

## AGENDA

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

**CALL TO ORDER - Pepe Cabeza de Vaca**

**PLEDGE OF ALLEGIANCE -**

**INVOCATION -**

**1) MINUTES:**

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

**2) SITE PLAN:**

- a) Lot 4, Shops at 29 Subdivision; 2624 U.S. Expressway 83 - Shops at 20, Ltd. **(SPR2016-0008) SEC**
- b) Lot 1, Block 7, McAllen Addition Subdivision; 1601 Business Highway 83 - Granchelli Construction **(SPR2016-0011) TABLED: 04/19/2016**

**3) CONSENT:**

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

**4) SUBDIVISIONS:**

- a) The Centre Subdivision; 500 North Cynthia Street - Aaron Garza and James Anthony Reyna **(Preliminary)(SUB2016-0021) AGES**
- b) Misodi Subdivision; 7712 South Jackson Road - Ramon Garcia **(Preliminary)(SUB2016-0023) QHA**
- c) BRI Subdivision; 2220 Sprague Road - Manuel De Jesus Barba **(Preliminary)(SUB2016-0022) SEA**

**5) 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.

**b) 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)**

**c) CONDITIONAL USE PERMITS:**

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)**
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)**
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)**
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)**
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)**
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**

**6) DISCUSSION:**

- a) City Commission Action: April 25, 2016

**7) INFORMATION ONLY:**

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

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, April 19, 2016, at 3:31 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>Chairperson</b>
	<b>John Millin</b>	<b>Vice- Chairperson</b>
	<b>Mark Wright</b>	<b>Member</b>
	<b>Michael D. Hovar</b>	<b>Member</b>
	<b>Brenton M. Baldree</b>	<b>Member</b>
	<b>Daniel Santos</b>	<b>Member</b>
	<b>Robert Luciano</b>	<b>Member</b>

**Absent:** None

<b>Staff Present:</b>	<b>Julianne Rankin</b>	<b>Director of Planning</b>
	<b>Michelle Leftwich</b>	<b>Assistant City Manager</b>
	<b>Victor Flores</b>	<b>Assistant City Attorney</b>
	<b>Ed Taylor</b>	<b>Senior Planner</b>
	<b>Luis Mora</b>	<b>Senior Planner</b>
	<b>Kim Guajardo</b>	<b>Planner III</b>
	<b>Miguel Martinez</b>	<b>Planner II</b>
	<b>Rodrigo Sanchez</b>	<b>Planner II</b>
	<b>Cristina Garcia</b>	<b>Planner I</b>
	<b>Allan Garces</b>	<b>Planner I</b>
	<b>Gardenia Perez</b>	<b>Administrative Supervisor</b>
	<b>Susana De La Cerda</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 5, 2016.

The minutes for the regular meeting held on April 5, 2016 were approved as submitted. The motion to approve was made by Mr. John Millin. Mr. Brenton Baldree seconded the motion, which carried unanimously with seven members present and voting.

## **2. SITE PLAN:**

### **a) Lot 1, Block 7, McAllen Addition; 1601 Business Highway 83 - Granchelli Construction (SPR2016-0011)**

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. Millin inquired why the site plan was coming before the board if it was an existing parking lot.

Mr. Victor Flores, Assistant City Attorney, stated the item had been reviewed by the Legal Department and initially stated the use was a public parking lot. Since then the access had changed it would become a paid parking lot. This in turn triggered site plan review.

Mr. Millin inquired if the applicant was the owner of the parking lot and inquired if the parking lot owner was the same one as the federal building. Mr. Flores stated it was the same owner.

Mr. Millin advised Mr. Flores the parking lot had been off limits for public access since 911 incidents. The building had been secure so no one can drive in front of building for security purposes. Mr. Flores stated it was legal determination the parking lot required a site plan.

Mr. Martinez wanted to clarify that the request was not the parking lot immediately in front of the building. The request was for the one to the east side of 17th Street in front of parking garage.

Ricardo Hinojosa, Chief Judge of Southern District of Texas, Judge Randy Crane and Judge Micaela Alvarez were present in opposition of the site plan request.

Mr. Hinojosa stated he did not have any issues with the construction company conducting work. The Judge stated their concern was they have not been informed of what was occurring. They had not advised of what the parking lot was being converted to, if any fees would be charged for use, and how traffic would be addressed. They have not been consulted by the owner to advise the tenants of how it would operate. They stated their main concern for them as a Federal Building was safety, traffic and public issues.

Mr. Granchelli, the developer, stated the parking lot in front was not being altered, it was powered washed, stripped and beautified. The building to the east would be expanded internally and would add 26 additional parking spaces. He stated some of the tenant's fees would be included in their lease, paid monthly and or paid annually. He stated jurors would pay when they come for jury duty. Mr. Granchelli stated while the parking lot was under construction the employees were parking at the parking garage.

Mr. Millin inquired who was the owner of the property. Mr. Granchelli stated it was Ms. Audum Medina and the original partners were from Mexico. Mr. Millin suggested to table the item to allow owners time to communicate with the judges regarding their intentions and how it would operate due to it being a federal building.

The Board inquired who would have access to the parking lot. Mr. Granchelli stated it would be available to all the tenants and would be operated with a key file just like the one used at the airport.

After a lengthy discussion of the item, Mr. John Millin moved to table the item so the judges can attain information from the owner regarding their intentions with the parking lot. Mr. Roberto Luciano seconded the motion which carried with 6 members voting aye and one abstention. Mr. Brenton Baldree abstained.

**b) Revised Site Plan for Lot 3, Renaissance Center; 1008 East Dove Avenue - Cantu Construction (SPR2014-0036)**

Mr. Martinez stated the property was located on the south side of E. Dove Ave., approximately 790 ft. east of N. McColl Rd. The property was zoned R-3A (multi-family apartment) District. The adjacent zoning to the north was C-3 (general commercial) District, R-3C (condominium) District to the east, & R-4 (mobile home) District to the south, and C-3L (light commercial) District to the west.

The property was part of Renaissance Center Subdivision which was recorded on November 10, 2014. The applicant was proposing to construct more than 5 apartment units on the same lot, therefore, a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit. The original site plan was approved by the Board on February 3, 2015.

The applicant was in the process of constructing 72 apartment units on the property. The original site plan consisted of 40 - 1 bedroom units (60 parking spaces) & 32 - 2- bedrooms (64 parking spaces) 124 parking spaces were required; 165 parking spaces were provided. The proposed change was to construct 50 - 1 bedroom units (75 parking spaces) and 24 - 2 - bedroom units (48 parking spaces). The parking required was now 123 spaces; 165 spaces were provided. Six of the provided parking spaces must be accessible, one of which must be van accessible with an 8 ft. aisle. Access to the site was proposed to be from a common interior access drive, which connects to E. Dove Avenue. Required landscaping for the lot was 18,241 sq. ft. with trees required as follows: 36 - 2 ½" caliper trees, or 18 - 4" caliper trees, or 9 - 6" caliper trees, or 72 palm trees. A minimum 10 ft. wide landscape strip was required inside the property line along E. Zinnia 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 was required along E. Zinnia Avenue and the common access drives, as well as a 6 ft. buffer around dumpsters if visible from

the street and from adjacent multi-family residential, commercial and industrial zones/uses. Arrangement and locations of dumpsters to be finalized with public works. No structures were permitted over easements. Setback requirements were as follows: Front/E. Zinnia Ave: 63', North: 63', East: 108', and West: 56' as shown on site plan.

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

Mr. Martinez clarified there was no changes to the square footage it just changed from amount of units from 40 (1) bedroom units to 50 (1) bedroom units.

After a brief discussion of the item, Mr. Mike Hovar moved to approve the site plan subject the conditions noted, the Subdivision and Zoning Ordinance, and paving and building permit requirements the subdivision and zoning ordinances. Mr. Mark Wright seconded the motion with seven members present and voting.

**c) Revised Site Plan for Lot 2, Bentsen Road Plaza Subdivision; 4421 U.S. Expressway 83 – Grax Holdings, LLC. (SPR2015-0017)**

Mr. Martinez stated the vacant property was located on the west side of S. Bentsen Rd., approximately 150 ft. south of Expressway 83 and was zoned C-4 (commercial industrial) District and C-3 (general business) District. The adjacent zoning was C-3 to the east, and west, and R-1 (single-family residential) District to the southeast.

The property was part of Bentsen Road Plaza Subdivision, which was recorded on December 4, 2014. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. The original site plan was approved by the Board on June 16, 2015.

The applicant was proposing to construct a 5 story building for hotel use on the property. The original site plan consisted of 100 rooms (100 parking spaces required), 1,050 sq. ft. for meeting rooms (11 parking spaces required), and 1,657 sq. ft. of commercial areas (9 parking spaces required). The original plan required 120 parking spaces; 120 parking spaces were provided. The applicant had revised the floor plan increasing the number of hotel rooms to 105 rooms vs. the 100 previously approved. The five additional parking spaces have been accommodated to comply with the additional rooms. 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 was proposed to be from a 55 ft. wide common access drive, which connects with the Expressway 83 frontage road and a 25 ft. common access/utility easement that leads to S. Bentsen Rd. Required landscaping for the lot was 8,938 sq. ft. with trees required as follows: 24 – 2 ½" caliper trees, or 12 – 4" caliper trees, or 6 – 6" caliper trees, or 48 palm trees. A minimum 10 ft. wide landscaped strip was required inside the property line along S. Bentsen Rd. Fifty percent of the landscaping must be visible in front areas, and each parking space must be within 50 ft. of a landscaped area with a tree, as required by ordinance. A 4 ft. wide minimum sidewalk was required on S. Bentsen Rd. as well as an 8 ft. masonry buffer was required between single-family residential and commercial, industrial or multi-family residential zones/uses to the south.

A 6 ft. opaque buffer was required around the dumpster if visible from the street. No structures were permitted over easements. Setbacks were as follows: 125' proposed to the west, 42' proposed to the south, 42' proposed to the north, and 180' proposed to the east. All setbacks would be in compliance with the plat note requirements and the zoning ordinance.

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

Being no discussion of the item, Mr. John Millin **moved** to approve the site plan subject the conditions noted, the Subdivision and Zoning Ordinance, and paving and building permit requirements, and the subdivision and zoning ordinances. Mr. Breton Baldree seconded the motion with seven members present and voting.

### **3) CONSENT:**

- a) RSBR FM 681 Subdivision; 11011 N. Moorefield Road -Sergio H. & Rosario G. Saenz  
**(Final)(SUB2016-0020) M & H**

Item was not heard but approved as part of the consent agenda.

The property consisted of one lot in the ETJ and was located on the west side of Moorefield Road at about 9 ½ mile road. The property was proposed as a dollar store. A preliminary plat approved by the Planning and Zoning Commission on February 16, 2016. Moorefield Road had a 10 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW with paving and curb & gutter to be done by the state. Alley/service drive easement required for commercial properties. Project engineer, on behalf of the developer had requested a variance to the alley ROW requirement. The City Commission disapproved the variance at their meeting of March 28, 2016 and voted to: 1) require the alley dedication and escrow; and 2) placing a plat note indicating that if an alley was required when adjacent properties developed, then the alley within the boundary of this subdivision would be constructed at such time. Owner must escrow monies for the alley prior to plat recording. Front setbacks were 60 ft. or greater for easements on Moorefield Road (FM 681). Rear and side setbacks were 15 ft. for the easements. All setbacks were subject to increase for easements. A 5 ft. wide sidewalk was required on Moorefield Road (FM 681). Verify sidewalk width with the City of McAllen Engineering Department for TxDOT road. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. The site plan requirement was to be determined prior to final. The Trip Generation was approved and a TIA was not required.

Staff recommended approval of the subdivision in final form.

As part of the consent agenda, Mr. John Millin **moved** to approve the subdivision in final form. Mr. Mark Wright seconded the motion with seven members present and voting.

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

#### **a) SUBDIVISION:**

1. Palm Heights Addition, Lots 7A & 9A Subdivision; 105 N. 9th Street - Store Master Funding, LLC. **(Final)(SUB2016-0003) SEA**

Ms. Guajardo stated the property was a 2-lot commercial resubdivision plat located at the corner of Ash Avenue and N. 9<sup>th</sup> Street. The board approved the preliminary plat on February 2, 2016. A tire shop was proposed to be constructed on Lot 7A. Revised Preliminary plat approved by the Planning and Zoning Commission on March 1, 2016. A Conditional Use Permit for Automotive Service and Repair was approved for life of the use by the City Commission on March 28, 2016. N. 9<sup>th</sup> Street had a 5 ft. ROW dedication proposed for 27.57 ft. – 27.83 ft. from centerline for 50 ft. of 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. Variance to the paving improvements on N. 9<sup>th</sup> Street were disapproved by the City Commission on February 2, 2016. Ash Avenue had 2.5 ROW dedication for a 25 ft. from centerline for 50 ft. ROW. Existing paving conditions would remain. There was a variance to the paving improvements along Ash Avenue granted by the City Commission on February 2, 2016. There was a 20 ft. existing alley ROW with 16 ft. of paving at the rear of the property. Front setbacks on N. 9<sup>th</sup> Street would be 25 ft. or in line with existing structures, whichever was greater. Rear and interior side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Corner setbacks on Ash Avenue were 25 ft. or greater for easements. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on N. 9<sup>th</sup> Street and Ash Avenue. Project engineer, on behalf of the developer had requested a variance to the sidewalk requirement for Proposed Lot 9A along N. 9<sup>th</sup> Street and Ash Avenue. Variance disapproved by the City Commission on March 28, 2016; owner must escrow monies for improvements prior to plat recording. 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. The Trip Generation and TIA had been approved by Traffic Operation Department.

Staff recommended approval of the resubdivision in final form.

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

Being no discussion of the item, Mr. John Millin **moved** to approve the resubdivision in final form. Mr. Mike Hovar seconded the motion with seven members present and voting.

#### **b) 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 10<sup>th</sup> Street. **(CUP2016-0045)**

Ms. Garcia stated the property was located on the east side of North 10<sup>th</sup> Street, approximately 290 ft. south of La Vista Avenue. It was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the north, west, and south, and R-2 (duplex-fourplex) District to the east. Surrounding land uses include commercial businesses, and single and multi-family residence. An institutional use was permitted in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

The initial conditional use permit was approved for one year by the Planning and Zoning Commission on April 7, 2015. Currently, there was a multi-tenant commercial plaza on the property. Other uses within the building include a daycare and an office for H & R Block. The applicant was requesting the permit for life of use; therefore, it had to come before the Planning and Zoning Commission for consideration.

The applicant was proposing to continue to occupy a lease space for a vocational school for nursing classes. The building was remodeled to accommodate classrooms (4) and offices (4), with a lobby and lab room. If in the future the school expands, an amendment of the conditional use permit would be required.

The Fire Department had inspected the lease space which meets the minimum safety codes and regulations. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to other conditions of the permit. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts North 10<sup>th</sup> Street and it does not generate traffic into residential areas.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the number of classrooms and offices, 26 parking spaces were required for the use and 36 parking spaces were provided on site at the front and rear of the building and were part of the common parking;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by an 8 ft. masonry wall.

Staff recommended approval of the request, for life of the use, subject to the Zoning Ordinance, 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 if the applicant owned the property, the reason for the applicant requesting life of the use, and the reason for staff recommending life of the use.

Staff stated no complaints were received during the past year and the applicant does not wish to be coming back for renewal every year. Staff stated the applicant was leasing the property if one day she would leave the property the conditional use permit would be voided. Any new applicant would have to re-apply.

After a brief discussion of the item, Mr. Mark Wright **moved** to approve the request, for life of the use, subject to the Zoning Ordinance, Fire Department requirements. Mr. John Millin seconded the motion, which carried with seven members present and voting.

2. Request of Abdiel Alcalá, for a Conditional Use Permit, for one year, for a home occupation (office) at Lot 2, Block 31, North McAllen Subdivision, Hidalgo County, Texas; 415 North 11th Street. **(CUP2016-0040)**

Ms. Garcia stated the property was located on the west side of North 11<sup>th</sup> Street, approximately 75 ft. south of Ebony Avenue and was zoned R-3A (apartments) District. The adjacent zoning was R-3A District in all directions and C-2 (neighborhood commercial) District to the southeast. Surrounding land uses include single and multi-family residences and commercial. A home occupation was permitted in an R-3A zone with a Conditional Use Permit and in compliance with requirements.

The applicant was proposing to operate an office for an a/c service repair business from the existing residence. The proposed hours of operation would be from 8:00 a.m. to 5:00 p.m. Monday through Friday.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate. The Fire Department had inspected the building and had met all the minimum standards and applicable ordinances. The business must 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 were permitted. No sign was proposed at the residence. The applicant had a minivan that would be used for the business, he had been advised about signage on the vehicle, only magnetic signs were allowed and removed when parked at the residence;
- 3) There shall be no exterior display or alterations indicating that the building was being used for any purpose other than that of a dwelling;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. One additional employees were proposed;

- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage;
- 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 would visit the residence, all work was to take place at customer's place of residence and/or business;
- 7) No retail sales (items can be delivered). No retail sales 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 was proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

Staff recommended approval of the request for one year, subject to compliance with Section 138-118(1) of the Zoning Ordinance 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 Section 138-118(1) of the Zoning Ordinance and Fire Department requirements. Mr. Brenton Baldree seconded the motion with seven members present and voting.

3. Request of Rosalinda Villarreal, for a Conditional Use Permit, for one year, for a home occupation (daycare) at Lot 88, Brookwood Subdivision, Unit 3, Hidalgo County, Texas; 3901 Bluebird Avenue. **(CUP2016-0034)**

4.

Ms. Garcia stated the property was located on the south side of Bluebird Avenue, approximately 230 ft. west of North 38<sup>th</sup> Street. The property dimensions were 60 ft. by 80 ft. and it was zoned R-1 (single family residential) District. The adjacent zoning was R-1 District and the surrounding land uses include single family residences. A day care was allowed in an R-1 zone with a conditional use permit and in compliance with requirements.

The initial conditional use permit was approved for one year by the Planning and Zoning Commission on October 2, 2007. The permit had been renewed annually. The last permit was approved as a renewal on November 18, 2014. There was no renewal in 2015 and due to the time frame it had to come before the Planning and Zoning Commission for consideration.

The applicant was proposing to continue to operate a day care facility from the existing residence. The proposed hours of operation were from 7:00 a.m. to 6:00 p.m. Monday through Friday.

The proposed use shall meet all the minimum standards and applicable ordinances. The Health and Fire Departments have inspected and cleared the residence. 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 occupation may not be operational until issuance of the certificate. 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. The home had a single car garage and a paved driveway that can accommodate two vehicles. The driveway would accommodate for the pickup and drop-off if the children;
- 4) Area used for the day care facility should be clearly secondary to the use of the structure. The applicant proposes to use two rooms for the day care 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 was no other day care within 600 ft.;
- 7) No more than one day care shall be located on a dead-end street or cul-de-sac. Bluebird Avenue was not a dead-end or cul-de-sac street;
- 8) Day care facilities shall not be located on a half street or a street that was accessed by a half street. Bluebird Avenue 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 7 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 property owner had signed the application.

Staff recommended approval of the request subject to 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.

The board inquired about the yard art located outside the property and if there had been any complaints regarding the yard art signage and the reason there had been no renewal the previous year.

Staff stated the yard art did not have any text and had been there for years with no complaints.

Ms. Garcia stated they overlooked it.

After a brief discussion of the item, Mr. John Millin **moved** to approve the request of the conditional use permit, for one year, subject to Section 138-118(8) of the Zoning Ordinance, Health and Fire Department requirements. Mr. Daniel Santos seconded the motion with seven members present and voting.

5. Request of Olivia Hernandez, for a Conditional Use Permit, for one year, for a home occupation (daycare) at Lot 14, Shadow Brook Subdivision, Unit 1, Hidalgo County, Texas; 2113 Goldcrest Avenue. **(CUP2016-0046)**

Ms. Garcia stated the property was located on the south side of Goldcrest Avenue, approximately 176 ft. west of North 21<sup>th</sup> Street and was zoned R-1 (single family residential) District. The adjacent zoning was R-1 District to the west, north, and east and C-3 (general business) District to the south. The surrounding land uses include single family residences, commercial businesses, a broadcast tower and vacant land. A day care was allowed in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

The applicant was proposing to operate a day care facility from the existing residence. The proposed hours of operation were from 6:30 a.m. to 6:00 p.m. Monday thru Friday. The proposed use shall meet all the minimum standards and applicable ordinances. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate.

Staff had received signatures of opposition from the surrounding neighbors indicating concerns with traffic and wanting to keep the residential area from disruptions resulting from a business. The percentage of those opposing totals 35.9% opposed

The Health and Fire Departments have inspected and clear the residence to ensure compliance with health and safety codes and regulations. The business must comply with requirements set forth in Section 138-118(8) of the Zoning Ordinance and other specific requirements as follows:

- 1) Meet the requirements of the Department of Human Services;
- 2) Provide a fenced in area for outside play of children. A fenced area was provided on site;
- 3) Provide paved area adjacent to street for pickup and delivery of children. The site plan shows a two-car paved driveway located in the front yard, there was no area for the pickup

and drop-off of the children;

- 4) Area used for the day care facility should be clearly secondary to the use of the structure; The applicant proposes to use the living room for the day care 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 was no other day care within 600 ft.;
- 7) No more than one-day care shall be located on a dead-end street or cul-de-sac; Goldcrest Avenue was not a dead-end street or cul-de-sac;
- 8) Day care facilities shall not be located on a half street or a street that was accessed by a half street; Goldcrest Avenue 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 not proposing additional employees; 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 disapproval of the request based on noncompliance with requirement #3 (no pickup and drop-off) of Section 138-118(8) 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 were neighbors present to speak in opposition. The applicant was present.

Mr. Javier Parra, in opposition, stated he lived across from the property. The property had been abandoned and stated the owners had several incidents involving the police department.

Ms. Hernandez, the applicant stated every family had teenage problems, that everything was fine now and he was already attending college.

Mr. Cobos, in opposition, submitted a copy of a letter of opposition with signatures that had previously been submitted to staff which was already clarified.

The board inquired why it was being recommended for disapproval.

Staff stated there were only 2 parking spaces for the residence, but with a Conditional Use Permit were required a third space for the pickup and drop off of the children.

The board advised the applicant that they had 20 percentage of residence in opposition. Therefore; they were recommending disapproval, but If she would like she could appeal the decision made by the board.

After discussion of the item, Mr. John Millin **moved** to disapprove the request of the conditional use permit based on noncompliance with requirement #3 (no pickup and drop-off) of Section 138-118(8) of the Zoning Ordinance. Mr. Mark Wright seconded the motion with seven members present and voting.

**Mr. Mike Hovar stepped out.**

6. Request of Vicky Chmielowski, for a Conditional Use Permit, for one year, for a bar at Lot 6, Mejia #1 Subdivision, Hidalgo County, Texas; 2010 Nolana Avenue. **(CUP2016-0041)**

Ms. Garcia stated the property was located on the north side of Nolana Avenue, approximately 135 ft. west of Bicentennial Drive and is zoned C-3 (general business) District. The adjacent zoning was C-3 District in all directions. Surrounding land uses include commercial businesses, bars and The McAllen International Museum (IMAS). A bar is allowed in a C-3 zone with a conditional use permit and in compliance with requirements.

The initial conditional use permit was approved for one year by the Planning and Zoning Commission in November of 2001. The permit expired and the use discontinued operation. Another applicant was approved for this location by the City Commission in February of 2004 with a variance to the 600 ft. distance requirement. The permit was renewed annually by different tenants. A request was approved for six months only by the City Commission on July 28, 2014, to allowed the applicant to fix some potholes and restripe the parking spaces fronting the business, with the condition that the area comply with the city ordinance, including parking, landscaping, and sufficient lighting. The latest permit approval was for one year by the City Commission on April 13, 2015 with a variance to the 600 ft. distance requirement by then the applicant had fixed the potholes and restriped the parking spaces fronting her business.

The applicant was proposing to continue to operate the bar from the existing building. The hours of operation would continue to be from 5:00 p.m. to 3:00 a.m. Sunday through Saturday. During inspection, staff observed that the parking lot fronting the business again needing repair on potholes.

A police activity report was attached indicating service calls from March 2015 to present. The Health and Fire Departments have inspected 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:

- a) 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 The McAllen International Museum (IMAS) to the east and residentially zoned properties to the east and southeast.
- b) 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 Nolana Avenue and Bicentennial Drive, and does not generate traffic into residential areas;
- c) 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 was 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), retail uses (such as a laundry matt & beauty salon), a bar (Elements) and a vacant lease space that had previously been used as a bar. Based on the current uses (except Elements), 34 parking spaces are required, and 125 spaces are provided on site. The proposed bar (Rehab) would require 46 parking spaces. The existing bar (Elements) was required 51 parking spaces; however, they have a parking agreement allowing them shared parking with a property to the east in order to comply with the parking requirements. If the vacant space again becomes occupied for a bar, it would require 46 parking spaces and parking would need to be provided;
- d) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
- e) 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;
- f) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- g) 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 was set at 189 persons.

If approved, the request should be subject to her fixing the potholes again and any conditions previously required such as complying with the city ordinance, including parking, landscaping, and sufficient lighting.

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

Chairperson, Pepe Cabeza de Vaca, 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 not present.

Being no discussion of the item, Mr. John Millin **moved** to disapprove the request based on noncompliance with requirement #1 (distance) of Section 138-118(4) of the Zoning Ordinance, but with a favorable recommendation to grant the variance to the distance requirements with the conditions they provide security, nightly trash pickup, sufficient lighting and repair potholes. Mr. Daniel Santos seconded the motion which carried with five members voting aye and one abstention. Mr. Mark Wright abstained.

7. Request of Aaron Banda, for 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. **(CUP2016-0044)**

Ms. Garcia stated the property was located on the east side of North McColl Road, approximately 140 ft. north of East Fern Avenue and was zoned C-3 (general business) District. The adjacent zoning was C-3 District to the north, south, and west and R-3A (multifamily residential apartment) District to the east. Surrounding land uses include the commercial businesses, offices, restaurants, and multi-family residences and vacant land. A bar was allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit was approved for a nightclub (Club 33) at this location for one year, on appeal to the City Commission, with provisions to keep litter at a minimum on this property and on adjacent properties on June 8, 2009. The last permit was approved for a bar by the City Commission on January 14, 2013. An application for a kid's party place was disapproved with a favorable recommendation by the Planning and Zoning Commission on November 4, 2014; however, the applicant did not appeal.

The prior establishment was no longer operating and had been closed. There was now a new applicant who was proposing to operate a bar from the lease space. The hours of operation would be from 4:00 p.m. to 2:00 a.m. Wednesday thru Saturday. Staff had received a letter from a surrounding neighbor in opposition of the request.

No police activity report was requested since there had not been any establishment open during the year. The Health and Fire Departments have inspected the establishment; however, a final inspection was pending once the building permit was in process. 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:

- a) 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 residential zones and uses;
- b) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment had access to North McColl Road and E. Fern Avenue, and does not generate traffic onto residential areas;

- c) 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 was a multi-tenant commercial building on the property. The building was currently a mixture of a restaurant (El Rincon), office use, a sports bar, vacant office/retail suites and vacant bar suites. Based on the square footages, vacant office/retail suites (if occupied), and the restaurant (El Rincon), excluding the sport bar and vacant bar suites, to run simultaneously during business hours (8 a.m. to 7 p.m.), 185 parking spaces were required. The proposed bar would require 68 parking spaces; for a total of 253 parking spaces required. A total of 274 parking spaces were provided on the common parking area in the front and rear of the building. For the businesses that were after hours (including El Rincon, the existing sports bar, and vacant bar suites) to run simultaneously, 270 parking spaces were required. If additional parking was required, there was a mutual access agreement, which allows the use of parking and access in and across Lots 1 through 5, 6A, and 6B of The District of McAllen Subdivision and Lot 9, 10, and 11 of The District of McAllen Phase II Subdivision;
- d) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- e) 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;
- f) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties. Should this permit be granted, then the condition of keeping litter at a minimum on this property and on adjacent properties be maintained; and 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 was determined at the time of building permit for a total of 382 persons, of which 291 were allowed in the first floor and 91 persons in the second floor

Should the conditional use permit be approved, conditions as previously approved would apply such as keep litter at a minimum on the property and on adjacent properties.

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

Chairperson, Pepe Cabeza de Vaca, 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 if there were any other bars in the area.

Staff stated there was only a barber shop with a bar and two offices located in the plaza.

Mr. Aaron Banda, the applicant, approach the podium, he stated he had operated a bar before out

in Mexico. The board advised Mr. Banda to ask his customer to park in his parking lot and not in other parking area.

After a brief discussion of the item, Mr. John Millin **moved** to disapprove the request of the conditional use permit based on noncompliance with requirement #1 (distance) of Section 138-118(4) of the Zoning Ordinance, but with a favorable recommendation to grant the variance to the distance requirements with the conditions they provide security, nightly trash pickup, sufficient lighting. Mr. Mark Wright seconded the motion with six members present and voting.

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)**

Ms. Garcia stated the property was located at the south corner of North 23<sup>rd</sup> Street and Nolana Avenue and was zoned C-3 (general business) District. The adjacent zoning was C-3 District in all directions. Surrounding land uses include commercial businesses, offices, restaurants and McAllen's Public Library. A bar was allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

Currently there was a multi-tenant commercial building on the property. The applicant was proposing to operate a bar from the existing 2,470 sq. ft. commercial lease space. The proposed hours of operation were from 4:00 p.m. to 2:00 a.m. Monday through Sunday. If the conditional use permit was approved, the existing Smoke & tattoo Shop in the lease space would be closed.

No activity report was requested since the bar had not been in operation during the year. The Fire and Health Departments have inspected the establishment; however, a final inspection would be required once the building permit was finalized. 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 was within 600 ft. of residential zones/uses and McAllen's Public Library;
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment was located on two major arterials, Nolana Avenue and North 23<sup>rd</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. Currently there was a multi-tenant commercial building on the property. The building was a mixture of retail, restaurants, bars and a vacant suites. At this time, there were two restaurants (Sonia's Tamales To Go & Cabritos Nuevo Leon), 43,109 sq. ft. of retail suites including Dollar General and the 0.99 Cent stores, 5,000 sq. ft. of vacant suites,

three bars (Cigar Bar, Rana's & DeLoreans), and a kid's event center. The existing uses that were opened during the day, including the vacant suites, 287 parking spaces were required. Based on the existing bar uses have a peak time of 11 p.m., and required 163 parking spaces. The proposed 2,470 sq. ft. bar would require 33 parking spaces for a total of 196 spaces required for all the bars. There were 293 parking spaces provided on site. However, the proposed bar would open at 4:00 p.m., which increases the required parking to 320 parking spaces during the day, which leaves a deficiency of 27 spaces. The applicant had submitted an application for a special exception for the deficiency of the parking spaces. The special exception would be heard December 2, 2015 by the Zoning Board of Adjustments. The majority of the businesses close by 8:00 p.m., except El Cabrito Restaurant, 0.99 cent Store, and Dollar General.;

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 allowable number of persons within the existing establishment would be set during the building permit process.

Staff recommended disapproval of the request based on noncompliance with requirement #1 (distance) and #3 (parking) of Section 138-118(4) 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 present to speak in opposition. The applicant was present.

Mr. Manuel Sanchez, Manager for Jalapenos Bar who was a surrounding business owner was in opposition. He stated Gamehouse bar customers parked in his parking lot leaving their He stated their customers nowhere to park and they had placed numerous calls to Code Enforcement.

Mr. Luciano, Board Member asked Mr. Sanchez what time does he usually have problems with the parking issues. Mr. Sanchez stated from 10:00 p.m. and on. The parking lot had signs restricting Gamehaus customers to not park there, but their customers still park on their parking spaces. He stated he had signs to tow away vehicles however, it created more problems. Mr. Sanchez inquired why the permit was for 5 years. All other bars, including his were only allowed a 1 year and had to renew annually.

Ms. Blanca Storeby, a residence at the apartments located in back of the Gamehouse, stated after 10 p.m. there are many vehicles parked all over the place.

The board inquired about the parking agreements, patrol around the residence area, and number of complaints for the establishment.

Mr. Victor Haddad, the applicant, stated they had been in operation for the past 2 ½ years with valid permits. Parking agreements were submitted during the building permit process and approved by the city however, after approval an agreement with one of the auto shops withdrew. He brought a new parking agreement with a different tenant to replace the auto shop and that agreement provided more spaces. He stated nothing has changed since original agreement and there are no removal or addition spaces being done. He spoke about the parking spaces at the rear of the building that have never done due to the apartment complex construction of the alley. There was no asphalt on their location for been parking spaces.

He stated they are not the only bars generating traffic in the area and have tried speaking with the owner of Jalapenos bar in regards to different parking options. The establishment offers security with approximately six guards who patrol the parking lots where the agreements are with. Every night pictures are taken and nightly reports of the streets are created, which streets had been cleared. Mr. Haddad stated when the subdivision was created it required a 6 ft. opaque fence to divide the residence and commercial development but it had not been done. He also stated incident reports had been submitted of the incidents that the securities had called in for incidents around and within the establishment.

Mr. Luis Macias, one of the owners for Gamehaus, stated the required parking was 116. The ratio was the same whether it was a restaurant or a bar. He stated he requested a public information request for Gamehaus which came back clean with no complaints but showed only two 2 citations that had been dismissed.

Mr. Luciano inquired to Mr. Haddad what the establishment was a bar or a restaurant. He replied he had been audited by the city four times and they concluded it was a restaurant.

Mr. Victor Flores, Assistant City Attorney, stated Management and the Legal Department had a lengthy discussion regarding the establishment. The establishment was audited and the findings shared they had more than 51% of food sales, so management requested the applicant to apply for a Conditional Use Permit for a bar. He also, clarified more of the ordinance previously mention. The ordinance was created about a year in half ago stating that non-residents if from a major arterial cannot park along a residential area.

Ms. Garcia stated she did not have any information or complaints since they were not required a conditional use permit.

After a lengthy discussion of the item, Mr. John Millin moved to table the request to allow the applicant time to submit a parking agreement. Mr. Robert Luciano seconded the motion. Which carried with five members voting aye and one abstention. Mr. Brenton Baldree 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 5:06 p.m., Mr. Daniel Santos seconded the motion which carried unanimously with six 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:** April 27, 2016  
**SUBJECT:** **SITE PLAN APPROVAL FOR LOT 4, SHOPS AT 29 SUBDIVISION; 2624 U. S. EXPRESSWAY 83.**

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

The property is 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 is proposing to construct a 3,597 sq. ft. building on the property for restaurant use. Based on the building square footage, 48 parking spaces are required; 56 parking spaces are 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 is proposed to be from the interior service drive. Required landscaping for the lot is 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 is required inside the lot line along the interior drive on the west and north side of the property. A 2 ft. landscape strip is provided along the south side of the property adjacent to the drainage ditch that is 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 is required around the dumpster area 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 the conditions noted, paving and building permit requirements, and the subdivision and zoning ordinances.

SUBDIVISION

92

93

PROPOSED HOLIDAY INN - MCALLEN

97

SUBDIVISION

LINDBERG

# LOCATION

## SHOPS AT 29TH

### SUBDIVISION

29TH ST

26TH ST

2

3

4

5

6

DRAINAGE ESMT

DRAINAGE ESMT

83

29TH ST

2801  
LOT 2A

2701  
LOT 2B

2601  
LOT 1

# 167 VALRAM HEIGHTS

## MORRIS

## QUEBEC AV

104

94

47  
47-A

1

46

58

59

70





# SUBDIVISION MAP OF SHOPS AT 29

(APPROVED AS SHOPS AT 29, LTD.)  
PLAT SHOWING  
BEING RESUBDIVISION OF 25.206 AC. CONSISTING OF:  
10.511 AC. BEING ALL OF LOT A-1, MOUNTASIA SUBDIVISION  
VOLUME 30, PAGE 162-B, H.C.M.R.,  
5.644 AC. OUT OF LOT 98 AND 5.644 AC. OUT OF LOT 99,  
ALL BEING OUT OF McALLEN THIRD SUBURBAN CITRUS GROVES SUBDIVISION,  
VOLUME 6, PAGE 2, H.C.M.R.  
AND 3.407 AC. OUT OF LOT 167  
LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION,  
VOL. 24, PG. 67, H.C.D.R.,  
CITY OF McALLEN, HIDALGO COUNTY, TEXAS

THE STATE OF TEXAS  
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE SHOPS AT 29 (APPROVED AS SHOPS AT 29, LTD.) SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

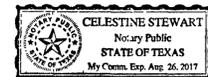
*JAMES W. COLLINS, JR.*  
JAMES W. COLLINS, JR., PRESIDENT  
OF LIAM INTERESTS, L.L.C., GENERAL PARTNER  
OF SHOPS AT 29, LTD. (OWNER)  
750 E. MULBERRY AVENUE, SUITE 305  
SAN ANTONIO, TEXAS 78212

12-30-15  
DATE

THE STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED *James W. Collins, Jr.* 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 30 DAY OF *Dec*, 20 15

*Celestine Stewart*  
NOTARY PUBLIC, FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES



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

1-11-2016  
DATE

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

*James E. Darling*  
MAYOR, CITY OF McALLEN

1/11/16  
DATE



THE STATE OF TEXAS  
COUNTY OF HIDALGO

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

DATED THIS 30th DAY OF *December*, 20 15

*Fred L. Kurth*  
FRED L. KURTH, PROFESSIONAL ENGINEER NO. 54151  
STATE OF TEXAS

DATE PREPARED 08-18-15  
ENGINEERING JOB NO. 15097 00



THE STATE OF TEXAS  
COUNTY OF HIDALGO

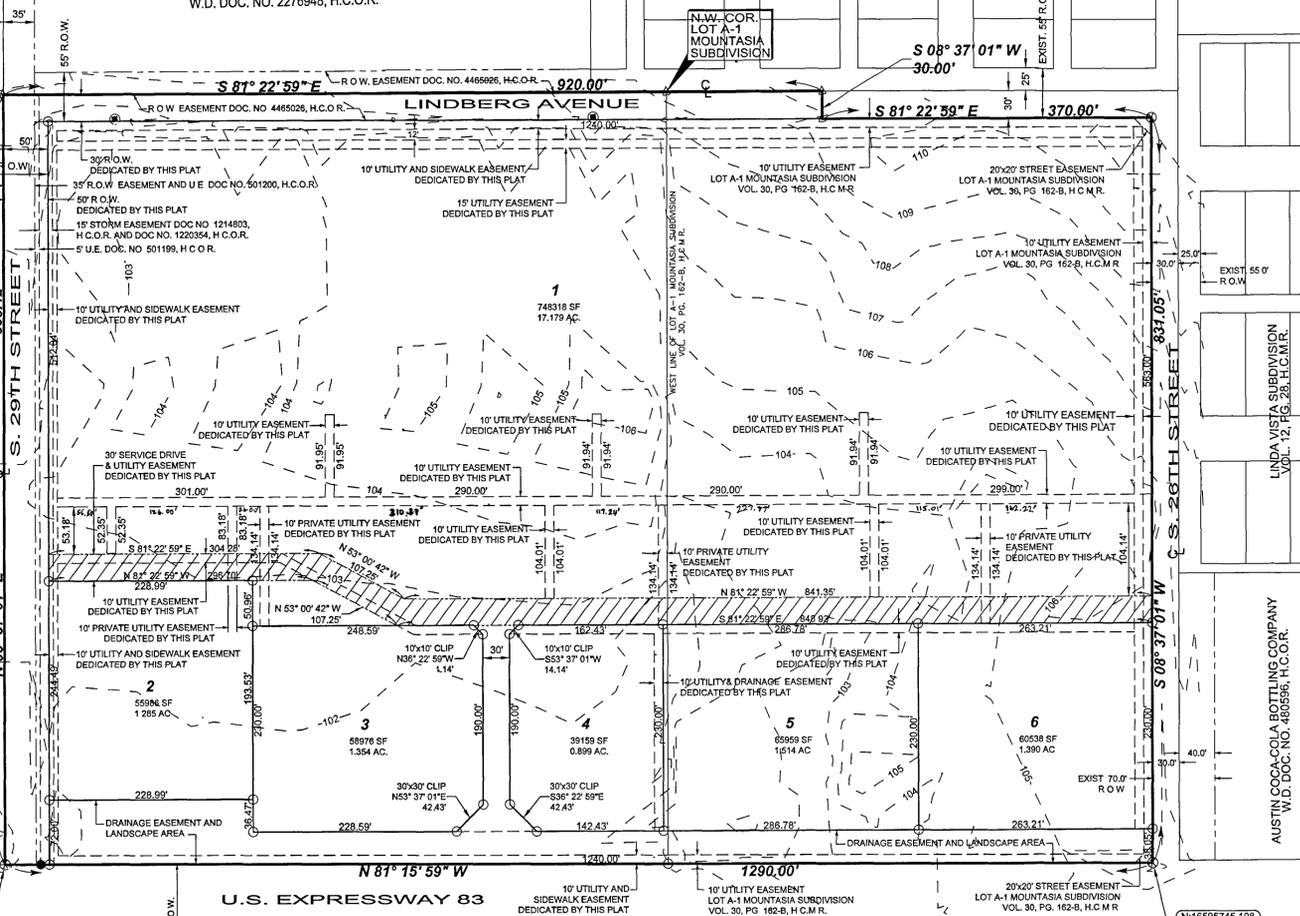
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND

DATED THIS 30th DAY OF *December*, 20 15

*Roberto N. Tamez*  
ROBERTO N. TAMEZ, R.P.L.S. # 6238  
DATE SURVEYED 08-14-15  
DATE PREPARED 08-18-14  
T-995, PG. 40  
SURVEYING JOB NO. 15097 00



FILE FOR RECORD IN  
HIDALGO COUNTY  
ARTURO GUJARDO JR.  
HIDALGO COUNTY CLERK  
ON *Jan. 15th 2016* AT *3:39* AM  
INSTRUMENT NUMBER *2677738*  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS  
BY *J. Prudhomme* DEPUTY



### METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 25.206 ACRES SITUATED IN THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, CONSISTING OF:

10.511 ACRES BEING ALL OF LOT A-1, MOUNTASIA SUBDIVISION, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 30, PAGE 162-B, HIDALGO COUNTY MAP RECORDS.

