:00 p.m., thus having an overlap of 2 hours, which is allowed based on written consent.

Parking agreement at 2201 Nolana Avenue:

Provides 11 parking spaces that comply.

Parking agreement at 2117 Nolana Avenue:

Provides 15 parking spaces that comply.

Parking agreement at 2025 Nolana Avenue:

Provides 24 parking spaces; however, there is a 2.5 hour overlap, which is allowed based on written consent. Also, the location was approved as a master plan and provides common parking area for the businesses. The businesses at this location have expressed concerns that there is not sufficient parking for their businesses.

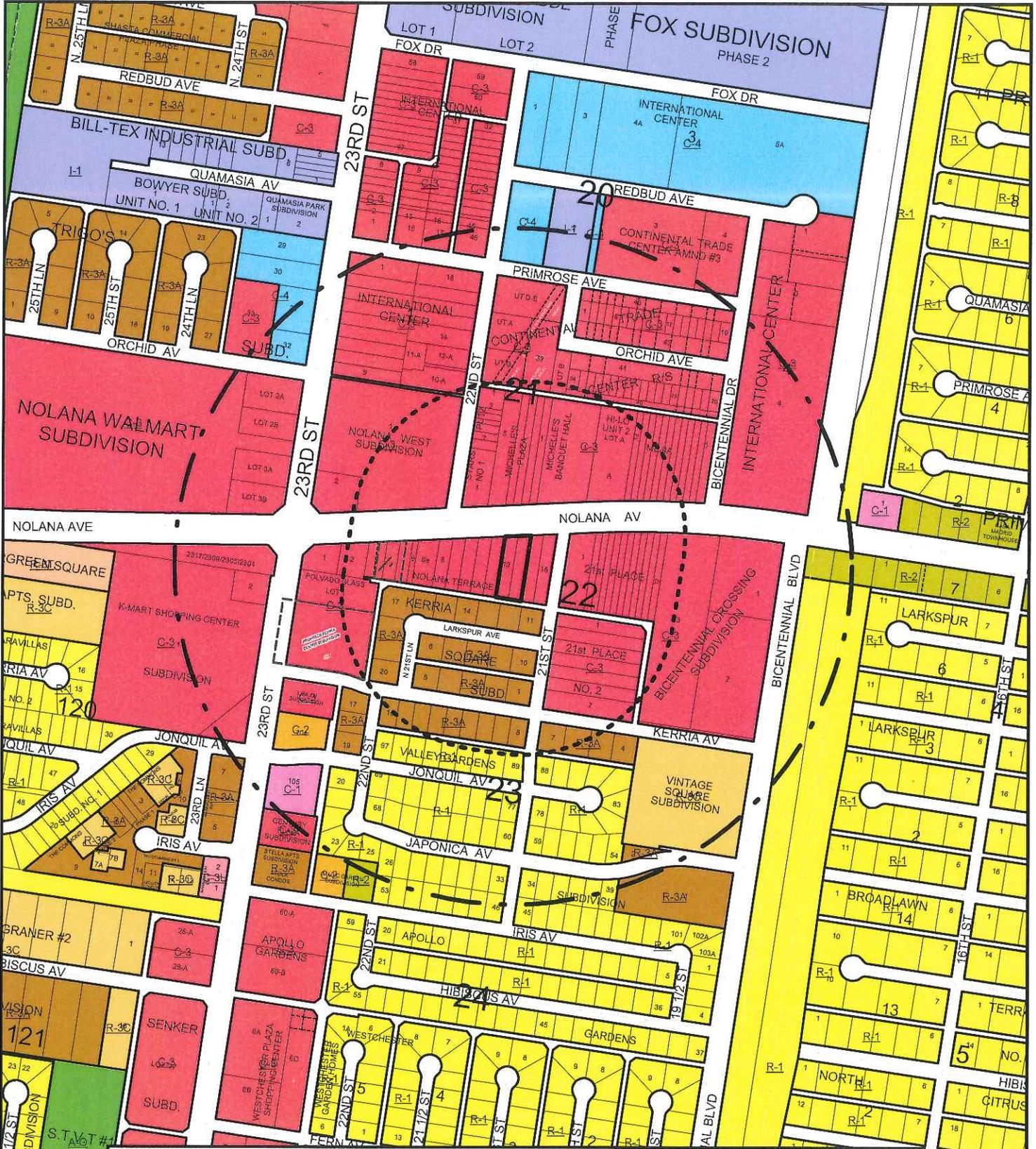
The number of parking spaces required by Ordinance for the proposed use is 116. Twenty-seven (27) are located in site. Parking spaces provided through agreements total 146. Of those 32 spaces, do not comply due to location across Nolana Avenue, which is a principal arterial; and 45 spaces, are located a distance of 960 ft. from the establishment exceeding the 500 ft. distance allowed by Ordinance, leaving 69 spaces plus the 27 spaces on site for a total of 96 spaces available for the proposed establishment. This leaves the proposed establishment a deficiency of 20 parking spaces.

#### **RECOMMENDATION:**

This item was heard at the April 19, 2016 Planning and Zoning Commission meeting. There was a surrounding business owner present to speak in opposition of the request and the applicant was present. The board discussed the parking agreements, patrol around the residential area, and the number of complaints for the establishment. After discussion, the board unanimously voted to table the item to allow the applicant time to update the parking agreements and submit new ones as needed.

This item remained tabled at the May 3, 2016 Planning and Zoning Commission meeting as per the applicants request.

Staff recommends disapproval of the request based on non-compliance with requirement #1 (distance) and # 3 (parking) of Section 138-118 (4) of the Zoning Ordinance.



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: 1" = 500'

SUBJECT PROPERTY	200 FT. NOTIFICATION BOUNDARY	1/4 MILE RADIUS
------------------	-------------------------------	-----------------

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

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



**CITY OF McALLEN**  
 PLANNING DEPARTMENT

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

SUBJECT PROPERTY
  200 FT. NOTIFICATION BOUNDARY



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

**Maria Garcia**

---

**From:** John Millin <john@millinmillin.com>  
**Sent:** Wednesday, May 04, 2016 11:06 AM  
**To:** Maria Garcia  
**Cc:** pepevaca@gmail.com; Brent M Baldree; dsantos@danielsantoslaw.com  
**Subject:** FW: Gamehaus  
**Attachments:** noise complaint 1.pdf; 1\_30am2.JPG

Dear Christina,

As you can see, several members of the Planning and Zoning Commission have received the email below. I assume that Mr. Holand has presented the attached evidence to City Staff as well, but I am forwarding the email with attachments for your file out of an abundance of caution. I will inform him that this has been done and that he should direct his communications regarding this matter to City Staff. Thank you for your attention to this matter.

Sincerely,

John Millin

---

**From:** Joseph Holand <jwholand@verturointerests.com>  
**Date:** Wednesday, May 4, 2016 at 8:14 AM  
**To:** "pepevaca@gmail.com" <pepevaca@gmail.com>, Brent Baldree <bbaldree@texasregionalbank.com>, "John A. Millin" <john@millinmillin.com>, "dsantos@danielsantoslaw.com" <dsantos@danielsantoslaw.com>  
**Subject:** Gamehaus

Gentlemen,

Please see attached. My tenants and I am tired of having to waste time filing complaints, going in front of commission, complaining and absolutely nothing happening. This lady happens to be a DOJ attorney. I can't imagine she is making this stuff up.

I guess it is going to take my tenants asking for time off in two weeks to waste more of their time.

Y'all should go out there and see for yourself what it's like Friday or Saturday at 2am. Then ask yourself if you would make your children deal with it...

What it looks like on a busy night.....

Have a good week!