5.644 ACRES OUT OF LOT 98 AND 5.644 ACRES OUT OF LOT 99, ALL BEING OUT OF McALLEN THIRD SUBURBAN CITRUS GROVES SUBDIVISION, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 6, PAGE 2, HIDALGO COUNTY MAP RECORDS.

3.407 ACRES OUT OF LOT 167, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGE 67, HIDALGO COUNTY DEED RECORDS.

SAID 25.206 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A COTTON PICKER SPINDLE SET ON THE NORTHWEST CORNER OF LOT 98, McALLEN THIRD SUBURBAN CITRUS GROVES SUBDIVISION, FOR THE NORTHWEST CORNER OF THIS TRACT,

1. THENCE, S 81° 22' 59" E ALONG THE NORTH LINE OF SAID LOT 98, AT A DISTANCE OF 745.00 FEET PASS A COTTON PICKER SPINDLE SET ON THE NORTHWEST CORNER OF LOT A-1, MOUNTASIA SUBDIVISION, CONTINUING A TOTAL DISTANCE OF 920.00 FEET TO A COTTON PICKER SPINDLE SET ON AN OUTSIDE CORNER OF SAID LOT A-1, FOR AN OUTSIDE CORNER OF THIS TRACT.
2. THENCE, S 08° 37' 01" W (S 08° 42' 00" W MAP CALL) A DISTANCE OF 30.00 FEET TO A COTTON PICKER SPINDLE SET ON AN INSIDE CORNER OF SAID LOT A-1, FOR AN INSIDE CORNER OF THIS TRACT.
3. THENCE, S 81° 22' 59" E (S 81° 18' 00" E MAP CALL) ALONG THE NORTH LINE OF SAID LOT A-1, A DISTANCE OF 370.00 FEET TO AN X MARK SET ON THE NORTHEAST CORNER OF SAID LOT A-1, FOR THE NORTHEAST CORNER OF THIS TRACT.
4. THENCE, S 08° 37' 01" W (S 08° 42' 00" W MAP CALL) ALONG THE EAST LINES OF SAID LOTS A-1, 98, 99 AND 167, AT A DISTANCE OF 300.00 FEET PASS THE SOUTH LINE OF SAID LOT 98 AND THE NORTH LINE OF SAID LOT 99, AT A DISTANCE OF 630.00 FEET PASS THE SOUTH LINE OF SAID LOT 99 AND THE NORTH LINE OF SAID LOT 167, CONTINUING A TOTAL DISTANCE OF 831.05 FEET TO AN X MARK SET (NORTHING 16595745 108, EASTING 1065657 531) ON THE SOUTHEAST CORNER OF SAID LOT A-1 FOR THE SOUTHEAST CORNER OF THIS TRACT.
5. THENCE, N 81° 15' 59" W ALONG THE SOUTH LINE OF SAID LOT A-1, AT A DISTANCE OF 545.00 FEET PASS A NO. 4 REBAR SET ON THE SOUTHWEST CORNER OF SAID LOT A-1, CONTINUING A TOTAL DISTANCE OF 1290.00 FEET TO AN X MARK SET (NORTHING 1659540 982, EASTING 1064382 486) ON THE WEST LINE OF LOT 167, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, FOR THE SOUTHWEST CORNER OF THIS TRACT.
6. THENCE, N 08° 37' 01" E ALONG THE WEST LINES OF SAID LOTS 167, 99 AND 98, AT A DISTANCE OF 198.42 FEET PASS THE NORTHWEST CORNER OF SAID LOT 167 AND THE SOUTHWEST CORNER OF SAID LOT 99, AT A DISTANCE OF 528.42 FEET PASS THE NORTHWEST CORNER OF SAID LOT 99 AND THE SOUTHWEST CORNER OF SAID LOT 98, CONTINUING A TOTAL DISTANCE OF 858.42 FEET TO THE POINT OF BEGINNING, AND CONTAINING 25.206 ACRES OF LAND, MORE OR LESS

### GENERAL NOTES

1. THIS SUBDIVISION IS IN FLOOD ZONE "B" DEFINED AS AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD, OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE(1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE, OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD

COMMUNITY-PANEL NUMBER 480343 0010 C  
MAP REVISED NOVEMBER 2, 1982

2. MINIMUM PERMISSIBLE FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE FRONT TOP OF CURB MEASURED FROM THE CENTER OF THE LOT ALONG W. EXPRESSWAY 83

3. MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF McALLEN ZONING CODE  
U.S. EXPRESSWAY 83 75 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS  
S. 29TH STREET 50 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS  
S. 26TH STREET 30 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS  
LINDBERG AVENUE 30 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS

SETBACKS ON THE SOUTH SIDE OF LOTS 2-6 SHALL BE 50 FEET, OR GREATER, PER APPROVED SITE PLAN OR EASEMENTS. OTHER SETBACKS IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER PER APPROVED SITE PLAN OR EASEMENTS.

4. REQUIRED STORM SEWER RUNOFF DETENTION FOR THIS SUBDIVISION AS PER THE APPROVED DRAINAGE REPORT 101,254 C.F. (2,324 AC. FT.) TO BE PROVIDED WITHIN DESIGNATED DETENTION AREAS. DETENTION AREAS TO BE MAINTAINED BY THE OWNER

5. CITY OF McALLEN BENCHMARK "MC61" FROM THE CITY OF McALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY ARANDA & ASSOCIATES IN OCTOBER, 1999 BEING LOCATED AT THE SOUTHEAST CORNER OF EXPWY 83 AND WARE ROAD, ELEVATION = 106.50 (NAVD85).

TEMPORARY BENCHMARK SQUARE CUT SET ON TOP OF INLET LOCATED 125 FEET EAST OF 29th ST ALONG THE SOUTH SIDE OF LINDBERG AVENUE GEODETIC G.P.S. TEXAS STATE PLANE GRID COORDINATE SYSTEM MAD 83 TEXAS SOUTH 4205 ELEVATION PER NAVD 99 (GEOID 2003) N=16596743 9510 E=1064630 7490 ELEV =105 10

6. AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT, SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT

7. NO BUILDING ALLOWED OVER ANY EASEMENT

8. 6 FEET OPAQUE BUFFER REQUIRED FROM ADJACENT BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.

9. 8 FEET MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTIFAMILY RESIDENTIAL ZONES/USES

10. 4 FOOT WIDE MINIMUM SIDEWALK REQUIRED ALONG U.S. EXPRESSWAY 83, S. 29TH STREET, S. 26TH STREET AND LINDBERG AVENUE

11. SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.

12. SERVICE DRIVE TO BE MAINTAINED BY THE OWNER AND WILL PROVIDE ACCESS TO ALL LOTS.

13. A 25' x 25' SIGHT RESTRICTION EASEMENT AT THE INTERSECTION OF S. 29TH STREET AND U.S. EXPRESSWAY 83 AND S. 26TH STREET AND LINDBERG AVENUE IS DEDICATED BY THIS PLAT.

14. NO DIRECT CURB CUT OR ACCESS WILL BE PERMITTED TO U.S. EXPRESSWAY 83 FROM LOTS 2, 3, 4, 5, AND 6

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, HOLDER (OR DULY AUTHORIZED OFFICER OF THE HOLDER) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "SHOPS AT 29 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.

GEORGE CARDENAS,  
SVP, RGV MARKET PRESIDENT  
INTER NATIONAL BANK,  
1801 S. 2ND ST.  
McALLEN, TX 78503

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GEORGE CARDENAS, KNOWN TO BE 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 2 DAY OF *Jan*, 20 16

*Antonio G. [Signature]*  
NOTARY PUBLIC FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES

**LEGEND**

- FOUND NO. 4 REBAR
- FOUND PIPE
- FOUND SQUARE CUT
- FOUND "X" MARK ON CONCRETE
- ⊗ SET "X" MARK ON CONCRETE
- SET NO. 4 REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT
- △ SET COTTON PICKER SPINDLE
- R.O.W. - RIGHT OF WAY
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
- N.W. COR. - NORTHWEST CORNER
- P.O.B. - POINT OF BEGINNING
- SF - SQUARE FEET
- C - CENTERLINE OF R.O.W.

SCALE: 1" = 100'

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 ADOPTED UNDER TEXAS WATER CODE §40.211 (C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

*Raul E. Segin, P.E., C.F.M.*  
GENERAL MANAGER

01/13/16  
DATE

DRAWN BY: *R. N. LEM* DATE: 08-18-2015  
SURVEYED, CHECKED: *RA* DATE: 12/30/15  
FINAL CHECK: *RE* DATE: 1-8-16

PRINCIPAL CONTACTS	NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER	SHOPS AT 29	750 E. MULBERRY AVENUE, SUITE 305	SAN ANTONIO, TEXAS 78212		
ENGINEER	FRED L. KURTH, P.E.	115 W. McINTYRE	EDINBURG, TX 78541	(956) 381-0981	(956) 381-1839
SURVEYOR	ROBERTO N. TAMEZ, R.P.L.S.	115 W. McINTYRE	EDINBURG, TX 78541	(956) 381-0981	(956) 381-1839

MELDEN & HUNT INC.  
CONSULTANTS • ENGINEERS • SURVEYORS  
115 W. McINTYRE EDINBURG, TX 78541  
PH (956) 381-0981 PH (956) 487-8256  
FAX (956) 381-1839 FAX (956) 488-0591  
ESTABLISHED 1947 www.meldenandhunt.com

### LOCATION MAP SCALE: 1" = 1000'



TBPE FIRM # F-1435

## 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.**

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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.

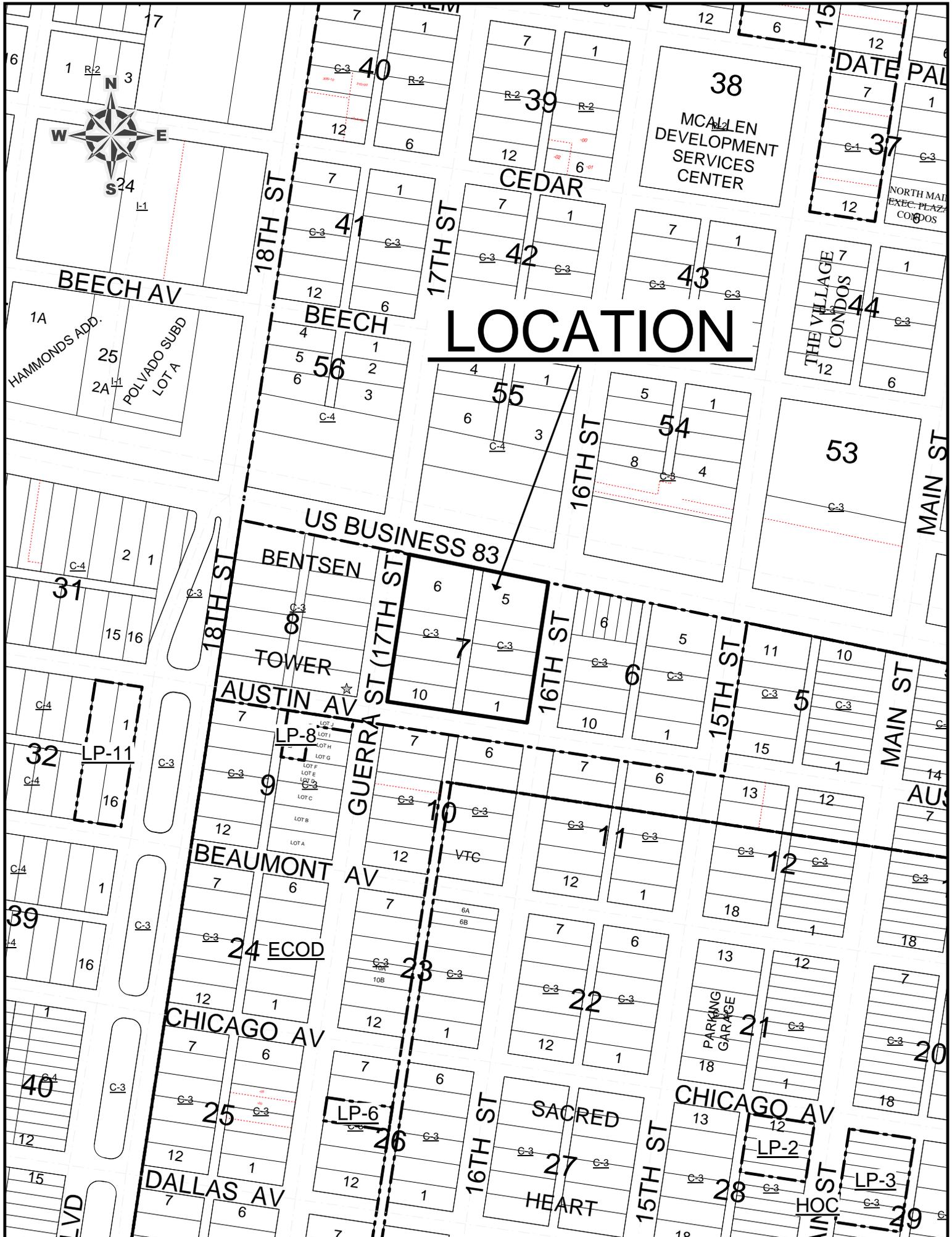
**BRIEF DESCRIPTION:**

The property is located 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.



# LOCATION

38  
MCALLEN  
DEVELOPMENT  
SERVICES  
CENTER

DATE PALM  
7  
1  
12  
6  
NORTH MALDEN  
EXEC. PLAZA  
CONDOS

THE VILLAGE  
CONDOS  
7  
1  
12  
6

53  
MAIN ST

BEECH AV  
1A  
HAMMONDS ADD.  
25  
2A  
POLVADO SUBD  
LOT A

31  
15 16  
18TH ST

32  
16  
LP-11

39  
16  
C-3

40  
12  
15  
LVD

40  
12  
15  
LVD

18TH ST  
41  
BEECH  
56  
C-4

18TH ST  
BENTSEN  
TOWER  
AUSTIN AV  
9  
LP-8  
LOT A  
LOT B  
LOT C  
LOT D  
LOT E  
LOT F  
LOT G  
LOT H

BEAUMONT AV  
24 ECOD  
23  
VTC  
6A  
6B

CHICAGO AV  
25  
LP-6

DALLAS AV  
26  
16TH ST

39  
CEDAR  
42  
C-3

17TH ST  
43  
44

55  
16TH ST  
54  
C-3

US BUSINESS 83  
7  
C-3

16TH ST  
10  
11  
C-3

22  
12  
1  
C-3

27  
SACRED  
HEART  
16TH ST

43  
C-3

54  
C-3

6  
C-3

11  
C-3

22  
C-3

27  
C-3

44  
C-3

53  
C-3

5  
C-3

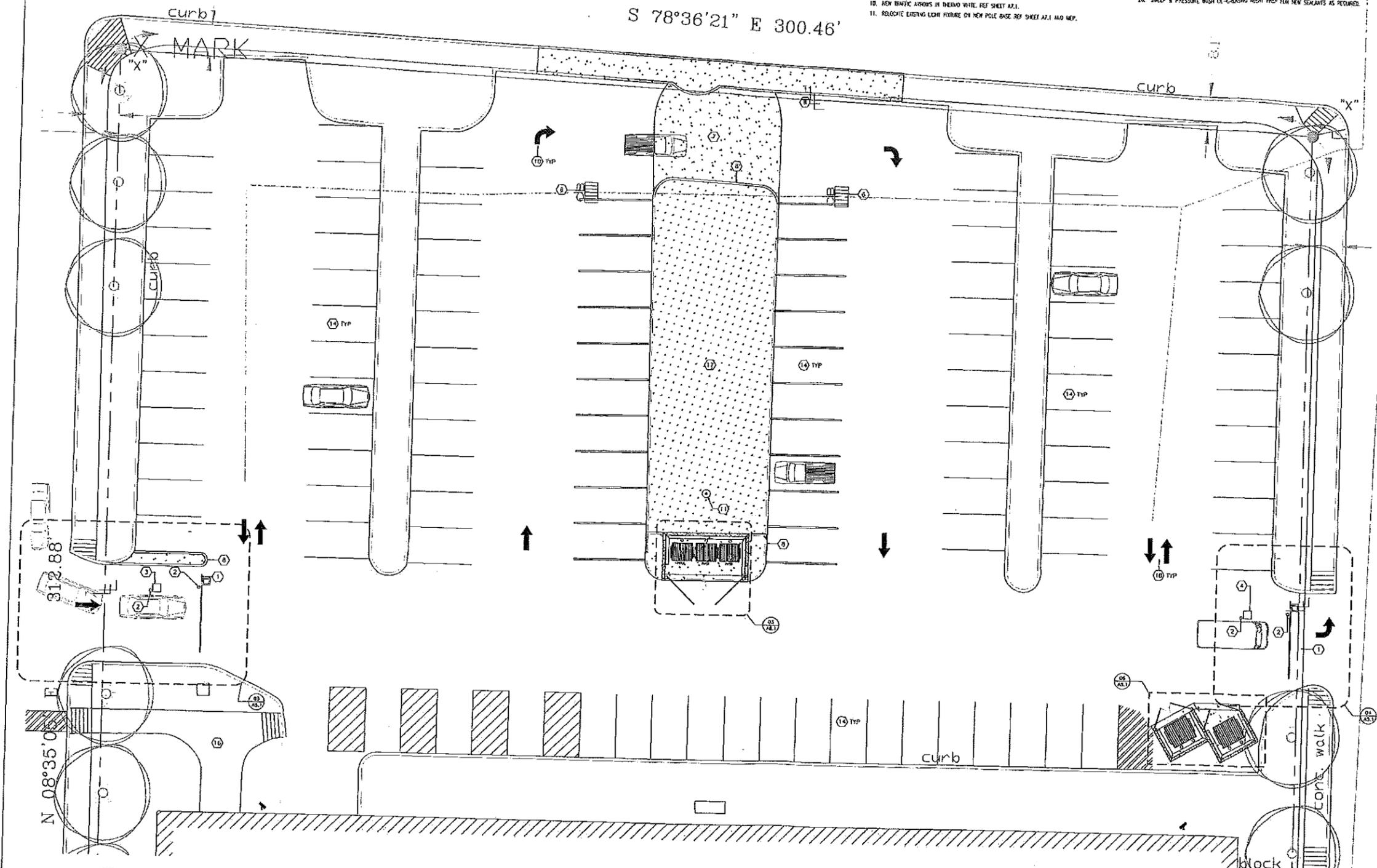
12  
C-3

21  
PARKING GARAGE  
18  
1  
C-3

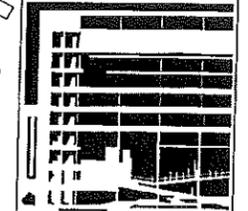
28  
CHICAGO AV  
LP-2  
LP-3  
29  
C-3



- NOTES
1. NEW PARKING GATE, PARADISE MEASUREMENT 1750 OR EQUAL, REF SHEET A7.1
  2. NEW STAINLESS STEEL BOLLARD, REF. A7.1
  3. NEW ENTRANCE CONTROL TERMINAL, AMANO MEASUREMENT 200 OR EQUAL, REF SHEET A7.1
  4. NEW EXIT CONTROL TERMINAL, AMANO MEASUREMENT 200 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 RAMP, 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
03-19-16	ISSUED FOR BUILDING PERMITS	VP

DESIGNED BY: ES, VP  
PROJECT BY: VP, EPM

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. EPM

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

EAST SITE PLAN

DATE: 7-17-16  
SCALE: AS SHOWN  
SHEET: A4.1  
OF: 8

RECEIVED  
APR 12 2016  
BY: [Signature]



# LOCATION



Map labels include street names: BEECH AV, CEDAR, MAIN ST, CHICAGO AV, DALLAS AV, BEAUMONT AV, AUSTIN AV, TOWER, BENTSEN, US BUSINESS 83, GUERRA ST (17TH ST), 18TH ST, 17TH ST, 16TH ST, 15TH ST, and SACRED HEART. Lot numbers are scattered throughout the grid, such as 31, 32, 39, 40, 41, 42, 43, 44, 53, 54, 55, 56, 58, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

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	
1710	1706	1702

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

1609	1605	1601
	4	
	5	
	2	
1610	1606	1602

16th

17th

8

Austin



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

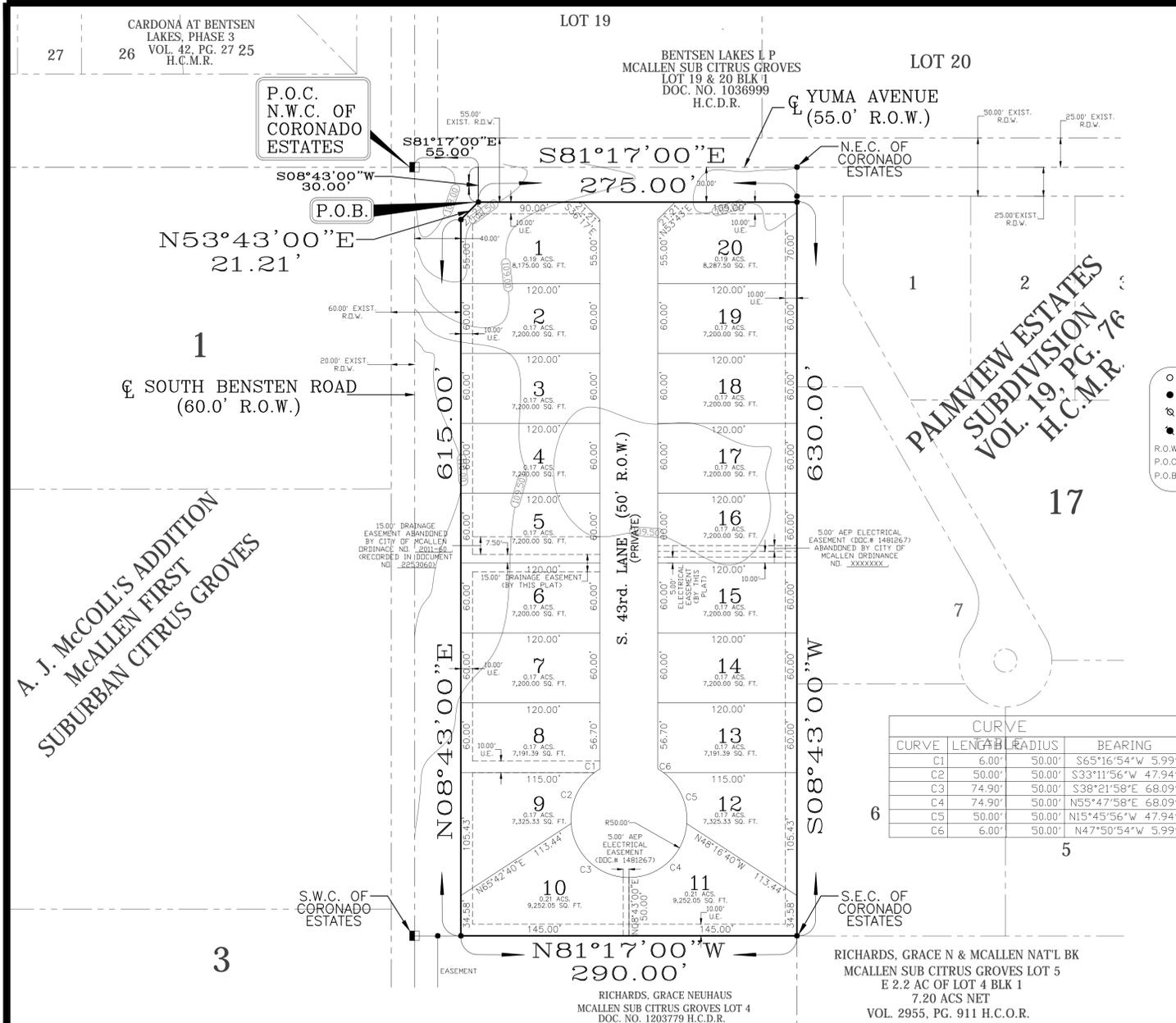
1300 Houston Avenue  
 McAllen, TX 78501  
 P. O. Box 220  
 McAllen, TX 78505-0220  
 (956) 681-1250  
 (956) 681-1279 (fax)

<b>Project Description</b>	Subdivision Name <u>CORONADO ESTATES, PHASE I</u> Location <u>SEC YUMA AVE. &amp; S. BEUTSEN ROAD</u> City Address or Block Number _____ Number of lots <u>20</u> Gross acres <u>4.19</u> Net acres <u>4.19</u> Existing Zoning <u>R-1</u> Proposed <u>R-1</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____ Existing Land Use <u>RES.</u> Proposed Land Use <u>RES.</u> Irrigation District # <u>1</u> <b>Residential</b> Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <b>Commercial</b> Replat Yes <input type="checkbox"/> No <input checked="" 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>1500<sup>00</sup></u> Legal Description <u>4.19 AC. CONSISTING OF ALL LOTS OF CORONADO ESTATES (VOL. 53, PG. 84, W.C.M.R.)</u>
<b>Owner</b>	Name <u>HECTOR RODRIGUEZ</u> Phone <u>867-6050</u> Address <u>808 S. SHARY ROAD, SUITE 5 PMB 327</u> City <u>MISSION</u> State <u>TX</u> Zip <u>78572</u> E-mail _____
<b>Developer</b>	Name <u>SAME AS OWNER</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
<b>Engineer</b>	Name <u>DAVID O. SALINAS</u> Phone <u>682-9081</u> Address <u>2221 DAFFODIL AVE.</u> City <u>MISSION</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>DAVID</u> E-mail <u>dsalinas@salinasengineering.com</u>
<b>Surveyor</b>	Name <u>SAME AS ENGR.</u> Phone _____ Address _____ City _____ State _____ Zip _____ E-mail _____

**RECEIVED**  
 JAN 13 2015

BY: [Signature]  
 SUP 2014-0002  
 Pw 300 345279





CURVE	LENGTH	RADIUS	BEARING
C1	6.00'	50.00'	S65°16'54"W 5.99'
C2	50.00'	50.00'	S33°11'56"W 47.94'
C3	74.90'	50.00'	S38°21'58"E 68.09'
C4	74.90'	50.00'	N55°47'58"E 68.09'
C5	50.00'	50.00'	N15°43'56"W 47.94'
C6	6.00'	50.00'	N47°50'54"W 5.99'

## CORONADO ESTATES, PHASE I

(PRIVATE SUBDIVISION)

AN ADDITION TO THE CITY OF McALLEN,  
HIDALGO COUNTY, TEXAS

BEING A 4.19 NET ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF ALL OF THOSE LANDS KNOWN AS CORONADO ESTATES, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 53, PAGE 84, MAP RECORDS OF HIDALGO COUNTY, TEXAS, EXCEPTING ALL OF THOSE LANDS LOCATED IN THE RIGHTS-OF-WAY OF YUMA AVE. (30.0 FEET) AND BENTSEN ROAD (40.0 FEET).

**GENERAL PLAT NOTES:**

- MINIMUM SETBACK LINES:  
FRONT..... 25.0'  
REAR..... 10.0' OR GREATER FOR EASEMENTS, EXCEPT 25.0' FOR DOUBLE FRONTAGE LOTS.  
INTERIOR SIDE..... 6.0' OR GREATER FOR EASEMENT CORNER..... 10.0' OR GREATER FOR EASEMENT GARAGE..... 18.0' EXCEPT WHERE GREATER SETBACK REQUIRED, GREATER SETBACK APPLIES.
- LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "B" ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED 11/16/82, COMMUNITY PANEL NO. 480334 0400 C.
- MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE 18.0 INCHES ABOVE THE TOP OF CURB AS MEASURED FROM THE CENTER OF EACH LOT.
- A 4' SIDEWALK REQUIRED ALONG SOUTH BENTSEN RD., YUMA AVE. AND ON BOTH SIDES OF ALL INTERIOR STREETS.
- THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF 0.37 ACRE-FEET OF DRAINAGE RUNOFF VOLUME. EACH LOT SHALL BE REQUIRED TO DETAIN A MINIMUM OF 810 CUBIC FEET (ROUNDED).
- THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY EASEMENTS SHALL BE PROHIBITED.
- NO POTABLE DRINKING WATER WELL IS LOCATED WITHIN 150.0 FEET FROM THIS SUBDIVISION.
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES, AND ALONG S. BENTSEN ROAD AND YUMA AVE. AN 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- AN ENGINEERED DRAINAGE DETENTION PLAN FOR EACH LOT, APPROVED BY THE ENGINEERING DEPARTMENT, IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- NO CURB CUT, ACCESS OR LOT FRONTAGE PERMITTED ON S. BENTSEN ROAD AND YUMA AVENUE.
- McALLEN SURVEY CONTROL POINT NO. 86, IS LOCATED INSIDE THE GOLF COURSE "PALM VIEW". IT IS APPROXIMATELY 1 MILE SOUTH FROM THE EXPRESSWAY 83. MC 86 ELEV.= 96.99.
- 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 THE 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.
- AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CORONADO ESTATES, PHASE I SUBDIVISION, RECORDED AS DOCUMENT NUMBER 2319296, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCE OF THE CITY OF McALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND PRIVATE STREETS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL AND VOID.

**PRINCIPAL CONTACTS**

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: HECTOR RODRIGUEZ CASO, PRESIDENT CASTELLETO CONSTRUCTION, LLC	808 S. SHARY ROAD, STE 5 C/O PMB 327	MISSION, TEXAS 78572	(956) 867-6050	(956) XXX-XXXX
ENGINEER: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489
SURVEYOR: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489

STATE OF TEXAS  
COUNTY OF HIDALGO

THE OWNER OF THE LAND ON THIS PLAT AND DESIGNATED HEREIN AS **CORONADO ESTATES, PHASE I**, HIDALGO COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DOES HEREBY GRANT AN EASEMENT TO CITY OF McALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREET IS RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF McALLEN, EMPLOYEES OF UTILITIES UNDER FRANCHISE TO SAID CITY, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS.

OWNER: HECTOR RODRIGUEZ CASO, PRESIDENT  
CASTELLETO CONSTRUCTION, LLC  
808 S. SHARY ROAD, STE 5  
C/O PMB 327  
MISSION, TEXAS 78572

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED THE PERSON OR PERSONS, 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 \_\_\_\_\_, 2016.

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

STATE OF TEXAS  
CITY OF McALLEN

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

MAYOR \_\_\_\_\_ 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  
PLANNING AND ZONING COMMISSION

DATE \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HIDALGO

I, DAVID OMAR SALINAS, P.E., A REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, REGISTRATION NUMBER TX. 71973, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION, AND, FURTHER, DO HEREBY CERTIFY THAT NONE OF THE AREAS BEING PLATTED HEREIN AS **CORONADO ESTATES, PHASE I** DESCRIBED BY AS METES AND BOUNDS DESCRIPTION (SEE METES AND BOUNDS DESCRIPTION AT THE RIGHT) ARE NOT LOCATED IN A FLOOD PRONE AREA DESIGNATED AS ZONES "A" OR "AH" DEFINED AND DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DAVID OMAR SALINAS, P.E.  
REG. PROFESSIONAL ENGINEER #71973

DATE \_\_\_\_\_



STATE OF TEXAS  
COUNTY OF HIDALGO

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

DAVID O. SALINAS, R.P.L.S.  
REG. PROFESSIONAL LAND SURVEYOR #5782

DATE \_\_\_\_\_

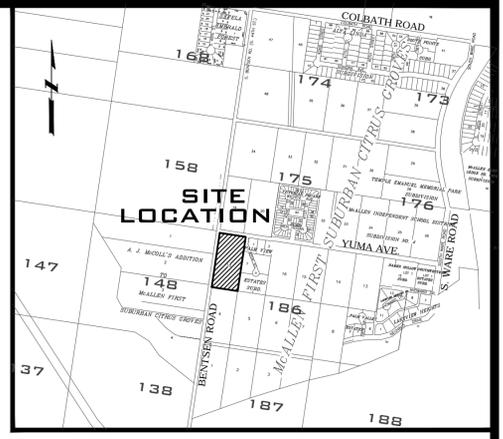


**HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATION**

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS 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.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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



LOCATION MAP SCALE: 1" = 1000'

**METES AND BOUNDS DESCRIPTION**

BEING A 4.19 NET ACRE TRACT OF LAND, MORE OR LESS, CONSISTING OF ALL OF THOSE LANDS KNOWN AS CORONADO ESTATES, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 53, PAGE 84, MAP RECORDS OF HIDALGO COUNTY, TEXAS, EXCEPTING ALL OF THOSE LANDS LOCATED IN THE RIGHTS-OF-WAY OF YUMA AVE. (30.0 FEET) AND BENTSEN ROAD (40.0 FEET); SAID 4.19 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID CORONADO ESTATES SUBDIVISION LOCATED AT THE INTERSECTION OF YUMA AVE. AND BENTSEN ROAD; THENCE, AS FOLLOWS:

SOUTH 81 DEGREES 17 MINUTES EAST, COINCIDENT WITH THE NORTH LINE OF SAID CORONADO ESTATES LOCATED IN THE CENTER OF SAID YUMA AVE., A DISTANCE OF 55.0 FEET TO A POINT; THENCE,

SOUTH 08 DEGREES 43 MINUTES WEST, ALONG A LINE PARALLEL TO THE WEST LINE OF SAID CORONADO ESTATES, A DISTANCE OF 30.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON THE NORTH CORNER OF A 15.0 FOOT ROADWAY CORNER CLIP BEING THE SOUTH RIGHT-OF-WAY LINE OF YUMA AVE. FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

- THENCE, SOUTH 81 DEGREES 17 MINUTES EAST, COINCIDENT WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID YUMA AVE., A DISTANCE OF 275.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON INTERSECTION WITH THE EAST LINE OF SAID CORONADO ESTATES FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, SOUTH 08 DEGREES 43 MINUTES WEST, COINCIDENT WITH THE EAST LINE OF SAID CORONADO ESTATES, A DISTANCE OF 630.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON THE SOUTHEAST CORNER OF SAID CORONADO ESTATES FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, NORTH 81 DEGREES 17 MINUTES WEST, COINCIDENT WITH THE SOUTH LINE OF SAID CORONADO ESTATES, A DISTANCE OF 290.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID BENTSEN ROAD FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, NORTH 08 DEGREES 43 MINUTES EAST, COINCIDENT WITH THE EAST RIGHT-OF-WAY LINE OF SAID BENTSEN ROAD, A DISTANCE OF 615.0 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND ON THE SOUTH CORNER OF SAID CORNER CLIP FOR AN OUTSIDE CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, NORTH 53 DEGREES 43 MINUTES EAST, COINCIDENT WITH SAID 15.0 FOOT CORNER CLIP BEING WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID BENTSEN ROAD, A DISTANCE OF 21.21 FEET TO THE POINT OF BEGINNING, CONTAINING 4.19 NET ACRES OF LAND, MORE OR LESS.

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF McALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON JANUARY 11, 2016 IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

## CORONADO ESTATES, PHASE I

PREPARED BY: SALINAS ENGINEERING & ASSOC.  
DATE OF PREPARATION: JANUARY 11, 2016  
OWNER: HECTOR RODRIGUEZ CASO, PRESIDENT  
CASTELLETO CONSTRUCTION, LLC  
808 S. SHARY ROAD, STE 5  
C/O PMB 327  
MISSION, TEXAS 78572

**SEA**

**SALINAS ENGINEERING & ASSOC.**

(T.B.E. REG. F-6675)  
CONSULTING ENGINEERS & SURVEYORS  
2221 DAFFODIL - McALLEN, TEXAS 78501  
(956) 682-9081 (956) 686-1489 (FAX)

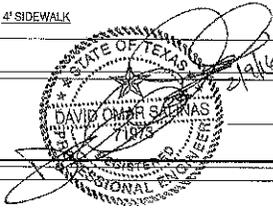
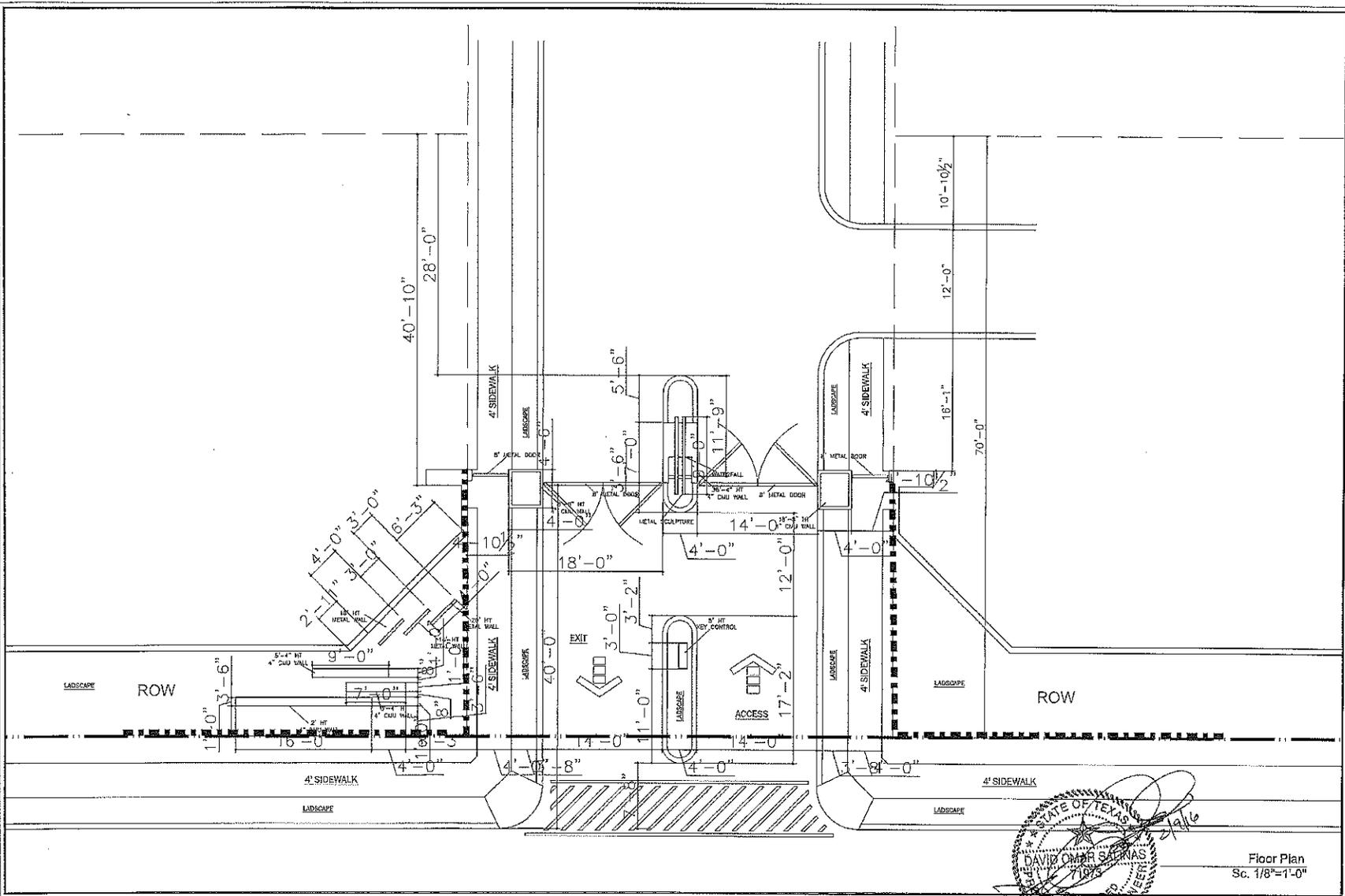


**City of McAllen**  
SUBDIVISION PLAT REVIEW

Reviewed On: 4/29/2016

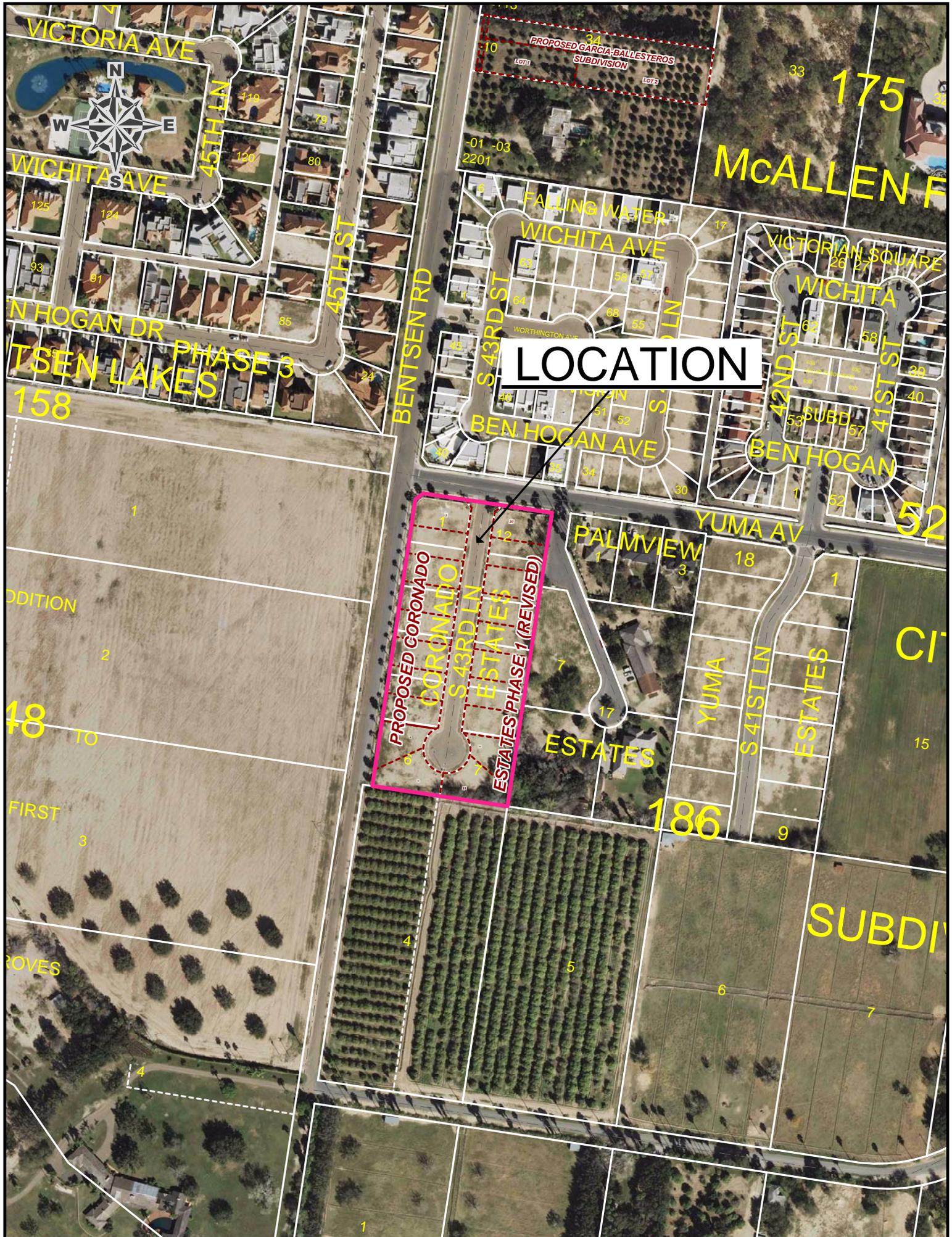
<b>SUBDIVISION NAME: CORONADO ESTATES PHASE I</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
S. Bentsen Road: 60 ft. ROW existing Paving: 40 ft. Curb & gutter: both sides	Compliance
Yuma Avenue: 30 ft. from centerline for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides	Compliance
S. 43rd Lane: min. 50 ft. ROW Paving: 32 ft. Curb & gutter: both sides	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	Compliance
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
<b>SETBACKS</b>	
* Front: 25 ft.	Compliance
* Rear: 10 ft. or greater for easements, except 25 ft. for double fronting lots	Compliance
* Interior Sides: 6 ft. or greater for easements	Compliance
* Corner: 10 ft. or greater for easements	Compliance
* 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, Yuma Avenue and on both sides of S. 43rd Lane.	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 and along S. Bentsen Road and Yuma Avenue.	Compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Compliance
*Perimeter buffers must be built at time of Subdivision Improvements.	Applied
<b>NOTES</b>	
* No curb cut, access, or lot frontage permitted along S. Bentsen Road and Yuma Avenue.	Compliance
* 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>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	<p>NA</p> <p>Applied</p> <p>Applied</p> <p>Applied</p>
<b>LOT REQUIREMENTS</b>	
<p>* Lots fronting public streets: Subdivision proposed as private</p> <p>* Minimum lot width and lot area:</p>	<p>Applied</p> <p>Compliance</p>
<b>ZONING/CUP</b>	
<p>* Existing: R-1 Proposed: R-1</p> <p>* Rezoning Needed Before Final Approval</p>	<p>Compliance</p> <p>NA</p>
<b>PARKS</b>	
<p>* Land dedication in lieu of fee:</p> <p>* Park Fee of \$700.00 per dwelling unit to be paid prior to recording.</p> <p>**Park fee required for the net increase; verify with Parks.</p> <p>* Pending review by the Parkland Dedication Advisory Board and CC.</p>	<p>NA</p> <p>Applied</p> <p>NA</p>
<b>TRAFFIC</b>	
<p>* Trip Generation to determine if TIA is required, prior to final plat.</p> <p>* Traffic Impact Analysis (TIA) required prior to final plat.</p>	<p>Compliance</p> <p>Compliance</p>
<b>COMMENTS</b>	
<p>Comments: *Preliminary replat approved by the Planning and Zoning Commission at their meeting of February 2, 2016.</p> <p>**Revised Preliminary plat approved by the Planning and Zoning Commission at their meeting of February 16, 2016 as part of the public hearing for the resubdivision.</p> <p>***Existing plat notes remain the same for the resubdivision.</p> <p>****License agreement for the portion of the existing island in the ROW was approved by the City Commission on April 11, 2016 .</p> <p>*****The project engineer has indicated that no associated recreation is proposed; however, if one is proposed then a Conditional Use Permit will be required.</p>	<p>Applied</p>
<b>RECOMMENDATION</b>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE RESUBDIVISION IN FINAL FORM.</p>	<p>Applied</p>



Floor Plan  
 Sc. 1/8"=1'-0"

 Mr. Miguel Lopez Garcia, Lera Owner Mr. David Torres Architect Mr. David Torres Designer Mr. David Torres Draftsman	PROJECT Residential	PROPERTY Spanolo	LOCATION McAllen, Tx	DATE May 2, 12	SHEET NO. A-2
	NORTH 	CITY McAllen, Tx	YEAR 2011	DRAWING TYPE Floor Plan	PROJECT STATUS PROPOSED CONSTRUCTION



**LOCATION**

**PROPOSED CORONADO  
ESTATES  
ESTATES PHASE 1 (REVISED)**

**PROPOSED GARCIA-BALLESTROS  
SUBDIVISION**

**TSEN LAKES  
PHASE 3**

**McALLEN F**

**VICTORIAN SQUARE**

**BEN HOGAN  
SUBD**

**PALMVIEW**

**ESTATES**

**SUBDI**



VICTORIA AVE

WICHITA AVE

N HOGAN DR

45TH LN

45TH ST

BENTSEN RD

2201

S 43RD ST

BEN HOGAN AVE

YUMA AV

YUMA

S 41ST LN

ESTATES

175

158

52

CI

48

186

15

FIRST

ROVES

1

6

7

01 -03

5

17

26

27

58

29

40

52

18

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125

124

91

85

80

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

*Sun 2016-0021*

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>The Centre Subdivision</u> Location <u>Northeast corner of Cynthia Street and Ebony Avenue.</u> City Address or Block Number <u>500 N. Cynthia</u> Number of lots <u>4</u> Gross acres <u>0.75</u> Net acres <u>0.746</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>Vacant</u> Proposed Land Use <u>4-Plex</u> Irrigation District # <u>2</u> <b>Residential Replat</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Commercial Replat</b> Yes <input type="checkbox"/> No <input checked="" 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"/> <b>Estimated Rollback tax due</b> <u>- 0 -</u> Legal Description <u>All of Lot 1, Ebony Corner Subdivision and the adjacent 50.0 feet, out of Lot 2, Block 12, Steele &amp; Pershing Subdivision</u>
<b>Owner</b>	Name <u>Aaron Garza and James Anthony Reyna</u> Phone <u>956-867-5323</u> Address <u>1801 S. Erica</u> City <u>Pharr</u> State <u>Texas</u> Zip <u>78577</u> E-mail <u>AARONGARZA29@AOL.COM</u>
<b>Developer</b>	Name <u>SAME AS OWNER</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
<b>Engineer</b>	Name <u>Arturo Garcia Engineering Services</u> Phone <u>956-630-3340</u> Address <u>P.O. Box 4526</u> City <u>McAllen</u> State <u>Texas</u> Zip <u>78502</u> Contact Person <u>Arturo Garcia, Jr., P.E.</u> E-mail <u>AGES-PLLC@RGV.RR.COM</u>
<b>Surveyor</b>	Name <u>Pablo Soto, Jr.</u> Phone <u>956-782-8277</u> Address <u>1208 S. Ironwood</u> City <u>Pharr</u> State <u>Texas</u> Zip <u>78577</u> E-mail <u>PABLOSOTOJR54@YAHOO.COM</u>

**RECEIVED**  
 APR 15 2016

BY: *[Signature]* 3:43 PM

CYNTHIA ST

HACKBERRY AVE

T.E.C. SURD  
LOCATION

1-012-0002-05

**PROPOSED 500 MAC  
SUBDIVISION**

LAR-LIN 1  
3 2  
SUBD #2

TRESLER SUBD  
LOT A

LAR-LIN  
SUBD. #7

MCCOLL RD

HIDALGO COUNTY  
W.I.C. SUBDIVISION  
LOT 1  
LOT 2

PENDERGRAS  
SUBDIVISION  
LOT 1

McALLEN  
ATHLETIC  
MALL  
SUBDIVISION  
1

MUJERES UNIDAS  
SUBDIVISION  
LOT 1  
LOT 2

**PROPOSED  
EBONY CORNER  
SUBDIVISION**

EBONY AV

VALLEY / McALLEN  
SUBDIVISION  
**12**

J.D. FRA  
SUBDIVIS

INDUSTRIAL  
DISTRIBUTION CENTER #5  
8 7 6 5

INDUSTRIAL DISTRIBUTION  
CENTER  
4 3 2 1

4





Reviewed On: 4/29/2016

<b>SUBDIVISION NAME: THE CENTRE SUBDIVISION</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
N. Cynthia Street: 5 ft. ROW dedication required for 30 ft. from centerline for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to plat recording.	Non-compliance
E. Ebony Avenue: 5 ft. ROW dedication required for 30 ft. from centerline for 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to plat recording.	Non-compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft.	NA
<b>SETBACKS</b>	
* Front: N. Cynthia Street - 20 ft. or greater for easements for Lots 1 & 2 E. Ebony Avenue - 20 ft. or greater for easements for Lots 3 & 4	Non-compliance
* Rear: in accordance with the Zoning Ordinance, or greater for easements	Compliance
* Interior Sides: in accordance with the Zoning Ordinance, or greater for easements	Compliance
* Corner: 10 ft. or greater for easements on the west of Lot 3 along N. Cynthia Street	Non-compliance
* Garage: 18 ft. except where greater setback is required; greater setback applies	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Applied
<b>SIDEWALKS</b>	
* 4 ft. wide minimum sidewalk required on N. Cynthia Street and E. Ebony Avenue	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.	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Non-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>* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.</p> <p>* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.</p> <p>* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.</p>	NA
	NA
	NA
	NA
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
<b>ZONING/CUP</b>	
* Existing: R-3A Proposed: four-plex	Compliance
* Rezoning Needed Before Final Approval	NA
<b>PARKS</b>	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording	Applied
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* Trip Generation to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
<b>COMMENTS</b>	
<p>Comments: *Existing plat notes remain the same for that portion of the resubdivision.</p> <p>**Public Hearing required at time of final for the resubdivision.</p> <p>***Need to show existing easements and comply with setbacks per the recorded plat.</p>	Applied
<b>RECOMMENDATION</b>	
<p>Recommendation: STAFF RECOMMENDS APPROVAL OF THE RESUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY &amp; DRAINAGE APPROVALS.</p>	Applied



**LOCATION**

**PROPOSED 500 MAC  
SUBDIVISION**

**PENDERGRAS  
SUBDIVISION**

**VALLEY / McALLEN  
SUBDIVISION**

**EBONY CORNER  
SUBDIVISION**

**VALLEY / McALLEN  
SUBDIVISION**

**HIDALGO COUNTY  
W.I.C. SUBDIVISION**

**MUJERES UNIDAS  
SUBDIVISION**

**LAR-LIN  
SUBD #2**

**LAR-LIN  
SUBD #7**

**INDUSTRIAL  
DISTRIBUTION CENTER # 5**

**INDUSTRIAL DISTRIBUTION  
CENTER**

**NO. 3  
5**

**NO. 2**

LOT 1

LOT 2

LOT 1

LOT 2

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

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Sub 2016-0023



City of McAllen  
Planning Department  
APPLICATION FOR

SUBDIVISION PLAT REVIEW

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

Project Description	Subdivision Name <u>Misodi Subdivision</u> Location <u>West Side of Jackson Road 573 Ft South of Thomas Rd</u> City Address or Block Number _____ Number of lots <u>1</u> Gross acres <u>25</u> Net acres <u>23.87</u> Existing Zoning <u>N/A</u> Proposed <u>N/A</u> Rezoning Applied For <input type="checkbox"/> Yes <input type="checkbox"/> No Date _____ <small>Open</small> Existing Land Use <u>Land</u> Proposed Land Use <u>Flea Market</u> Irrigation District # <u>2</u> <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 checked="" type="checkbox"/> No <input type="checkbox"/> <b>Agricultural Tax Exemption</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Estimated Rollback tax due</b> <u>0</u> Legal Description <u>A 25.00 Acre Tract of Land Being the South 25.00 Acres of Lot 3, Block 11, A.J. McColl Subdivision, Hidalgo County, Texas</u>
Owner	Name <u>Ramon Garcia</u> Phone <u>(956) 451-6488</u> Address <u>2717 Norma Street</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78503</u> E-mail <u>gg.ramon@gmail.com</u>
Developer	Name <u>same as above</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Engineer	Name <u>Alfonso Quintanilla, P.E.</u> Phone <u>(956) 381-6480</u> Address <u>124 E. Stubbs</u> City <u>Edinburg</u> State <u>Texas</u> Zip <u>78589</u> Contact Person <u>Alfonso Quintanilla, P.E.</u> E-mail <u>alfonsoq@qhaengineering.com</u>
Surveyor	Name <u>Alfonso Quintanilla, R.P.L.S.</u> Phone <u>(956) 381-6480</u> Address <u>124 E. Stubbs</u> City <u>Edinburg</u> State <u>Texas</u> Zip <u>78539</u> E-mail <u>alfonsoq@qhaengineering.com</u>

RECEIVED  
APR 18 2016  
BY: [Signature]

# LOCATION

E THOMAS RD

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2

1 1

1

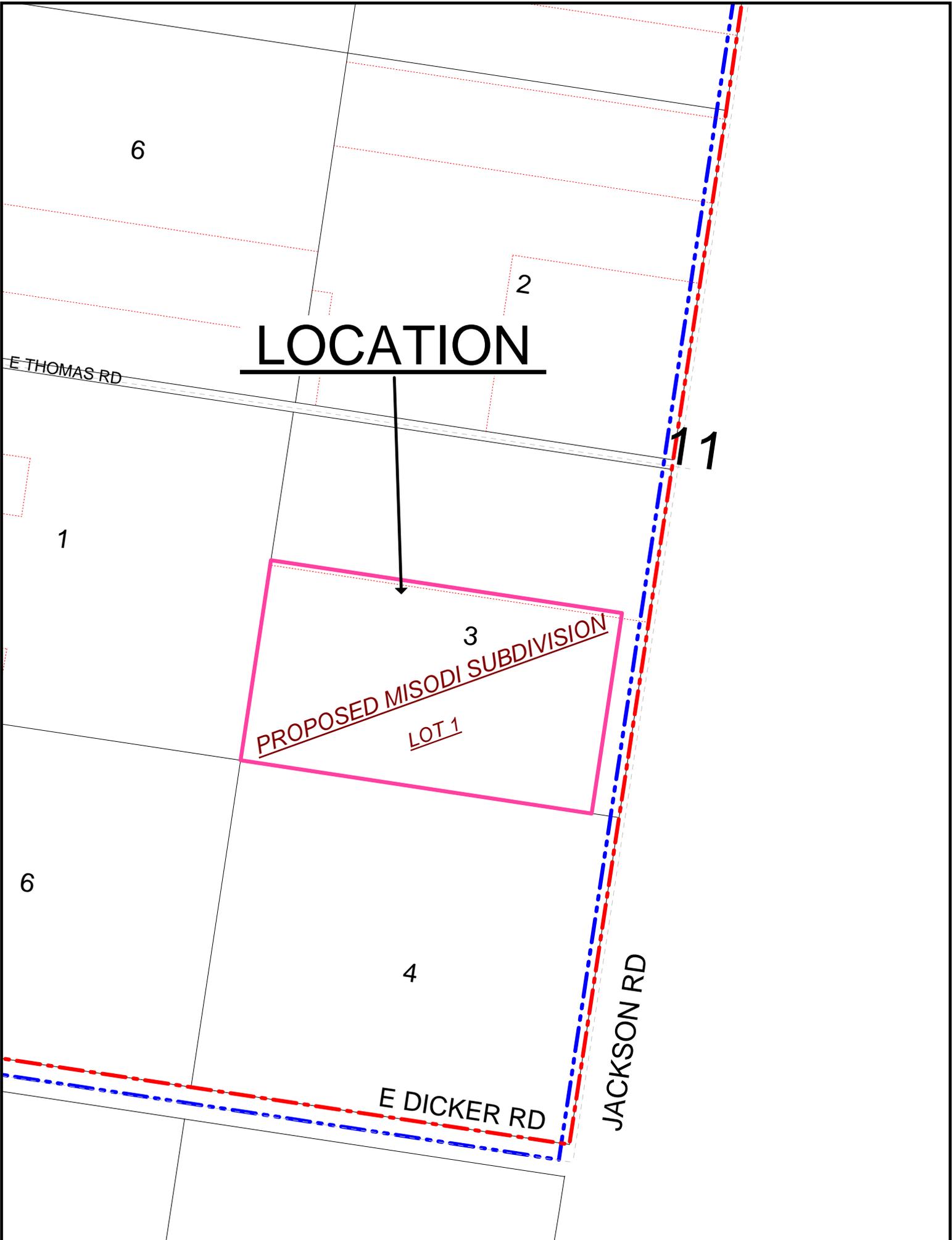
3  
PROPOSED MISODI SUBDIVISION  
LOT 1

6

4

E DICKER RD

JACKSON RD



# MISODI SUBDIVISION

A 25.00 ACRE TRACT OF LAND BEING THE SOUTH 25.00 ACRES OF LOT 3, BLOCK 11, A.J. McCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1064947 AND 1172935, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

### METES & BOUNDS

A 25.00 ACRE TRACT OF LAND BEING THE SOUTH 25.00 ACRES OF LOT 3, BLOCK 11, A.J. McCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1064947 AND 1172935, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A COTTON PICKER SPINDLE SET WITHIN THE RIGHT OF WAY OF JACKSON ROAD (F.M. 2061) FOR THE SOUTHEAST CORNER OF LOT 3 AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE: N 81°09' W (DEED RECORD: N 81°26'10" W), ALONG THE SOUTH LINE OF LOT 3, PASSING AT 13.26 FEET THE CENTERLINE OF JACKSON ROAD, PASSING A 1/2" IRON ROD FOUND AT 66.00 FEET THE WEST RIGHT OF WAY LINE OF JACKSON ROAD (F.M. 2061), PASSING A 1/2" IRON ROD FOUND AT 1,383.30 FEET FOR THE EAST LINE OF A DRAIN DITCH EASEMENT, A TOTAL DISTANCE OF 1,458.30 FEET TO A POINT FOR THE SOUTHWEST CORNER OF LOT 3 AND THE SOUTHWEST CORNER OF THIS TRACT.

THENCE: N 08°51' E (DEED RECORD: N 08°33'50" E), ALONG THE WEST LINE OF LOT 3, A DISTANCE OF AN ACRE OF LAND OUT OF LOT 3, BLOCK 11, A.J. McCOLL SUBDIVISION, ACCORDING TO GENERAL WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2611434, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS), AND CONTINUING ALONG THE SOUTH LINE OF THE JAMES M. MOFFITT, TRUSTEE & HUTTO LAND COMPANY, LLC TRACT, PASSING A 1/2" IRON ROD FOUND AT 1,392.73 FEET FOR THE WEST RIGHT OF WAY LINE OF JACKSON ROAD (F.M. 2061), PASSING AT 1,445.48 FEET THE CENTERLINE OF JACKSON ROAD (F.M. 2061), A TOTAL DISTANCE OF 1,458.30 FEET TO A COTTON PICKER SPINDLE SET ON THE EAST LINE OF LOT 3 AND WITHIN THE RIGHT OF WAY OF JACKSON ROAD (F.M. 2061) FOR THE SOUTHEAST CORNER OF SAID JAMES M. MOFFITT, TRUSTEE & HUTTO LAND COMPANY, LLC TRACT AND THE NORTHEAST CORNER OF THIS TRACT.

THENCE: S 81°09' E (DEED RECORD: S 81°26'10" E), ALONG THE SOUTH LINE OF THE COUNTY OF HIDALGO TRACT, PASSING A 1/2" IRON ROD FOUND AT 75.53 FEET FOR THE SOUTHEAST CORNER OF SAID TRACT AND THE SOUTHWEST CORNER OF THE JAMES M. MOFFITT, TRUSTEE & HUTTO LAND COMPANY, LLC TRACT (REMAINDER OF THE NORTH 19.19 ACRES OF LOT 3, BLOCK 11, A.J. McCOLL SUBDIVISION, ACCORDING TO GENERAL WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2611434, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS), AND CONTINUING ALONG THE SOUTH LINE OF THE JAMES M. MOFFITT, TRUSTEE & HUTTO LAND COMPANY, LLC TRACT, PASSING A 1/2" IRON ROD FOUND AT 1,392.73 FEET FOR THE WEST RIGHT OF WAY LINE OF JACKSON ROAD (F.M. 2061), PASSING AT 1,445.48 FEET THE CENTERLINE OF JACKSON ROAD (F.M. 2061), A TOTAL DISTANCE OF 1,458.30 FEET TO A COTTON PICKER SPINDLE SET ON THE EAST LINE OF LOT 3 AND WITHIN THE RIGHT OF WAY OF JACKSON ROAD (F.M. 2061) FOR THE SOUTHEAST CORNER OF SAID JAMES M. MOFFITT, TRUSTEE & HUTTO LAND COMPANY, LLC TRACT AND THE NORTHEAST CORNER OF THIS TRACT.

THENCE: S 08°51' W (DEED RECORD: S 08°33'50" W), ALONG THE EAST LINE OF LOT 3 AND WITHIN THE RIGHT OF WAY OF JACKSON ROAD (F.M. 2061), A DISTANCE OF 746.76 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.00 ACRES OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH A.J. McCOLL SUBDIVISION, RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS, HIDALGO COUNTY, TEXAS.

### STATE OF TEXAS COUNTY OF HIDALGO

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



*Alfonso Quintanilla*  
ALFONSO QUINTANILLA  
P.L.S. No. 4856  
DATE: MARCH 30, 2016

### STATE OF TEXAS COUNTY OF HIDALGO

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



*Alfonso Quintanilla*  
ALFONSO QUINTANILLA  
P.E. No. 95534  
DATE: 4-14-16

### STATE OF TEXAS COUNTY OF HIDALGO OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

I, RAMON GARCIA, AS OWNER OF THE 25.00 ACRE TRACT OF LAND ENCOMPASSED WITHIN THE PROPOSED MISODI SUBDIVISION, HEREBY SUBDIVIDE THE LAND AS DEPICTED IN THIS SUBDIVISION PLAT AND DEDICATE TO PUBLIC USE THE STREET, PARK, AND EASEMENTS SHOWN HEREIN.

- I CERTIFY THAT I HAVE COMPLIED WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE §232.032 AND THAT:
- (A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS;
  - (B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET, OR WILL MEET, THE MINIMUM REQUIREMENTS OF STATE STANDARDS;
  - (C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS; AND
  - (D) GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS.
- I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

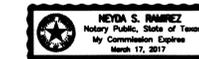
RAMON GARCIA  
2717 NORMA STREET  
MCALLEN, TEXAS 78503

DATE

### STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, the undersigned notary public, on this day personally appeared RAMON GARCIA, proved to me through his Texas Department of Public Safety Driver License to be the person whose name is subscribed to the foregoing instrument, who, being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that he executed the same for the purposes and consideration thereby expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



NEIDA S. RAMIREZ - NOTARY PUBLIC

### HIDALGO COUNTY CERTIFICATE OF PLAT APPROVAL UNDER LOCAL GOVERNMENT CODE § 232.028(a)

WE, THE UNDERSIGNED, CERTIFY THAT THIS PLAT OF THE MISODI SUBDIVISION, WAS reviewed and approved by the Hidalgo County Commissioners Court on \_\_\_\_\_.

Hidalgo County Judge \_\_\_\_\_ date  
ATTEST: Hidalgo County Clerk \_\_\_\_\_ date

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

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

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

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

ATTEST: CITY SECRETARY \_\_\_\_\_ DATE

### HIDALGO COUNTY IRRIGATION No. 2 CERTIFICATION

THIS PLAT IS HEREBY APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 2, ON THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT No. 2 RIGHTS OF WAYS OR EASEMENTS.

PRESIDENT \_\_\_\_\_ ATTEST: SECRETARY \_\_\_\_\_

### 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 THE TEXAS WATER CODE 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE



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

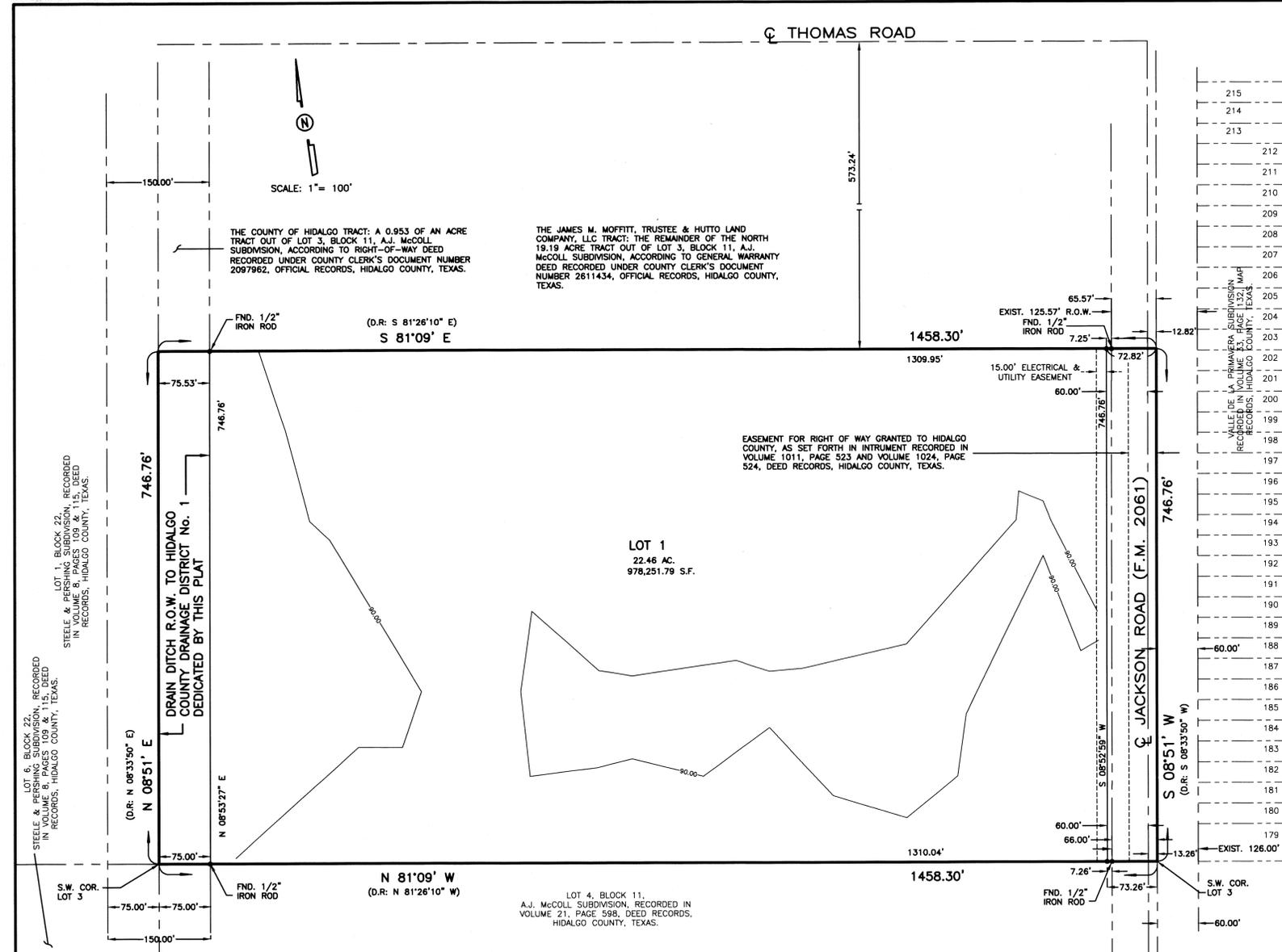
ON: \_\_\_\_\_ AT \_\_\_\_\_ AM/PM

INSTRUMENT NUMBER \_\_\_\_\_  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

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

### REVISION NOTES

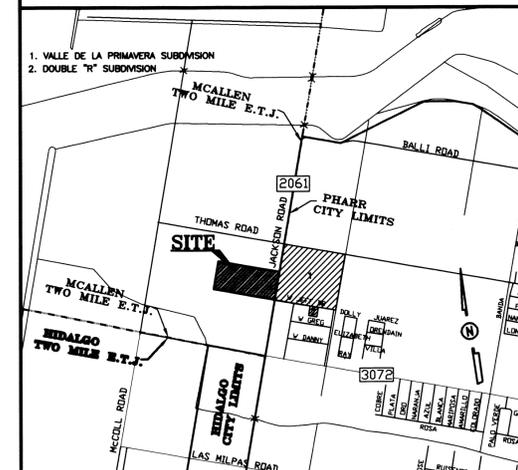
No.	Sheet	REVISION	Date	Approved



### INDEX OF SHEETS

- SHEET 1.- HEADING INDEX, LOCATION MAP AND E.T.; PRINCIPAL CONTACTS; MAP; LOT, STREETS, AND EASEMENT LAYOUT; DESCRIPTION (METES AND BOUNDS); SURVEYOR'S CERTIFICATION; PLAT NOTES AND RESTRICTIONS; OWNER'S DEDICATION, CERTIFICATION, ATTESTATION; CITY APPROVAL CERTIFICATE; COUNTY CLERK'S RECORDING CERTIFICATE; REVISION NOTES.
- SHEET 2.- ENGINEERING REPORT, INCLUDING DESCRIPTION OF WATER AND WASTE WATER/OSSF AND ENGINEER'S CERTIFICATION (ENGLISH AND SPANISH VERSION); DRAINAGE REPORT INCLUDING DESCRIPTION OF DRAINAGE AND DRAINAGE SWALES, MAP OF TOPOGRAPHY AND DRAINAGE, AND ENGINEERING CERTIFICATION; REVISION NOTES.

### LOCATION MAP SCALE: 1" = 2000'



### PLAT NOTES AND RESTRICTIONS:

- 1.- FLOOD ZONE STATEMENT:  
FLOOD ZONE DESIGNATION: ZONE "B"  
AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OF CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE, OR AREA PROTECTED BY LEVEES FROM THE BASE FLOOD. (MEDIUM SHADING)  
COMMUNITY-PANEL No. 480334 0500 B  
EFFECTIVE DATE: JANUARY 2, 1981  
THE AREAS WITHIN THE DRAINAGE EASEMENTS AND THE PROPOSED STREET RIGHT-OF-WAY ARE WITHIN THE 100-YEAR FLOOD PLAIN.  
C.P.N. 480334 0500 B, EFFECTIVE DATE: JANUARY 2, 1981 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY MAPS FOR HIDALGO COUNTY, TEXAS AND THE LOCAL FLOOD PLAN ADMINISTRATOR IDENTIFIES NO OTHER AREA WITHIN THE PROPOSED SUBDIVISION TO BE WITHIN THE 100-YEAR FLOOD PLAIN.  
CONSTRUCTION OF RESIDENTIAL HOUSING WITHIN ANY AREA OF THE SUBDIVISION THAT IS IN THE 100-YEAR FLOODPLAIN IS PROHIBITED UNLESS THE HOUSING QUALIFIES FOR INSURANCE UNDER THE NATIONAL FLOOD INSURANCE ACT OF 1968 (42 U.S.C. SECTIONS 4001 THROUGH 4127).
- 2.- SETBACKS:  
FRONT OF JACKSON ROAD (F.M. 2061) 50.00 FEET  
REAR 10.00 FEET  
CORNER SIDE 10.00 FEET  
SIDE 6.00 FEET  
OR EASEMENT WHICHEVER IS GREATER ON ALL CASES
- 3.- LEGEND \* - DENOTES 1/2" X 24" IRON ROD SET WITH PLASTIC CAP STAMPED RPLS 4856, UNLESS OTHERWISE NOTED.
- 4.- DEVELOPER SHALL PROVIDE AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEER DEPARTMENT PRIOR TO AN APPLICATION FOR A BUILDING PERMIT.
- 5.- MINIMUM FINISH FLOOR NOTE:  
MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB OR OR 12" ABOVE NATURAL GROUND, WHICHEVER IS GREATER.  
ELEVATION CERTIFICATE MAY BE REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR APPLICATION FOR CONSTRUCTION TO VERIFY PRE AND POST CONSTRUCTION FINISH FLOOR ELEVATIONS. AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALL LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION.
- 6.- BENCHMARK NOTE:  
THE FOLLOWING BENCHMARK IS IDENTIFIED ON THE FACE OF THE PLAT AND ON THE ATTACHED ENGINEERING PLANS.  
B.M. No. 1 - ELEV. 88.32 1/2" IRON ROD FOUND 66.0 FEET WEST FROM THE SOUTHEAST CORNER OF PROPOSED SUBDIVISION, N.A.V.D. 88 DATUM.
- 7.- DRAINAGE:  
IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT No. 1 AND HIDALGO COUNTY REQUIREMENTS, THIS DEVELOPMENT WILL BE REQUIRED TO DETAIN A TOTAL OF \_\_\_\_\_ CUBIC FEET \_\_\_\_\_ ACRE FEET OF STORM WATER RUNOFF. DRAINAGE RETENTION IN ACCORDANCE WITH THE LOCAL REQUIREMENTS WILL BE ACCOMPLISHED AS FOLLOWS:  
SEE DRAINAGE REPORT ON SHEET No.3.
- 8.- NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT. EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS EXCEPT LOW, LESS THAN 18 INCHES MATURE HEIGHT, GROUND COVER, GRASS, OR FLOWERS) AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- 9.- EACH PURCHASED CONTRACT MADE BETWEEN A SUBDIVIDER AND PURCHASER OF A LOT IN THIS SUBDIVISION SHALL CONTAIN A STATEMENT DESCRIBING HOW AND WHEN WATER, SEWER, ELECTRICITY AND GAS SERVICES WILL BE MADE AVAILABLE TO THE SUBDIVISION.
- 10.- ALL PUBLIC UTILITIES EASEMENTS DEDICATED BY THIS PLAT SHALL BE A MINIMUM WIDTH OF 15.00 FEET AS PER THE HIDALGO COUNTY MODEL SUBDIVISION RULES. BY SIGNING THIS PLAT DEVELOPER AND ENGINEER CERTIFY THAT ALL OTHER EASEMENTS SHOWN COMPLY WITH THE SIZE REQUIRED BY EACH UTILITY PROVIDER OCCUPYING AN EASEMENT.
- 13.- AN OFF-STREET PARKING LOT SITE-PLAN AND DRAINAGE PLAN APPROVAL BY THE HIDALGO COUNTY PLANNING DEPARTMENT SHALL BE REQUIRED ON COMMERCIAL INDUSTRIAL & MULTIFAMILY USE AT THE TIME OF APPLICATION FOR CONSTRUCTION PRIOR TO THE ISSUANCE OF A BUILDING AND/OR DEVELOPMENT PERMIT. NO WATER OR LIGHT CLEARANCES SHALL BE ISSUED UNTIL THE SITE PLAN, DRAINAGE PLAN AND OSSF PLAN ARE APPROVED.
- 14.- ALL CONSTRUCTION SHALL COMPLY WITH STORMWATER POLLUTION PREVENTION PLAN (SW3P) REQUIREMENTS.
- 15.- ALL PUBLIC UTILITIES EASEMENTS DEDICATED BY THIS PLAT SHALL BE A MINIMUM WIDTH OF 15.00 FEET AS PER THE HIDALGO COUNTY MODEL SUBDIVISION RULES.
- 16.- A 4.00 FEET SIDEWALK WILL BE REQUIRED ALONG THE WEST SIDE JACKSON ROAD (F.M. 2061)

### PRINCIPAL CONTACTS:

Name	Address	City & Zip	Phone	Fax
OWNER: RAMON GARCIA	2717 NORMA STREET	MCALLEN, TEXAS 78503		
ENGINEER: ALFONSO QUINTANILLA	124 E. STUBBS	EDINBURG, TX 78539	(956)381-6480	(956)381-0527
SURVEYOR: ALFONSO QUINTANILLA	124 E. STUBBS	EDINBURG, TX 78539	(956)381-6480	(956)381-0527



**QUINTANILLA, HEADLEY AND ASSOCIATES, INC.**  
CONSULTING ENGINEERS • LAND SURVEYORS  
124 E. STUBBS ST. PHONE 956-381-6480  
EDINBURG, TEXAS 78539 FAX 956-381-0527

SHEET NO. 1	FILENAME: F:\DATA\SUBDIVISION\MCALLEN\MISODI\PLAT
DATE PREPARED MARCH 30, 2016	PREPARED BY
DATE REVISION	CHECKED BY
	APPROVED BY

DATE OF PREPARATION MARCH 30, 2016 OF 2 SHEETS



Reviewed On: 4/29/2016

<b>SUBDIVISION NAME: MISODI SUBDIVISION</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
South Jackson Road: *Project engineer to clarify existing ROW and centerline of the road to determine required dedication for 120 ft. ROW Paving: by the state Curb & gutter: by the state	TBD
S. "K" Center Street (west boundary): 60 ft. - 70 ft. ROW Paving: 40 ft. - 44 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to recording.	Non-compliance
E/W Collector (south boundary): 60 ft. - 70 ft. ROW Paving: 40 ft. - 44 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to recording. **Staff is reviewing collector roadway requirement; will determine prior to final.	TBD
* 800 ft. Block Length:	NA
* 600 ft. Maximum Cul-de-Sac:	NA
<b>ALLEYS</b>	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	Non-compliance
<b>SETBACKS</b>	
* Front: S. Jackson Road - 60 ft. or greater for approved site plan or easements S. "K" Center Street - 30 ft. - 35 ft. or greater for approved site plan or easements	Non-compliance
* Rear:	NA
* Sides: in accordance with the Zoning Ordinance, or greater for approved site plan or easements on the north side of Lot 1	Non-compliance
* Corner: E/W Collector (south boundary) - 30 ft. - 35 ft. or greater for approved site plan or easements	TBD
* 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 S. "K" Center Street and E/W collector (south boundary) as may be required *5 ft. wide sidewalk along S. Jackson Road; verify with Engineering Department * Perimeter sidewalks must be built or money escrowed if not built at this time.	Non-compliance
	Applied
<b>BUFFERS</b>	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.	Non-compliance
* 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses.	Non-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.	Non-compliance
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
<b>LOT REQUIREMENTS</b>	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
<b>ZONING/CUP</b>	
* Existing: C-4 Proposed: flea market	Applied
*Conditional Use Permit for a flea market is required prior to final plat.	
* Rezoning Needed Before Final Approval	NA
<b>PARKS</b>	
* Land dedication in lieu of fee:	NA
* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.	NA
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
<b>TRAFFIC</b>	
* Trip Generation to determine if TIA is required, prior to final plat.	Non-compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	TBD
<b>COMMENTS</b>	
Comments: *Conditional Use Permit is required for a flea market, prior to final plat. **Plat must comply with the City's Access Management Policy for driveway spacing.	Applied
<b>RECOMMENDATION</b>	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.	Applied

# LOCATION

PROPOSED MISODI SUBDMISION  
LOT 1

E THOMAS RD

JACKSON RD

E DICKER RD

6

2

1

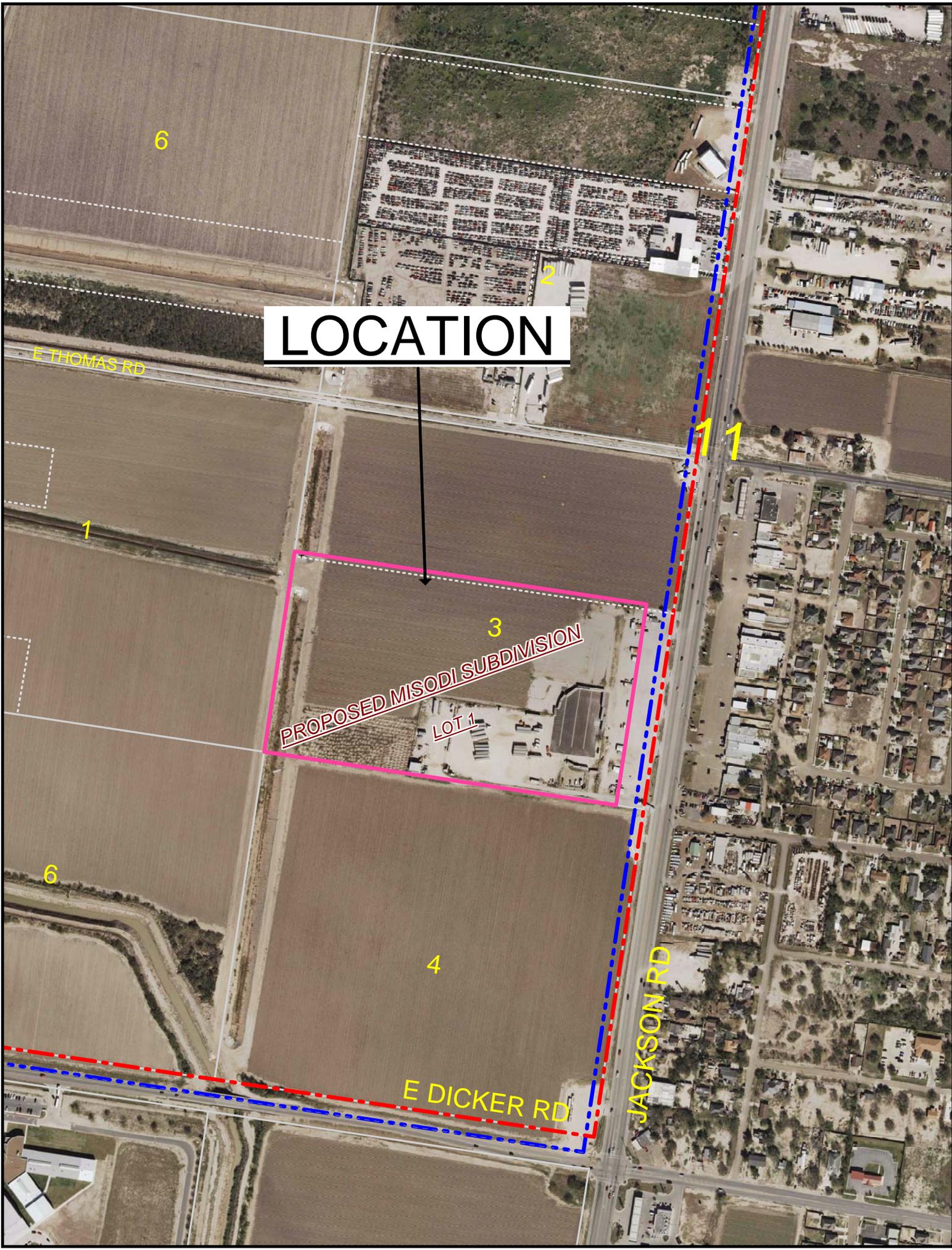
3

1

1

6

4





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

Sub 2016-0022

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

Project Description	Subdivision Name <u>B. R. I. SUBD.</u> Location <u>NEC SPRAGUE ST. &amp; N. 23RD ST.</u> City Address or Block Number <u>NOT ASSIGNED</u> Number of lots <u>1</u> Gross acres <u>1.00</u> Net acres <u>0.58 AC.</u> Existing Zoning <u>C-2</u> Proposed <u>C-4</u> Rezoning Applied For <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date _____ Existing Land Use <u>OPEN</u> Proposed Land Use <u>RETAIL</u> Irrigation District # _____ Residential Replat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Commercial Replat Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> ETJ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Tax Exemption Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Estimated Rollback tax due <u>1500<sup>00</sup></u> Legal Description <u>1.0 GROSS AC. 0/0 LOT 15, BIK./SEC. 280, TEX-MEX, H.C.T.</u>
Owner	Name <u>Manuel De Jesus Barba</u> Phone <u>956-655-4737</u> Address <u>1212 Heron Ct.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u> E-mail <u>barba.manolo@gmail.com</u>
Developer	Name <u>SAME AS OWNER</u> Phone _____ Address _____ City _____ State _____ Zip _____ Contact Person _____ E-mail _____
Engineer	Name <u>DAVID O. SALINAS</u> Phone <u>682-9081</u> Address <u>2221 DAFFODIL AVE.</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u> Contact Person <u>DAVID</u> E-mail <u>dsalinas@salinasengineering.com</u>
Surveyor	Name <u>SAME AS PWGR.</u> Phone _____ Address _____ City _____ State _____ Zip _____ E-mail _____