Joey Holand  
President / Broker  
Verturo Interests, LLC  
956-212-9081 - Cell  
956-213-8244 - Office

## Maria Garcia

---

**From:** Eduardo Villagordoa <evillagordoa@yahoo.com>  
**Sent:** Monday, May 02, 2016 2:27 PM  
**To:** Maria Garcia  
**Subject:** SALUDOS

SRITA. CRISTINA GARCIA; EN DIAS PASADOS TUVE LA OPORTUNIDAD DE HABLAR CON USTED Y EL SR. JUAN MARTINEZ EN RELACION A LA POSIBILIDAD DE PODER DIVIDIR UNO DE MIS LOCALES COMERCIALES YA QUE EN ESTOS TIEMPOS ES MUCHO MAS COMPLICADO EL PODER RENTAR UN LUGAR GRANDE Y PENSANDO EN APOYARNOS TANTO LOS RENTEROS COMO NOSOTROS SE ME PRESENTO LA IDEA DE PODER DIVIDIR UNA DE LAS TRES PARTES EN LAS QUE ESTA OPERANDO ACTUALMENTE EL ESTABLECIMIENTO Y DE ESA MANERA PODER REDUCIR LA CARGA MENSUAL DE LA RENTA A ESE ESTABLECIMIENTO TENIENDO YO LA POSIBILIDAD DE RENTAR EL LOCAL VACIO A OTRO COMERCIANTE; POR TAL RAZON ME PERMITI IR A LA CIUDAD Y PREGUNTAR EN CASO DE QUE QUE ASI SE DIERAN LAS CIRCUNSTANCIAS, SABER CUALES SERIAN LAS REGLAS IMPUESTAS POR LA CIUDAD Y EVITAR CUALQUIER CONTRATIEMPO A LOS NUEVOS RENTEROS PARA PODER OPERAR EL NUEVO ESTABLECIMIENTO; DESGRACIADAMENTE ME ENTERO QUE DESPUES DE QUE ME HIZO EL ENORME FAVOR DE CHECAR CUANTOS CAJONES DE ESTACIONAMIENTO SE REQUIEREN PARA PODER ABRIR, ENTRE OTRAS COSAS RESULTA QUE REQUIERO DE 2 O 3 CAJONES MAS; CON TODO RESPETO SABEMOS LA PROBLEMÁTICA EN LA QUE SE ENCUENTRA LA PLAZA COMERCIAL ACTUALMENTE, COMO BIEN SABEN ESA PLAZA CUENTA CON UN ESTACIONAMIENTO UNICA Y ESCLUSIVAMENTE PARA LOS NEGOCIOS QUE ESTAN DENTRO DE LA PLAZA COMERCIAL; COMO DUENO DE LOCALES Y COMO COMERCIANTE ME DA MUCHO GUSTO QUE TODOS LOS NEGOCIOS TUVIERAN EXITO PERO CUANDO EL EXITO DE OTRO NEGOCIO EN PRIMER LUGAR NO SE ENCUENTRA DENTRO DE LA PLAZA COMERCIAL Y SEGUNDO GRACIAS A ESE NEGOCIO ME AFECTA DIRECTAMENTE A MI AL NO PODER PENSAR COMO UNA OPCION EL DIVIDIR MI LOCAL COMERCIAL YA QUE INDEBIDAMENTE BICYCLE WORD ESTA RENTANDO O PRESTANDO UN ESPACIO DE ESTACIONAMIENTO QUE LE CORRESPONDE UNICAMENTE Y EXCLUSIVAMENTE SU USO A LOS LOCALES COMERCIALES DE LA PLAZA; EN ESTE CASO MUY PARTICULAR CREO YO QUE NO SE VALE EL EXITO DE UN NEGOCIO QUE NO CORRESPONDE A LA PLAZA COMERCIAL AL FRACASO DE OTROS NEGOCIOS QUE NO DEBERIAMOS PASAR POR ESTE PROBLEMA; LE SUPLICO DE LA MANERA MAS RESPETUOSA A USTED Y A LAS PERSONAS ENCARGADAS SOBRE ESTE ASUNTO PUEDAN RESOLVERME ESTE PROBLEMA QUE YO, NI LOS QUE ESTAN DENTRO DE LA PLAZA COMERCIAL ORIGINAMOS; LE AGRADEZCO DE ANTEMANO SU TIEMPO Y ATENCION A ESTE MAIL; ESPERO SE PUEDA RESOLVER DE LA MEJOR FORMA POSIBLE Y A SU VEZ NO SEA MOTIVO DE LIMITARME POR ALGO COMPLETAMENTE AJENO A LA PLAZA; QUE TENGA UN BUEN PRINCIPIO DE SEMANA

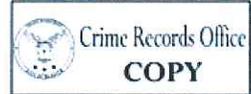


GARDENVIEW

NOTICE  
FOR  
THIS PROPERTY  
CUP2016-0042

2117

EZPA



# Incident Analysis Report

## Summary

**Print Date/Time:** 04/15/2016 10:03  
**Login ID:** mcpd12721  
**Incident Type:** All  
**Call Source:** All

**From Date:** 04/01/2015 01:00  
**To Date:** 04/15/2016 10:00

McAllen Police Department  
**ORI Number:** TX1080800  
**Officer ID:** All  
**Location:** 2109 NOLANA AVE, MCALLEN

Incident Date/Time	Incident Number	Incident Type	Location	Caller	Source
04/03/2015 11:01	2015-00024241	Criminal Investigation	2109 NOLANA AVE	VIVIANNA SAENZ	Phone
04/12/2015 02:16	2015-00026759	Domestic Disturbance	2109 NOLANA AVE	JUAN VARGAS	911
04/26/2015 02:26	2015-00030579	MINOR ACC	2109 NOLANA AVE	CALLER MALE	Phone
04/26/2015 20:59	2015-00030752	Assault	2109 NOLANA AVE	GUADALUPE	Phone
05/08/2015 02:13	2015-00033822	Domestic Disturbance	2109 NOLANA AVE	GUADALUPE	Phone
05/27/2015 00:27	2015-00039068	Hit and Run	2109 NOLANA AVE	JUAN	Phone
05/28/2015 12:58	2015-00039410	Theft	2109 NOLANA AVE	C/ALISA	Phone
06/26/2015 00:59	2015-00046964	MINOR ACC	2109 NOLANA AVE	sec/roberto villarreal	Phone
06/29/2015 01:12	2015-00047791	MINOR ACC	2109 NOLANA AVE	guadalupe montes	Phone
07/04/2015 02:11	2015-00049059	Traffic Complaint/	2109 NOLANA AVE	CARMEN GARZA	Phone
07/11/2015 22:16	2015-00051222	Domestic Disturbance	2109 NOLANA AVE	FEM CALLER	Phone
08/04/2015 23:57	2015-00057504	MINOR ACC	2109 NOLANA AVE	OFCR MUNOZ	Phone
08/07/2015 01:08	2015-00058032	MINOR ACC	2109 NOLANA AVE	camarillo	Phone
08/23/2015 17:27	2015-00062770	Police Services	2109 NOLANA AVE	sgt trevino	Phone
08/31/2015 01:18	2015-00064838	Domestic Disturbance	2109 NOLANA AVE	C/ROBERTO	Phone
09/04/2015 00:27	2015-00065854	REPO	2109 NOLANA AVE		Phone
09/04/2015 01:08	2015-00065859	Domestic Disturbance	2109 NOLANA AVE	ROBERTO	Phone
09/11/2015 02:03	2015-00067624	Domestic Disturbance	2109 NOLANA AVE	VICTOR GARZA	Phone
09/12/2015 05:25	2015-00067955	Assist Other Agency	2109 NOLANA AVE	richard garza	Phone
09/13/2015 07:28	2015-00068268	Alarm Burglary	2109 NOLANA AVE		Phone
09/22/2015 21:14	2015-00070790	Theft	2109 NOLANA AVE	726	Phone
09/26/2015 00:50	2015-00071661	Domestic Disturbance	2109 NOLANA AVE		911
09/27/2015 01:06	2015-00071938	Traffic Complaint/	2109 NOLANA AVE	C/ART JASSO	Phone
09/27/2015 01:26	2015-00071945	Police Services	2109 NOLANA AVE	ART	Phone
10/03/2015 01:58	2015-00073478	Disturbance - Non	2109 NOLANA AVE	LISA	Phone
10/03/2015 02:28	2015-00073487	Domestic Disturbance	2109 NOLANA AVE	FEM/NC	911
10/18/2015 01:50	2015-00077488	Domestic Disturbance	2109 NOLANA AVE	GONZALEZ	Phone
10/18/2015 02:24	2015-00077506	Police Services	2109 NOLANA AVE	ROBERTO	Phone
10/24/2015 00:29	2015-00078989	Domestic Disturbance	2109 NOLANA AVE		Phone
10/26/2015 02:28	2015-00079594	Hit and Run	2109 NOLANA AVE	BOONE RAINS	Phone
10/31/2015 01:54	2015-00080977	CRIMINAL MISCHIEF	2109 NOLANA AVE	MIGUEL	911
11/01/2015 01:03	2015-00081329	Disturbance - Non	2109 NOLANA AVE	SARAH	911
11/06/2015 21:47	2015-00082850	MINOR ACC	2109 NOLANA AVE	JUAN/SEC	Phone
11/06/2015 22:46	2015-00082863	Assist Other Agency	2109 NOLANA AVE	JUSTIN GARZA	911
11/10/2015 20:03	2015-00083829	Traffic Complaint/	2109 NOLANA AVE	male caller	Phone
11/12/2015 00:47	2015-00084144	Domestic Disturbance	2109 NOLANA AVE	OFCR GEORGE	Phone
11/17/2015 14:45	2015-00085608	CREDIT CARD ABUSE	2109 NOLANA AVE	ENRIQUE	Phone
11/21/2015 05:50	2015-00086575	Alarm Burglary	2109 NOLANA AVE	ANICIA	Phone
11/29/2015 01:38	2015-00088623	Domestic Disturbance	2109 NOLANA AVE	ANTHONY	Phone
12/05/2015 19:53	2015-00090360	Domestic Disturbance	2109 NOLANA AVE		Phone
12/10/2015 05:59	2015-00091421	Alarm Burglary	2109 NOLANA AVE	MONOTRONICS	Phone
12/17/2015 21:55	2015-00093590	Domestic Disturbance	2109 NOLANA AVE	SEC	Phone
12/22/2015 23:03	2015-00094996	Noise Complaint	2109 NOLANA AVE	FAMALE/NC	Phone