RECEIVED  
 APR 15 2016  
 BY MC420pm

-01  
11121  
ROBERTO LUNA

-09

-13

-08  
11001

-14

**LOCATION**

-05

-01  
11000

-04  
2200  
REAR

-11  
2112  
REAR

-03  
10901  
LUNA

**PROPOSED B.R.I.  
SUBDIVISION  
LOT 1**

**SILVA SUBD  
LOT 1**

-02

-05  
2200

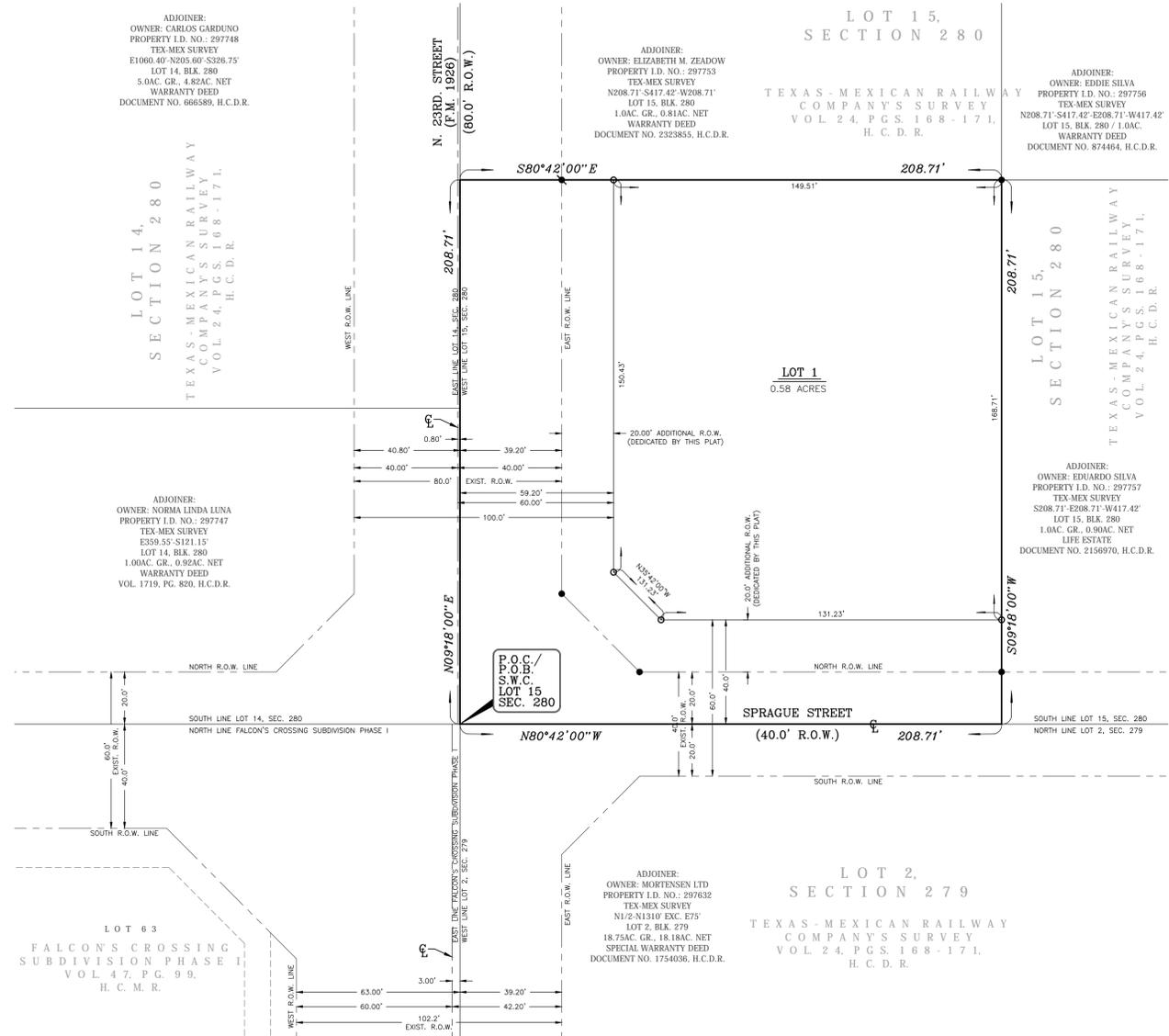
**23RD ST (FM 1926)**

**SPRAGUE RD**

63

65

-00 -05  
MORTENSEN



## B.R.I. SUBDIVISION

AN ADDITION TO THE CITY OF McALLEN,  
HIDALGO COUNTY, TEXAS

BEING A 1.00 GROSS ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF THE SOUTHWEST CORNER OF LOT 15, SECTION 280, TEXAS MEXICAN RAILWAY'S COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGES 168 THRU 171, DEED RECORDS OF HIDALGO COUNTY, TEXAS.

### GENERAL PLAT NOTES:

- MINIMUM SETBACK LINES = SPRAGUE STREET: 40.0 FT. OR GREATER FOR EASEMENTS. 23RD. STREET: 60.0 FT. OR GREATER FOR EASEMENTS. SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. GARAGE: 18.0 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "X" ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED JUNE 6, 2000, COMMUNITY PANEL NO. 480334 0325 D. (REVISED TO REFLECT LOMR DATED MAY 17, 2001) ZONE "X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.
- MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE A MINIMUM OF 18.0 INCHES ABOVE THE TOP OF THE ROAD AS MEASURED FROM THE CENTER OF THE LOTS ALONG N. 9TH. STREET.
- MINIMUM 4 FT. WIDE SIDEWALK IS REQUIRED ON SPRAGUE STREET AND N. 23RD. STREET
- THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF X,XXX.XX CUBIC FEET, OR, XX.XX ACRE-FEET OF DRAINAGE RUNOFF VOLUME.
- THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY EASEMENTS SHALL BE PROHIBITED.
- A 6' OPAQUE BUFFER IS REQUIRED FROM ANY ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONE/ USE. AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE-FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONE/ USE.
- AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- BENCHMARK: McALLEN SURVEY CONTROL POINT NO. 34, LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF 23RD. STREET AND BOROLO LANE. THE MONUMENT IS LOCATED 4 FT. SOUTH OF THE BACK OF CURB OF BOROLO LANE AND 62 FT. WEST OF 23RD. STREET. ELEV.= 105.86.
- SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.

### PRINCIPAL CONTACTS

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: MANUEL DE JESUS BARBA	1212 HERON CT.	McALLEN, TEXAS 78504	(956) 655-4737	NONE
ENGINEER: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489
SURVEYOR: DAVID O. SALINAS	2221 DAFFODIL AVE.	McALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489

STATE OF TEXAS  
COUNTY OF HIDALGO

I (WE) THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS B.R.I. 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, 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.

OWNER: MANUEL DE JESUS BARBA  
1212 HERON CT.  
McALLEN, TEXAS 78504

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED THE PERSON OR PERSONS, 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 \_\_\_\_\_, 2016.

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

STATE OF TEXAS  
CITY OF McALLEN

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

MAYOR \_\_\_\_\_ 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 PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN,  
PLANNING AND ZONING COMMISSION

DATE \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HIDALGO

I, DAVID OMAR SALINAS, P.E., A REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, REGISTRATION NUMBER TX. 71973, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

DAVID OMAR SALINAS, P.E.  
REG. PROFESSIONAL ENGINEER #71973

DATE \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HIDALGO

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

DAVID O. SALINAS, R.P.L.S.  
REG. PROFESSIONAL LAND SURVEYOR #5782

DATE \_\_\_\_\_

### APPROVED BY DRAINAGE DISTRICT:

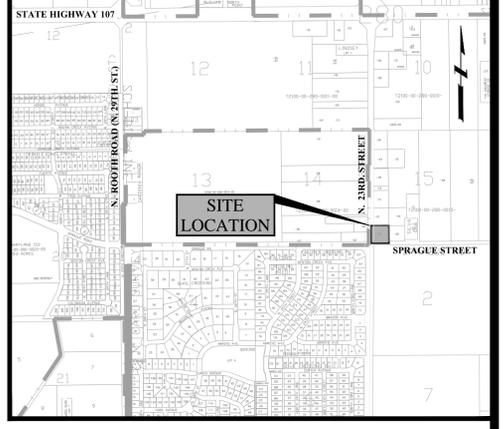
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

DATE \_\_\_\_\_

**RECEIVED**  
By Nikki Marie Cavazos at 9:10 am, Apr 20, 2016



LOCATION MAP

SCALE : 1" = 1000'

### METES AND BOUNDS DESCRIPTION

BEING A 1.00 GROSS ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF THE SOUTHWEST CORNER OF LOT 15, SECTION 280, TEXAS MEXICAN RAILWAY'S COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGES 168 THRU 171, DEED RECORDS OF HIDALGO COUNTY, TEXAS; SAID 1.00 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHWEST CORNER OF SAID LOT 15 LOCATED AT THE INTERSECTION OF SPRAGUE STREET AND N. 23RD. STREET (AKA F.M. 1926) FOR THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT:

- THENCE, NORTH 09 DEGREES 18 MINUTES EAST, COINCIDENT WITH THE WEST LINE OF SAID LOT 15, A DISTANCE OF 208.71 FEET TO A POINT IN THE CENTER OF SAID N. 23RD. STREET FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, SOUTH 80 DEGREES 42 MINUTES EAST, ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID LOT 15, A DISTANCE OF 39.2 FEET PASS A 1/2 INCH DIAMETER IRON PIPE FOUND ON INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID N. 23RD. STREET, AT A DISTANCE OF 208.71 FEET IN ALL TO A 1/2 INCH DIAMETER IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, SOUTH 09 DEGREES 18 MINUTES WEST, ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 15, A DISTANCE OF 188.71 FEET PASS A 1/2 INCH DIAMETER IRON ROD FOUND WITH PLASTIC CAP MARKED "RPLS 4856" ON INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SAID SPRAGUE STREET, AT A DISTANCE OF 208.71 FEET IN ALL TO A POINT ON INTERSECTION WITH THE SOUTH LINE OF SAID LOT 15 FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, NORTH 80 DEGREES 42 MINUTES WEST, COINCIDENT WITH THE SOUTH LINE OF SAID LOT 15, A DISTANCE OF 208.71 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 GROSS ACRES OF LAND, MORE OR LESS, OF WHICH 0.28 ACRES OF LAND, MORE OR LESS, ARE LOCATED WITHIN THE RIGHT-OF-WAY OF BOTH N. 23RD. STREET AND SPRAGUE STREET, LEAVING 0.72 NET ACRES OF LAND, MORE OR LESS.

BASIS OF BEARING: SURVEY PLAT BY QUINTANILLA, HEADLEY & ASSOCIATES OF SAID 1.00 ACRE TRACT, DATED DECEMBER 06, 2006 - PER SAID SURVEY PLAT BEARINGS ON SAID SURVEY PLAT ARE FROM FALCON'S CROSSING SUBDIVISION, PHASE I (VOL. 47, PG. 99, H.C.M.R.)

N:\SUBDIVISION\PLATS\MANUELBARBA.SUB\1.00.041416

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY THE CITY OF McALLEN ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON APRIL 15, 2016. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

## B.R.I. SUBDIVISION

PREPARED BY: SALINAS ENGINEERING & ASSOC.  
DATE OF PREPARATION: APRIL 15, 2016  
OWNER: MANUEL DE JESUS BARBA  
1212 HERON CT.  
McALLEN, TEXAS 78504

**SEA**  
**SALINAS ENGINEERING & ASSOC.**  
(F-6875)  
CONSULTING ENGINEERS & SURVEYORS  
2221 DAFFODIL - McALLEN, TEXAS 78501  
(956) 682-9081 (956) 686-1489 (FAX)



Reviewed On: 4/29/2016

<b>SUBDIVISION NAME: B.R.I SUBDIVISON</b>	
<b>REQUIREMENTS</b>	
<b>STREETS AND RIGHT-OF-WAYS</b>	
N. 23rd Street: 20 ft. ROW dedication required for 60 ft. from centerline for 120 ft. ROW Paving: by the state Curb & gutter: by the state	Compliance
Sprague Road: 20 ft. ROW dedication required for 40 ft. from centerline for an 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	Non-compliance
<b>SETBACKS</b>	
* Front: Sprague Road - 40 ft. or greater for approved site plan or easements	Non-compliance
* Rear: in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Interior Side - in accordance with the Zoning Ordinance, or greater for approved site plan or easements	Compliance
* Corner: N. 23rd Street - 60 ft. or greater for approved site plan or easements	Non-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 Sprague Road. **5 ft. wide sidewalk on N. 23rd Street; verify with Engineering Department.	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

<ul style="list-style-type: none"> <li>* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.</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>	Compliance
	NA
	NA
	NA
	NA
<b>LOT REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>* Lots fronting public streets:</li> <li>* Minimum lot width and lot area:</li> </ul>	Compliance
	Compliance
<b>ZONING/CUP</b>	
<ul style="list-style-type: none"> <li>* Existing: C-4 Proposed: retail use</li> <li>* Rezoning Needed Before Final Approval</li> </ul>	Compliance
	NA
<b>PARKS</b>	
<ul style="list-style-type: none"> <li>* Land dedication in lieu of fee:</li> <li>* Park Fee of \$700 per dwelling unit is required to be paid prior to recording.</li> <li>* Pending review by the Parkland Dedication Advisory Board and CC.</li> </ul>	NA
	NA
	NA
<b>TRAFFIC</b>	
<ul style="list-style-type: none"> <li>* Trip Generation to determine if TIA is required, prior to final plat.</li> <li>* Traffic Impact Analysis (TIA) required prior to final plat.</li> </ul>	Non-compliance
	TBD
<b>COMMENTS</b>	
<p>Comments: *Plat must comply with the City's Access Management Policy for driveway spacing.                  **ROW clip required at the street intersection.</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

# LOCATION

23RD ST (FM 1926)

PROPOSED B.R.I.  
SUBDIVISION  
LOT 1

SPRAGUE RD

SILVA SUBD  
LOT 1

-08  
11001

-09

-13

-14

-01  
11000

-04  
2200  
REAR

-11  
2112  
REAR

-05

-03  
10901  
LUNA

-05  
2200

-02

63

65

-00 -05  
MORTENSEN



## **Memo**

**TO:** Planning & Zoning Commission  
**FROM:** Julianne R. Rankin, FAICP, Director of Planning  
**DATE:** April 28, 2016  
**SUBJECT:** Division 13 Ordinance Amendment

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### **BRIEF DESCRIPTION:**

The Heart of the City Overlay Districts are located in the Downtown Central Business District. They are 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.

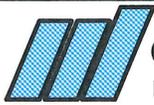
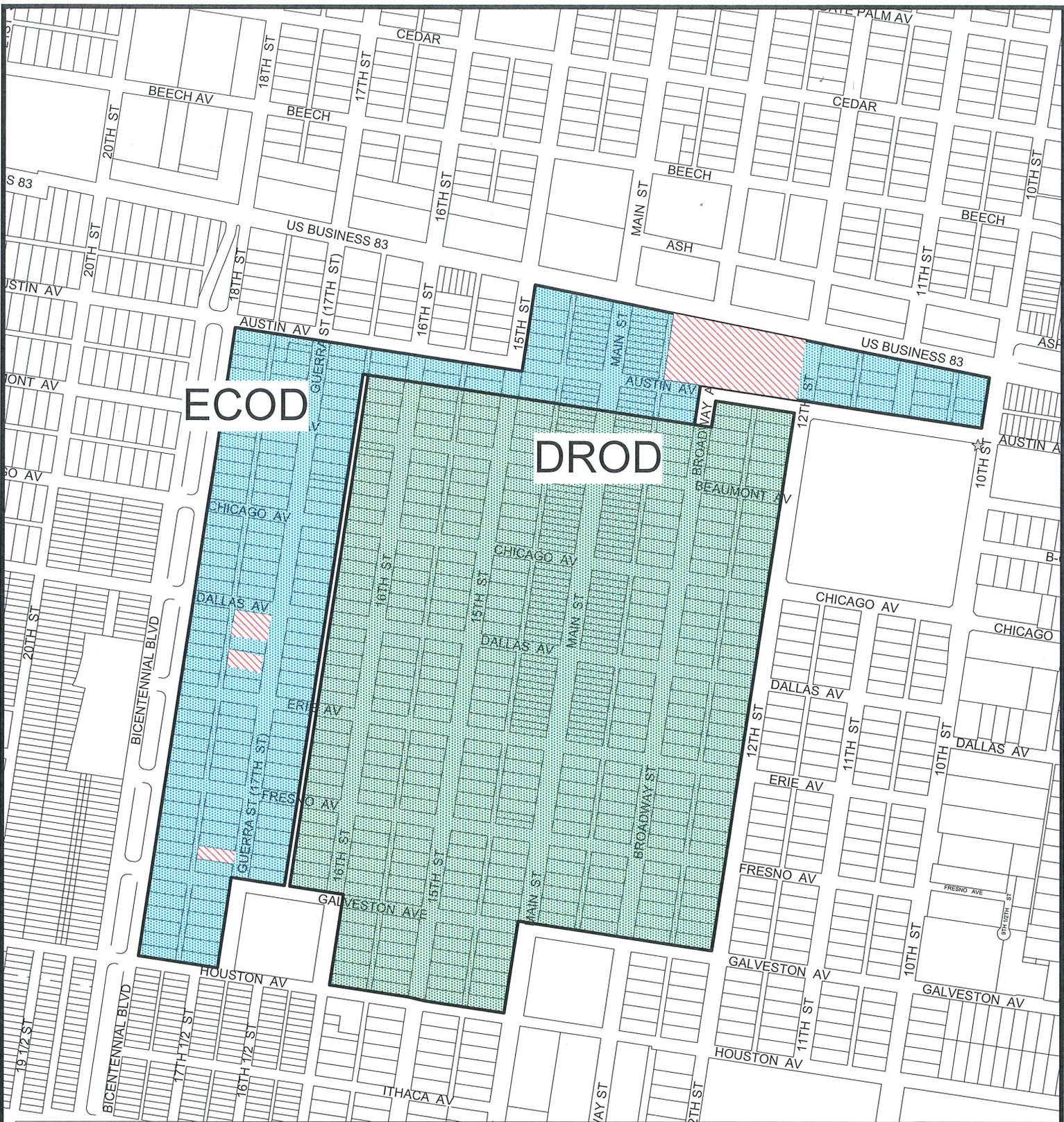
In preparing and reviewing options and proposed changes to the ordinance, several public meetings were held with property and business owners. Amendments considered initially were as follows: limitations on permit holders with late hours TABC permits restricting patrons to age 21 and over; a limitation 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 has 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 is 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 is 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.

Attachments



**CITY OF McALLEN**  
PLANNING DEPARTMENT

AREA MAP

4

-  Entertainment & Cultural Overlay District
-  Downtown & Retail Overlay District

**LEGEND**

SCALE: N.T.S.

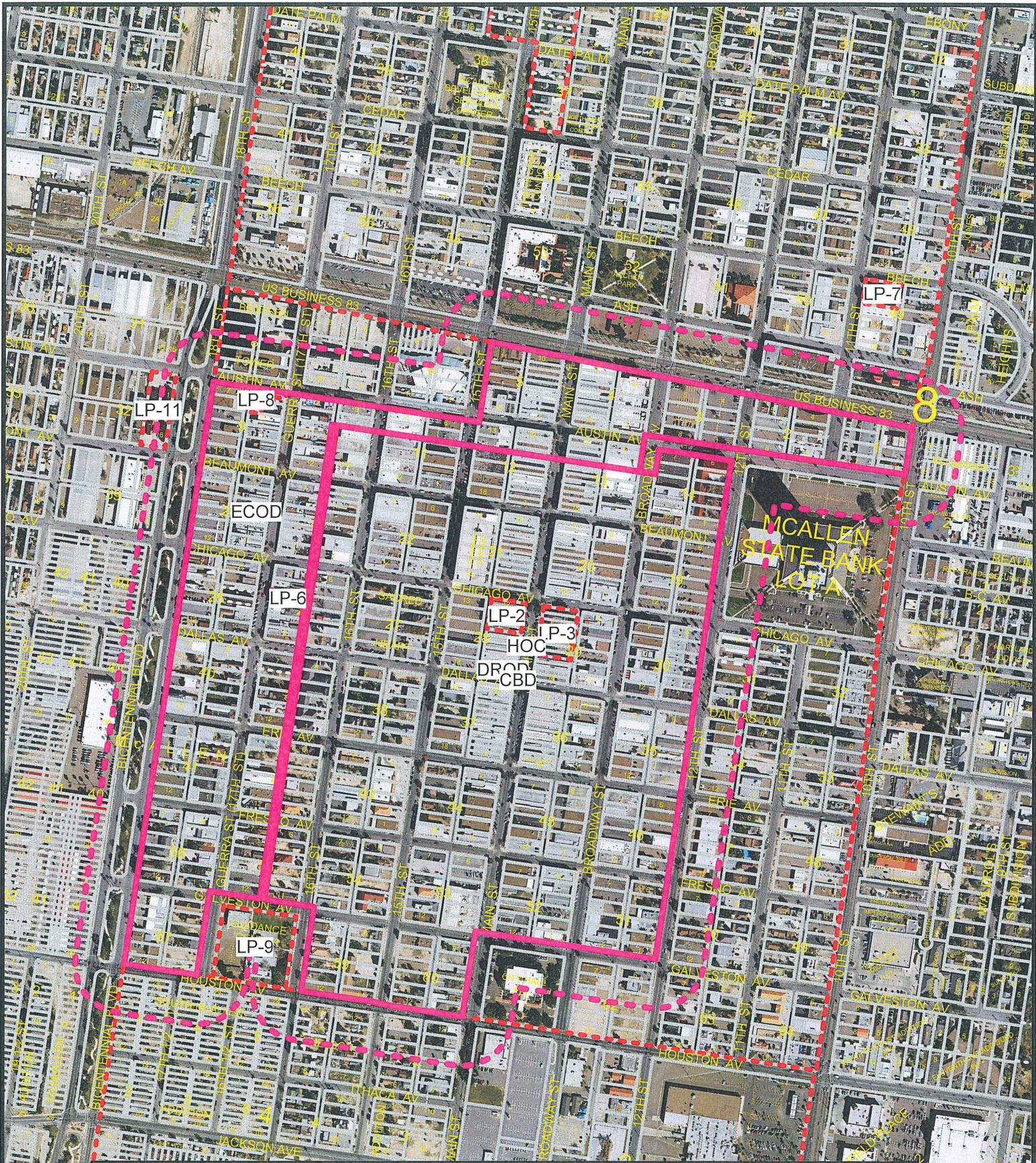
 200 FT. NOTIFICATION BOUNDARY

 1/4 MILE RADIUS

**ZONING LEGEND**

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

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.

**ORDINANCE NO. 2016-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF McALLEN BY AMENDING DIVISION 13 ("HEART OF THE CITY OVERLAY DISTRICTS") 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.**

**WHEREAS**, the Board of Commissioners of the City of McAllen found that it would serve the public interest to support the economic development in the area of the City known as the Heart of the City of McAllen in 2005, and further found that establishing certain zoning overlay districts within the Heart of the City would encourage such economic development, particularly by promoting entertainment and cultural interest, as well as by supporting retail establishments already in place while encouraging a greater variety of such retail establishments; and

**WHEREAS**, certain sections of the Heart of the City are deemed appropriate and suitable for designation as "Entertainment and Cultural" and "Downtown Retail" overlay districts; and

**WHEREAS**, the Board of Commissioners recognized that having a variety of and cultural establishments in the City would promote a richer and more diverse experience for the residents of and visitors to the City, thus enhancing their quality of life; and

**WHEREAS**, the Board of Commissioners adopted the addition of such overlay districts on November 11, 2005. Section 138-332 (b) states that Division 13 shall sunset ten years after its effective date.

**WHEREAS**, discussions concerning the sunset clause took place within City Commissioner workshops, staff meetings, and a public meeting with affected property and business owners. The outcome of such discussions have resulted in proposed added conditions to special permits and the removal of the "Downtown Retail Overlay District."

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:**

**SECTION I:** The Code of Ordinances, City of McAllen, Texas, Chapter 138 ("ZONING"), Article V ("DISTRICTS") is hereby amended by adding a new Division 13 ("HEART OF THE CITY OVERLAY DISTRICTS"), which shall read in full as follows:  
DIVISION 13. - HEART OF THE CITY OVERLAY DISTRICTS

FOOTNOTE(S):

--- (18) ---

**Editor's note** — Maps A and B referenced in this Division 13 are is not set out herein, but are is on file and available for inspection in the offices of the city.

Sec. 138-331. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bar* means an establishment where alcoholic beverages are sold, including any cabaret, dancehall, discotheque, disco, music venue, nightclub or restaurant or other establishment where more than 49 percent of the gross income is derived from the sale of alcoholic beverages.

*BYOB* or *BYO* means “bring your own bottle”, “bring your own beer”, “bring your own beverage”, or “bring your own booze”.

*Cabaret, dancehall, discotheque, disco, music venue or nightclub* means an establishment the primary activity of which is the provision musical entertainment and/or permit dancing by its patrons to live or recorded music.

*Central Business District* means the area of the city lying between U.S. Business 83 and Houston Avenue, from Tenth Street to Bicentennial Boulevard.

*Entertainment or cultural establishment* means any of a variety of venues that provide an ongoing activity or business to which the public is invited or allowed to watch, listen, or participate, to divert or amuse guests or patrons, including, but not limited to:

- (1) Presentations by single or multiple performers, such as comedians, musical song or dance acts, plays, concerts, demonstrations of talent, shows, reviews, hypnotists, pantomimes, or any other similar activity which may be attended by members of the public;
- (2) Cabarets, dancehalls, discotheques, discos, music venues, nightclubs, restaurants, bars, and schools of dance.

*Heart of the City* means that area of the City of McAllen from Hackberry Avenue to Expressway 83 and from Bicentennial Boulevard to 10th Street.

*Retail establishment* means an establishment the primary purpose of which is the sale of goods, products or materials directly to a consumer, including personal service establishments but not a bar or restaurant.

*Residential permit* means the permit that may be issued by the director of planning to a property owner pursuant to the provisions of this division to allow a residential use above a commercial establishment.

*Special permit* means the permit that may be issued by the director of planning to an establishment pursuant to the provisions of this division.

(Ord. No. 2005-95, § 1, 11-14-05; Ord. No. 2008-30, § 2, 4-28-08)

Sec. 138-332. - Heart of the City Overlay Districts established; sunset; permit application and fee.

- (a) The overlay districts established in this division supersede, modify and/or supplement any conflicting requirements and limitations of Article V ("Districts") otherwise applicable to any

underlying base district. All of the Article V requirements and limitations of any underlying base district that do not conflict with those of the overlay district shall continue to apply. In the event of any conflict between the overlay district requirements or limitations and those of Article V, the overlay district requirements or limitations shall prevail.

- ~~(b) This Division 13 shall sunset ten years after its effective date. The board of commissioners shall review this division one year prior to its sunset date and consider whether to continue, amend or allow it to sunset. The director of planning in cooperation with the Heart of the City of McAllen Improvement Corporation, Inc., no later than five years after the effective date of this division, shall conduct an interim study of the effectiveness of the provisions of this division in meeting its stated goals and objectives, on the basis of which it shall report its findings to the planning and zoning commission for its consideration. The planning and zoning commission shall consider the report and hold a public hearing prior to forwarding its interim findings and recommendations to the board of commissioners.~~
- (b) Any establishment that as of the effective date of this division is located or seeks to locate within an overlay district established by this division may apply for any special permit available to it. Any such application must be filed by or with the written consent of the property owner, and shall be filed with the director of planning, together with an application a fee of \$100.00. All such applications shall be reviewed, considered and acted upon by the director of planning. A special permit shall be issued to the establishment specified in the application, will not run with the land, will not be transferable and will be subject to revocation as provided in this division.
- (c) The denial or revocation of a special permit may be subject to reconsideration under section 138-337, and may be appealed to the board of commissioners pursuant to section 138-338
- ~~(d) In the event this division should sunset or the board of commissioners repeals this division then, except as provided in subsection (f) (e) hereof, the overlay districts established hereunder shall dissolve and no special or residential permits shall be issued or renewed.~~
- (e) Notwithstanding anything to the contrary in this article, any permit issued under this division shall be valid through its expiration date even if it extends beyond any repeal ~~or sunset date.~~

(Ord. No. 2005-95, § 1, 11-14-05; Ord. No. 2008-30, § 2, 4-28-08)

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

- (a) An Entertainment and Cultural Overlay District ("ECOD") is hereby established within the City of McAllen encompassing all of Blocks and Lots of the McAllen Addition Subdivision as follows: all of Blocks 1, 2, ~~3, 4~~, 5, 9, 24, 25, ~~40~~, 41, ~~56~~ and 57; Lots 5 through 14 out of Block 4, Lots 6 through 12 out of Block 10; Lots 6 and 7 out of Block 11; Lots 11, 12 and 13 out of Block 12; Lots 6, 7 and 8 out of Block 13, Lot 1 and the South 22 feet of Lot 2 and Lot 4 out of Block 40, and Lots 1, 3, 4, 5 out of Block 56 as well as Lots 7 through 12 each out of Blocks 23, 26, 39, 42, and 55 of the same subdivision, as shown in Map A.
- (b) The ECOD shall be indicated on the zoning map with the base district symbol followed by a slash and the ECOD district symbol (i.e., ("~~R-2~~ C-3/ECOD")).
- (c) BYOB Prohibited: A patron, customer, or guest of a bar, restaurant, entertainment or cultural establishment, or other establishment in the ECOD may not bring wine, malt alcoholic beverages (beer), distilled beverages or other beverages produced through distillation into such establishments.

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

- (1) The following establishments may not operate within the ECOD without a special permit:
  - a. Any entertainment or cultural establishment seeking to locate within the ECOD, and
  - b. Any entertainment or cultural establishment located within the ECOD on the effective date of this division that applies to the building official for a building permit or a miscellaneous inspection.

The provisions of this section are intended to also apply, without limitation, to any bar, cocktail lounge, tavern, saloon or cantina, and to any nightclub, discotheque, disco or dancehall located in the ECOD after its conditional use permit expires.

- (2) Any bar, cocktail lounge, tavern, saloon or cantina, and any nightclub, discotheque, disco or dancehall that is issued an ECOD special permit does not require a conditional use permit and is exempted from the minimum distance requirements of Chapter 6 ("Alcoholic Beverages"), section 6-2 and of section 138-118(a)(4) of the McAllen Code of Ordinances.
- (3) A special permittee shall make necessary and reasonable efforts to discourage criminal activity and vandalism, both on the site and on adjacent properties. Such measures may include the provision of adequate and sufficient lighting, the elimination of dark areas, and the hiring of security personnel.

(a). Lighting must be provided at each entrance and exit as well as at the rear of the establishment if adjacent to the alley or on a corner lot.

(b). A special permittee holding a Mixed Beverage Late Hours Permit is required to provide security personnel based on the occupancy count provided by the Chief Building Official. There shall be one security personnel per every 75 patrons plus one supervising security personnel for every five security personnel required. All security personnel must be properly identifiable.

(c). The installation of security cameras will be required at each entrance and exit to the establishment plus one additional camera for every 500 square feet of floor area. Security cameras must have a minimum retention load of 30 recording days. Dummy cameras are prohibited and signs should be posted that the establishment is under video surveillance. At the City's request the special permittee shall assist the municipality in obtaining authorization from the property owner to place additional video cameras on the exterior of the building.

~~(d). Outdoor amplified music is prohibited.~~

~~(e). Establishments selling alcoholic beverages with a Mixed Beverage Late Hours Permit (midnight to 2AM) shall restrict occupancy to 21 and over.~~

- (4) A special permittee shall make necessary and reasonable provisions to keep litter to a minimum, and to keep it from blowing onto or being deposited on adjacent streets and properties.

- (5) A special permit applicant shall submit for approval a plan describing the efforts that will be made and the measures that will be implemented to accomplish the aims of (3) and (4), above. The applicant may amend the proposed plan. If the director of planning is satisfied that the proposed plan, as presented or as amended, reasonably addresses the above aims, it shall be approved, and compliance with the plan shall be made a condition for approval of the special permit.
- (6) A special permittee shall restrict the number of persons within its premises to those allowed by the director of planning at the time of special permit issuance. In determining an establishment's occupancy limit the director of planning shall take into account the recommendations and requirements of the fire marshal and the building official, and such limit shall not exceed the maximum number that may otherwise be provided for in the City Code of Ordinances.
- (7) The director of planning may impose additional requirements or limitations as may be appropriate and reasonable to carry out the purposes of the ECOD and to mitigate any adverse effects that could be generated by the proposed use.
- (8) An ECOD special permittee, no later than 60 days prior to its expiration, may apply for renewal of its special permit. Special permit renewals shall be processed as an original application.
- (9) Any change in ownership of an establishment shall cause the special permit to expire, and require a miscellaneous inspection by the building official. It shall be a condition of a special permit that the permittee notify the director of planning in writing of any change in ownership, and further notify any prospective new owner in writing of the requirement to apply for a special permit in order to qualify for the special treatment of subsection (c) hereof, and for the issuance of residential permits under section 138-335
- ~~(10) The amount of special permits approved for non-restaurant, entertainment use at a given time shall be limited to 35% of the parcels within the ECOD.~~

(Ord. No. 2005-95, § 1, 11-14-05; Ord. No. 2008-30, § 2, 4-28-08)

~~Sec. 138-334. Downtown Retail Overlay District; location.~~

- ~~(a) A "Downtown Retail Overlay District" ("DROD") is hereby established within the City of McAllen to include the Masso Condos Subdivision and that area of the McAllen Addition Subdivision encompassing all of Lots 1 through 5 out of Block 10; Lots 1 through 5 and 8 through 12 out of Block 11; Lots 1 through 10 and 14 through 18 out of Block 12; Lots 1 through 5 and 9 through 18 out of Block 13; Lots 1 through 12 out of Block 21, and Lots 1 through 6 each out of Blocks 23, 26, 39, 42, and 55; also, all of Blocks 14, 19, 20, 22, 27, 28, 29, 30, 35, 36, 37, 38, 43, 44, 45, 46, 51, 52, 53, 54, 59 and 60, as shown in Map B.~~
- ~~(b) The DROD shall be indicated on the zoning map with the base district symbol followed by a slash and the DROD district symbol (i.e., ("R 2/ DROD")).~~

~~(Ord. No. 2005-95, § 1, 11-14-05; Ord. No. 2008-30, § 2, 4-28-08)~~

~~Sec. 138-335. Residential uses permitted in Commercial Overlay Districts.~~

~~Residential uses not otherwise permitted in the base district underlying an overlay district, either as of right or conditionally, shall be allowed upon the issuance of a residential permit by the director of planning, with the following conditions, requirements and limitations:~~

- ~~(1) A residential permit application may be filed with the director of planning only by the property owner, together with an application a fee of \$100.00. A residential permit shall be issued to the property owner for life of the use, conditioned on compliance with all the requirements and limitations hereunder, and will be subject to termination or revocation as provided in this division.~~
- ~~(2) Each residential unit requires its own residential permit.~~
- ~~(3) The off street parking requirements of section 138-336 shall apply.~~
- ~~(4) No residential uses will be allowed on the first floor of a building.~~
- ~~(5) No residential uses will be allowed on any floor above the first when the floor also has a non-residential use. However, property owners or first floor establishment owners residing in a floor above the first floor may also use part of that floor as an office.~~
- ~~(6) Abandonment of a permitted residential use will be cause for revocation of the residential permit. Abandonment shall be presumed whenever any part of the space subject to the residential permit is converted to a non-residential use, except as specifically allowed by the provisions of this division.~~
- ~~(7) A violation of any requirement or limitation shall be cause for revocation of the residential permit by the director of planning.~~
- ~~(8) Inspections shall be allowed as provided in section 138-337~~
- ~~(9) The denial or revocation of a residential permit may be subject to reconsideration under section 138-337, and may be appealed to the zoning board of adjustments and appeals pursuant to section 138-338~~

~~(Ord. No. 2005-95, § 1, 11-14-05; Ord. No. 2008-30, § 2, 4-28-08)~~

Sec. 138-336. - Off-street parking requirements.

~~Retail establishments in the DR0D, Special permittees in the ECOD, and residential permittees~~ that do not comply with the city's off-street parking ordinance by providing the required minimum number of parking spaces shall in lieu of such compliance pay the applicable fee appearing in the table that follows. Payment of said fee shall be a condition, respectively, for: (i) the issuance of a building permit or the finaling of a miscellaneous inspection by the building official and (ii) the issuance of a special permit, ~~and (iii) the issuance of a residential permit.~~ However, no additional fee shall be required whenever the same permittee applies to the building official for a building permit or a miscellaneous inspection within one year of being issued a special permit ~~or a residential permit.~~ In all cases the applicable fee shall be based on the square footage of any space for which the building official issues a building permit or conducts a miscellaneous inspection:

Gross Square Footage	Fee
Less than 2,500 sq. ft.	\$1,000.00
2,501—5,000 sq. ft.	\$1,500.00

5,001—10,000 sq. ft.	\$2,000.00
10,001—15,000 sq. ft.	\$2,500.00
15,001—20,000 sq. ft.	\$3,000.00
Over 20,000 sq. ft.	\$3,500.00

All such fees shall be deposited into the Downtown ~~Services Parking~~ Development Fund established by the city for the exclusive purpose of alleviating the parking needs and improvements of the Heart of the City.

(Ord. No. 2005-95, § 1, 11-14-05; Ord. No. 2006-47, § 1, 5-8-06)

Sec. 138-337. - Enforcement; notice of revocation; reconsideration.

- (a) The provisions of this division shall be administered and enforced by the director of planning, and there shall be the right to enter upon any premises at any reasonable time for the purpose of making inspection of buildings or premises necessary to carry out the duties in the enforcement of this division.
- (b) Whenever there is reason to believe that any permittee is in violation of any permit condition, requirement or limitation, a notice of violation shall be issued to the permittee, addressed to the last known address as reflected in the department's files or the city's tax records, advising that on the basis of the violation being alleged the permit shall be revoked as of the tenth calendar day following the date on the said notice.

~~(c) A Texas Alcoholic Beverage Commission (TABC) violation will result in suspension of the active special permit. A second violation for the same offense within the same fiscal year will result in a revoked special permit:~~

<u>Regulated by TABC</u>	<u>Proposed Suspension Penalty</u>
<u>Age Verification/Checking IDs</u>	<u>3 days or period of TABC suspension, whichever greater</u>
<u>Underage Drinking</u>	<u>1 week or period of TABC suspension, whichever greater</u>
<u>Public Safety - Minors</u>	<u>2 weeks or period of TABC suspension, whichever greater</u>
<u>Public Safety - Intoxicated Persons</u>	<u>1 week or period of TABC suspension, whichever greater</u>
<u>Public Safety - Drugs</u>	<u>3 weeks or period of TABC suspension, whichever greater</u>
<u>Public Safety - Breaches of Peace (fighting)</u>	<u>1 week or period of TABC suspension, whichever greater</u>
<u>Public Safety - Sales or Consumption of Alcoholic Beverages During Prohibited Hours</u>	<u>2 weeks or period of TABC suspension, whichever greater</u>

<u>Source Investigation (drinks served before major accident or DWI)</u>	<u>2 weeks or period of TABC suspension, whichever greater</u>
<u>Human Trafficking</u>	<u>4 weeks or period of TABC suspension, whichever greater</u>
<u>Responsible Alcohol Service Sale to Minor</u>	<u>1 week or period of TABC suspension, whichever greater</u>
<u>Responsible Alcohol Service Sale to Intoxicated Person</u>	<u>2 weeks or period of TABC suspension, whichever greater</u>
<u>Responsible Alcohol Service Civil Liability</u>	<u>1 week or period of TABC suspension, whichever greater</u>

(c) A permittee whose permit is being revoked may, by the tenth day after the date on the notice and not thereafter, submit anything to the director of planning for reconsideration of the revocation. The director of planning may agree to meet with the permittee to discuss such reconsideration. In the event of such submission or meeting the revocation will not be effective until the tenth day following the director of planning's written determination on the reconsideration. In the event the director of planning fails to respond to a request for reconsideration within ten days of submission, a denial of such request shall be presumed and considered a final action.

(Ord. No. 2005-95, § 1, 11-14-05)

Sec. 138-338. - Appeals.

Any permit applicant whose application is denied, any permittee whose permit is terminated or revoked, and any such person who is aggrieved by any decision of the director of planning may, within ten days of such final action and not thereafter, appeal in writing to the zoning board of adjustments and appeals pursuant to section 138-43, setting forth that such action is in error, in whole or in part, and specifying the grounds of such error.

(Ord. No. 2005-95, § 1, 11-14-05; Ord. No. 2008-30, § 2, 4-28-08)

Sec. 138-339. - Penalty for violations.

Any person violating any provision of this division shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount as prescribed in section 1-14. Each day that such violation continues shall be a separate offense. Prosecution or conviction under this section shall never be a bar to any other remedy or relief for violations of this article.

(Ord. No. 2005-95, § 1, 11-14-05)

Sec. 138-340. - Board of commissioners to consider chapter 380 agreements.

The board of commissioners may enter into chapter 380 economic development agreements with enterprises locating in the Heart of the City provided that:

- (1) The enterprise shall locate within the central business district;
- (2) The enterprise shall first apply with the Heart of the City of McAllen Redevelopment Corporation, Inc. and receives its positive recommendation;
- (3) The commissioners find that entering into a 380 agreement will serve the long-term economic interests of the city and promote the development purposes and goals of the Heart of the City.

(Ord. No. 2007-72, § 1, 9-10-07)

Secs. 138-341—138-345. - Reserved.

**SECTION II:** This ordinance shall become effective immediately upon its passage and execution in accordance with the law;

**SECTION III:** The City Secretary of the City of McAllen is hereby authorized and directed to cause the contents of Section I hereof to be added in the appropriate location in the Code of Ordinances of the City of McAllen.

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

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

**CONSIDERED, PASSED, and APPROVED** this \_\_\_\_ day of May 2016 at the regular meeting of the Board of Commissioners of the City of McAllen, Texas at which quorum was present and which was held in accordance to Chapter 551 of the Texas Government Code.

**SIGNED** this \_\_\_\_ day May, 2016.

CITY OF MCALLEN

\_\_\_\_\_  
By: James E. Darling, Mayor

ATTEST:

By: \_\_\_\_\_  
Perla Laura, City Secretary

Approved as to form:

By: \_\_\_\_\_  
Kevin Pagan, City Attorney

**Memo**

**TO:** Planning & Zoning Commission

**FROM:** Planning Staff

**DATE:** April 27, 2016

**SUBJECT: 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)**

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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, 6) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 7) 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 northeast corner of Maple Avenue and Bicentennial Avenue. The lot has 50 feet of frontage along Maple Avenue and a depth of 150 feet for a tract size of 7,500 square feet.

**PROPOSAL:** The applicant is requesting R-2 (duplex-fourplex residential) District in order to construct a triplex. A feasibility plan has not been submitted to the Planning Department for a triplex.

**ADJACENT ZONING:** Adjacent zoning is 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.

**LAND USE:** The tract comprises one lot that is vacant. Surrounding land uses are single family residences, Department of Public Safety offices and Bicentennial Hike and Bike Trail.

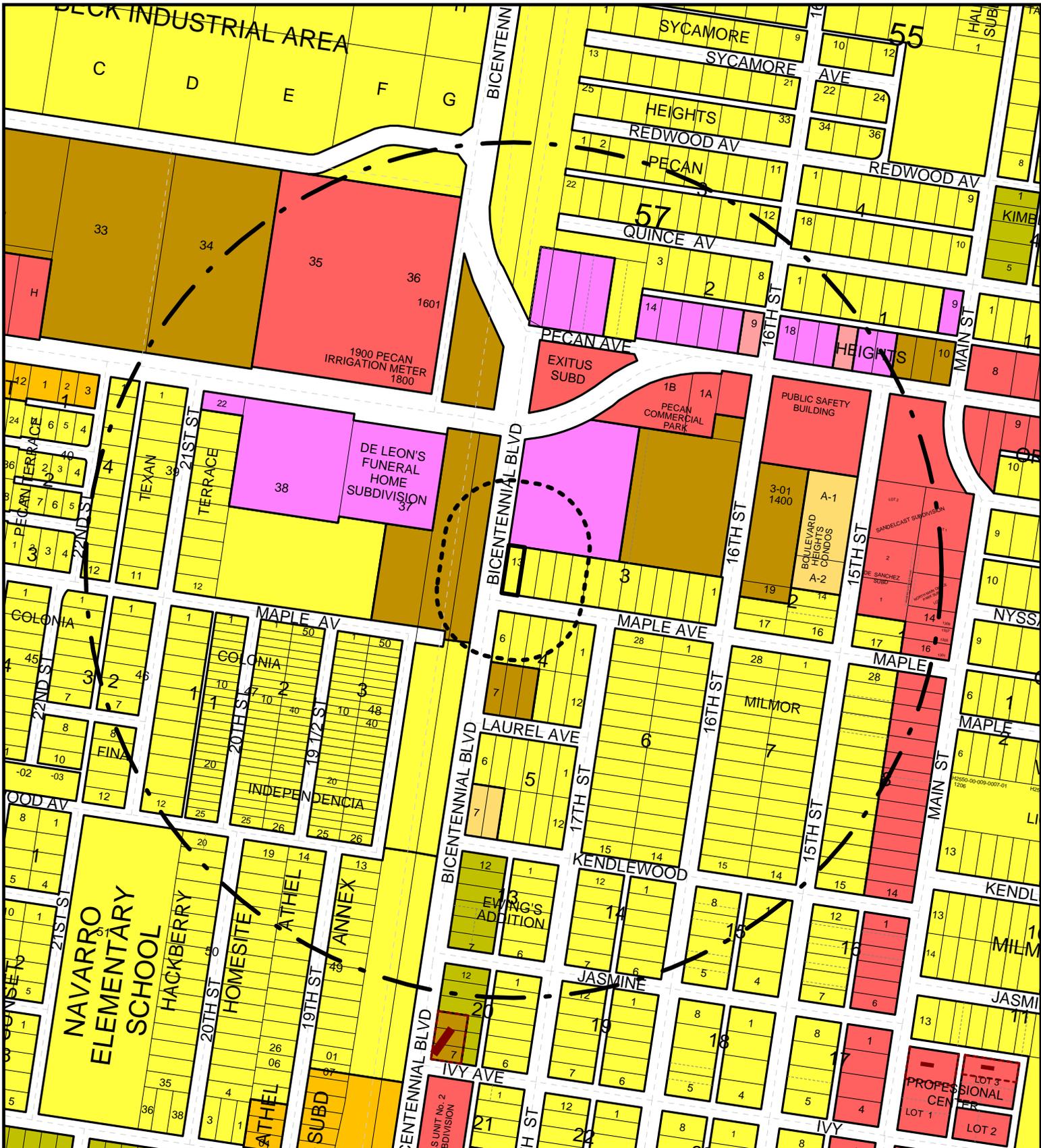
**COMPREHENSIVE PLAN:** The Foresight McAllen Comprehensive Plan designates the future land use as Auto Urban Residential.

**DEVELOPMENT TRENDS:** The development trend for single family properties adjacent to Bicentennial Boulevard is 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 is not designated as a commercial corridor.

**ANALYSIS:** 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 is consistent with duplex-fourplex residential and multifamily residential development trends along the east side of Bicentennial Boulevard. The requested zoning is adjacent to Bicentennial Boulevard which is designated as a high-speed arterial and is 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 is 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 is required prior to issuance of any building permits.

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

**AREA MAP**



**SUBJECT PROPERTY** [Red outline symbol]

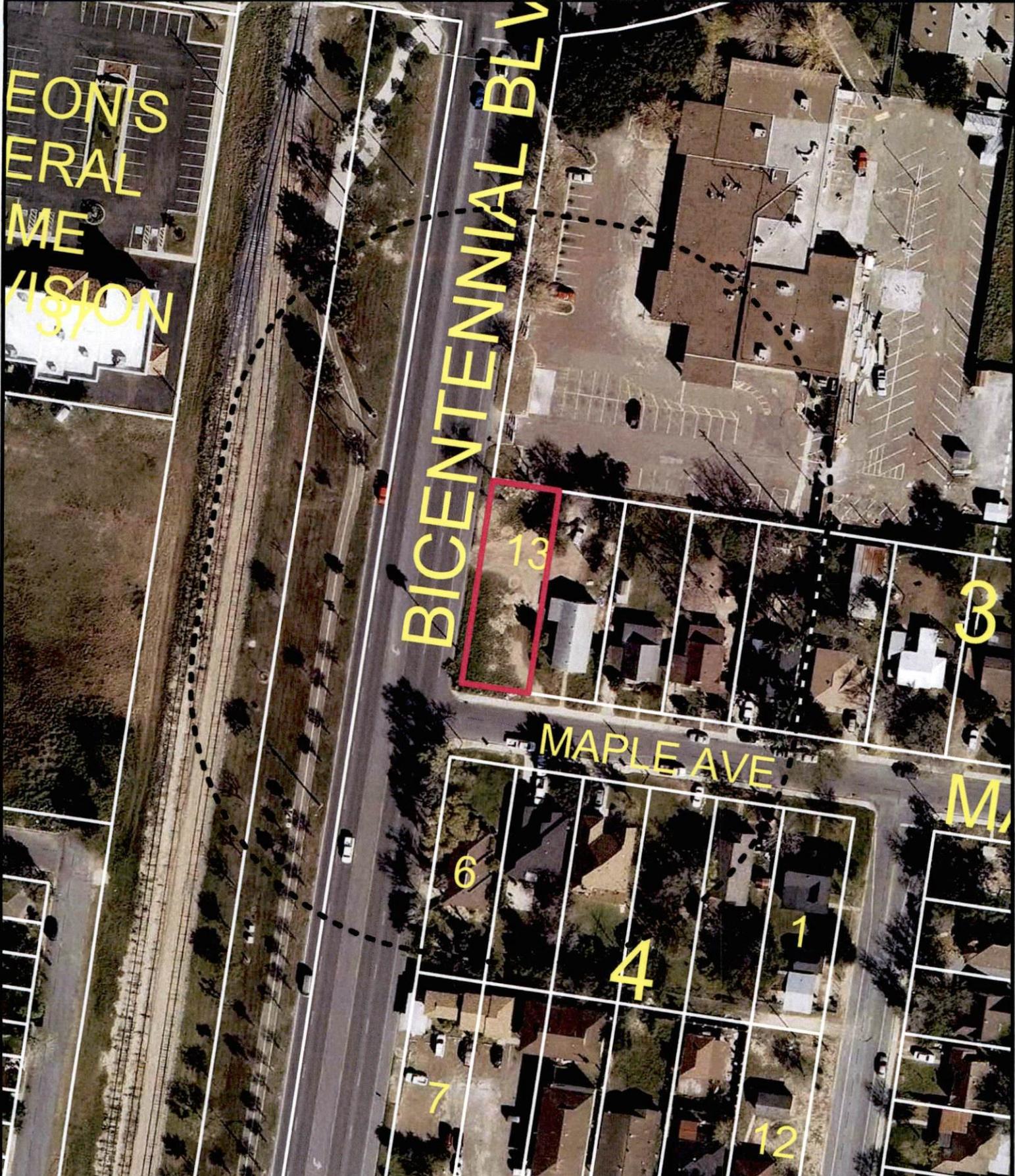
**200 FT. NOTIFICATION BOUNDARY** [Dashed line symbol]

**1/4 MILE RADIUS** [Dashed circle symbol]

**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-3T</b> (TOWNHOUSES)	<b>C-2</b> (NEIGHBORHOOD COMMERCIAL)	<b>C-4</b> (COMMERCIAL INDUSTRIAL)	<b>[Dashed box]</b> (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.



EON'S  
ERAL  
ME  
VISION

BICENTENNIAL BLVD

MAPLE AVE



**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:** April 27, 2016

**SUBJECT: REQUEST OF VINCENT G. HUEBINGER, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PERSONAL WIRELESS SERVICE FACILITY AT THE 0.98 ACRES COMING OUT OF WEST 200 FEET OF THE SOUTH 213.50 FEET OF BLOCK 1, WHITEWING ADDITION UNIT NO. 1 SUBDIVISION; 2330 LA VISTA 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.

**DESCRIPTION:**

The property is 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 is zoned C-3 (general business) District. The adjacent zoning is A-O District in all directions. Surrounding land uses include single family residences and vacant land. A personal wireless service facility is permitted in a C-3 zone with a conditional use permit.

**REQUEST/ANALYSIS:**

The applicant is 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 will 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;

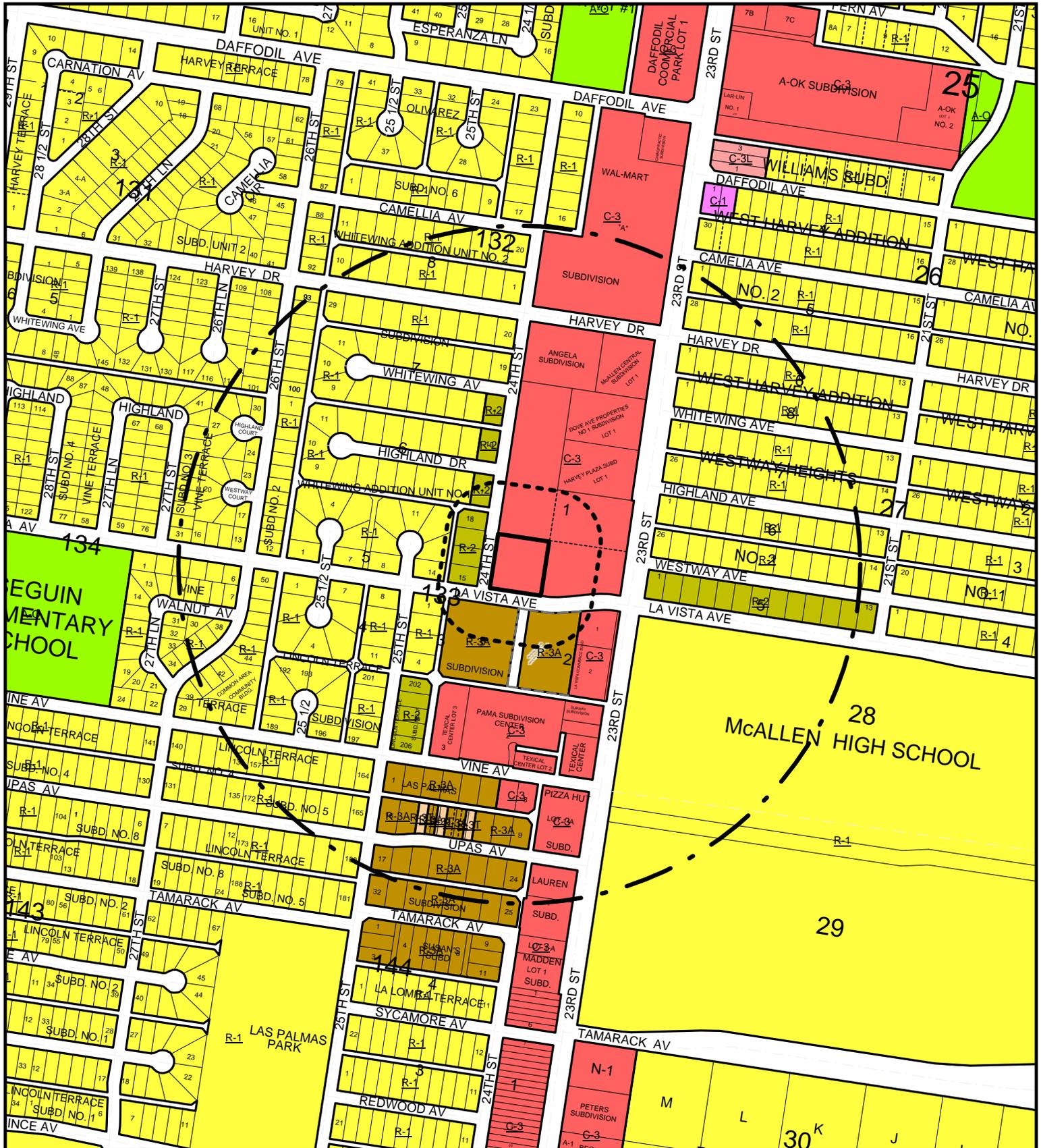
- 2) Maximum height of pole or tower structure of 80 ft. within commercial zones or within 200 ft. of an existing residential structure. Proposing to install an 80 feet tall stealth monopole;
- 3) Maximum height of pole or tower structure of 120 ft. within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever is greater shall be utilized;
- 4) One broadcast pole structure allowed per lot within commercial or industrial zone. There is 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 is 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 is 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 is 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 is 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 are 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 will 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 is 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 has 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 is 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 is 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.

**RECOMMENDATION:**

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

SUBJECT PROPERTY	200 FT. NOTIFICATION BOUNDARY	1/4 MILE RADIUS	
<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)
			(SPECIAL DISTRICT)

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

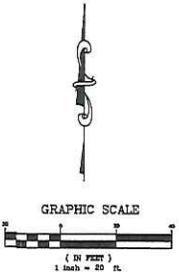
**AERIAL MAP**  
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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**LESSEE'S LEASE AREA**  
Being a 0.06 (2,500 square feet) parcel situated in the A. Gularbes survey, A-34, Hidalgo County, Texas, out of a total 0.08 acre tract conveyed to Bar-Cha Construction Services, LLC by Warranty Deed recorded under Clerk's File No. 2013-2409011 of the Official Public Records of Hidalgo County, Texas, said 0.06 acre parcel more particularly described by metes and bounds as follows with all bearings based on Texas State Plane Coordinate System, South Zone, North American Datum 1983:

COMMENCING, at a 1/2-inch iron rod found in the east right-of-way line of North 24th Street (eased 50 feet wide) for the northeast corner of said 0.06 acre tract;

THENCE, South 08°35'08" West, 10.00 feet along the east right-of-way line of said North 24th Street, and the west line of said 0.06 acre tract to a point;

THENCE, describing the east right-of-way line of said North 24th Street, and the west line of said 0.06 acre tract, South 81°23'02" East, 132.89 feet to a 5/8-inch iron rod set with cap (easement 1433 Town & Country) for the northeast corner and POINT OF BEGINNING, of the herein described parcel;

THENCE, South 81°23'02" East, 50.00 feet to a 5/8-inch iron rod set with cap (easement 1433 Town & Country) for the southeast corner of the herein described parcel;

THENCE, South 08°27'06" West, 50.00 feet to a 5/8-inch iron rod set with cap (easement 1433 Town & Country) for the southwest corner of the herein described parcel;

THENCE, North 81°23'02" West, 50.00 feet to a 5/8-inch iron rod set with cap (easement 1433 Town & Country) for the northwest corner of the herein described parcel;

THENCE, North 08°28'56" East, 50.00 feet to the POINT OF BEGINNING, CONTAINING 0.02 acre (2,500 square feet) of land in Hidalgo County, Texas.

**LESSEE'S ACCESS & UTILITY EASEMENT**  
Being a 0.06 (2,419 square feet) parcel situated in the A. Gularbes survey, A-34, Hidalgo County, Texas, out of a total 0.08 acre tract conveyed to Bar-Cha Construction Services, LLC by Warranty Deed recorded under Clerk's File No. 2013-2409011 of the Official Public Records of Hidalgo County, Texas, said 0.06 acre parcel more particularly described by metes and bounds as follows with all bearings based on Texas State Plane Coordinate System, South Zone, North American Datum 1983:

COMMENCING, at a 1/2-inch iron rod found in the east right-of-way line of North 24th Street (eased 50 feet wide) for the northeast corner of said 0.06 acre tract;

THENCE, South 08°35'08" West, 10.00 feet along the east right-of-way line of said North 24th Street, and the west line of said 0.06 acre tract to a point for the northeast corner and POINT OF BEGINNING, of the herein described parcel;

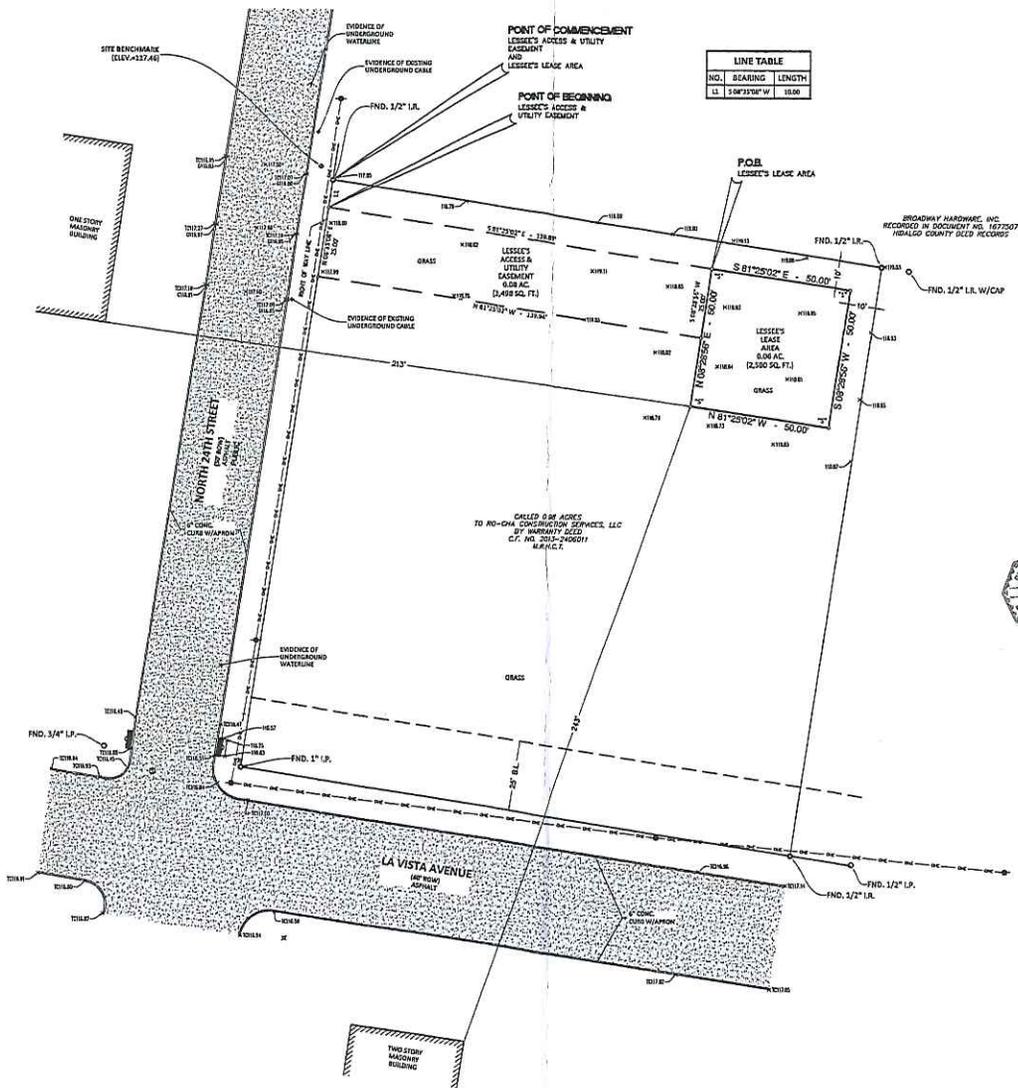
THENCE, describing the east right-of-way line of said North 24th Street, South 81°23'02" East, 132.89 feet to a 5/8-inch iron rod set with cap (easement 1433 Town & Country) for the northeast corner of the herein described parcel;

THENCE, South 81°23'02" East, 25.00 feet along the west line of said proposed lower lease area to a point for the southeast corner of the herein described parcel;

THENCE, describing the west line of said proposed lower lease area, North 81°23'02" West, 132.89 feet to a point in the east right-of-way line of said North 24th Street, and the west line of said 0.06 acre tract, for the southwest corner of the herein described parcel;

THENCE, North 08°28'56" East, 50.00 feet along the east right-of-way line of said North 24th Street, and the west line of said 0.06 acre tract to the POINT OF BEGINNING, CONTAINING 0.02 acre (2,419 square feet) of land in Hidalgo County, Texas.

**SITE BENCHMARK**  
SET 800 NAIL, EL. 117.46 (CGO 102)  
ELEVATIONS AS MEASURED WITH TRIMBLE RS UN500  
AREA VHS NETWORK.



**LEGEND / ABBREVIATIONS**

- ELECTRIC PIPER
- STORM SEWER
- SAN SEWER
- TELEPHONE
- PROPERTY MARKER
- UNDERGROUND CABLE

I hereby certify to RECORD  
That this survey was performed under my supervision and to the Best of my Professional Land Surveying standards for a Category 1B, Class 1 survey.  
*David J. Strauss*  
David J. Strauss  
Registered Professional Land Surveyor #4833  
September 4, 2015

**LEASE SURVEY OF 0.0574 ACRE OUT OF 0.98 ACRE**  
BLOCK 1  
WHITELING ADDITION UNIT NO. 1, VOL 17, PG. 2, M.R.H.C.T. HIDALGO COUNTY, TEXAS

**FLOOD NOTE**  
These elevations were prepared based on precise land records abstractors certificate dated August 28, 2015.  
ELEVATIONS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM NORTH ZONE, NAD 83.

**PROJECT INFORMATION**  
SITE NAME: BLDG-02  
OWNER NAME: PRO-DIA CONSTRUCTION SERVICES, LLC (AAH PROMISED)  
SITE ADDRESS: 2400 N. 24TH STREET, McALLEN, TEXAS 78307  
LATITUDE: 28°52'45.18" N  
LONGITUDE: 98°13'28.18" W

1. ELEVATIONS BASED ON GEOID 10 LEGAL AREA VHS NETWORK
2. THIS SURVEY WAS PREPARED BASED ON PRECISE LAND RECORDS ABSTRACTORS CERTIFICATE DATED AUGUST 28, 2015.
3. BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM NORTH ZONE, NAD 83.
4. THE EAST RIGHT OF WAY LINE OF NORTH 24TH STREET (EASED) IS CONTIGUOUS WITH THE WEST LINE OF THE PARCEL TRACT (0.08 ACRES), AND THE WEST LINE OF THE PROPOSED ACCESS & UTILITY EASEMENT.
5. RIGHT OF WAY TO CONTINENTAL APPLICABLE PER VOLUME 126, PAGE 200 APPLICABLE TO THE WEST LINE OF THE PARCEL TRACT AS SHOWN.
6. EASEMENT TO THE CITY OF McALLEN PER VOLUME 1076, PAGE 800 APPLICABLE AND SHALL BE FOR THE RIGHT OF WAY FOR NORTH 24TH STREET AND LA VISTA AVENUE.
7. EASEMENT TO THE CITY OF McALLEN PER VOLUME 1082, PAGE 376 APPLICABLE AND APPLICABLE TO THE RIGHT OF WAY FOR NORTH 24TH STREET AND LA VISTA AVENUE.
8. EASEMENT SET BACK ALONG SOUTH PROPERTY LINE OF PARCEL TRACT PER VOLUME 16, PAGE 40 APPLICABLE TO THE SOUTH LINE OF THE PARCEL TRACT AS SHOWN.
9. EASEMENT SET BACK ALONG THE SOUTH PROPERTY LINE OF PARCEL TRACT PER VOLUME 16, PAGE 2 APPLICABLE TO THE SOUTH LINE OF THE PARCEL TRACT AS SHOWN.



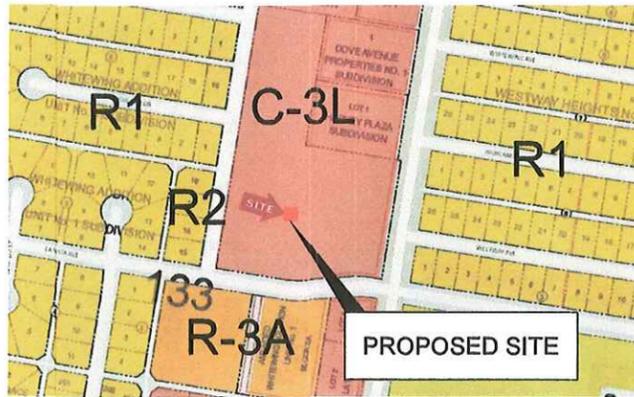
**RECEIVED**  
APR 05 2015  
*David J. Strauss*

**TOWN & COUNTRY SURVEYORS, LLC**  
2500 W. NORTH FERRYWAY, SUITE 100  
THE WOODLANDS, TX 77380  
PAX (281)465-1701



DATE	BY
12/28/2014	DAVID J. STRAUSS

**ZONING MAP**



**ZONING DISTRICT LEGEND**

- "C-3L" - Light Commercial District
- "C-2" - Neighborhood Commercial
- "R-1" - Single Family Residential
- "R-2" - Duplex-Fourplex Residential
- "R-3A" - Apartments

**CONDITIONAL USE PERMIT**

**SITE INFORMATION**

JURISDICTION: CITY OF McALLEN, TEXAS 78501  
 HIDALGO COUNTY  
 Latitude 26°13'41.93"N, Longitude - 98°14'33.72"W  
 OCCUPANCY: N/A (UNMANNED)  
 USE: TELECOMMUNICATIONS FACILITY  
 ZONING FILE NO.:

**PROJECT TYPE**

80' STEALTH MONOPOLE TOWER

**DATE**

MARCH 22, 2016

**SITE NAME:**

BULLDOG /VERIZON  
 - SITE LOCATED IN 'C-3L' ZONING  
 (STEALTH MONOPOLE)  
 -SITE MEETS 200' SETBACK  
 FROM ALL RESIDENTIAL USES  
 -LANDSCAPE SCREENING ON  
 RESIDENTIAL FACING SIDES ONLY

**CONTACT INFORMATION**

VINCENT GERARD & ASSOCIATES  
 1715 S. CAPITAL OF TEXAS HWY  
 SUITE 207  
 AUSTIN, TEXAS 78746  
 PHONE: (512) 328-2693

**OWNER INFORMATION**

RO-CHA CONSTRUCTION SERVICES  
 814 RIO GRANDE DRIVE  
 MISSION, TEXAS 78572

**CONSULTANTS**

VINCENT GERARD & ASSOCIATES  
 1715 S. CAPITAL OF TEXAS HWY  
 SUITE 207  
 AUSTIN, TEXAS 78746  
 PHONE: (512) 328-2693

VINCE HUEBINGER

**SITE ADDRESS**

2450 NORTH 24TH STREET  
 McALLEN, TX., 78501

VINCE HUEBINGER

**CARRIER INFORMATION**

VERIZON WIRELESS  
 KANDI VONGSOMBATH  
 MNG., REAL ESTATE & REGULATORY  
 7 VILLAGE CIRCLE STE. 400  
 WESTLAKE TX 78262  
 PHONE: (817) 961-2596  
 EMAIL: viengxai.vangsombath@vzw.com

**LEGAL DESCRIPTION**

WHITEWING #1  
 W200' - S213.50' BLK1

ADVERTISING IS PROHIBITED ANYWHERE ON A WTF, WITH THE EXCEPTION OF THE  
 MINIMUM SIGNAGE AS REQUIRED BY THE FEDERAL COMMUNICATIONS COMMISSION  
 (FCC) REGULATIONS OR NECESSARY FOR THE OPERATIONS OF A WTF.

AN IDENTIFICATION SIGN FOR EACH SERVICE PROVIDER RESPONSIBLE FOR THE  
 OPERATION AND MAINTENANCE OF A WTF AT THE SITE, NOT LARGER THAN TWO  
 SQUARE FEET, SHALL BE POSTED AT A LOCATION FROM WHICH IT CAN BE EASILY READ  
 FROM OUTSIDE THE PERIMETER OF THE WTF, AND SHALL PROVIDE THE NAME,  
 ADDRESS, AND EMERGENCY NUMBER OF THE RESPONSIBLE SERVICE PROVIDER.

**LOCATION MAP**



PROPOSED SITE

NOT TO SCALE

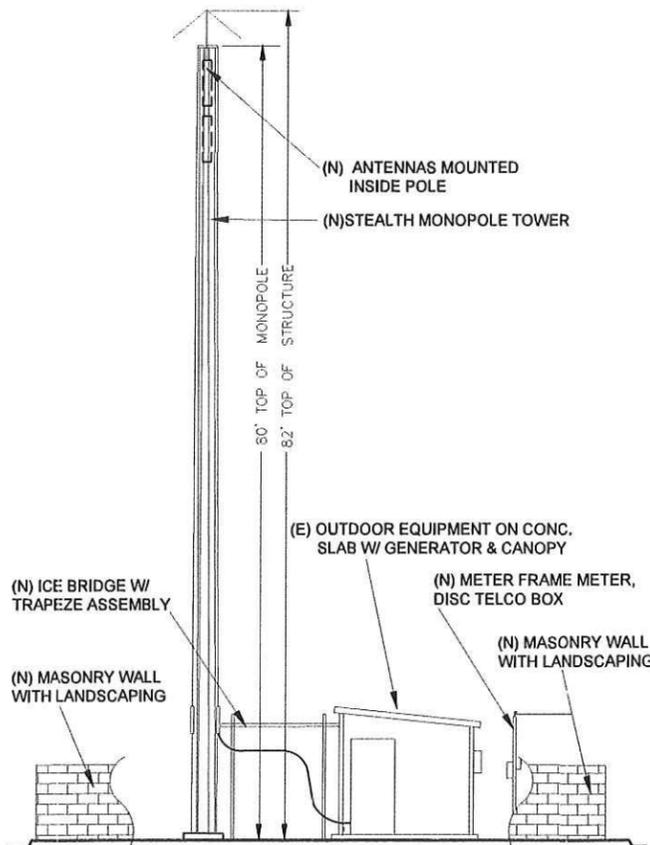
**AERIAL IMAGERY**



PROPOSED SITE

NOT TO SCALE

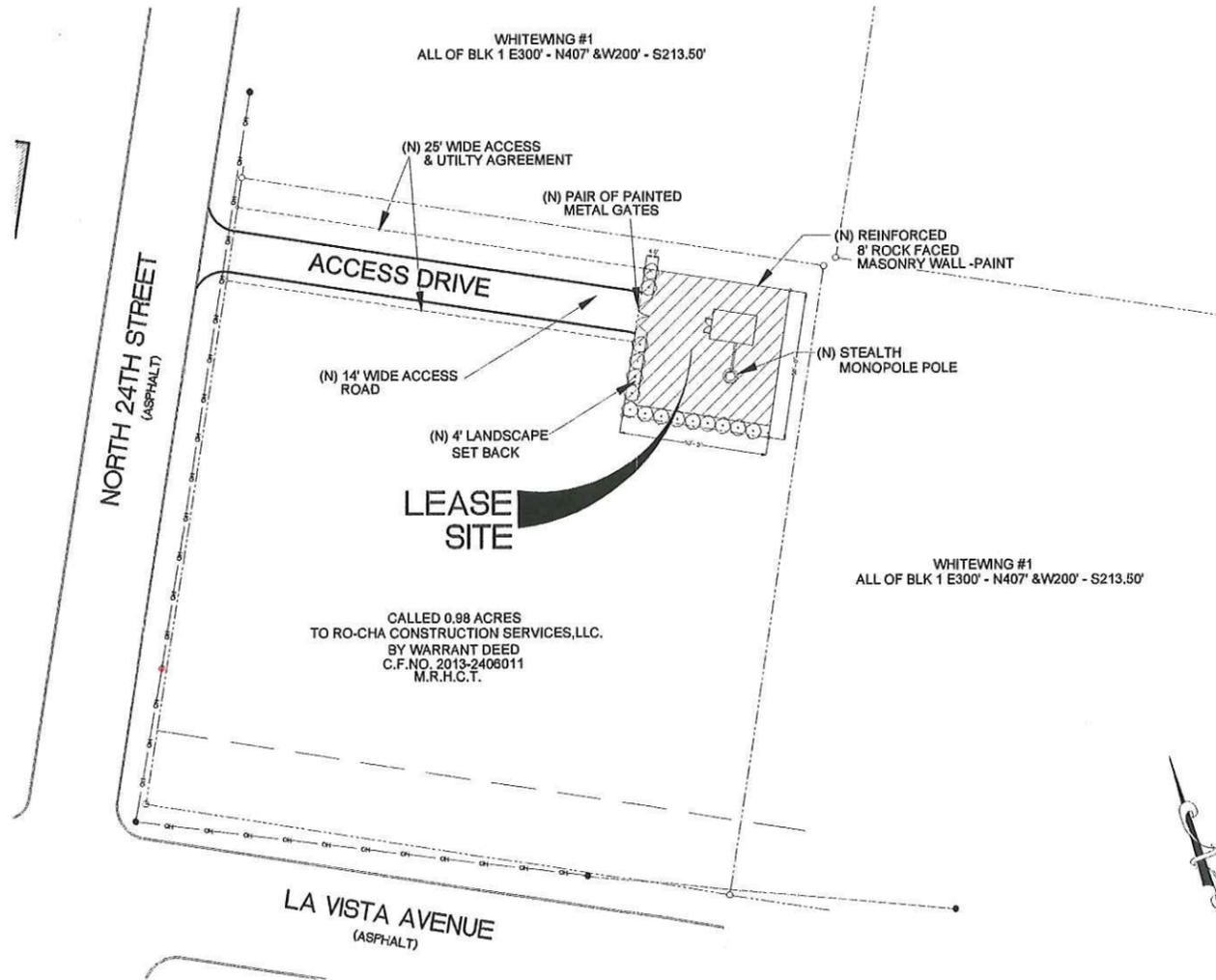
**TOWER - TYPICAL**



SCALE 1"=20'-0"

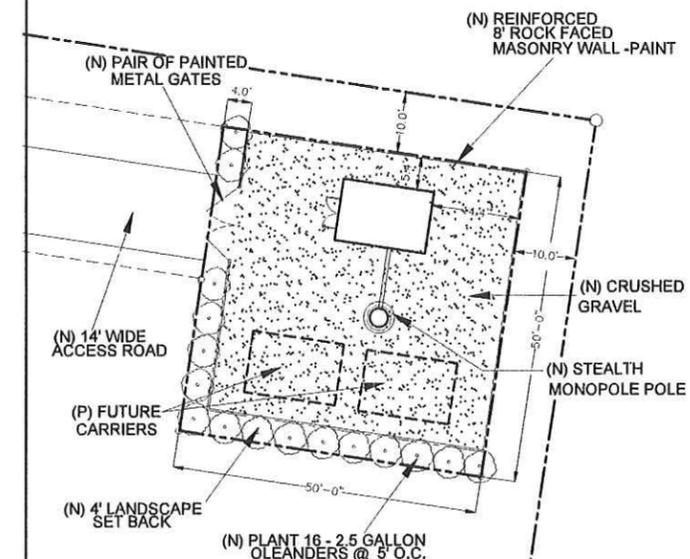
NOTE: TYPICAL LEASE AREA, ACTUAL EQUIPMENT LOCATIONS MAY VARY.