12/23/2015 01:02	2015-00095017	Domestic Disturbance	2109 NOLANA AVE	SEC NOE CRUZ	911
12/23/2015 14:44	2015-00095160	Theft	2109 NOLANA AVE	BRANDI AYALA	Phone
12/24/2015 01:09	2015-00095332	Domestic Disturbance	2109 NOLANA AVE	OFCR IBARRA	Phone
12/24/2015 02:33	2015-00095350	Domestic Disturbance	2109 NOLANA AVE	SECURITY	Phone
12/27/2015 20:00	2015-00096423	Assault	2109 NOLANA AVE	NINA GARZA	Phone
12/31/2015 20:40	2015-00097462	Domestic Disturbance	2109 NOLANA AVE	JOE SEC	911
01/03/2016 02:18	2016-00000563	DWI	2109 NOLANA AVE	DANIELA BARAJAS	Phone
01/06/2016 13:04	2016-00001337	Theft	2109 NOLANA AVE	SALVADOR	Phone
01/23/2016 23:30	2016-00005848	Hit and Run	2109 NOLANA AVE	SECURITY	Phone
01/31/2016 02:03	2016-00007721	Traffic Complaint/	2109 NOLANA AVE		Phone
02/19/2016 23:52	2016-00012909	Hit and Run	2109 NOLANA AVE	JUAN RIOS	Phone
02/21/2016 02:33	2016-00013238	Domestic Disturbance	2109 NOLANA AVE	SEC GONZALEZ	Phone
02/27/2016 02:00	2016-00014791	911 Investigation	2109 NOLANA AVE	SAUL OCHOA	Phone
03/05/2016 02:07	2016-00016645	Disorderly Conduct	2109 NOLANA AVE	JUSTA CONT	Phone
03/05/2016 02:10	2016-00016646	Suspicious Person/Vehicle	2109 NOLANA AVE	MAEL/NC	Phone
03/07/2016 13:43	2016-00017268	Assault	2109 NOLANA AVE	LUPE	Phone
03/09/2016 16:33	2016-00017845	Assault	2109 NOLANA AVE	MS CUELLAR	Phone
03/11/2016 02:11	2016-00018193	Theft	2109 NOLANA AVE	OLIVIA	Phone
03/18/2016 00:43	2016-00020073	Ambulance Only	2109 NOLANA AVE	MALE	Phone
03/20/2016 01:35	2016-00020678	DWI	2109 NOLANA AVE	SEC GARZA	Phone
03/21/2016 16:11	2016-00021045	Domestic Disturbance	2109 NOLANA AVE	RAFAEL	Phone
03/26/2016 01:34	2016-00022239	Theft	2109 NOLANA AVE	noe cruz	Phone
03/26/2016 15:35	2016-00022383	Assault	2109 NOLANA AVE	DANIEL LEE	Phone
03/26/2016 22:58	2016-00022491	MINOR ACC	2109 NOLANA AVE	roland	Phone
03/29/2016 16:32	2016-00023169	Assault	2109 NOLANA AVE	DANIEL RAMIREZ	Phone

Total Matches: 68

## USE AGREEMENT FOR PARKING SPACES

Number of Leased Parking Spaces: 24

This Use Agreement for Parking Spaces ("Agreement") is entered into this 21st day of April 2016 between 3Phils, Inc (Bicycle World), the owner of property located at 2025 Nolana Ave, McAllen, TX 78504 ("Lessor") and JACR, LLC the owner of the business operating under the name of Gamehaus ("Lessee"), which is leasing the parking spaces, and which business is located at 2109 W. Nolana Ave, McAllen, TX 78504.

In consideration of the covenants herein contained, Lessor agrees to allow Lessee the use of 24 parking spaces in the City of McAllen, Texas (hereinafter, "Facilities") described as:

Twenty-Four (24) parking spaces located at 2025 Nolana Ave, McAllen, TX 78504 (see, as Attachment 1, a diagram depicting the leased parking spaces)

The Facilities shall be exclusively available to Lessee during the following days and hours: Monday – Friday 4:00 PM – 2:00 AM and Saturday - Sunday from 11:00 AM – 2:00 AM.

The Facilities are located within 75 feet from Lessee's business and are leased for a term commencing on the 21st day of April 2016 and ending at 11:59 PM on the 21st day of April 2021. Unless Lessor provides Lessee written notice 15 days prior to expiration, the agreement will automatically renew for a consecutive period of 60 months.

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

The parties hereto agree:

### 1. Signage:

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

### 2. Termination or Modification

**IN THE EVENT THIS AGREEMENT IS TERMINATED, AMENDED OR MODIFIED BEFORE THE END OF ITS 5-YEAR TERM, LESSOR SHALL PROVIDE WRITTEN NOTICE TO LESSEE 30 DAYS PRIOR TO TERMINATION, AMENDMENT OR MODIFICATION AND LESSEE SHALL NOTIFY THE CITY OF MCALEN'S**



**PLANNING DIRECTOR IN WRITING. THIS PARKING AGREEMENT  
SUPERCEDES AND VOIDS ANY AND ALL PREVIOUS PARKING AGREEMENTS  
MADE BY LESSOR.**

**3. Lessee Concessions:**

1. Lessee will provide maintenance and supervision of Lessor's leased parking spaces during Lessee's operating hours.
2. Lessee agrees to provide Lessor, its agents and active employees with 50% discount on any and all food purchases (excluding alcohol).
3. Lessee shall indemnify and hold Lessor, its principals, officers, agents, and employees harmless against any and all claims, demands, damages, liabilities and costs which directly or indirectly result from, or arise in connection with, any negligent act or omission of Lessee, its agents, or employees, pertaining to its activities and obligations under this Agreement
4. Other: \_\_\_\_\_

**LESSOR: 3Phils, Inc  
(Bicycle World)**

By: Henry P. Roberts  
Henry P. Roberts

**LESSEE: JACR, LLC dba  
Gamehaus Gastropub**

By: Victor S. Haddad  
Victor S. Haddad

Date: 4/27/2016

Date: 4/22/16

**FOR OFFICE USE ONLY**

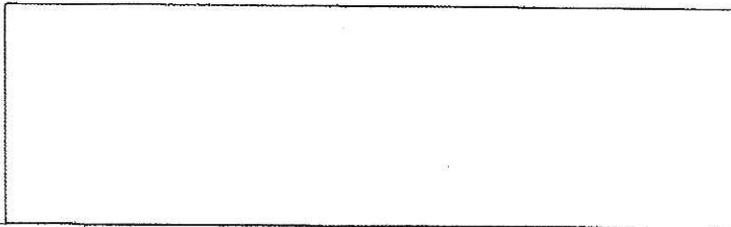
Parking spaces required by Lessor \_\_\_\_\_  
Parking spaces provided by Lessor \_\_\_\_\_  
Parking spaces currently leased out \_\_\_\_\_  
Parking spaces being leased to Lessee \_\_\_\_\_

Handwritten signature

# NOLANA AVE

19	20	21	22	23	24
13	14	15	16	17	18

7	8	9	10	11	12
1	2	3	4	5	6



2025 West Nolana AVE

*Bicycle World*

## USE AGREEMENT FOR PARKING SPACES

Number of Leased Parking Spaces: 15

This Use Agreement for Parking Spaces ("Agreement") is entered into this 21st day of April 2016 between Russell McGilvray, the owner of property located at 2117 Nolana Ave, McAllen, TX 78504 ("Lessor") and JACR, LLC the owner of the business operating under the name of Gamehaus ("Lessee"), which is leasing the parking spaces, and which business is located at 2109 W. Nolana Ave, McAllen, TX 78504.

In consideration of the covenants herein contained, Lessor agrees to allow Lessee the use of 15 parking spaces in the City of McAllen, Texas (hereinafter, "Facilities") described as:

Fifteen (15) parking spaces located at 2177 Nolana Ave, McAllen, TX 78504 (see, as Attachment 1, a diagram depicting the leased parking spaces)

The Facilities shall be exclusively available to Lessee during the following days and hours: Monday - Friday 4:00 PM - 2:00 AM and Saturday - Sunday from 11:00 AM - 2:00 AM.

The Facilities are located within 2 feet from Lessee's business and are leased for a term commencing on the 21st day of April 2016 and ending at 11:59 PM on the 21st day of April 2021. Unless Lessor provides Lessee written notice 15 days prior to expiration, the agreement will automatically renew for a consecutive period of 60 months.