**SITE PLAN**



SCALE 1" = 60'-0"

**DETAIL SITE PLAN**



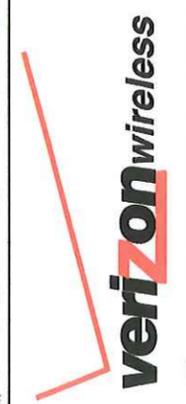
SCALE 1" = 30'-0"

**APPROVAL BOX**

ORIGINAL SUBMITTAL DATE: \_\_\_\_\_

ACCEPTED FOR APPROVAL: \_\_\_\_\_

CITY OF McALLEN, TEXAS



ZONING SITE PLAN  
 BULLDOG  
 VERIZON COMMUNICATIONS  
 2450 NORTH 24TH STREET  
 McALLEN, TEXAS 78501



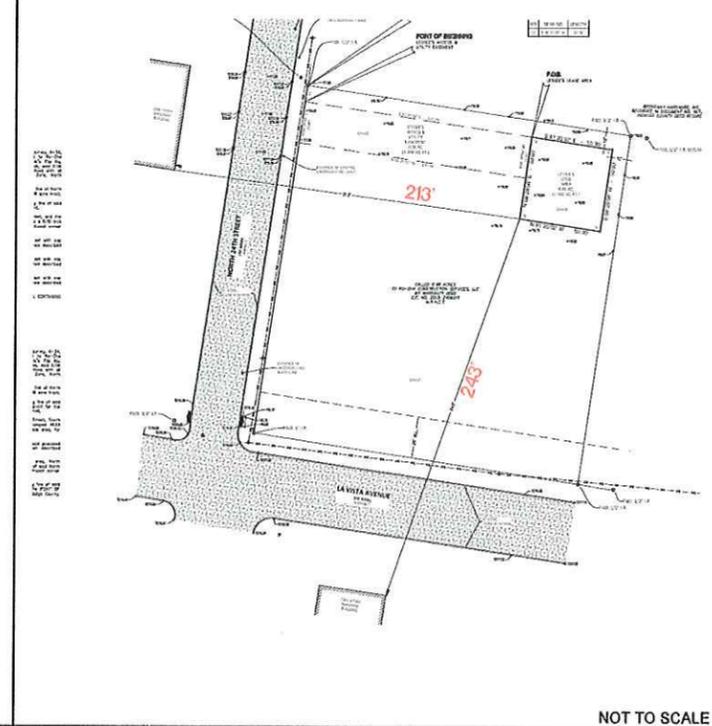
**PARCEL INFORMATION**



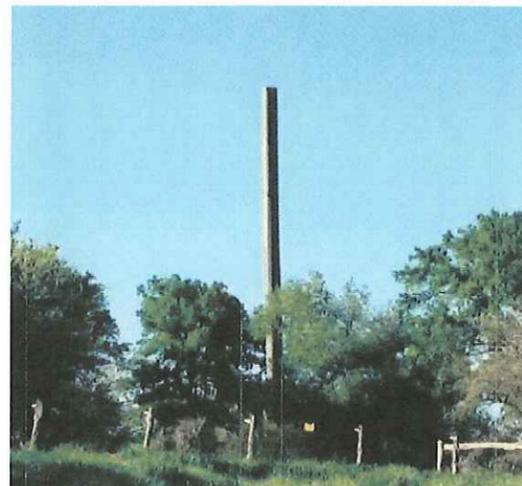
**CONDITIONAL USE PERMIT**



**SURVEY**



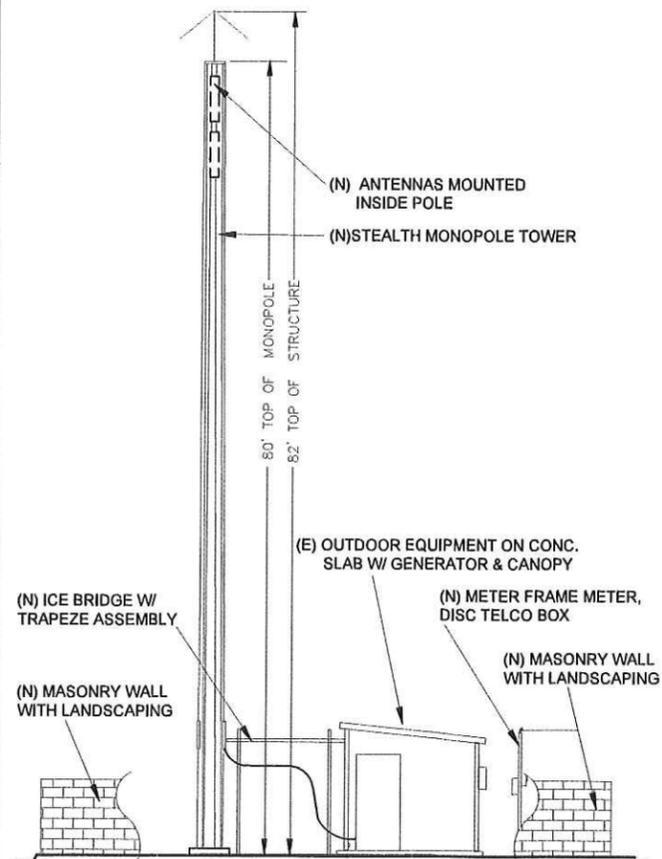
**ZONING SITE PLAN**  
**BULLDOG**  
**VERIZON COMMUNICATIONS**  
**2450 NORTH 24TH STREET**  
**McALLEN, TEXAS 78501**



**STEALTH TOWER OPTION 'B'**



**STEALTH TOWER OPTION 'A'**



NOTE: TYPICAL LEASE AREA, ACTUAL EQUIPMENT LOCATIONS MAY VARY.  
 NOT TO SCALE



**NEAREST EXISTING MONOPOLE - ( 2200' NORTH )**



**VINCENT GERARD & ASSOCIATES**  
 LAND PLANNING & ZONING CONSULTANTS  
 1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207  
 AUSTIN, TEXAS 78746  
 (512)328-2693 • vgerard@flash.net

**NOTICE  
CELL TOWER  
For  
This Property  
CUP2016-0053**

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



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** April 28, 2016

**SUBJECT: 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.**

**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 at the southwest corner of Russell Road and North Rooth Road (North 29<sup>th</sup> Street). The property is zoned A-O (agriculture & open space) District. The adjacent zoning is 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 is permitted in an A-O zone with a conditional use permit and in compliance with requirements.

**REQUEST/ANALYSIS:**

The property is 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 has an existing school that was built prior to the property being annexed into the city. The applicant is 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 will be fenced with gates on the east and west sides. The fire department has inspected the site, they have no problem with fencing and gating the property; however, the fire department connection will 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 is located on the east side. The school will have a separate bus loop for drop off/pick up of the children, which is located on the west side of the property.

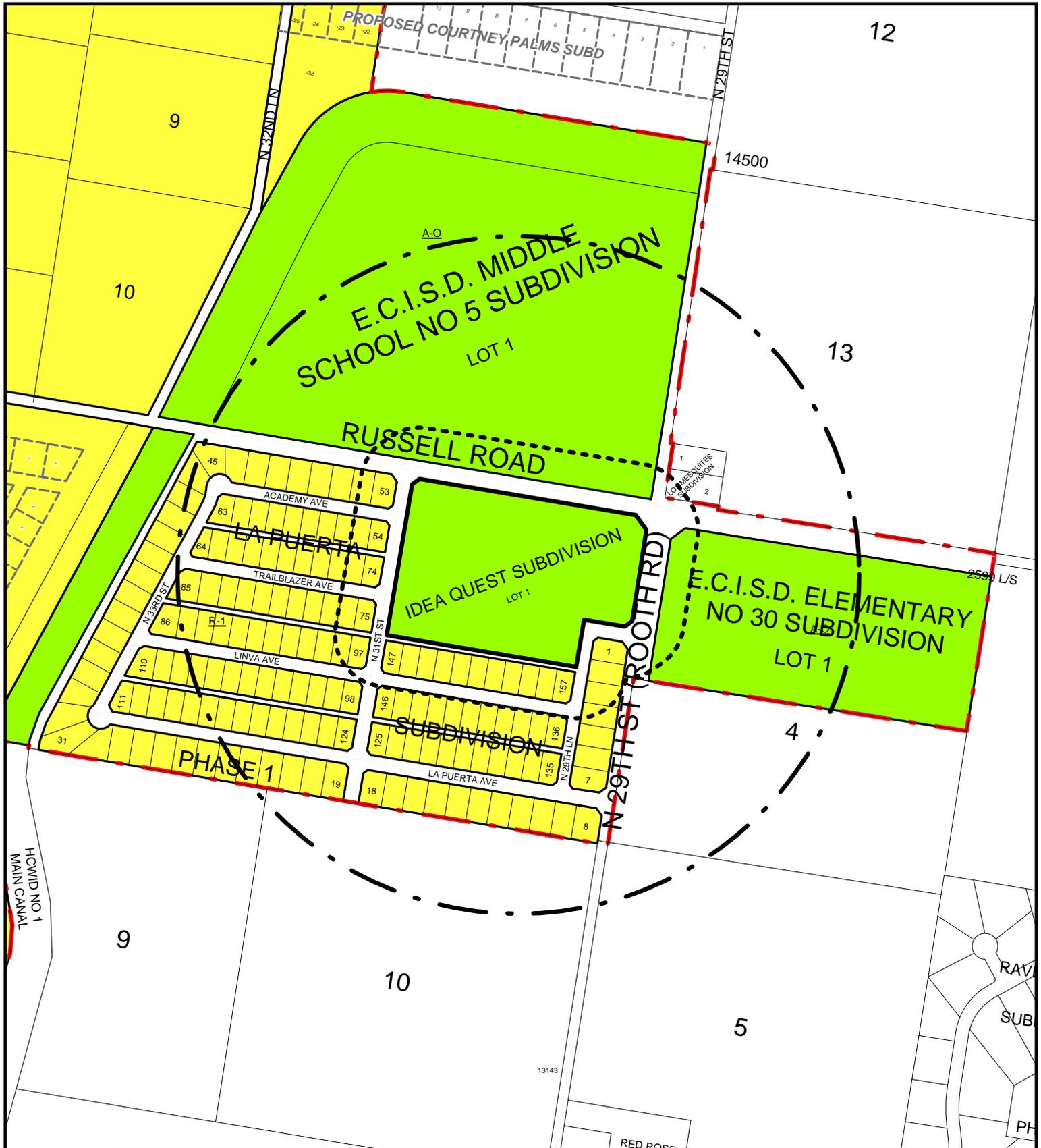
Staff has received a call from a surrounding neighbor with a complaint that the school busses are cutting through the neighborhood streets.

Right-of-way permits will 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 has 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 is 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 is required on the south, west, and 186.00 feet on the southeast sides.

**RECOMMENDATION:**

Staff recommends 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.





**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

**AREA MAP**



**SUBJECT PROPERTY**

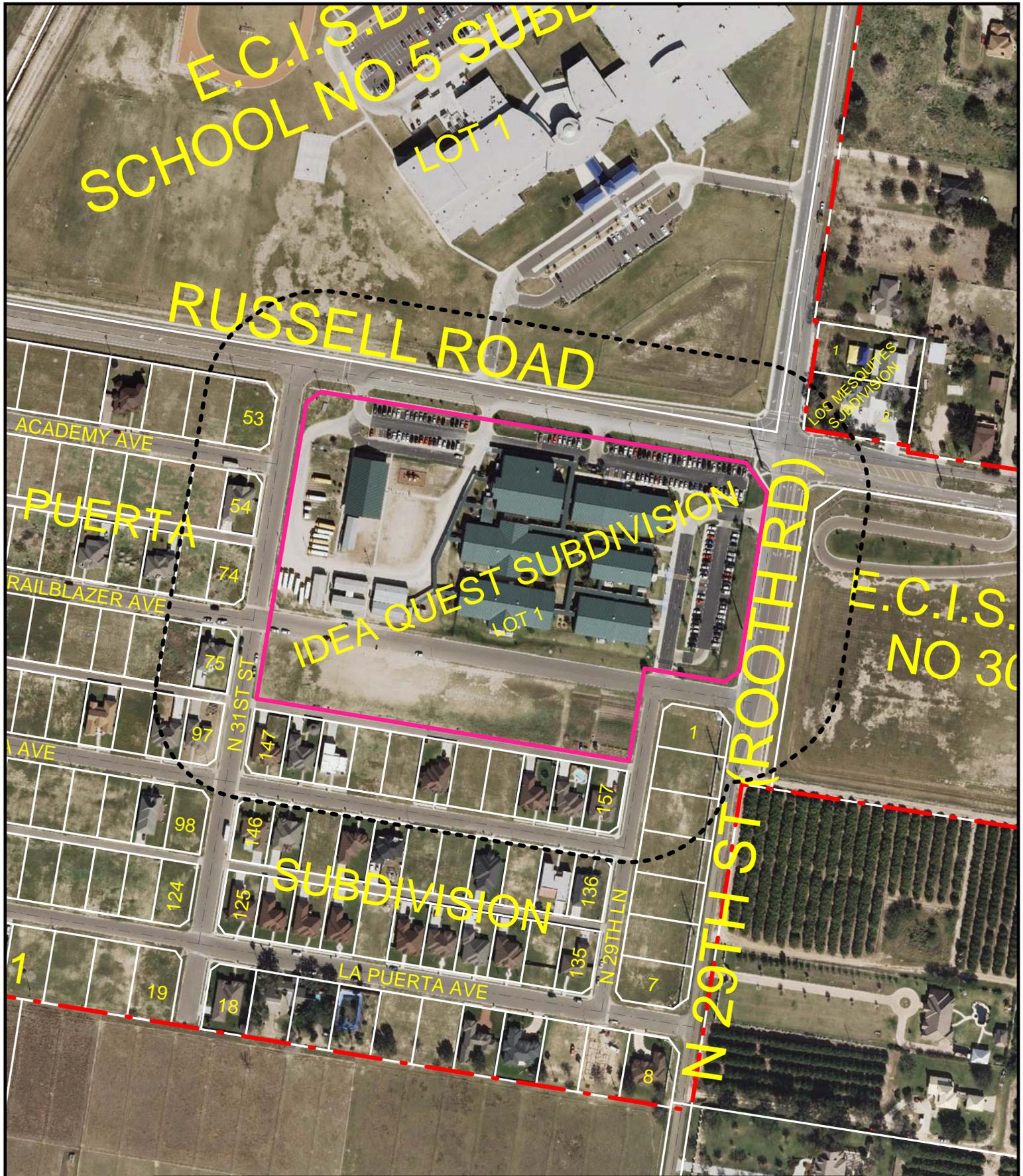
**200 FT. NOTIFICATION BOUNDARY**

**1/4 MILE RADIUS**

**ZONING LEGEND**

A-0 (AGRICULTURAL & OPEN SPACE)	R-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-3I (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)
			I-1 (LIGHT INDUSTRIAL)
			I-2 (HEAVY INDUSTRIAL)
			(SPECIAL DISTRICT)

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

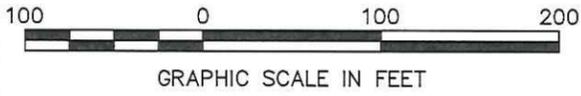
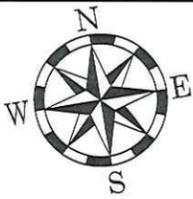
**AERIAL MAP**  
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY

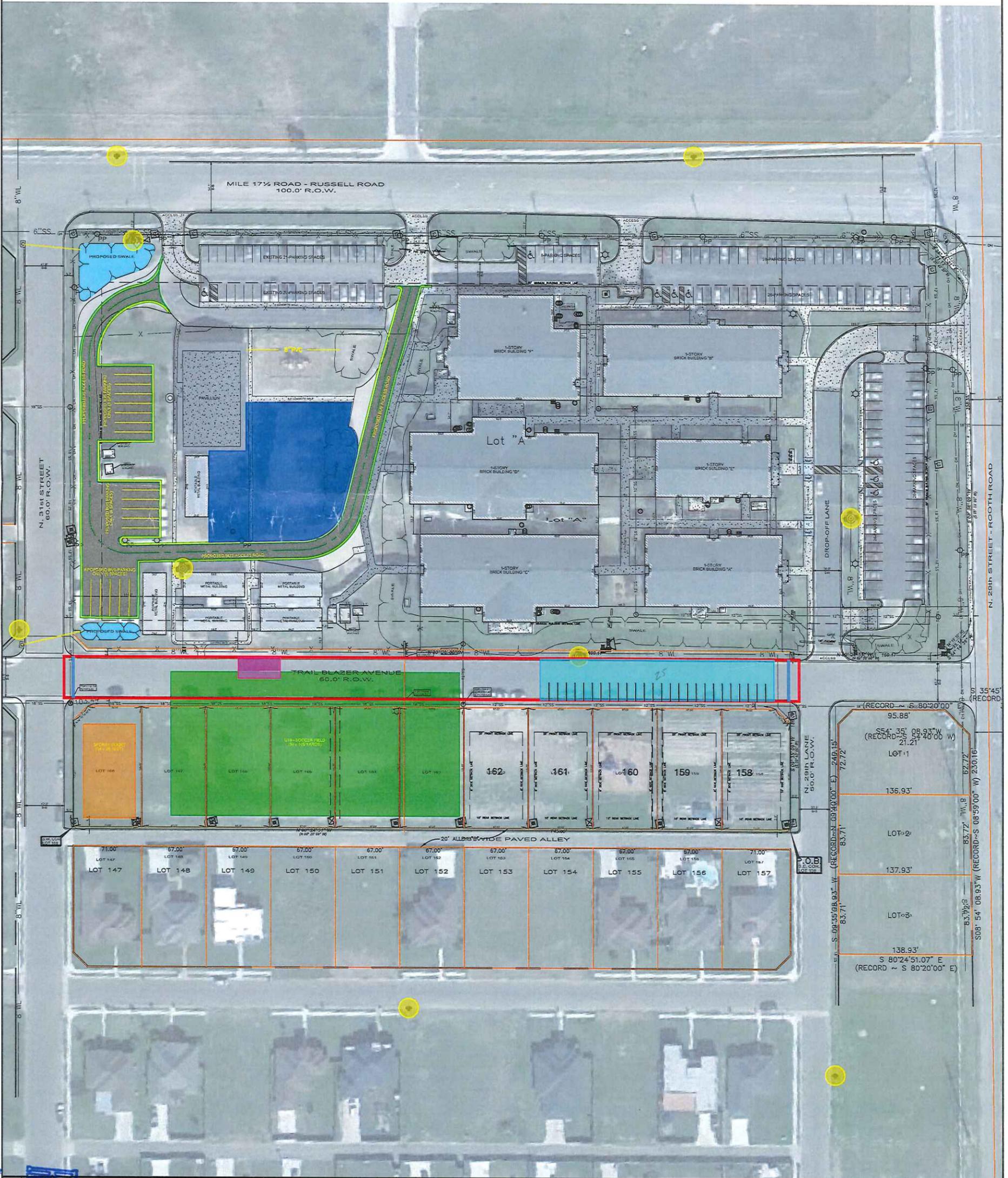


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LEGEND

- EXISTING FIRE HYDRANT
- PROPOSED PARKING STRIPING
- PROPOSED ARTIFICIAL TURF
- PROPOSED FENCE/GATE
- LIMITS OF ROAD BEING CLOSED OFF
- PROPOSED BLEACHERS



RECEIVED  
APR 05 2016  
BY: [Signature]

REV.	APPR.	DESCRIPTION	DATE

**FOR INTERIM REVIEW**  
Not for construction,  
Bidding, or Permit purposes

Drawn By : MAL  
Checked By : PV  
Approved By : PV  
Project No. : 9886  
Scale : AS SHOWN  
Date : 4/2016  
Revision No. :

OFFICE LOCATION :  
789 E. Washington Street  
Brownsville, Texas 78521  
(956)-541-1155



EXHIBIT 1

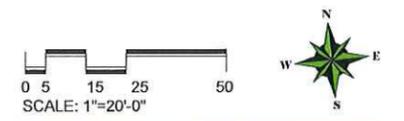
IDEA QACP BUS ACCESS IMPROVEMENTS  
CITY OF McALLEN, TEXAS

Dwg. File:  
  
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Sheet 1 Of 1

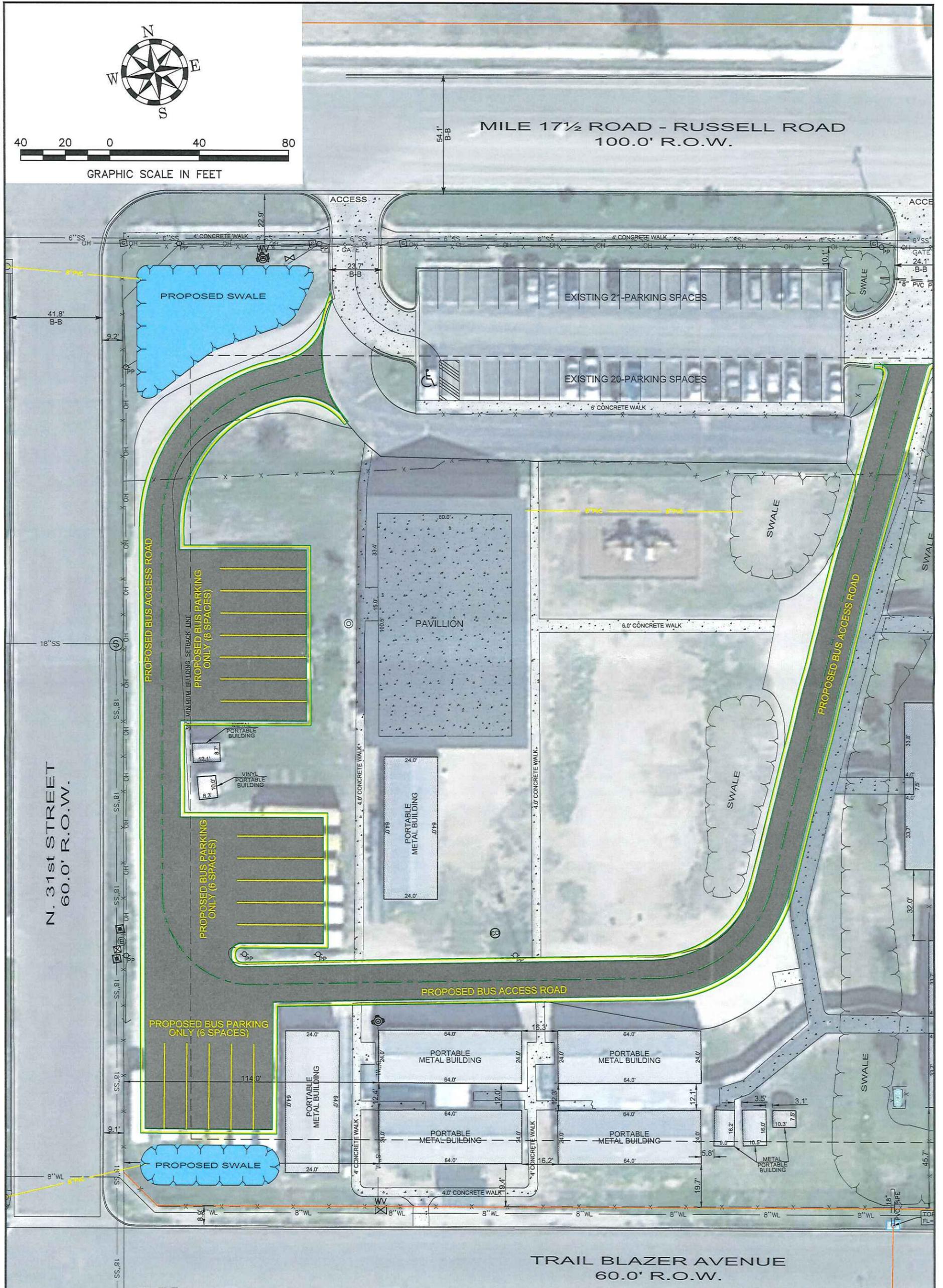


sports field and recreation area master plan

IDEA QUEST  
 Edinburg, Texas  
 March 4, 2016



**SSP Design** 789 East Washington Street  
 Brownsville, Texas 78520  
 Tel (956) 547-9788 Fax (956) 547-9977



REV.	APPR.	DESCRIPTION	DATE

**FOR INTERIM REVIEW**  
 Not for construction,  
 Bidding, or Permit purposes

Name: PAOLINA VEGA  
 Serial No.: 113357  
 Date: 3/2016

Drawn By : MAL  
 Checked By : PV  
 Approved By : PV  
 Project No. : 9666  
 Scale : AS SHOWN  
 Date : 3/2016  
 Revision No. :

OFFICE LOCATION :  
 789 E. Washington Street  
 Brownsville, Texas 78521  
 (956)-541-1155



**EXHIBIT 1**

IDEA QACP BUS ACCESS IMPROVEMENTS  
 CITY OF EDINBURG, TEXAS

Dwg. File:  
**1**  
 Sheet 1 Of 1

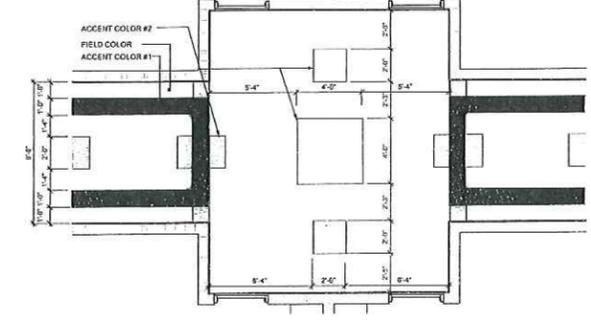
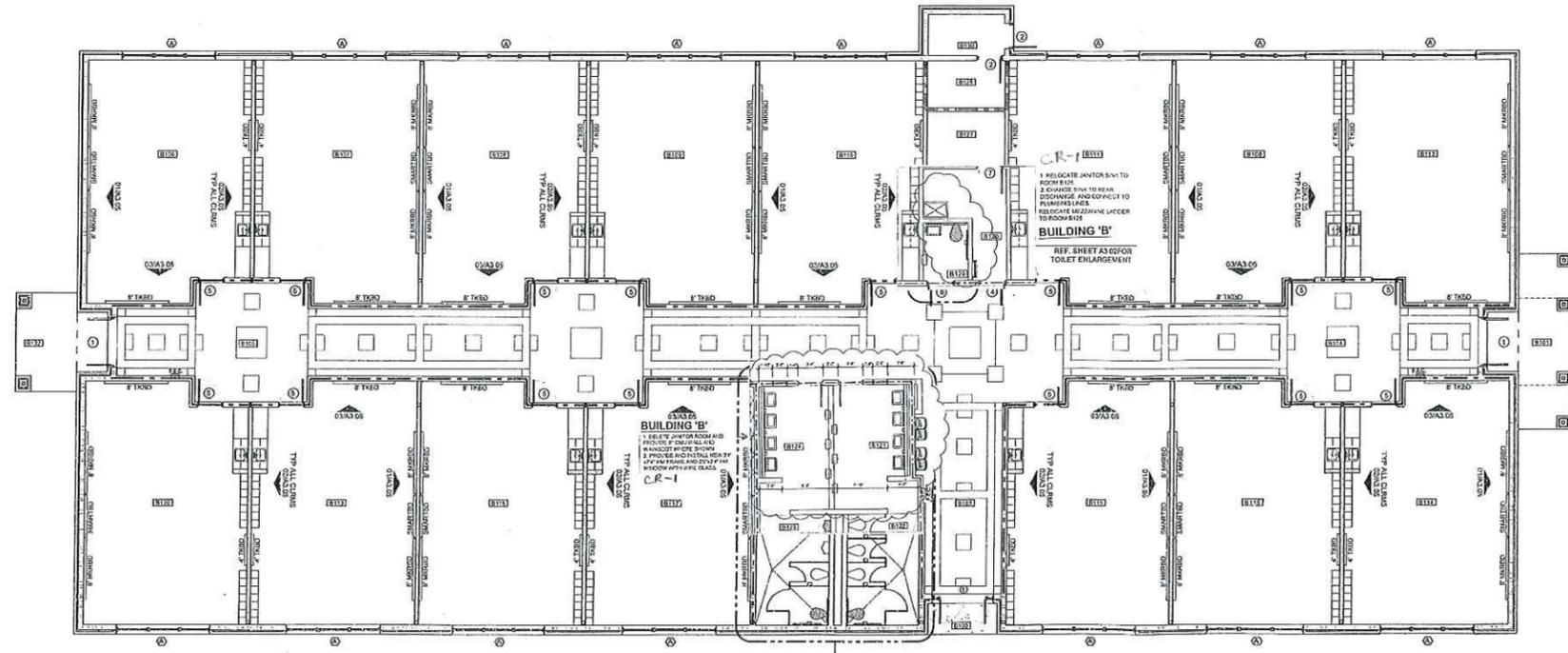
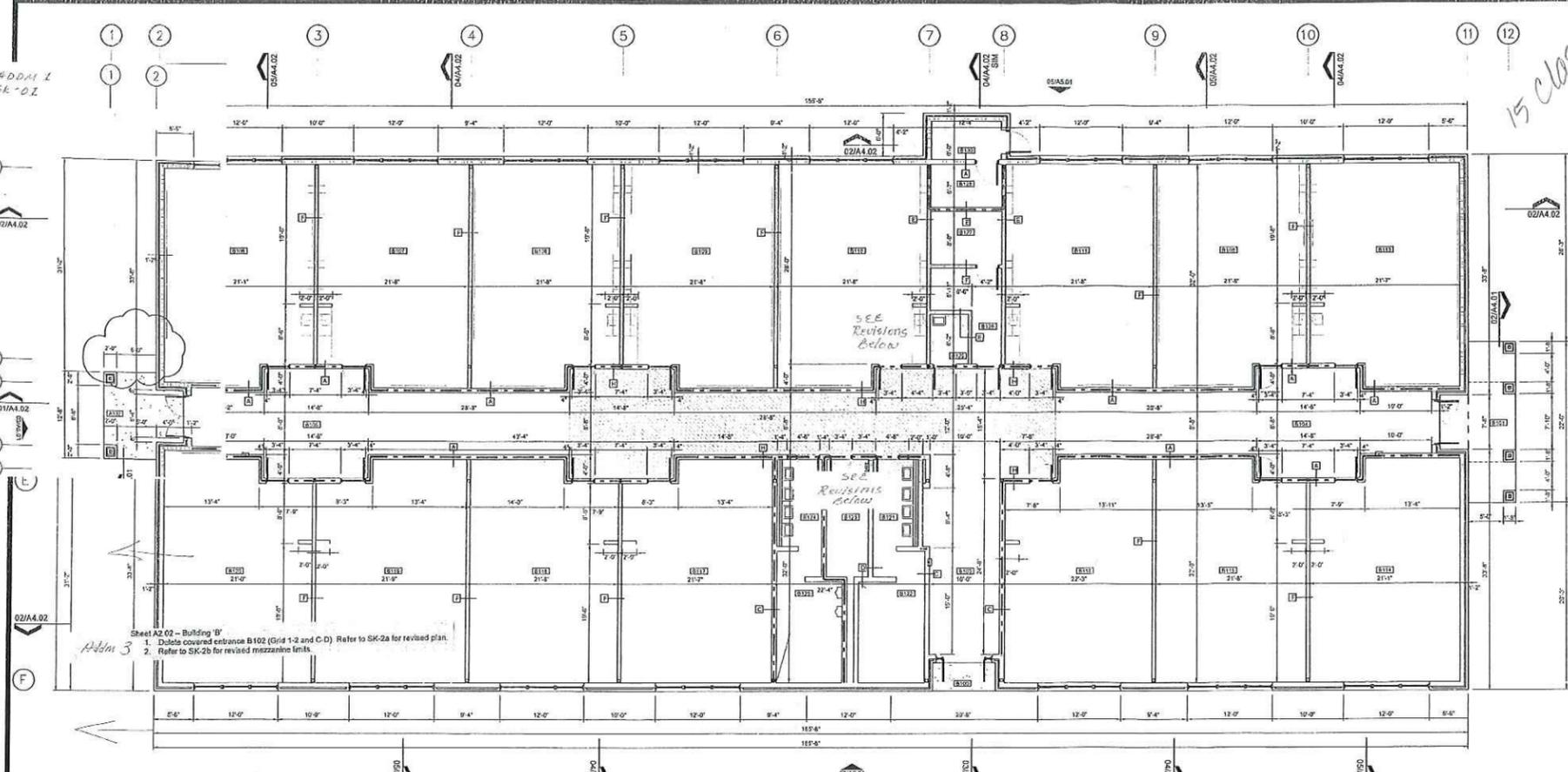


### ROOM FINISH SCHEDULE BLDG. "B"

ROOM NO.	ROOM NAME	BASE	FLOOR	WALLS	CEILING	CLG. HEIGHTS	FINISHES
B100	ENTRY	CONC.	CONC.	CONC.	CONC.	8'-0"	METAL 8'-0"
B101	ENTRY	CONC.	CONC.	CONC.	CONC.	8'-0"	METAL 8'-0"
B102	ENTRY	CONC.	CONC.	CONC.	CONC.	8'-0"	METAL 8'-0"
B103	CORRIDOR	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. II
B104	CORRIDOR	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. II
B105	CORRIDOR	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. II
B106	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B107	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B108	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B109	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B110	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B111	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B112	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B113	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B114	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B115	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B116	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B117	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B118	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B119	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B120	CLASSROOM	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B121	GIRLS WASH AREA	C.T.	C.T.	CMU/PTD	CMU/PTD	8'-0"	E-2 CERAMIC TILE VANSCOOT
B122	BOYS TOILET	C.T.	C.T.	CMU/PTD	CMU/PTD	8'-0"	E-2 CERAMIC TILE VANSCOOT
B123	JANITOR	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	E-2 CERAMIC TILE VANSCOOT
B124	BOYS WASH AREA	C.T.	C.T.	CMU/PTD	CMU/PTD	8'-0"	E-2 CERAMIC TILE VANSCOOT
B125	BOYS TOILET	C.T.	C.T.	CMU/PTD	CMU/PTD	8'-0"	E-2 CERAMIC TILE VANSCOOT
B126	STORAGE	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B127	RF	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B128	ELECTRICAL	RUBBER	V.C.T.	CMU/PTD	CMU/PTD	8'-0"	S.A.C. I
B129	STAFF TOILET	C.T.	C.T.	CMU/PTD	CMU/PTD	8'-0"	E-2 CERAMIC TILE VANSCOOT
B130	SPINNAKER RISER	CMU/PTD	CMU/PTD	CMU/PTD	CMU/PTD	8'-0"	CMU/PTD

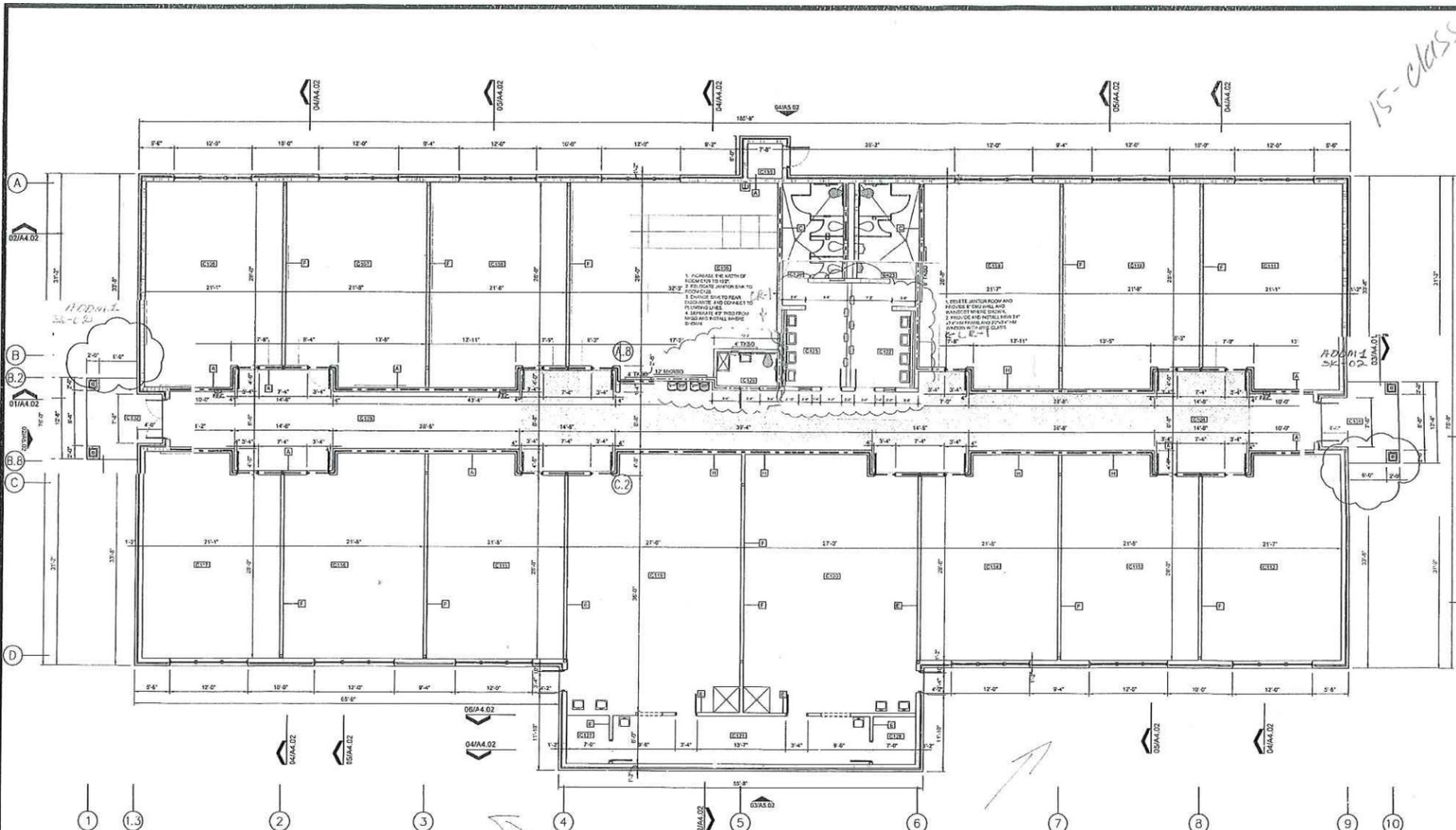
- ### LEGEND
- CMU CONCRETE MASONRY UNIT PAINTED
  - CONC. CONCRETE
  - RUBBER RUBBER BASE
  - V.C.T. VINYL COMPOSITION TILE
  - PTD PAINTED
  - CHR CARPET
  - C.T. CERAMIC TILE
  - PREPARED METAL SOFFIT
  - GYP GYPSUM BOARD PAINTED
  - QUARRY TILE
  - FRONT THERAZO
  - S.A.C. I SUSPENDED ACOUSTICAL CEILING EQUAL TO ARMSSTRONG FISHER 1518' EXPOSED TEE GRID
  - S.A.C. II SUSPENDED ACOUSTICAL CEILING EQUAL TO ARMSSTRONG FISHER 1518' WITH PRELUXE XL WITH FIRE GUARD 918' EXPOSED TEE GRID
  - S.A.C. III SUSPENDED ACOUSTICAL CEILING EQUAL TO ARMSSTRONG FISHER 1518' PERFORATED NO. 807 WITH PRELUXE 1518' EXPOSED TEE GRID
  - S.A.C. IV SUSPENDED ACOUSTICAL CEILING EQUAL TO ARMSSTRONG CLEAN ROOM MYLAR VL NON-PERFORATED NO. 803 WITH PRELUXE XL FIRE GUARD 1518' EXPOSED TEE GRID

- ### GENERAL NOTES
- REFERENCE SHEET A3.02A.10 FOR TYPICAL INTERIOR WALL SECTIONS NOTED ON THIS PLAN BY THE FOLLOWING DESIGNATION: [A]
  - PROVIDE BALL-BEARING CORNERS AT ALL INTERIOR CORNER CONDITIONS INCLUDING ALL DOOR AND WINDOW JAMBS. TYPICAL DEPT FIRST COURSE AT WALL BASE.
  - ALL INTERIORS PROVIDED 1" SOLID CMU PILING AT ALL INTERIOR COLUMN CONDITIONS REFER TO SHEET A3.07 FOR TYPICAL DETAILS.
  - PROVIDE PRE-MANUFACTURED CONCRETE SPLASH BLOCKS ANCHORED TO BUILDING SLAB AT EACH ROOF DOWNSPOUT NOZZLE.
  - TYPICAL CORRIDOR WALLS TO BE EXTENDED TO UNDERSIDE OF ROOF DECK UNLESS NOTED OTHERWISE - ALL CORRIDOR WALLS TO BE 1-HOUR RATED PROVIDE ALL REQUIRED FIRE PROOFING.
  - REFERENCE STRUCTURAL DRAWINGS FOR FLOOR EXPANSION JOINT LOCATIONS NOT SHOWN ON ARCHITECTURAL FLOOR PLANS.
  - PROVIDE MASONRY CONTROL JOINTS AT ALL STRUCTURAL STEEL COLUMN CONDITIONS UNLESS NOTED OR NOT.
  - PROVIDE TRANSITION STRIPS AT ALL DISMILAR FLOOR CONDITIONS.
  - [Symbol] INDICATES THAT THIS WALL SHALL BE ONE HOUR FIRE RATED AND SHALL BE EXTENDED TO UNDERSIDE OF ROOF DECK.
  - REFERENCE SHEET A3.02 FOR TOILET PLAN ENLARGEMENTS.
  - [Symbol] INDICATES THE EXTENTS OF THE MECHANICAL MEZZANINE ABOVE.
- Sheet A2.02, Refer to SK-01 for West Entry Dimensions. ADDM 1



# BUILDING 'B'

A2.02



ROOM FINISH SCHEDULE BLDG. "C"									
ROOM	ROOM USE	BASE	FLOOR	WALLS	CEILING	DOOR	GLASS	FINISH	REMARKS
C101	ENTRY	CONC.	CONC.	BRICK	BRICK	BRICK	PAVELS	8'-0"	
C102	ENTRY	CONC.	CONC.	BRICK	BRICK	BRICK	PAVELS	8'-0"	
C103	CORRIDOR	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. II	WALLS	
C104	CORRIDOR	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. II	WALLS	
C105	COMPUTER LAB	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C106	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C107	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C108	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C109	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C110	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C111	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C112	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C113	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C114	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C115	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C116	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C117	CLASSROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C118	SCIENCE LAB	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C119	SCIENCE LAB	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C120	SCIENCE LAB	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C121	PLUM ROOM	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C122	BOYS WASH AREA	C.T.	C.T.	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	8'-0" CERAMIC TILE WAINSCOT
C123	BOYS TOILET	C.T.	C.T.	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	8'-0" CERAMIC TILE WAINSCOT
C124	JEANETTE	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C125	GIRLS WASH AREA	C.T.	C.T.	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	8'-0" CERAMIC TILE WAINSCOT
C126	GIRLS TOILET	C.T.	C.T.	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	8'-0" CERAMIC TILE WAINSCOT
C127	ELECTRICAL	C.T.	C.T.	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C128	BP	RUBBER V.C.T.	CALPTD	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	
C129	STAIR YARD	C.T.	C.T.	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	8'-0" CERAMIC TILE WAINSCOT
C130	STAIRWELL RISER	C.T.	C.T.	CALPTD	CALPTD	CALPTD	SAC. I	8'-0"	

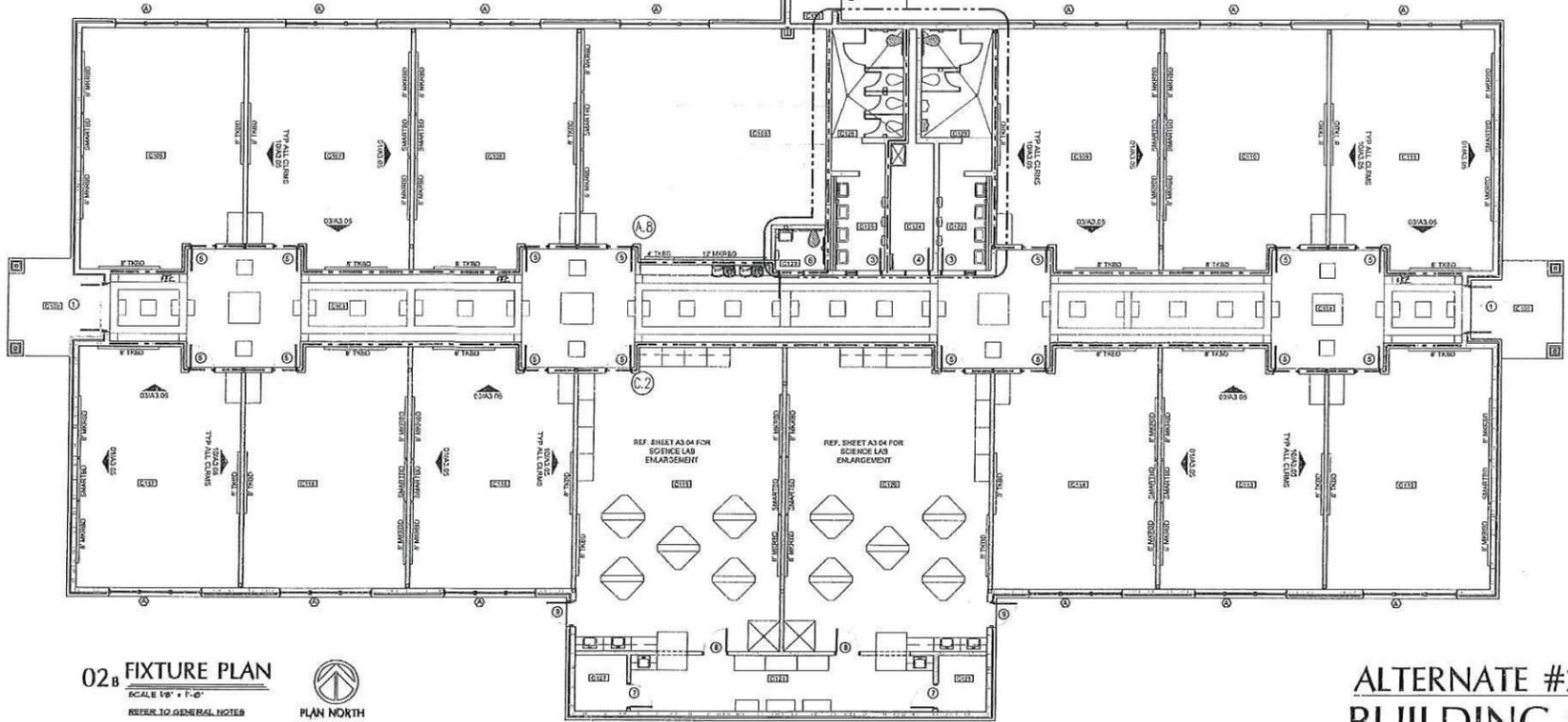
**LEGEND**

CMU	CONCRETE MASONRY UNIT	C.T.	CERAMIC TILE	SAC. I	SUSPENDED ACoustICAL CEILING EQUAL TO ARMSTRONG FISSURED FIRE GUARD No 1831 WITH PRELUDE XL FIRE GUARD 15'10" EXPOSED TIE GRID
CONC	CONCRETE	OP	OPPOSITE METAL ROOFING	SAC. II	SUSPENDED ACoustICAL CEILING EQUAL TO ARMSTRONG FISSURED FIRE GUARD No 1831 WITH PRELUDE XL WITH FIRE GUARD 15'10" EXPOSED TIE GRID
RUBBER	RUBBER BASE	QT	QUARRY TILE	SAC. III	SUSPENDED ACoustICAL CEILING EQUAL TO ARMSTRONG FISSURED CERAMAGUARD PERFORATED No 607 WITH PRELUDE 15'10" EXPOSED TIE GRID
V.C.T.	VINYL COMPOSITION TILE	EPoxy	EPoxy TERRAZZO	SAC. IV	SUSPENDED ACoustICAL CEILING EQUAL TO ARMSTRONG CLEAR ROOM MFLAM VL NON-PERFORATED No 608 WITH PRELUDE XL FIRE GUARD 15'10" EXPOSED TIE GRID
PTD	PAINTED				
GR	CARPET				

- GENERAL NOTES**
- REFERENCE SHEET A2.03 FOR TYPICAL INTERIOR WALL FINISHES NOTED ON THIS PLAN BY THE FOLLOWING DESIGNATION: [Symbol]
  - PROVIDE BULLNOSE CORNERS AT ALL INTERIOR CORNER CONDITIONS INCLUDING ALL DOOR AND WINDOW JAMBS TYPICAL EXCEPT FIRST COURSE AT WALL BASE
  - AS A MINIMUM PROVIDE 4" SOLID CMU FILLING AT ALL INTERIOR COLUMN CONDITIONS REFER TO SHEET A3.01 FOR TYPICAL DETAILS
  - PROVIDE PRE-MANUFACTURED CONCRETE SPLASH BLOCKS ANCHORED TO BUILDING SLAB AT EACH ROOF DOWNSCOUT NOZZLE
  - TYPICAL CORRIDOR WALLS TO BE EXTENDED TO UNDERSIDE OF ROOF DECK UNLESS NOTED OTHERWISE - ALL CORRIDOR WALLS TO BE 1-HOUR RATED PROVIDE ALL REQUIRED FIREPROOFING
  - REFERENCE STRUCTURAL DRAWINGS FOR FLOOR DIAPHRAGM JOINT LOCATIONS NOT SHOWN ON ARCHITECTURAL FLOOR PLANS
  - PROVIDE MASONRY CONTROL JOINTS AT ALL STRUCTURAL STEEL COLUMN CONDITIONS UNLESS NOTED OR NOT
  - PROVIDE TRANSITION STRIPS AT ALL DISSIMILAR FLOOR CONDITIONS
  - INDICATES THAT THIS WALL SHALL BE ONE-HOUR FIRE RATED AND SHALL BE EXTENDED TO UNDERSIDE OF ROOF DECK
  - REFERENCE SHEET A3.02 FOR TOILET PLAN ENLARGEMENTS
  - [Symbol] INDICATES THE EXTENTS OF THE MECHANICAL MEZZANINE ABOVE
- Sheet A2.03; Refer to SK-02 for East and West Entry Dimensions. ADD 1

**01 FLOOR PLAN**  
SCALE 1/8" = 1'-0"  
REFER TO GENERAL NOTES  
PLAN NORTH

Sheet A2.03 - Building 'C'  
1. Delete covered entrance C102 (Grid 1-1.3 and B.2-B.8). Refer to SK-3a for revised plan.  
2. Delete covered entrance C103 (Grid 9-10 and B.2-B.8). Refer to SK-3a for revised plan.  
3. Refer to SK-3b for revised mezzanine limits.



**02b FIXTURE PLAN**  
SCALE 1/8" = 1'-0"  
REFER TO GENERAL NOTES  
PLAN NORTH

**ALTERNATE #2**  
**BUILDING 'C'**

REVISIONS BY

**GOMEZ MENDEZ SAENZ INC.**  
Architects  
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1100 Parkside Blvd. Suite 300 Dallas, TX 75246 (972) 351-2100 fax (972) 351-0106

IDEA ACADEMY  
**NEW SCHOOL**  
MCCALLEN, TEXAS

IDEA  
EARTH SCHOOL

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Gomez Menendez Saenz Inc.  
Architects-Planners-Interior Designers  
DATE: JUNE 22, 2007  
SCALE: AS NOTED  
DRAWN: Ryan Gomez  
JOB: IDEA MCCALLEN  
SHEET: A2.03

### ROOM FINISH SCHEDULE BLDG. 'F'

ROOM NO.	ROOM NAME	BASE	FLOOR	WALLS	CEILING	DOOR	GLASS	FIXTURES
F100	ENTRANCE	CONC.	CONC.	BRCK	BRCK	BRCK	METAL	P.F.
F101	CLASSROOM	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. I	P.F.
F102	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. II	P.F.
F103	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. III	P.F.
F104	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. IV	P.F.
F105	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. V	P.F.
F106	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. VI	P.F.
F107	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. VII	P.F.
F108	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. VIII	P.F.
F109	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. IX	P.F.
F110	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. X	P.F.
F111	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XI	P.F.
F112	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XII	P.F.
F113	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XIII	P.F.
F114	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XIV	P.F.
F115	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XV	P.F.
F116	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XVI	P.F.
F117	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XVII	P.F.
F118	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XVIII	P.F.
F119	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XIX	P.F.
F120	OFFICE	BRICK	V.C.T.	CMPTD	CMPTD	CMPTD	S.A.C. XX	P.F.

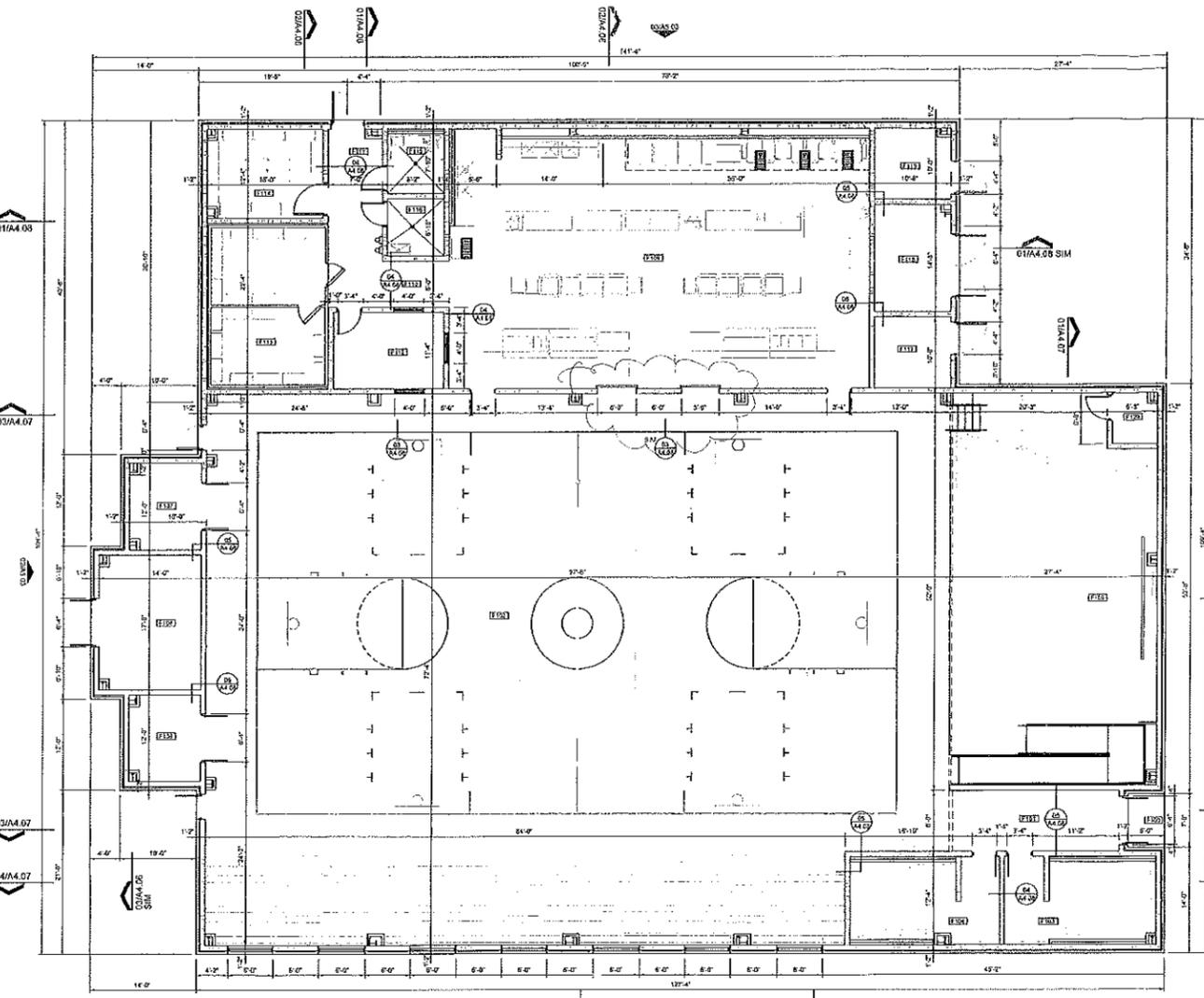
- ### GENERAL NOTES
- REFERENCE SHEET A2.06 FOR TYPICAL INTERIOR WALL SECTIONS NOTED ON THIS PLAN BY THE FOLLOWING DESIGNATION.
  - PROVIDE BUILDUP CONCRETE AT ALL INTERIOR CORNER CONNECTIONS INCLUDING ALL DOOR AND WINDOW JAMBES. TYPICAL EXCEPT FAST COURSE AT WALL BASE.
  - AS A MINIMUM PROVIDE 4" SOLID CMU FINISH AT ALL INTERIOR CORNER CONNECTIONS REFER TO ASSET AS SET FOR TYPICAL DETAILS.
  - PROVIDE FIRE-RATED CONCRETE BRAMBLES AS ANCHORED TO BULKHEAD SLAB AT EACH ROOF HANGOUT JOIST.
  - TYPICAL CORNER WALLS TO BE EXTENDED TO TOP OF ROOF DECK UNLESS NOTED OTHERWISE. ALL CORNER WALLS TO BE 1-HOUR RATED PROVIDE ALL REQUIRED REINFORCEMENT.
  - REFERENCE STRUCTURAL DRAWINGS FOR FLOOR EXPANSION JOINT LOCATIONS NOT SHOWN ON ARCHITECTURAL FLOOR PLANS.
  - PROVIDE MASONRY CONTROL JOISTS AT ALL STRUCTURAL STEEL COLUMN CONNECTIONS UNLESS NOTED OTHERWISE.
  - PROVIDE TRANSITION STRIPS AT ALL 1 1/2" MINIMUM FLOOR CONDITIONS.
  - INDICATES THAT THIS WALL SHALL BE ONE-HOUR FIRE RATED AND SHALL BE EXTENDED TO UNDERSIDE OF ROOF DECK. REFER TO SHEET A2.06 FOR ADDITIONAL REQUIREMENTS AT RATED WALLS.
  - REFERENCE SHEET A2.02 FOR TOILET PLAN ENLARGEMENTS.

### LEGEND

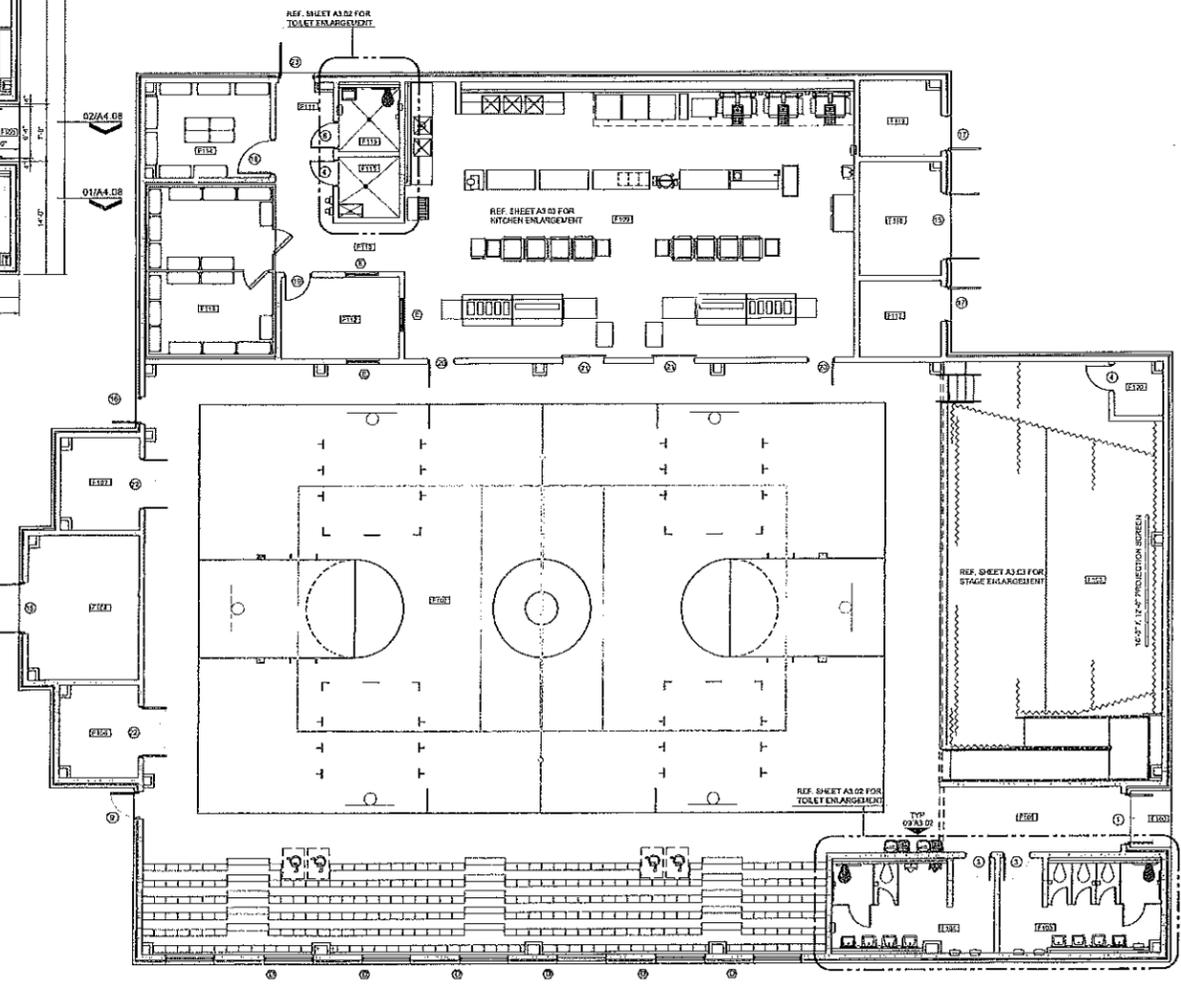
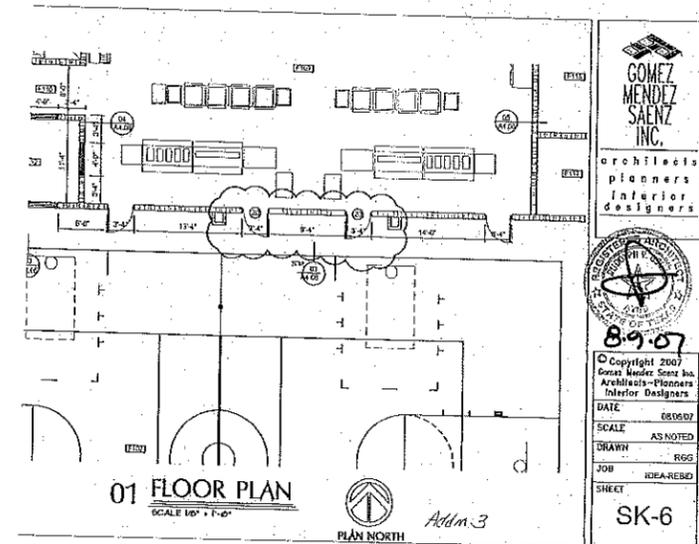
CONC.	CONCRETE	CMPTD	COMPOSITE	S.A.C. I	SUSPENDED ACOUSTICAL CEILING EQUAL TO ARISTONITE FINE FIGURED NO. 183 WITH PRELUDE XL FIRE GUARD 15/16" EXPOSED THE GRID
BRICK	BRICK	CMPTD	COMPOSITE	S.A.C. II	SUSPENDED ACOUSTICAL CEILING EQUAL TO ARISTONITE FINE FIGURED NO. 183 WITH PRELUDE XL WITH FIRE GUARD 15/16" EXPOSED THE GRID
V.C.T.	VINYL COMPOSITE TILE	CMPTD	COMPOSITE	S.A.C. III	SUSPENDED ACOUSTICAL CEILING EQUAL TO ARISTONITE FINE FIGURED CERAMIC/GRAD PERFORATED NO. 607 WITH PRELUDE 15/16" EXPOSED THE GRID
PTD	PAVED	CMPTD	COMPOSITE	S.A.C. IV	SUSPENDED ACOUSTICAL CEILING EQUAL TO ARISTONITE CLEAN ROOM MYLAR XL NON-PERFORATED NO. 604 WITH PRELUDE XL FIRE GUARD 15/16" EXPOSED THE GRID
CARPET	CARPET	CMPTD	COMPOSITE		

Sheet A2.06 - Building 'F'

- Delete Door #21 and replace with Door #20. Refer to SK-6 for partial plan.
- Room Finish Schedule:
  - Delete Epoxy Flooring in Rooms F109, F110, F111 and F115. Provide Quarry tile flooring and base in Rooms F109, F110 and F111. Provide 2"x2" mosaic tile Room F115.
  - Delete Oak Flooring at Stage F105. Provide Vinyl Composite. The vinyl Rubber Base over plywood decking.
- Disachers are to be included in Alternate #4.



**01 FLOOR PLAN**  
SCALE 1/8" = 1'-0"  
REFER TO GENERAL NOTES



**02a FIXTURE PLAN**  
SCALE 1/8" = 1'-0"  
REFER TO GENERAL NOTES

**BUILDING 'F'**



NOTICE  
INSTITUTIONAL  
For  
This Property  
CUP2016-0054



Intersection of N. 31<sup>st</sup> St & Trail Blazer (looking east)



N. 31<sup>st</sup> St. looking south



Trail Blazer looking west.



South side of Property (Residential Alley)



N. 31st St. looking North



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** April 27, 2016

**SUBJECT: REQUEST OF PATRICIA MARTINEZ FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (DAY CARE) AT LOT 31, IVORY PALMS SUBDIVISION; 3508 NORTH 38<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 DESCRIPTION:**

The property is located on the east side of North 38<sup>th</sup> Street, approximately 160 ft. south of Jonquil Avenue. The property dimensions are 60 ft. by 100 ft. and it is zoned R-1 (single family residential) District. The adjacent zoning is 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 is permitted in an R-1 zone with a conditional use permit.

**HISTORY:**

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 has to come before the Planning and Zoning Commission for consideration.

**REQUEST/ANALYSIS:**

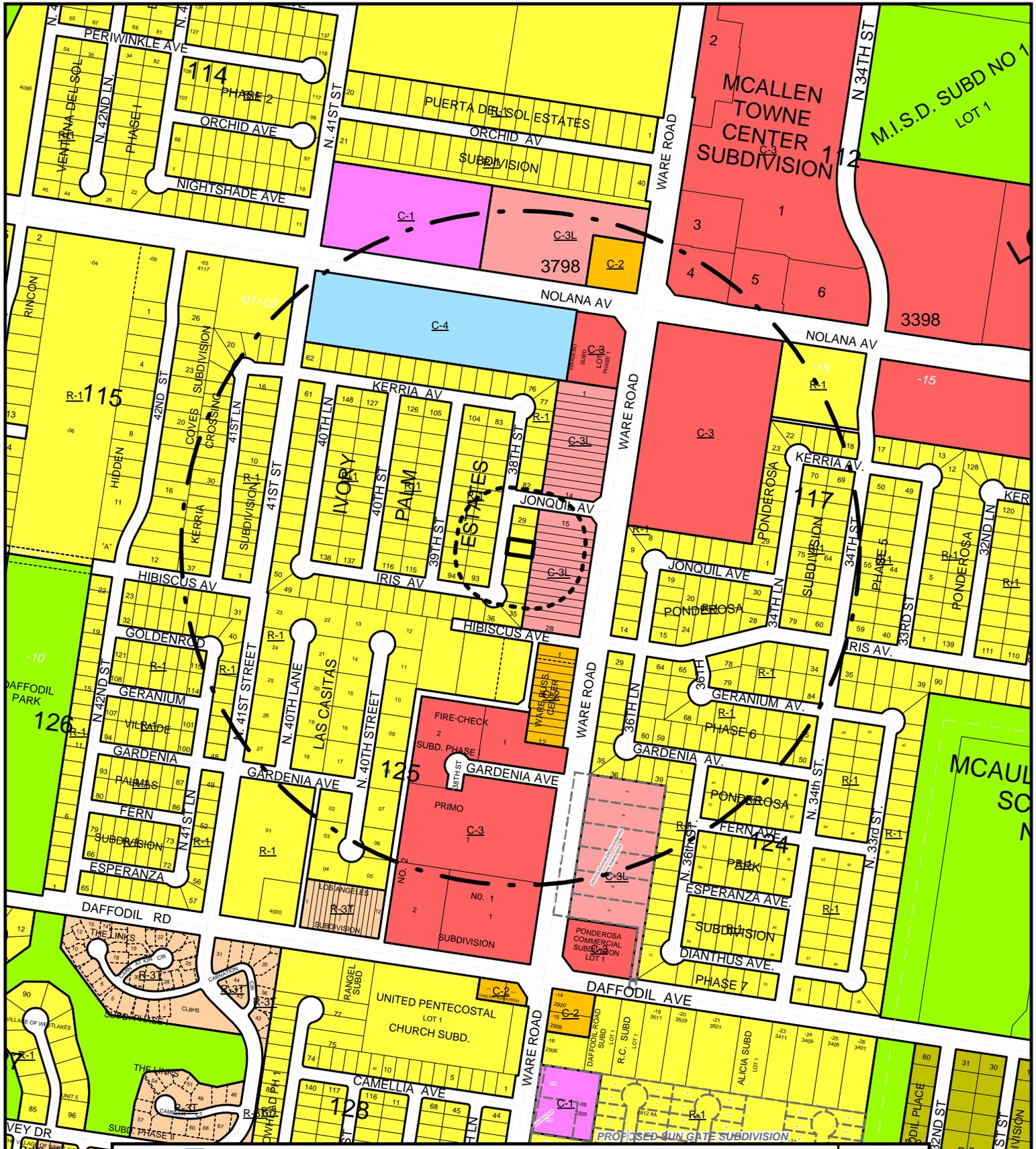
The applicant is proposing to continue to operate a day care from the existing residence. The proposed hours of operation are from 7:30 a.m. to 6:00 p.m. Monday through Friday. The proposed use shall meet all the minimum standards and applicable ordinances.

The premises has 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 is provided;
- 3) Provide paved area adjacent to street for pickup and delivery of children. A paved driveway is 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 is granted. The applicant lives in the residence;
- 6) There shall be no more than two (2) day care facilities within 600 ft. of each other as measured over the shortest distance of street right-of-way between the facilities. There is no other daycares within 600 ft.;
- 7) No more than one day care shall be located on a dead-end street or cul-de-sac. This is 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 is accessed by a half street. North 38<sup>th</sup> Street is not a half street or a street accessed by a half street;
- 9) Day care facilities that care for more than 12 children shall not be permitted in a residential zoning district. The applicant is proposing to care for up to 12 children;
- 10) No signs are permitted. No signs are proposed;
- 11) No more than one additional employee that does not reside on the premises is permitted. The applicant is proposing 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 is the owner.

**RECOMMENDATION:**

Staff recommends 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.



**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

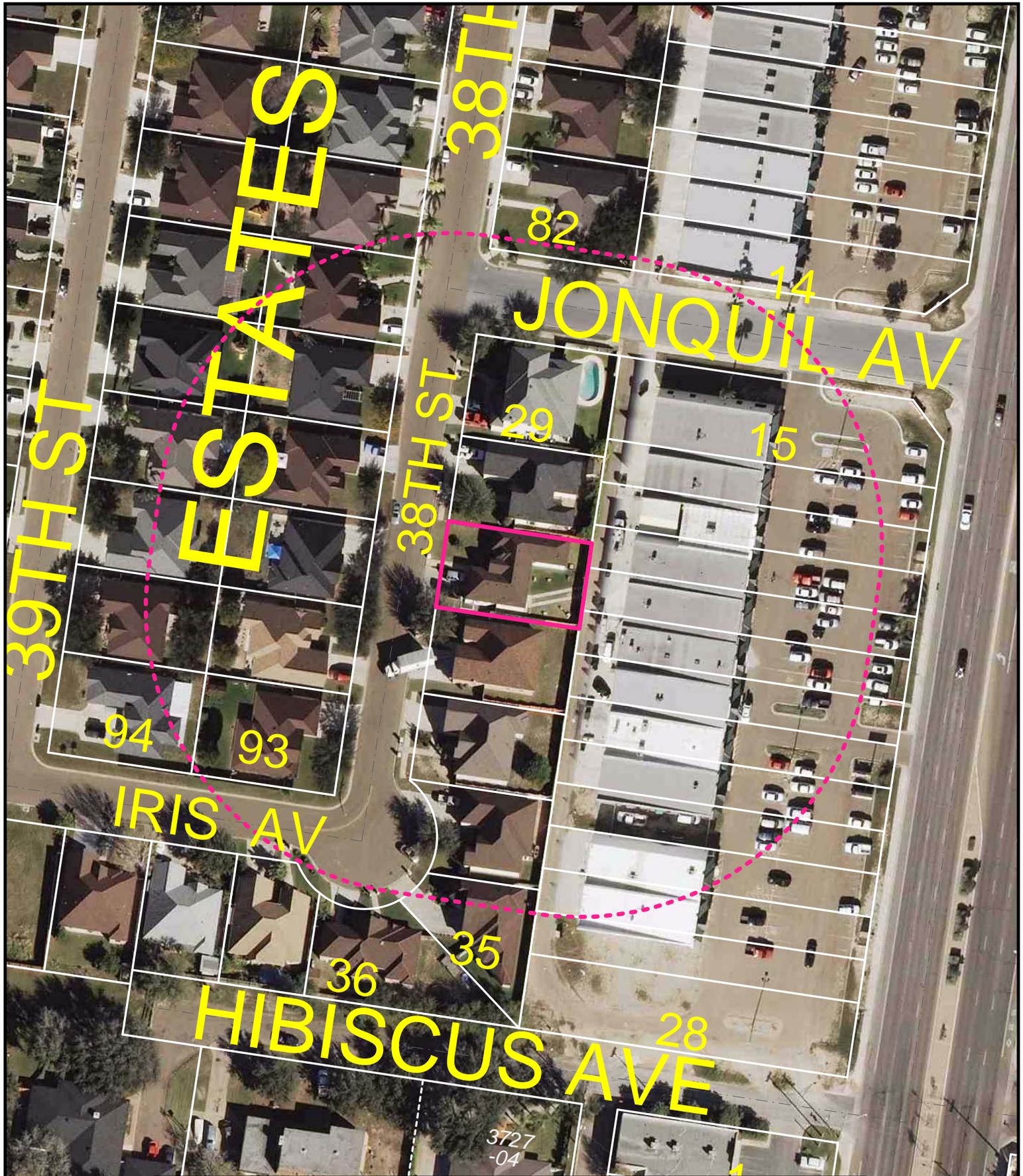
1/4 MILE RADIUS



**ZONING LEGEND**

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLIX-FOURPLEX)	R-31 (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

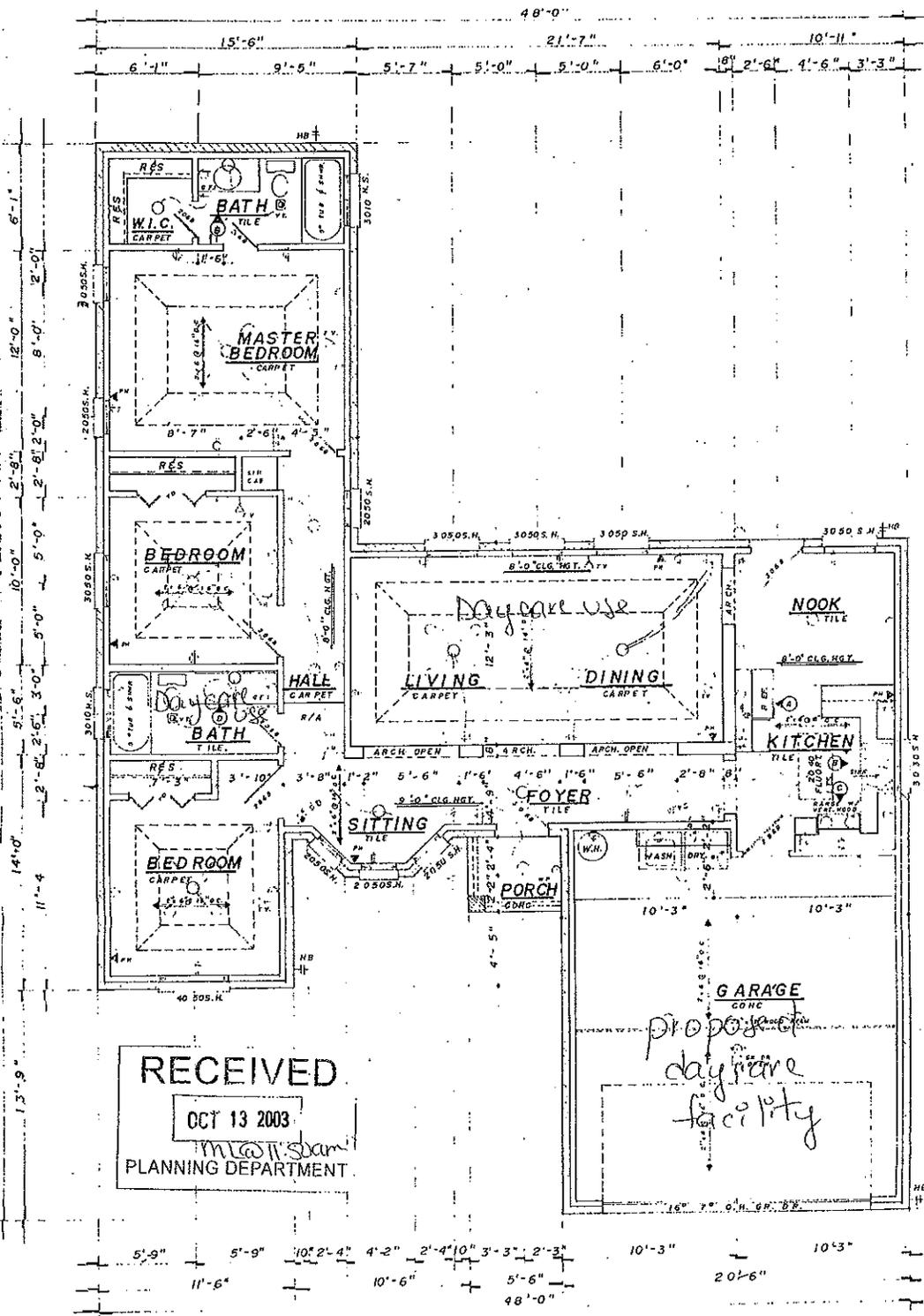


200 FT. NOTIFICATION BOUNDARY



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**ROAD**



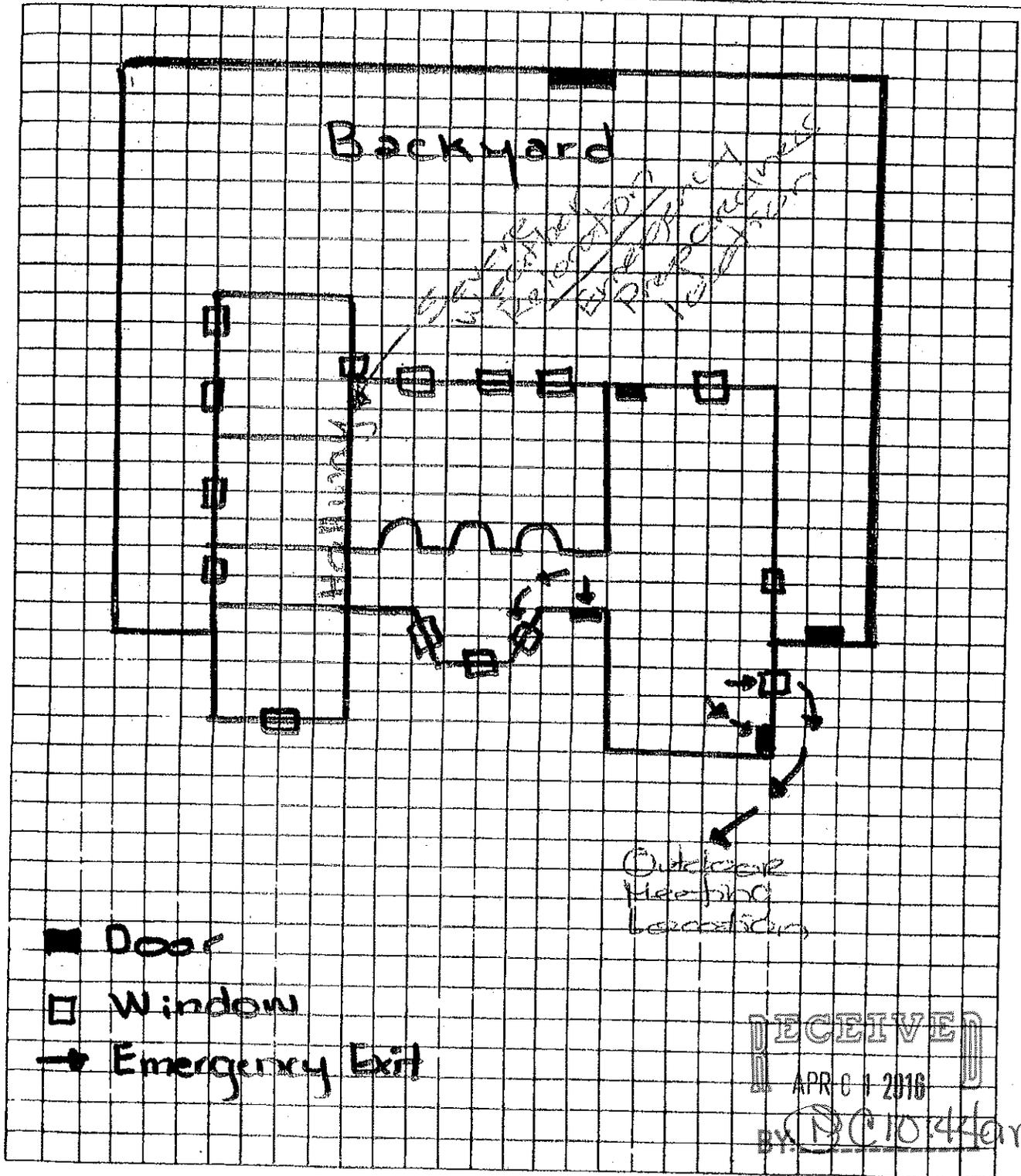
2'-10" 3'-3"  
6'-1"  
12'-0"  
17'-7"  
12'-0"  
3'-2"  
3'-0"  
8'-9"  
5'-0"  
19'-1"  
6'-4-0"  
5'-4"  
5'-0"  
2'-6"  
5'-4"  
18'-9"  
2'-3"  
6'-4-0"

AREAS	SQ. FT.
LIVING	1350.0'
PORCH	25.0'
GARAGE	451.0'
	1826.0'

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

3508 N. 38th St  
McAllen Tx  
(Lot 32, Ivory Palm Estates)

# Severe Weather / Emergency Exits at Facility





NOTICE  
DAYCARE  
For  
This Property  
CUP2016-0051

3369

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** April 28, 2016

**SUBJECT: 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; 322 SOUTH 16<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.

**DESCRIPTION:**

The property is located at the northwest corner of South 16<sup>th</sup> Street and Dallas Avenue. The property is zoned C-3 (commercial business) District. The adjacent zoning is 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 is permitted in a C-3 zone with a conditional use permit.

**REQUEST/ANALYSIS:**

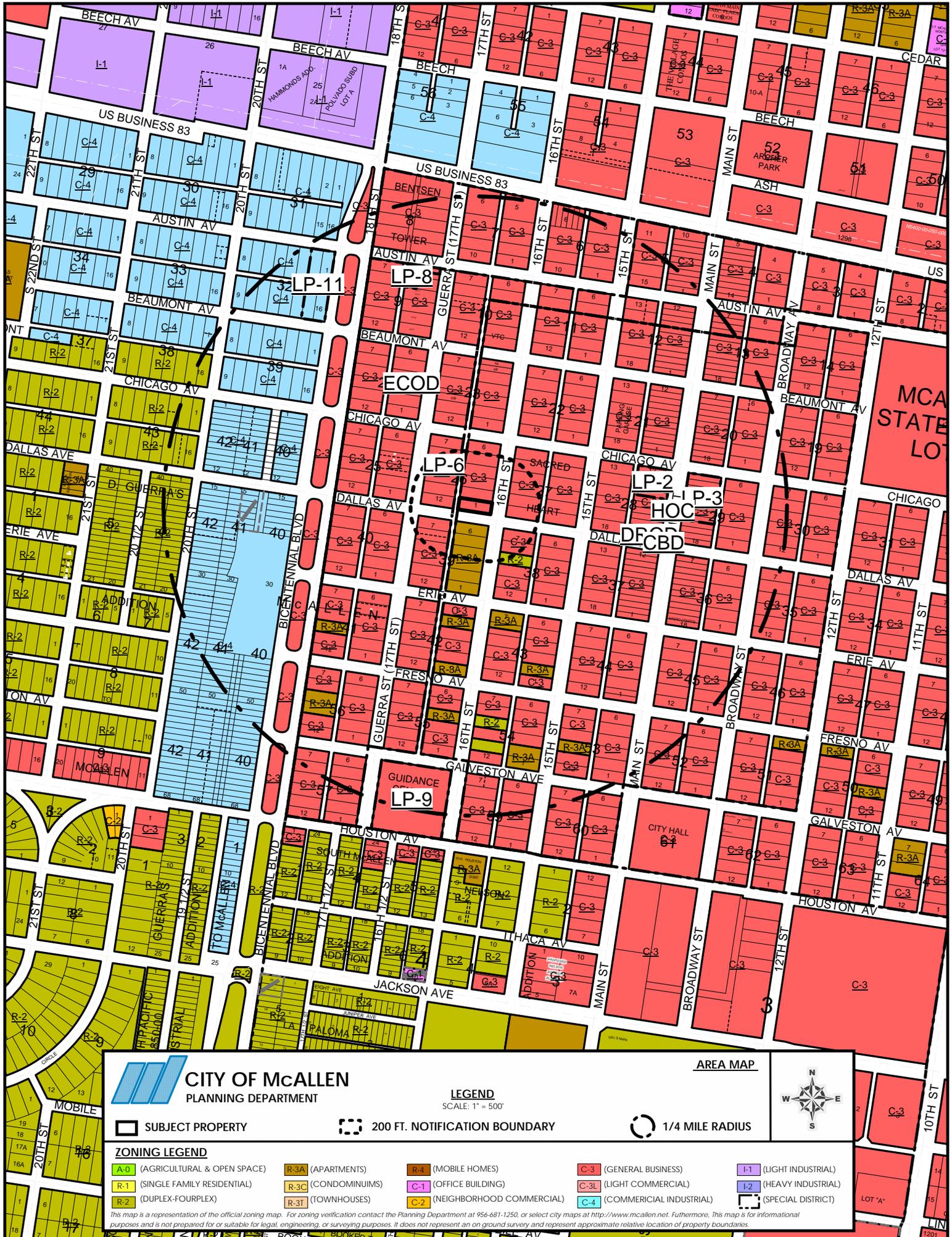
There is currently a commercial building on the property that is being utilized as an art gallery. The applicant is proposing to place and operate a 320 sq. ft. portable food concession stand with 1,744 sq. ft. of sitting area. Total parking requirement is 37 spaces based on the existing building (9 spaces) and the 2,064 sq. ft. area for the portable food concession stand with seating area (28 spaces). There is 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 is has only 7 parking spaces available, leaving the establishment with a 30 parking space deficiency. The applicant has 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 will 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 is 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 is 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 is has only 7 parking spaces available, leaving the establishment with a 30 parking space deficiency. The applicant has 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 are provided on site.