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

The parties hereto agree:

### 1. Signage:

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

### 2. Termination or Modification

**IN THE EVENT THIS AGREEMENT IS TERMINATED, AMENDED OR MODIFIED BEFORE THE END OF ITS 5-YEAR TERM, LESSOR SHALL PROVIDE WRITTEN NOTICE TO LESSEE 30 DAYS PRIOR TO TERMINATION, AMENDMENT OR**

**MODIFICATION AND LESSEE SHALL NOTIFY THE CITY OF MCALLEN'S PLANNING DIRECTOR IN WRITING.**

**3. Lessee Concessions:**

1. Lessee will provide maintenance and supervision of Lessor's leased parking spaces during Lessee's operating hours.
2. Lessee agrees to provide Lessor, its agents and active employees with 50% discount on any and all food purchases (excluding alcohol).
3. Lessee shall indemnify and hold Lessor, its principals, officers, agents, and employees harmless against any and all claims, demands, damages, liabilities and costs which directly or indirectly result from, or arise in connection with, any negligent act or omission of Lessee, its agents, or employees, pertaining to its activities and obligations under this Agreement
4. Other: \_\_\_\_\_

**LESSOR: Russell Mcgilvray**

**LESSEE: JACR, LLC dba  
Gamehaus Gastropub**

By:   
\_\_\_\_\_  
Russell Mcgilvray

By:   
\_\_\_\_\_  
Victor S. Haddad

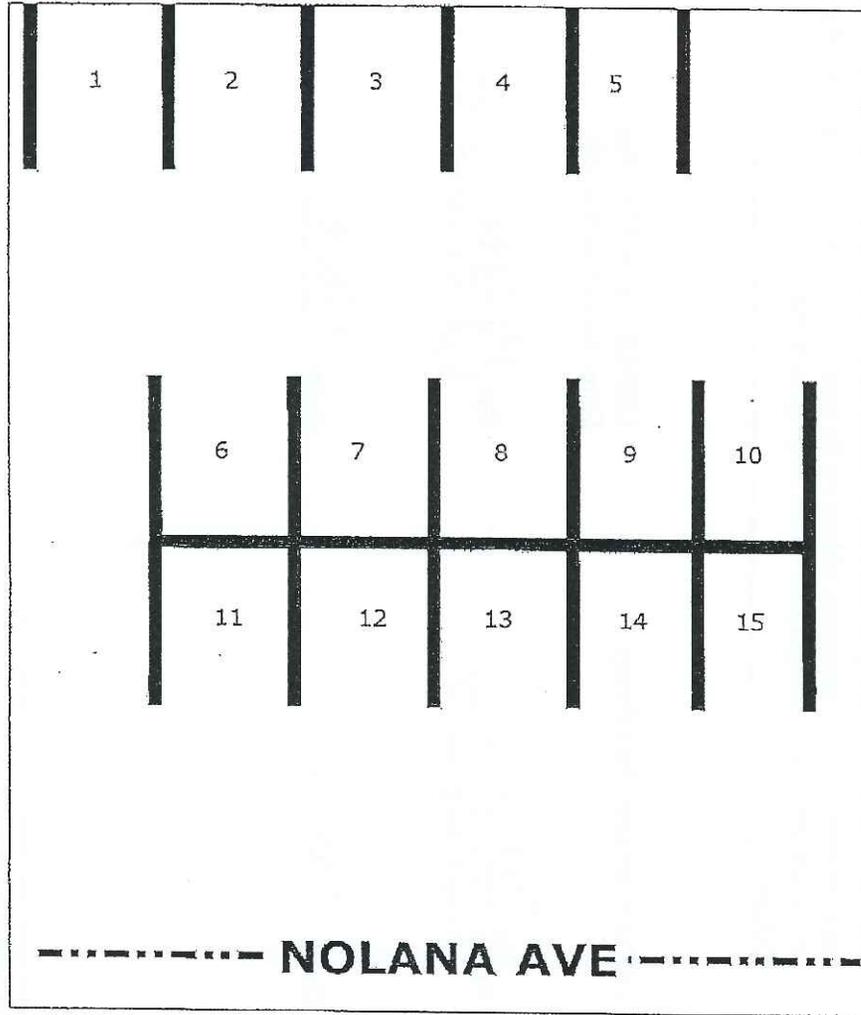
Date: 4/25/16

Date: 4/22/16

**FOR OFFICE USE ONLY**

Parking spaces required by Lessor \_\_\_\_\_  
Parking spaces provided by Lessor \_\_\_\_\_  
Parking spaces currently leased out \_\_\_\_\_  
Parking spaces being leased to Lessee \_\_\_\_\_

# 2117 West Nolana - CPA



## USE AGREEMENT FOR PARKING SPACES

Number of Leased Parking Spaces: 11

This Use Agreement for Parking Spaces ("Agreement") is entered into this 21st day of April 2016 between Richard Masso, the owner of property located at 2201 Nolana Ave, McAllen, TX 78504 ("Lessor") and JACR, LLC the owner of the business operating under the name of Gamehaus ("Lessee"), which is leasing the parking spaces, and which business is located at 2109 W. Nolana Ave, McAllen, TX 78504.

In consideration of the covenants herein contained, Lessor agrees to allow Lessee the use of 11 parking spaces in the City of McAllen, Texas (hereinafter, "Facilities") described as:

Eleven (11) parking spaces located at 2201 Nolana Ave, McAllen, TX 78504 (see, as Attachment 1, a diagram depicting the leased parking spaces)

The Facilities shall be exclusively available to Lessee during the following days and hours: Monday – Friday 4:00 PM – 2:00 AM and Saturday - Sunday from 11:00 AM – 2:00 AM.

The Facilities are located within 100 feet from Lessee's business and are leased for a term commencing on the 21st day of April 2016 and ending at 11:59 PM on the 21st day of April 2021. Unless Lessor provides Lessee written notice 15 days prior to expiration, the agreement will automatically renew for a consecutive period of 60 months.

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

The parties hereto agree:

### 1. Signage:

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

### 2. Termination or Modification

**IN THE EVENT THIS AGREEMENT IS TERMINATED, AMENDED OR MODIFIED BEFORE THE END OF ITS 5-YEAR TERM, LESSOR SHALL PROVIDE WRITTEN NOTICE TO LESSEE 30 DAYS PRIOR TO TERMINATION, AMENDMENT OR**

**MODIFICATION AND LESSEE SHALL NOTIFY THE CITY OF MCALLEN'S PLANNING DIRECTOR IN WRITING.**

**3. Lessee Concessions:**

1. Lessee will provide maintenance and supervision of Lessor's leased parking spaces during Lessee's operating hours.
2. Lessee agrees to provide Lessor, its agents and active employees with 100% discount on any and all food purchases (excluding alcohol).
3. Lessee will install two (2) cameras on building and cover costs of monitoring.
4. Lessee will repair any broken glass / graffiti.
5. Lessee will clean the property daily and cut the grass once a week (front and back)
6. Lessee shall indemnify and hold Lessor, its principals, officers, agents, and employees harmless against any and all claims, demands, damages, liabilities and costs which directly or indirectly result from, or arise in connection with, any negligent act or omission of Lessee, its agents, or employees, pertaining to its activities and obligations under this Agreement
7. Other: \_\_\_\_\_

**LESSOR: Richard Masso**

**LESSEE: JACR, LLC dba  
Gamehaus Gastropub**

By: Richard Masso  
Richard Masso

By: Victor S. Haddad  
Victor S. Haddad

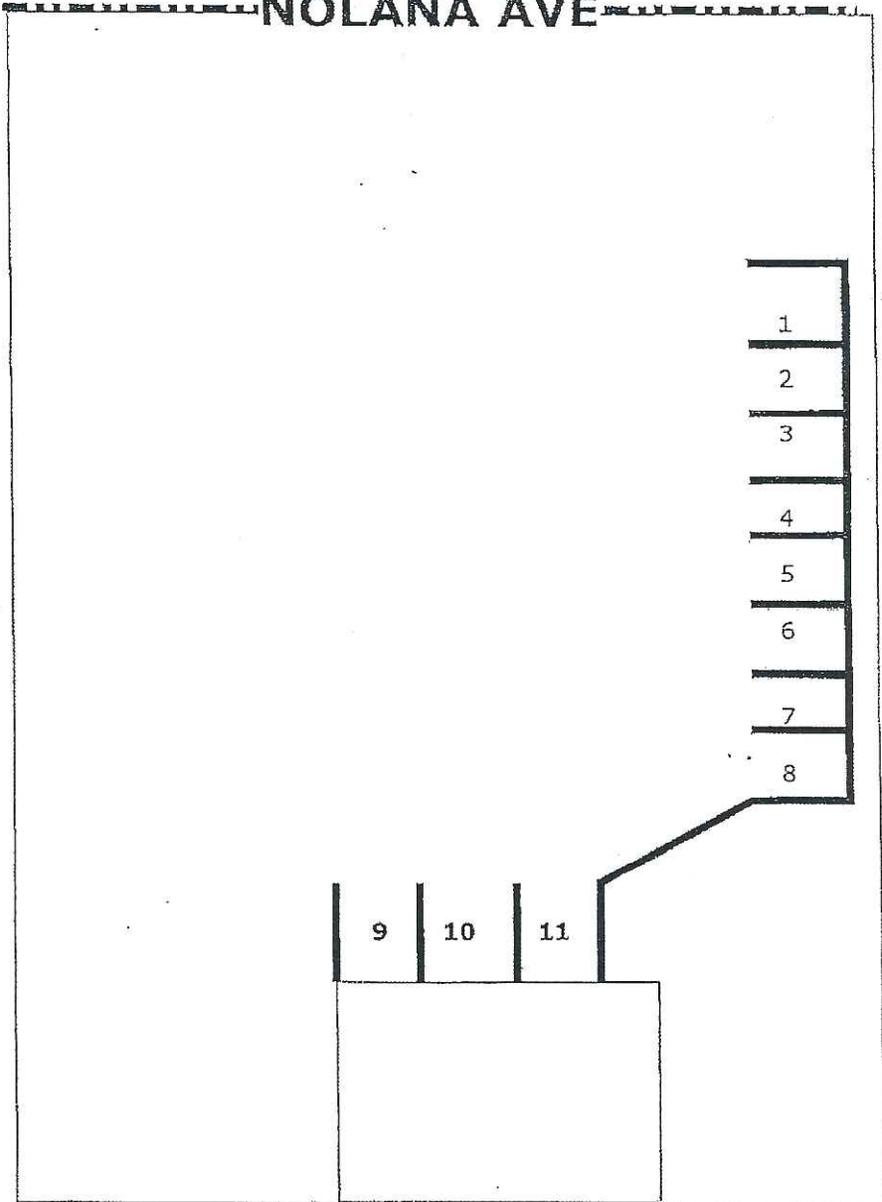
Date: 4/22/2016

Date: 4/22/16

**FOR OFFICE USE ONLY**

Parking spaces required by Lessor \_\_\_\_\_  
Parking spaces provided by Lessor \_\_\_\_\_  
Parking spaces currently leased out \_\_\_\_\_  
Parking spaces being leased to Lessee \_\_\_\_\_

NOLANA AVE



2201 West Nolana AVE

Masso

## USE AGREEMENT FOR PARKING SPACES

Number of Leased Parking Spaces: 36

This Use Agreement for Parking Spaces ("Agreement") is entered into this 21st day of April 2016 between Frank Gonzalez (National Lube Property), the owner of property located at 2217 Nolana Ave, McAllen, TX 78504 ("Lessor") and JACR, LLC the owner of the business operating under the name of Gamehaus ("Lessee"), which is leasing the parking spaces, and which business is located at 2109 W. Nolana Ave, McAllen, TX 78504.

In consideration of the covenants herein contained, Lessor agrees to allow Lessee the use of 36 parking spaces in the City of McAllen, Texas (hereinafter, "Facilities") described as:

Thirty Six (36) parking spaces located at 2217 Nolana Ave, McAllen, TX 78504 (see, as Attachment 1, a diagram depicting the leased parking spaces)

The Facilities shall be exclusively available to Lessee during the following days and hours: Monday - Friday 4:00 PM - 2:00 AM and Saturday - Sunday from 11:00 AM - 2:00 AM.

The Facilities are located within 300 feet from Lessee's business and are leased for a term commencing on the 21st day of April 2016 and ending at 11:59 PM on the 21st day of April 2021. Unless Lessor provides Lessee written notice 15 days prior to expiration, the agreement will automatically renew for a consecutive period of 60 months.

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

The parties hereto agree:

### 1. Signage:

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

### 2. Termination or Modification

**IN THE EVENT THIS AGREEMENT IS TERMINATED, AMENDED OR MODIFIED BEFORE THE END OF ITS 5-YEAR TERM, LESSOR SHALL PROVIDE WRITEN NOTICE TO LESSEE 30 DAYS PRIOR TO TERMINATION, AMENDMENT OR**

**MODIFICATION AND LESSEE SHALL NOTIFY THE CITY OF MCALLEN'S  
PLANNING DIRECTOR IN WRITING.**

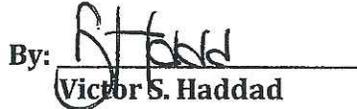
**3. Lessee Concessions:**

1. Lessee will provide maintenance and supervision of Lessor's leased parking spaces during Lessee's operating hours.
2. Lessee agrees to provide Lessor, its agents and active employees with 100% discount on any and all food purchases (excluding alcohol).
3. Lessee shall indemnify and hold Lessor, its principals, officers, agents, and employees harmless against any and all claims, demands, damages, liabilities and costs which directly or indirectly result from, or arise in connection with, any negligent act or omission of Lessee, its agents, or employees, pertaining to its activities and obligations under this Agreement
4. Other: \_\_\_\_\_

**LESSOR: Frank Gonzalez**

**LESSEE: JACR, LLC dba  
Gamehaus Gastropub**

By:   
Frank Gonzalez

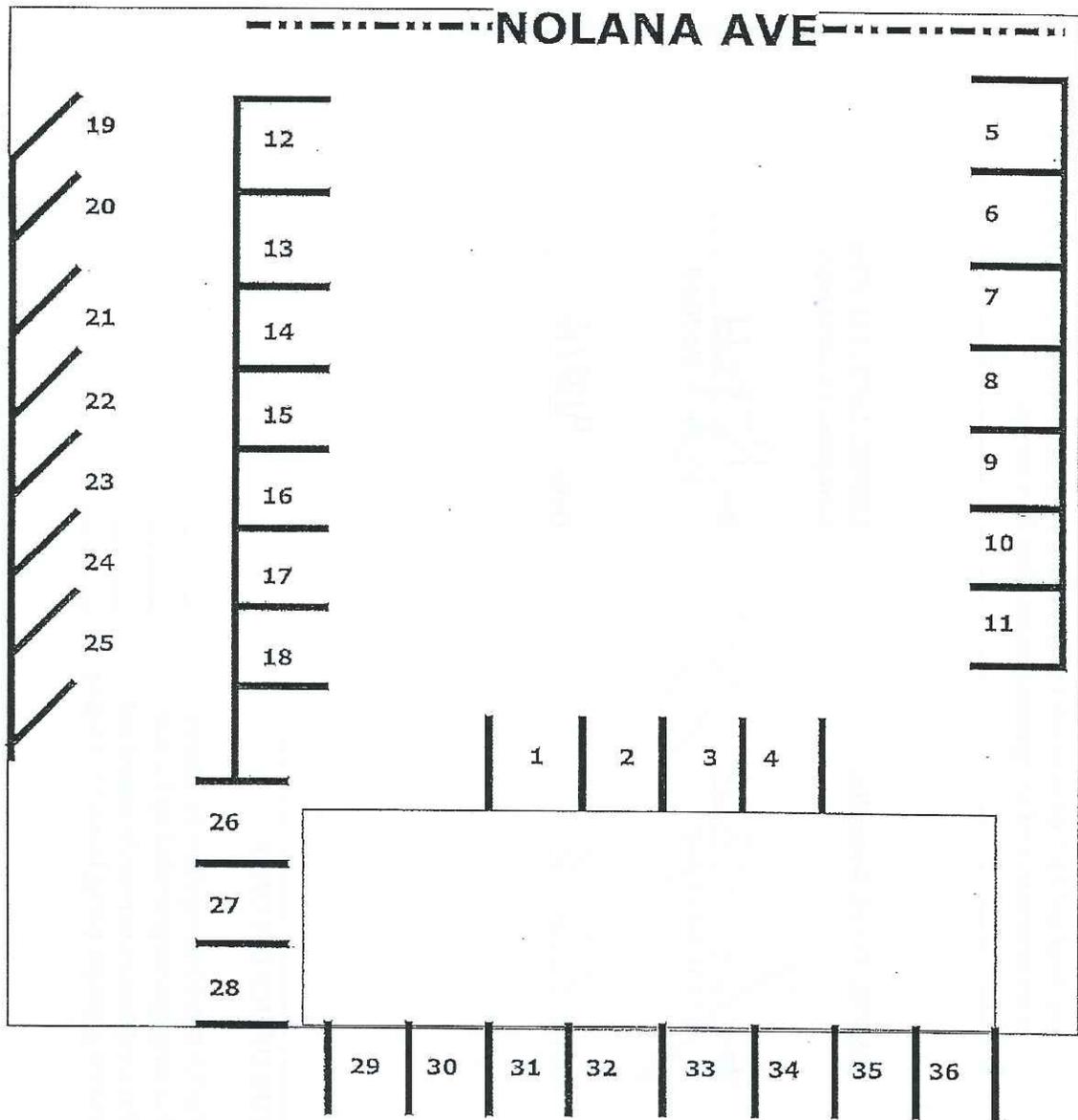
By:   
Victor S. Haddad

Date: 4-26-16

Date: 4/22/16

**FOR OFFICE USE ONLY**

Parking spaces required by Lessor \_\_\_\_\_  
Parking spaces provided by Lessor \_\_\_\_\_  
Parking spaces currently leased out \_\_\_\_\_  
Parking spaces being leased to Lessee \_\_\_\_\_



2017 West Nolana AVE  
National Lube

## USE AGREEMENT FOR PARKING SPACES

Number of Leased Parking Spaces: 50

This Use Agreement for Parking Spaces ("Agreement") is entered into this 21st day of April 2016 between Said A. Shuaib, the owner of property located at 3900 N. 23<sup>rd</sup> Street, McAllen, TX 78504 ("Lessor") and JACR, LLC the owner of the business operating under the name of Gamehaus ("Lessee"), which is leasing the parking spaces, and which business is located at 2109 W. Nolana Ave, McAllen, TX 78504.

In consideration of the covenants herein contained, Lessor agrees to allow Lessee the use of 50 parking spaces in the City of McAllen, Texas (hereinafter, "Facilities") described as:

Fifty (50) parking spaces located at 3900 N. 23<sup>rd</sup> St., McAllen, TX 78504 (see, as Attachment 1, a diagram depicting the leased parking spaces)

The Facilities shall be exclusively available to Lessee during the following days and hours: Monday - Friday 4:00 PM - 2:00 AM and Saturday - Sunday from 11:00 AM - 2:00 AM.

The Facilities are located within 500 feet from Lessee's business and are leased for a term commencing on the 21st day of April 2016 and ending at 11:59 PM on the 21st day of April 2021. Unless Lessor provides Lessee written notice 15 days prior to expiration, the agreement will automatically renew for a consecutive period of 60 months.

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

The parties hereto agree:

### 1. Signage:

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

### 2. Termination or Modification

**IN THE EVENT THIS AGREEMENT IS TERMINATED, AMENDED OR MODIFIED BEFORE THE END OF ITS 5-YEAR TERM, LESSOR SHALL PROVIDE WRITTEN NOTICE TO LESSEE 30 DAYS PRIOR TO TERMINATION, AMENDMENT OR**

**MODIFICATION AND LESSEE SHALL NOTIFY THE CITY OF MCALLEN'S PLANNING DIRECTOR IN WRITING.**

**3. Lessee Concessions:**

1. Lessee will provide maintenance and supervision of Lessor's leased parking spaces during Lessee's operating hours.
2. Lessee agrees to provide Lessor, its agents and active employees with 50% discount on any and all food purchases (excluding alcohol).
3. Lessee shall indemnify and hold Lessor, its principals, officers, agents, and employees harmless against any and all claims, demands, damages, liabilities and costs which directly or indirectly result from, or arise in connection with, any negligent act or omission of Lessee, its agents, or employees, pertaining to its activities and obligations under this Agreement
4. Other: \_\_\_\_\_

**LESSOR: Said A. Shuaib**

**LESSEE: JACR, LLC dba  
Gamehaus Gastropub**

By: Said A. Shuaib  
Said A. Shuaib

By: Victor S. Haddad  
Victor S. Haddad

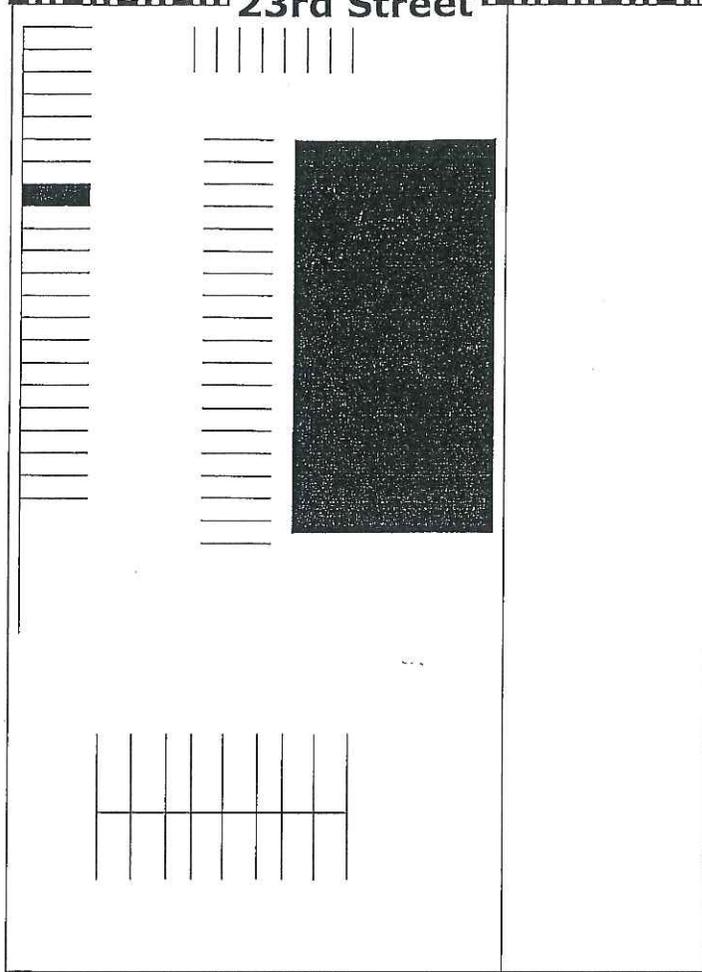
Date: 4/28/2016

Date: 4/20/16

**FOR OFFICE USE ONLY**

Parking spaces required by Lessor \_\_\_\_\_  
Parking spaces provided by Lessor \_\_\_\_\_  
Parking spaces currently leased out \_\_\_\_\_  
Parking spaces being leased to Lessee \_\_\_\_\_

23rd Street



3900 N 23RD ST  
MCALLEN TEXAS 78501

## USE AGREEMENT FOR PARKING SPACES

Number of Leased Parking Spaces: 32

This Use Agreement for Parking Spaces ("Agreement") is entered into this 21st day of April 2016 between Nolana ST, LLC, the owner of property located at 2246 W. Nolana Ave, McAllen, TX 78504 ("Lessor") and JACR, LLC the owner of the business operating under the name of Gamehaus ("Lessee"), which is leasing the parking spaces, and which business is located at 2109 W. Nolana Ave, McAllen, TX 78504.

In consideration of the covenants herein contained, Lessor agrees to allow Lessee the use of 32 parking spaces in the City of McAllen, Texas (hereinafter, "Facilities") described as:

Thirty-two (32) parking spaces located at 2246 W. Nolana Ave, McAllen, TX 78504 (see, as Attachment 1, a diagram depicting the leased parking spaces)

The Facilities shall be exclusively available to Lessee during the following days and hours: Monday – Friday 4:00 PM – 2:00 AM and Saturday - Sunday from 11:00 AM – 2:00 AM.

The Facilities are located within 500 feet from Lessee's business and are leased for a term commencing on the 21st day of April 2016 and ending at 11:59 PM on the 21st day of April 2021. Unless Lessor provides Lessee written notice 15 days prior to expiration, the agreement will automatically renew for a consecutive period of 60 months.

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

The parties hereto agree:

### 1. Signage:

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

### 2. Termination or Modification

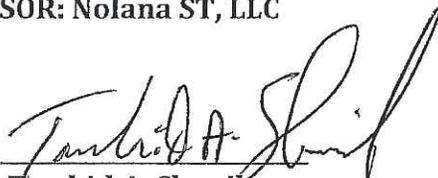
**IN THE EVENT THIS AGREEMENT IS TERMINATED, AMENDED OR MODIFIED BEFORE THE END OF ITS 5-YEAR TERM, LESSOR SHALL PROVIDE WRITTEN NOTICE TO LESSEE 30 DAYS PRIOR TO TERMINATION, AMENDMENT OR**

**MODIFICATION AND LESSEE SHALL NOTIFY THE CITY OF MCALLEN'S PLANNING DIRECTOR IN WRITING.**

**3. Lessee Concessions:**

1. Lessee will provide maintenance and supervision of Lessor's leased parking spaces during Lessee's operating hours.
2. Lessee agrees to provide Lessor, its agents and active employees with 50% discount on any and all food purchases (excluding alcohol).
3. Lessee shall indemnify and hold Lessor, its principals, officers, agents, and employees harmless against any and all claims, demands, damages, liabilities and costs which directly or indirectly result from, or arise in connection with, any negligent act or omission of Lessee, its agents, or employees, pertaining to its activities and obligations under this Agreement
4. Other: \_\_\_\_\_

**LESSOR: Nolana ST, LLC**

By:   
Tawhid A. Shuaib

**LESSEE: JACR, LLC dba  
Gamehaus Gastropub**

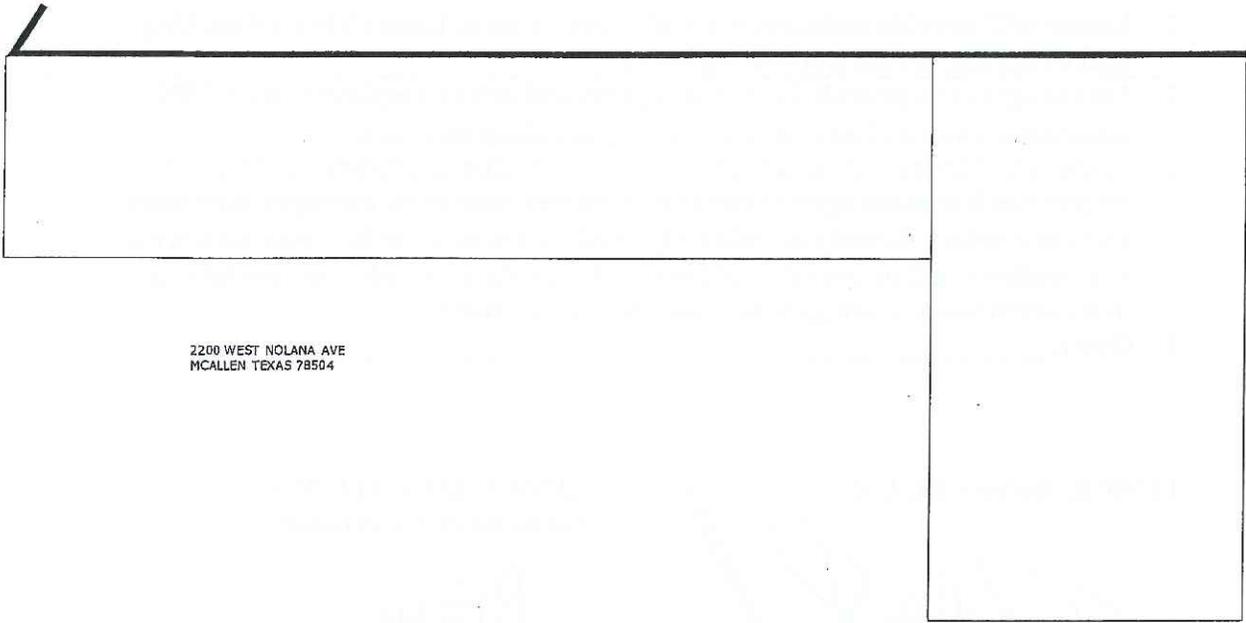
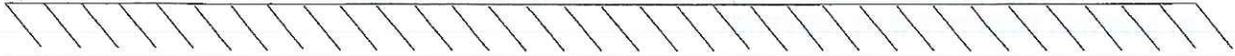
By:   
Victor S. Haddad

Date: 4/22/2016

Date: 4/22/16

**FOR OFFICE USE ONLY**

Parking spaces required by Lessor \_\_\_\_\_  
Parking spaces provided by Lessor \_\_\_\_\_  
Parking spaces currently leased out \_\_\_\_\_  
Parking spaces being leased to Lessee \_\_\_\_\_



22ND ST



# J.A. SANCHEZ, P.C.

Certified Public Accountant

4008 N. 22<sup>nd</sup> Street • McAllen, Texas 78504

Tel: (956) 618-1040 • Fax: (956) 618-1041

3-24-16

City of McAllen  
c/o Ms. CRISTINA GARCIA  
Via FAX # 681-1010

Re: CUP @ 2109 Nolana.

Dear Ms. GARCIA,

Please note that I am against the granting of a CUP @ 2109 Nolana. We are constantly having to pick up beer & liquor bottles both in the parking lot & behind my office @ 4008 N. 22<sup>nd</sup> Street. On occasion cars have been left parked in my parking lot overnight.

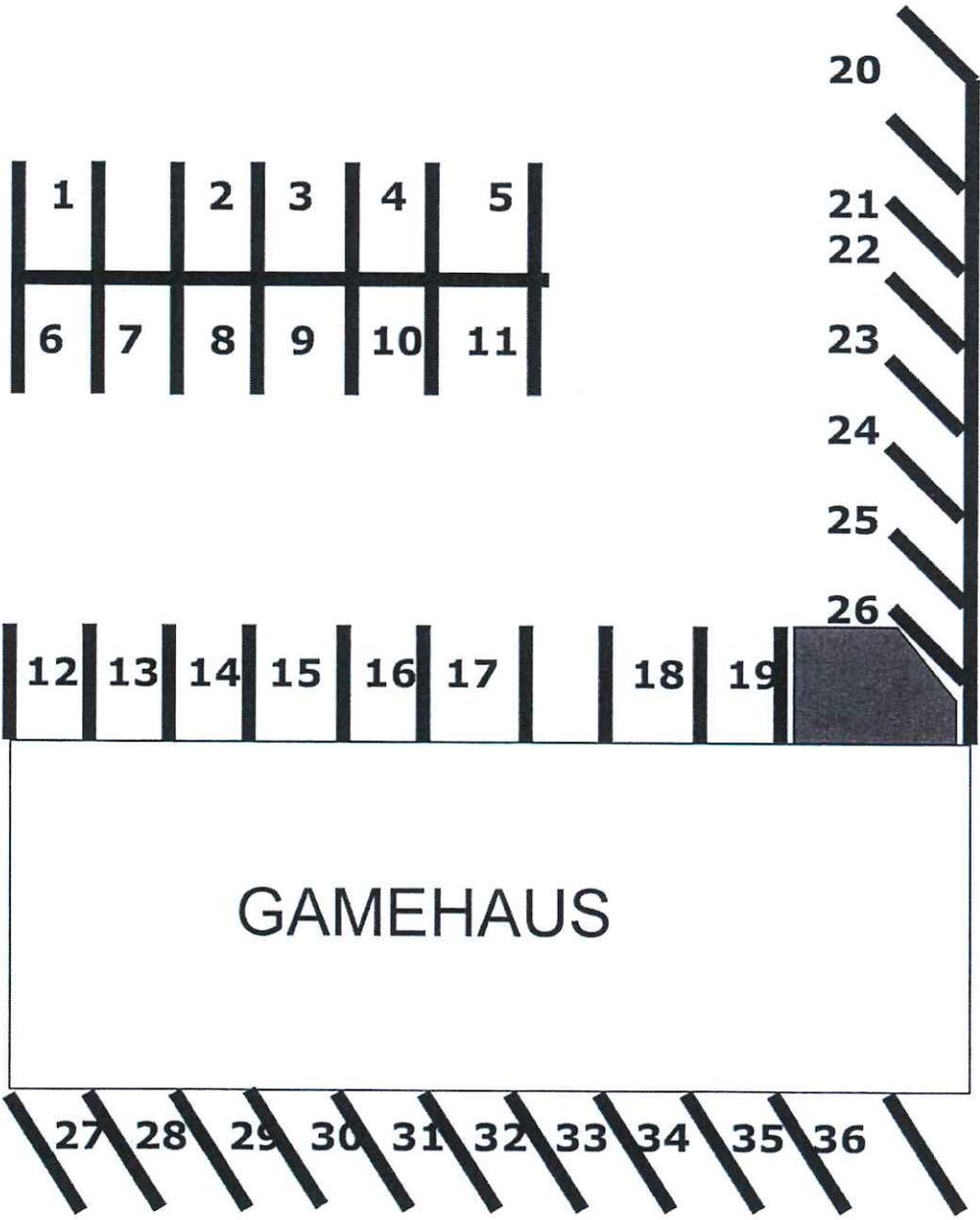
I urge the City to deny this CUP.

Thanks,



NOLANA AVE

21ST



GAMEHAUS

RECEIVED  
 MAR 15 2015  
 BY: [Signature]  
 [Signature]

**JACR, LLC dba Gamehaus Gastropub**

Conditional Use Permit Application

2109 W. Nolana Ave, McAllen, TX 78504

**Security Measures:**

Gamehaus employs a security company which handles various aspects of security for the venue and surrounding area. The security company provides fully uniformed personnel for all requested days and hours.

- The security company monitors and handles all activity at main entryway during later hours of operations. This includes checking for proper identification and monitoring venue's age limit policy, maintaining order and providing customer service, and also checking for any drugs or weapons prior to entry.
- The security company has established posts on adjacent parking lots, being the CPA firm's office, EZPawn, National Lube, the karate center, and Bicycle World.
- The security company also maintains an established post on 21<sup>st</sup> street between the residential streets. They monitor traffic, maintain order and politely let patrons know what lots are available for parking. Their task is to maintain the peace and tranquility of the neighborhood and satisfaction of surrounding residents while monitoring any commercial traffic.
- Gamehaus provides a multi-unit walkie-talkie system with earbuds that allows Gamehaus management and the security company to maintain communication throughout operating hours.
- Gamehaus provides a gas powered, rough terrain golf cart that allows the security company to patrol the entire nearby area, being from Bicycle World to the National Lube from East-West and Bicentennial to Kerria from North-South in a timely manner. The security company uses this vehicle to efficiently patrol the residential streets and shared alley while also monitoring the various adjacent lots.
- Gamehaus contracts off-duty peace officers to monitor the interior of the venue during late night operating hours. These peace officers are uniformed and provide peace of mind to our patrons while also monitoring for any illicit or disruptive behavior by any individual.
- Gamehaus utilizes a system called "Veriscan" during later operating hours for all forms of identification. This system provides the proper age to the security officer, informs of any counterfeit IDs, and provides a system to track incoming patrons. Should a specific client be disruptive or considered a person of bad character through their actions, the system allows us to "BAN" them. Upon a future scan, the person will not be given re-entry.

RECEIVED  
MAR 15 2016  
BY: [Signature]  
am

- Gamehaus follows and implements any and all TABC or municipal code requirements for security measures, including proper TABC or Food Handler certification for all employees who serve clients. Some parts of the TABC training deal with security measures.
- Management utilizes smart phone apps to log and record sound decibel readings during late hours on busy nights near the residential areas to ensure residents are not being disturbed or venue is violating any noise ordinance.
- Management maintains a nightly log during busier nights to record, through pictures, the traffic activity on the residential street in order to ensure minimal to no disturbance.
- Gamehaus has a 36 HD camera system, with approximately 4 outside (front and back) and 32 cameras throughout the interior client space, storage, kitchen, office and bar areas.

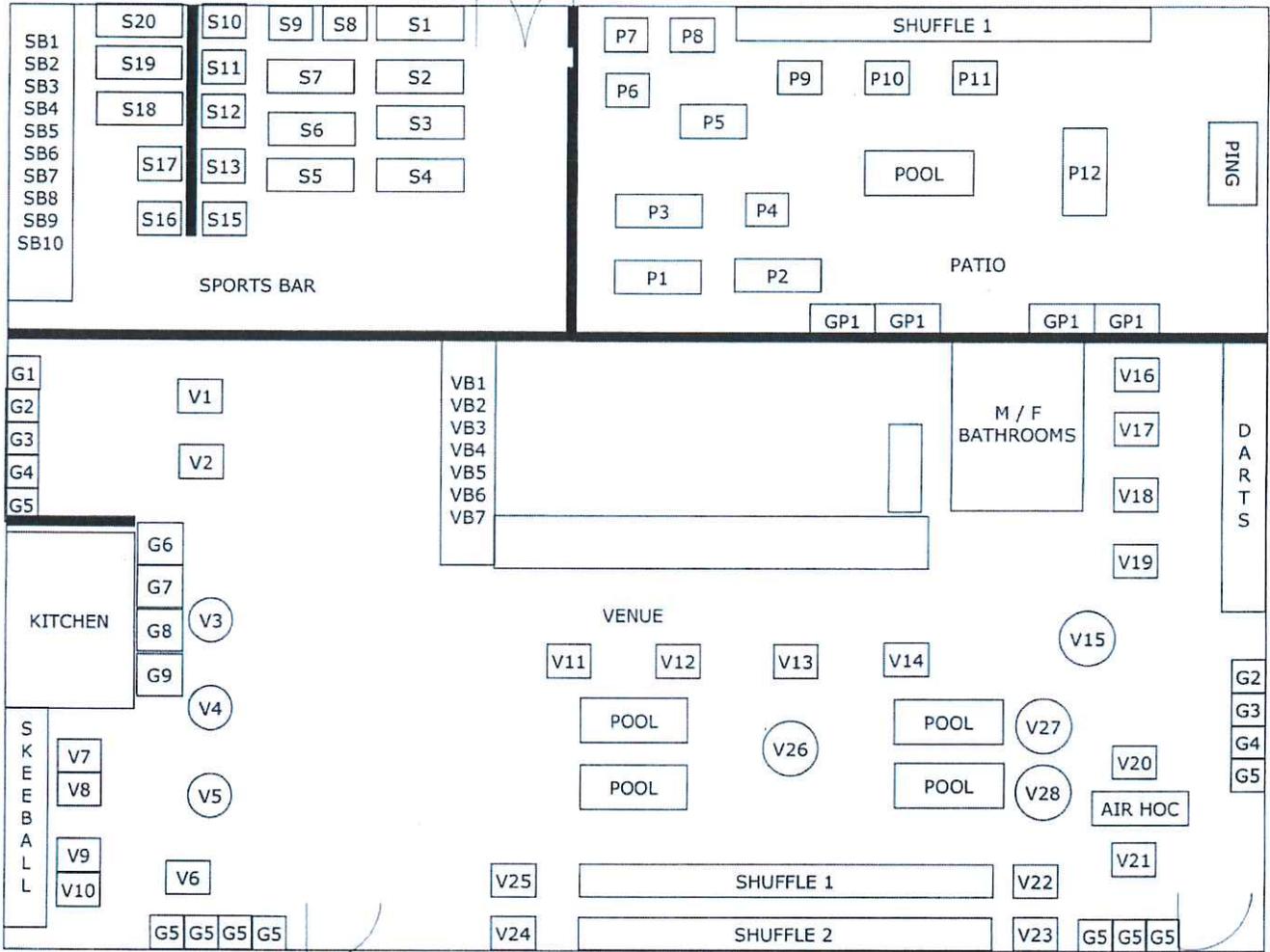
#### **Lighting Measures:**

Gamehaus provides adequate and sufficient lighting on its premise for security and traffic purposes.

- The building is well lit from the front with under-mounted fluorescent bulbs on the canopy on both the east and west front-side portions of the building.
- There are floodlights on the far northeast and northwest corners of the building that provide lighting into the parking lot of the venue and on the corners of the building.
- There are floodlights on the rear of the building on both the east and west sides that illuminate the rear parking, alley and surrounding area.

#### **Trash & Cleaning Measures:**

- Gamehaus employs a sufficient number of barbacks, kitchen and waitstaff whose daily duties include the maintenance and cleanliness of the venue during operating hours along with responsibility of appropriately taking out the trash.
- A cleaning group enters the venue every single morning to do a full venue clean and they also patrol the exterior of the building, parking lot and adjacent properties for any trash.
- One of the duties of the security company is to pick up any and all trash on adjacent or shared lots, surrounding public streets or the alley way. Upon the last customers leaving the area, the security group splits off and does a review of the area.
- Closing manager does a final check for any trash outside the venue along with some of the shared lots and reports back to owners through pictures at the end of each night.



**RECEIVED**  
 MAR 15 2015  
 BY: *[Signature]*

**Memo**

**TO:** Planning & Zoning Commission  
**FROM:** Julianne R. Rankin, FAICP – Director of Planning  
**DATE:** May 12, 2016  
**SUBJECT:** **City Commission Actions of May 9, 2016**

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**REZONINGS:**

1. Rezone from R-1 (single family residential) District to C-3 (general business) District: Lot 1, Duarte Subdivision, Hidalgo County, Texas; 4724 Buddy Owens Boulevard.
  - **Planning and Zoning Commission disapproved**
  - **City Commission tabled**

**CONDITIONAL USE PERMITS:**

1. Request of Marie-Claude Charles, for a Conditional Use Permit, for life of the use, for an institutional use (school), at the South 35 feet of Lot 5, all of Lot 6 and the North 40 feet of Lot 7, Block 1, Highland Center Subdivision, Hidalgo County, Texas; 2300 North 10th Street.
  - **Planning and Zoning Commission approved**
  - **City Commission approved**
2. Request of Aaron Banda, appealing the decision of the Planning & Zoning Commission of the April 19, 2016 meeting, denying a Conditional Use Permit, for one year, for a bar, at Lots 1-4, The District at McAllen Subdivision, Hidalgo County, Texas; 3300 North McColl Road, Suites P and Q..
  - **Planning and Zoning Commission disapproved w/a favorable recommendation with a variance to the distance requirement with added conditions of security, trash pick-up and lighting.**
  - **City Commission disapproved**
3. Request of Vicky Chmielowski, appealing the decision of the Planning & Zoning Commission of the April 19, 2016 meeting, denying a Conditional Use Permit, for one year, for a bar, at Lot 6, Mejia #1 Subdivision, Hidalgo County, Texas; 2010 Nolana Avenue.
  - **Planning and Zoning Commission disapproved w/a favorable recommendation with a variance to the distance requirement and with added conditions of fixing potholes, providing security, trash pick-up and lighting**
  - **City Commission approved w/variance and conditions**

4. Request of JACR, LLC dba Gamehaus Gastropub, for a Conditional Use Permit, for five years, for a bar, at Lots 13 and 14, Nolana Terrace Subdivision, Hidalgo County, Texas; 2109 Nolana Avenue.
  - **Planning and Zoning Commission tabled**
  - **City Commission tabled**



## 2016 CALENDAR

**Meetings:**

-  City Commission
-  Planning & Zoning Board
-  Public Utility Board
-  Zoning Board of Adjustment
- HPC - Historical Preservation Council

**Deadlines:**

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

### JANUARY 2016

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

### FEBRUARY 2016

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

### MARCH 2016

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

### APRIL 2016

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

### MAY 2016

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

### JUNE 2016

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

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