**RECOMMENDATION:**

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

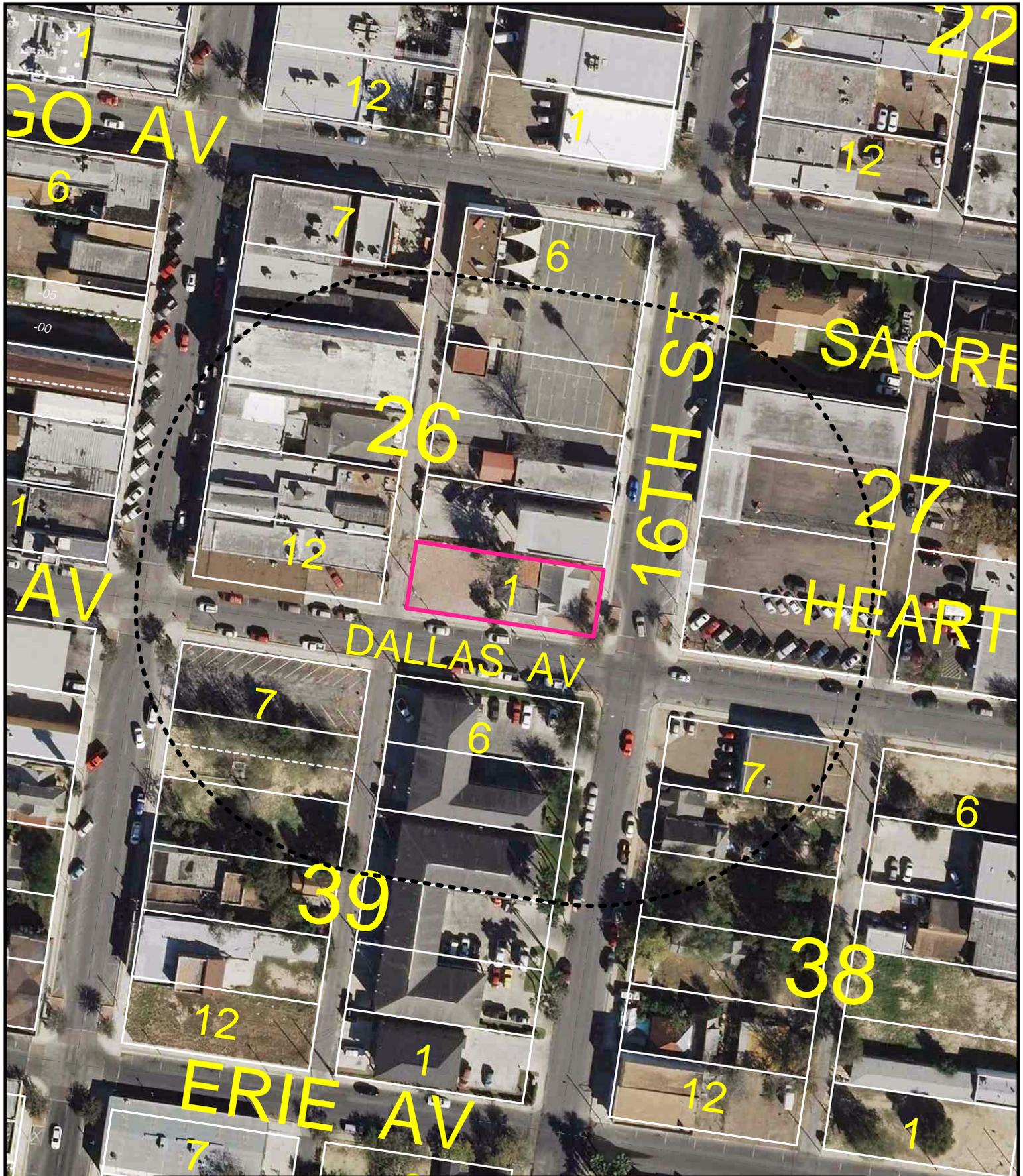
**LEGEND**  
SCALE: 1" = 500'

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

ZONING LEGEND	
<ul style="list-style-type: none"> <li><span style="background-color: #90EE90; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> A-0 (AGRICULTURAL &amp; OPEN SPACE)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R-1 (SINGLE FAMILY RESIDENTIAL)</li> <li><span style="background-color: #FFFFE0; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R-2 (DUPLIX-FOURPLEX)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R-3A (APARTMENTS)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R-3C (CONDOMINIUMS)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R-31 (TOWNHOUSES)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R-4 (MOBILE HOMES)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> C-1 (OFFICE BUILDING)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> C-2 (NEIGHBORHOOD COMMERCIAL)</li> </ul>	<ul style="list-style-type: none"> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> C-3 (GENERAL BUSINESS)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> C-3L (LIGHT COMMERCIAL)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> C-4 (COMMERCIAL INDUSTRIAL)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> I-1 (LIGHT INDUSTRIAL)</li> <li><span style="background-color: #FFDAB9; border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> I-2 (HEAVY INDUSTRIAL)</li> <li><span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> (SPECIAL DISTRICT)</li> </ul>

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**AREA MAP**



**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

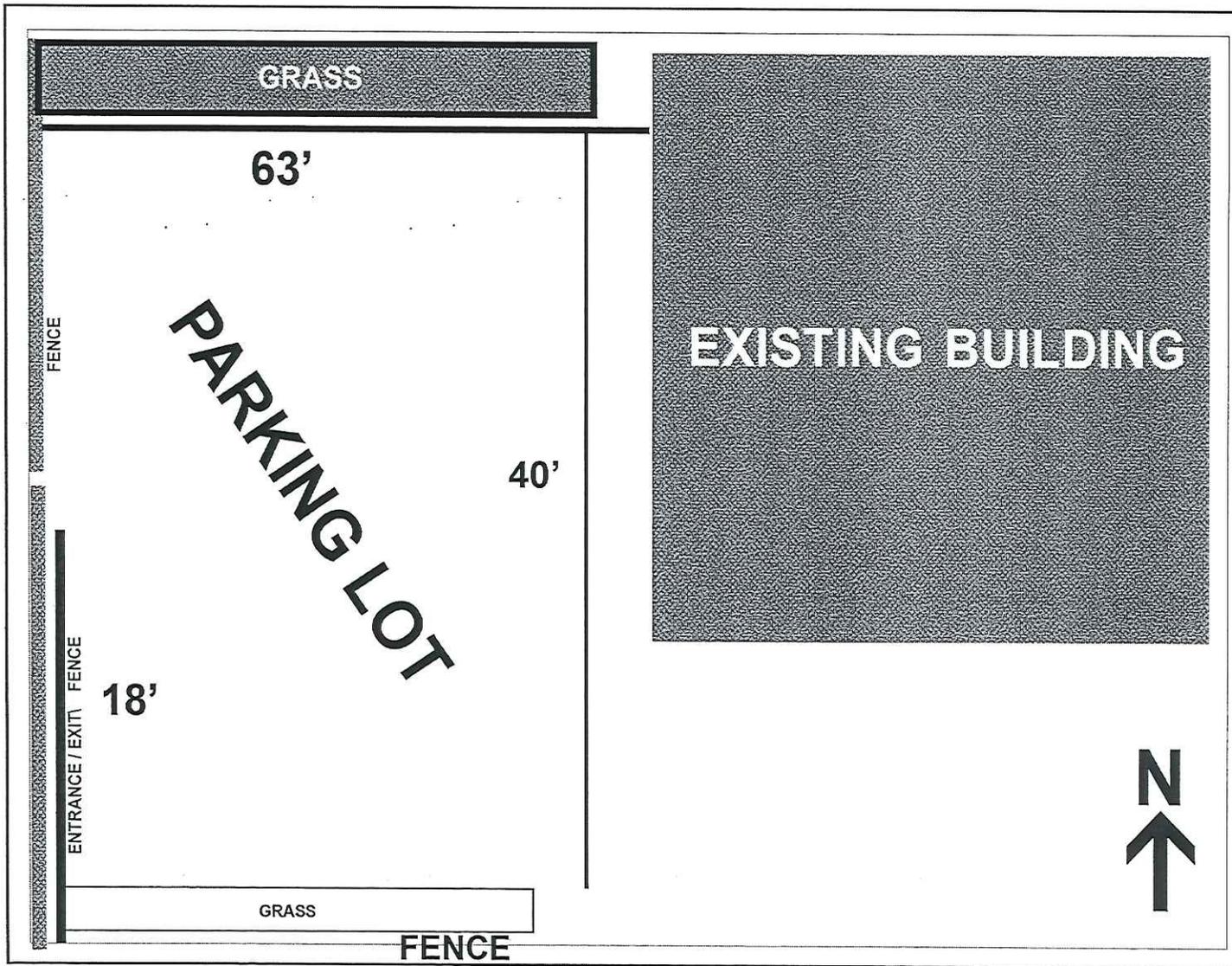
 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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ALLEY



FENCE

GRASS

63'

PARKING LOT

40'

EXISTING BUILDING

ENTRANCE / EXIT FENCE

18'

GRASS

FENCE



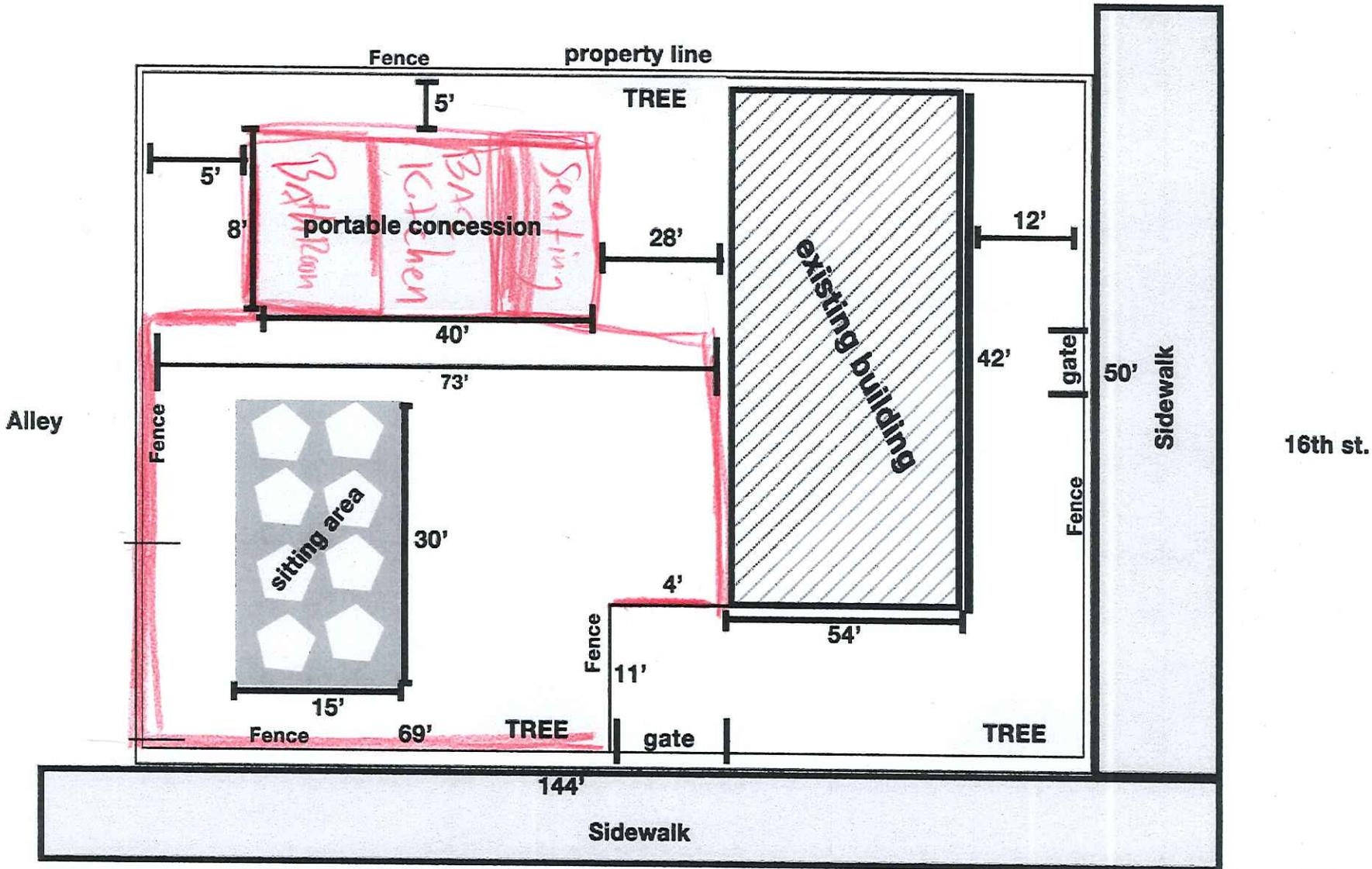
SIDEWALK

16TH S

THE GREMLIN

E GREMLIN PARKING  
ALLEN, TX

SITE PLAN

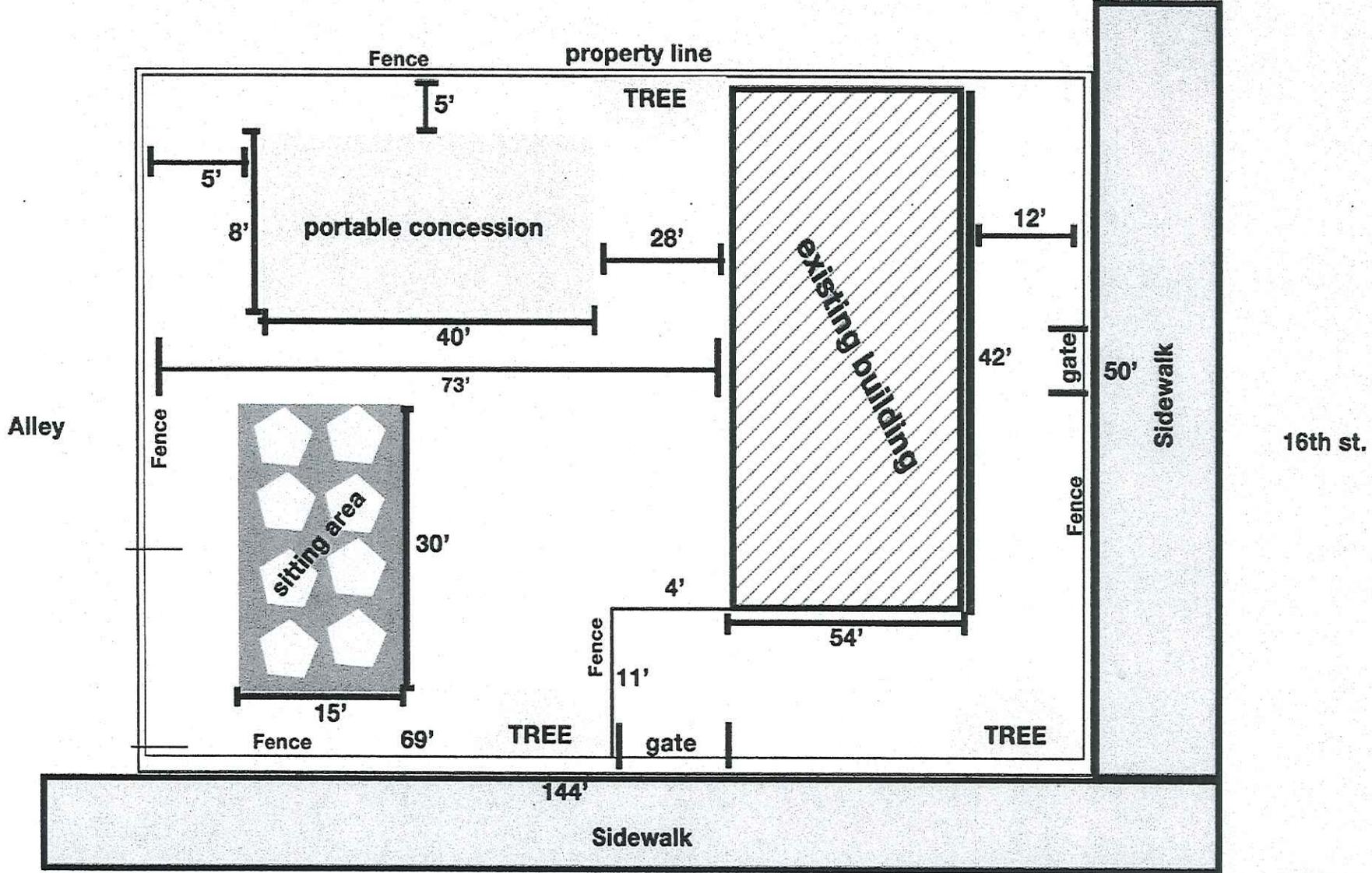


# The Gremlin

McAllen, TX

April 1, 2016

Site Plan



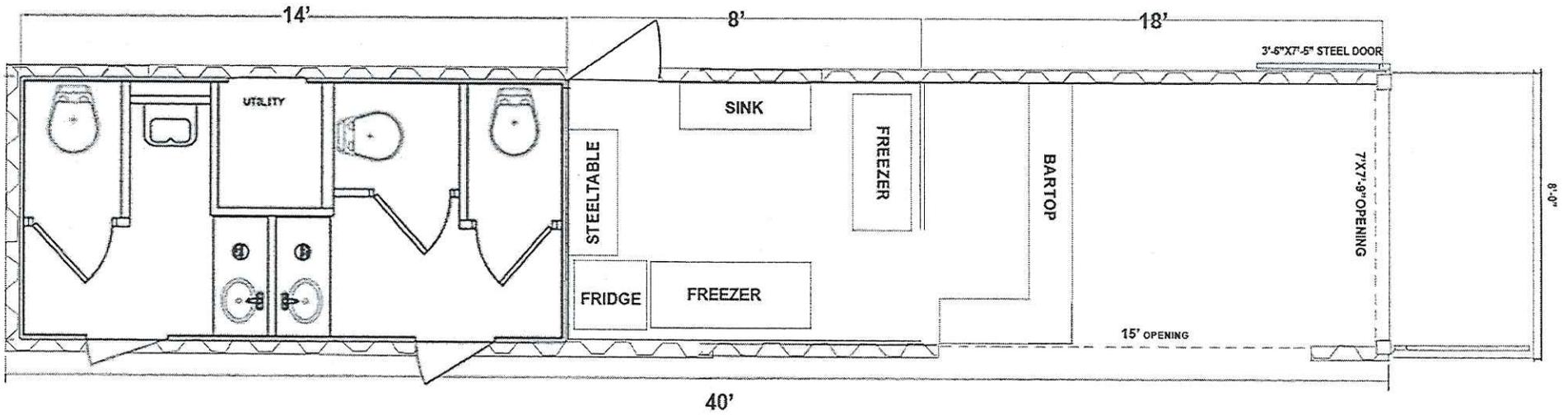
# The Gremlin

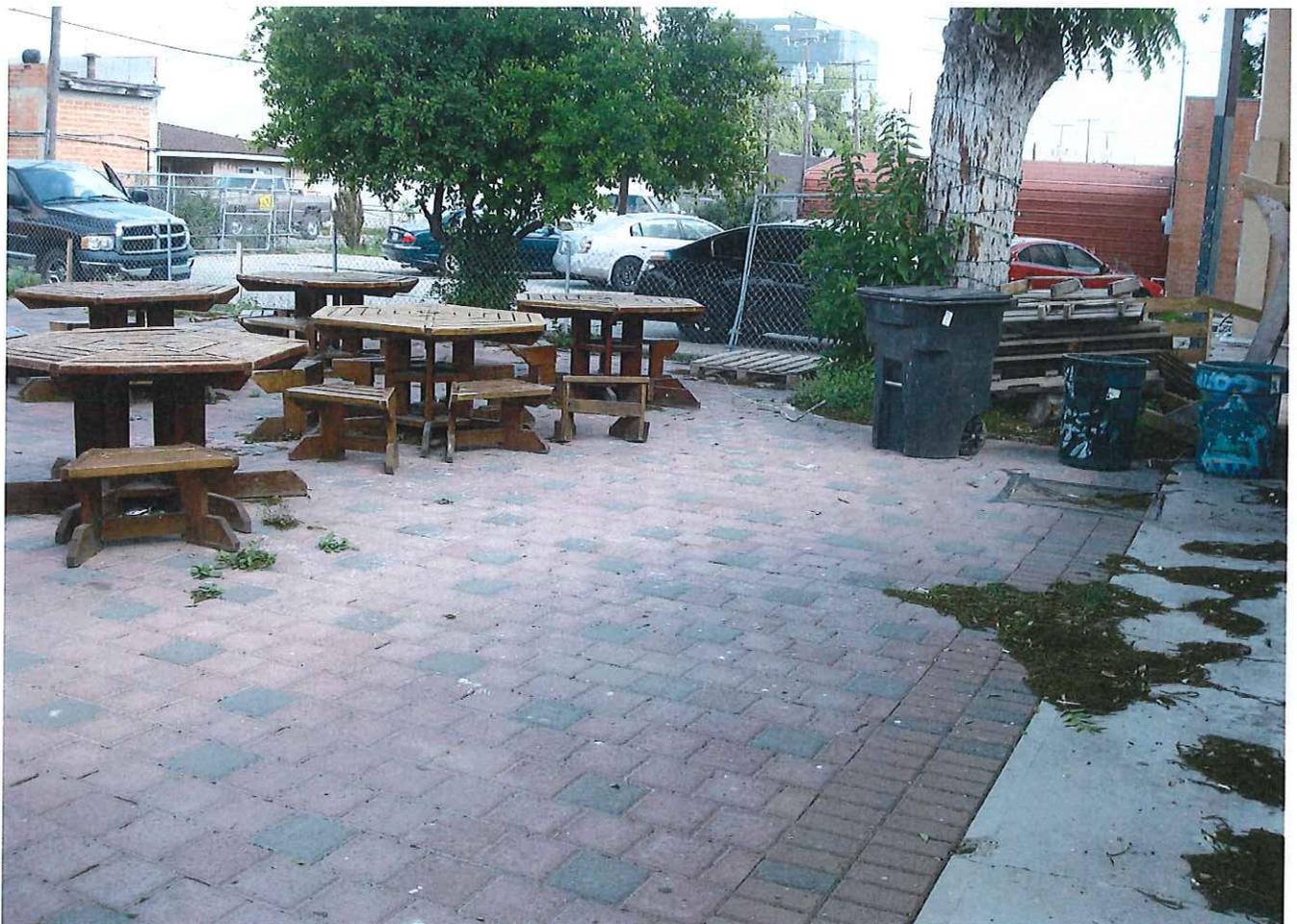
McAllen, TX  
 April 1, 2016

## Site Plan

# THE GREMLIN

322 S 16TH ST MCALLEN TX 78572







**NOTICE  
PORTABLE FOOD  
For  
This Property  
CUP2016-0056**

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



## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** April 28, 2016

**SUBJECT: 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; 1005 EAST 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, 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 use 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 northwest corner of East Nolana Avenue and North "K" Center Street and is zoned C-3 (general business) District. The adjacent zoning is 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 is allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

**REQUEST/ANALYSIS:**

Currently, the property has 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.

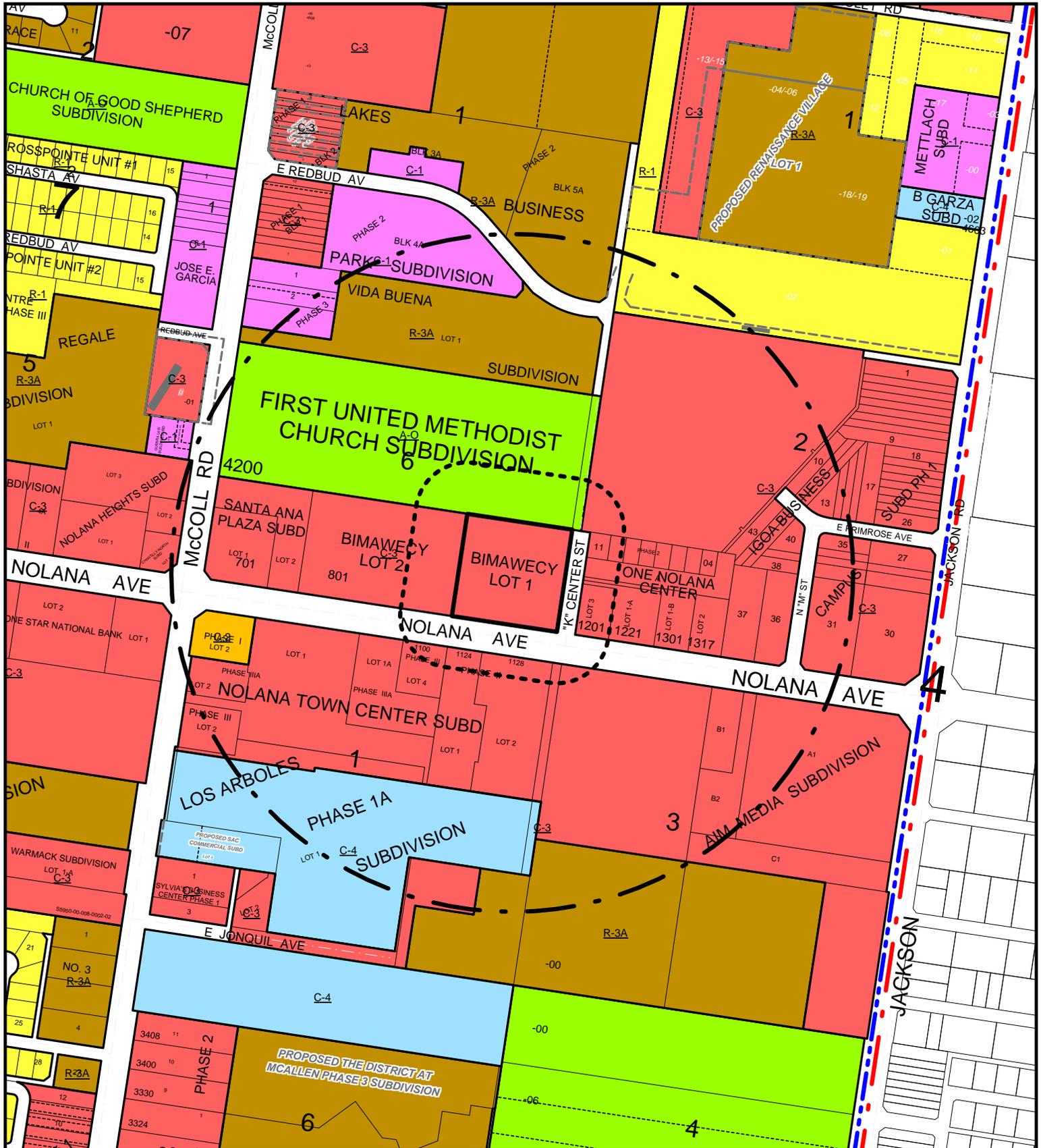
The applicant is proposing to place a 50 ft. X 60 ft. portable building for storage use for the orthopedic center business on the property. The applicant stated that the pods will be removed once the portable building is on site. The placement of the portable building will need to be reviewed to assure that the required parking is complying and adequate circulation is 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 has inspected the site; however, a final inspection is pending once the portable building is 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 is 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 has 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 are provided on site. Once the potholes are 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 is provided;
- 5) Must be connected to an approved water distribution and sewage disposal system;
- 6) No form of pollution shall emanate beyond the immediate property line of the permitted use; 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.

**RECOMMENDATION:**

Staff recommends 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.



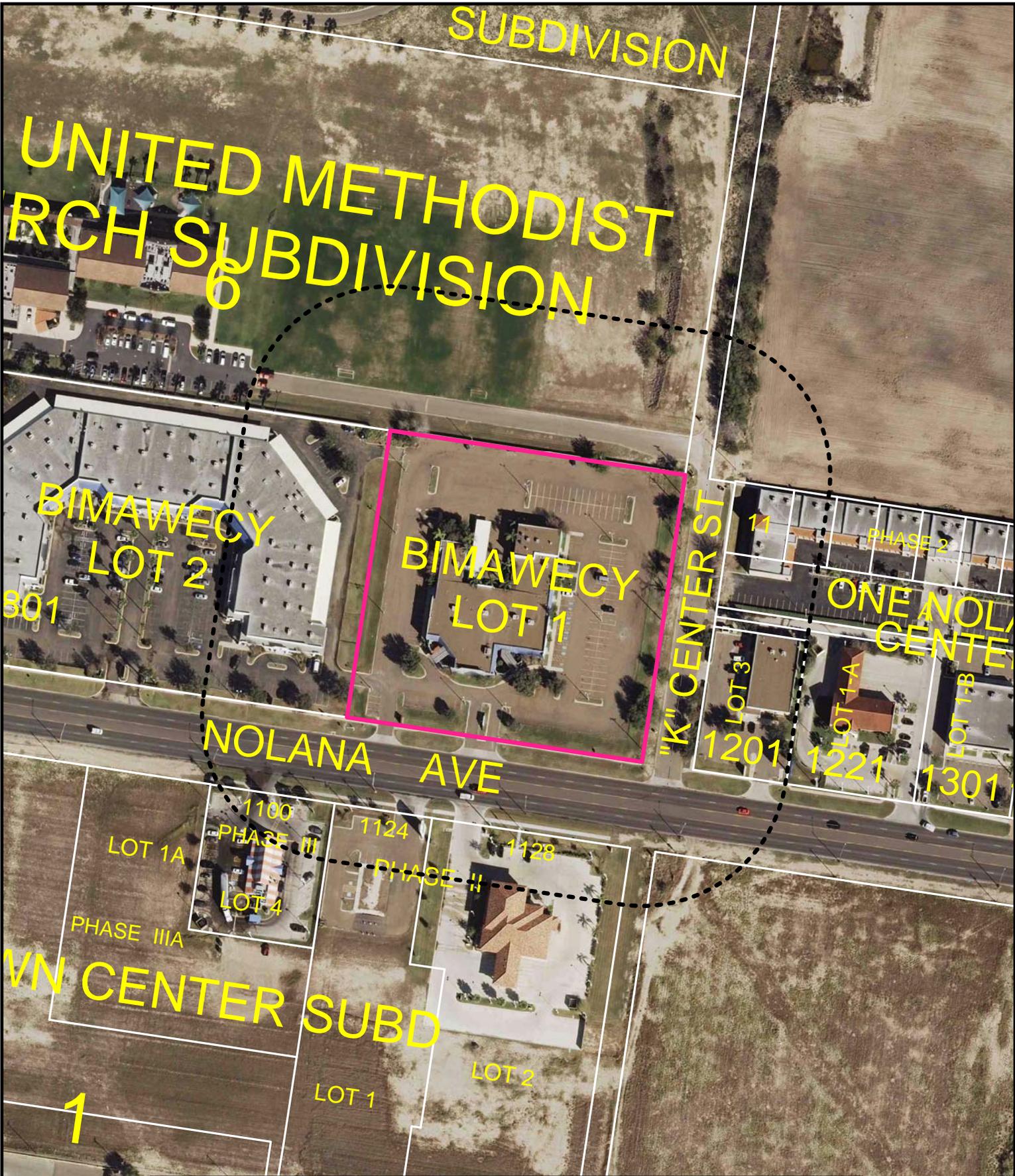
**CITY OF McALLEN**  
PLANNING DEPARTMENT

**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-3I (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)
			I-1 (LIGHT INDUSTRIAL)
			I-2 (HEAVY INDUSTRIAL)
			(SPECIAL DISTRICT)

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**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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3



441.26

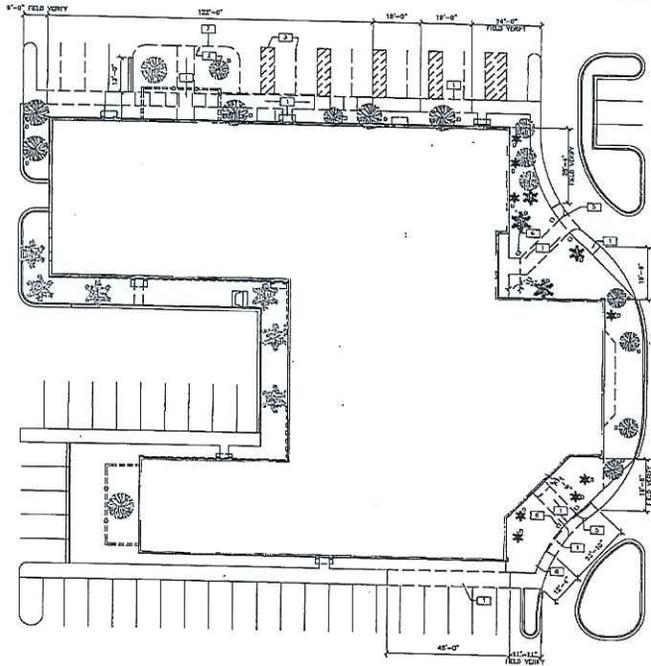
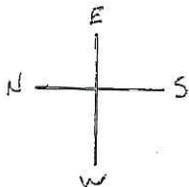
50' Setback

10' Setback

104'

Metal Building  
60'

446.20



441.26

25' Setback

SITE DEMOLITION PLAN  
SCALE: 1/8"=1'-0"

NOLANA

447.52

SHEET LEGEND

- EXISTING TO REMAIN
- EXISTING TO BE REMOVED
- EXISTING TO BE REWILL
- EXISTING TRACE / FINAL TRICE TO BE CONSIDERED

DEMOLITION NOTES

- COMPLY WITH ALL APPLICABLE CODES AND REGULATIONS.
- THE DEMOLITION OF EXISTING STRUCTURES DOES NOT IMPLICATE OTHER ITEMS WHICH IS REQUIRED TO BE REMOVED OR MONITORED AS IS THE RESPONSIBILITY OF THE CONTRACTOR TO TAKE THE SITE TO NEARLY EXISTING CONDITIONS PRIOR TO REDEMPTION OF ANY PROPOSED WORK. ACCEPT THE CHANGE AND DISCOVER CONDITIONS IN THE FIELD.
- DEMOLITION WORK INCLUDES SYSTEMS REMOVAL OF MECHANICAL, PLUMBING, AND ELECTRICAL SYSTEMS AND DISMANTLING OF EQUIPMENT AND SYSTEMS AND REMOVAL OF ALL MATERIALS FROM THE PROJECT TO ACCORDANCE WITH THE REQUIREMENTS OF THE CONTRACT FOR SITES TO BE DEMOLISHED. EXISTING TRICE BACK TO THE POINT OF ORIGIN AND REMOVAL SHALL BE NOTED OTHERWISE, SEE MECHANICAL, PLUMBING, AND ELECTRICAL SYSTEMS AND DISMANTLING OF EQUIPMENT FOR ADDITIONAL REQUIREMENTS.
- PATCH FLOOR, WALLS, CEILING, COLUMN ENCLOSURES, AND OTHERS SHALL BE REMOVED BY CONTRACTOR WITH FINISHED TO MATCH ADJACENT EXISTING FINISH AND PATCH EXISTING ELEMENTS THAT ARE DAMAGED DURING DEMOLITION OR DISRUPTION. UNLESS OTHERWISE NOTED.
- GENERAL CONTRACTOR TO COORDINATE WITH OTHER AGENCIES BUILDING DEPARTMENT, POWER TO TURNING OF ANY UTILITIES FOR CONTRACTOR TO REMOVE. EXISTING TRICE BACK TO THE POINT OF ORIGIN AND REMOVAL SHALL BE NOTED OTHERWISE, SEE MECHANICAL, PLUMBING, AND ELECTRICAL SYSTEMS AND DISMANTLING OF EQUIPMENT FOR ADDITIONAL REQUIREMENTS.
- GENERAL CONTRACTOR TO COORDINATE WITH BUILDING DEPARTMENT FOR ITEMS TO BE INSTALLED BY OTHERS.
- GENERAL CONTRACTOR TO PROVIDE SIGN BARRIERS AT EACH-OUT ENTRANCES DURING CONSTRUCTION PERIOD.
- REMOVE EXISTING FLOORING, TRIMMAGE AND DOWN OFF FLOOR SURFACE AREA BY APPLYING A 2" LAYER OF CONCRETE AS UNDER FINISH SURFACE BY RECEIVING FLOORING.
- DURING CONSTRUCTION WORKS CARE MUST BE TAKEN TO NOT DAMAGE ANY EXISTING TRICE TO REMAIN.
- TEMPORARILY CAP ALL EXISTING PLUMBING AND ELECTRICAL LINES, AS TO BE RECONSTRUCTED.

DEMOLITION SCHEDULE

NO.	DESCRIPTION
<input type="checkbox"/>	REMOVE OF EXISTING CONCRETE DRIVEWAY TO BE REMOVED. REFER SITE PLAN FOR EXISTING WORK.
<input type="checkbox"/>	REMOVE EXISTING AND RECONSTRUCT TO BE REMOVED GENERAL CONTRACTOR TO RE-INSTALL AND RECONSTRUCT TO NEW LANDSCAPE WITH LANDSCAPE PLANTS.
<input type="checkbox"/>	PAINT EXTERIOR TO BE REMOVED. REFER SITE PLAN FOR NEW SHIMPOUS COORDINATION.
<input type="checkbox"/>	CONCRETE FLOORING AND RELATED FURNISHINGS TO BE REMOVED TO ALLOW FOR NEW FINISH FLOORING. REFER STRUCTURAL PLANS.
<input type="checkbox"/>	TRIM TO BE REMOVED
<input type="checkbox"/>	COLUMNS TO BE REMOVED
<input type="checkbox"/>	PORTION OF EXISTING CURB AND GUTTER TO BE REMOVED.
<input type="checkbox"/>	FLOOR TILE TO BE REMOVED

DEMOLITION:

BEFORE TO SUBMITTING A BID, THE CONTRACTOR SHALL VISIT THE SITE AND DETERMINE EXISTING CONDITIONS. REMOVE EXISTING TRICE AND CLEANING THE EXTENT OF DEMOLITION REQUIRED TO ALLOW FOR THE NEW CONSTRUCTION.

REMOVE EXISTING TRICE AND/OR SCHEDULED TO BE REMOVED ARE TO BE REMOVED AND EXISTING TRICE WITH TRICE FOR REDEMPTION TO NEW CONSTRUCTION. COORDINATE WITH BUILDING DEPARTMENT AND/OR TRICE. ALL EXISTING TRICE ARE TO BE REMOVED FROM THE SITE BY THE DEMOLITION CONTRACTOR.

EXISTING ROOFS AND FRAMES LOCATED WITHIN CORE OR OTHER AREAS WHICH ARE SCHEDULED TO BE REMOVED, ARE TO BE DEMOLISHED AND REMOVED TO THE BUILDING DEPARTMENT. ALL MATERIALS SHALL BE REDEMPTION AND/OR REMOVED AS SCHEDULED.

DEMOLITION WORK SHALL BE RETURNED ALL DAMAGED EXTERIOR TRICE TO ORIGINAL CONDITION.

\*PLAN NOT TO SCALE\*

THE WARREN GROUP  
ARCHITECTS INC.  
4501 SOUTH SECOND ST.  
SUITE 200, MCKINNEY, TX 75063  
958.894.1000  
THEWARRENGROUP.COM

THIS DRAWING AND INFORMATION CONTAINED HEREIN ARE THE PROPERTY AND SOLE POSSESSION OF THE WARREN GROUP ARCHITECTS, INC. IT MAY NOT BE REPRODUCED OR ALTERED IN ANY WAY WITHOUT WRITTEN APPROVAL FROM AND APPROVED CONTRACTOR TO THE WARREN GROUP ARCHITECTS, INC.



PROPOSED  
RIO GRANDE VALLEY  
ORTHOPEDIC CENTER  
RENOVATIONS  
1005 E. NOLANA AVE.  
MCKINNEY, TEXAS 75063

PROJECT 1151201  
DATE 05/05/2014  
REVISED

AD1.01  
SITE DEMOLITION PLAN

RECEIVED  
MAR 23 2015  
BY: [Signature]  
107









**RGVO**  
RIO GRANDE VALLEY ORTHOPEDIC CENTER



1005 E. MOLANA  
**RGV ORTHOPEDIC  
CENTER**

RUBEN D. PECHERO, M.D.  
GUILLERMO R. PECHERO, M.D.

**NOTICE**  
PORTABLE BUILDING  
For  
This Property  
CUP2016-0048  
City of McAllen Planning Dept 681-1250  
www.mcaligo.net

CABLE ROUTE

McAllen  
City of McAllen  
City of McAllen

BUS STOP

TRAPT  
TRAPT  
TRAPT

## Memo

**TO:** Planning and Zoning Commission

**FROM:** Planning Staff

**DATE:** April 14, 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.**

**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 have been submitted and are being reviewed in order to determine if they comply. 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.

The Fire Department has inspected the establishment, which meet the minimum safety codes and regulations. The health department inspection is still pending. A police report was requested since the establishment has been operating as a restaurant and assembly/game area.

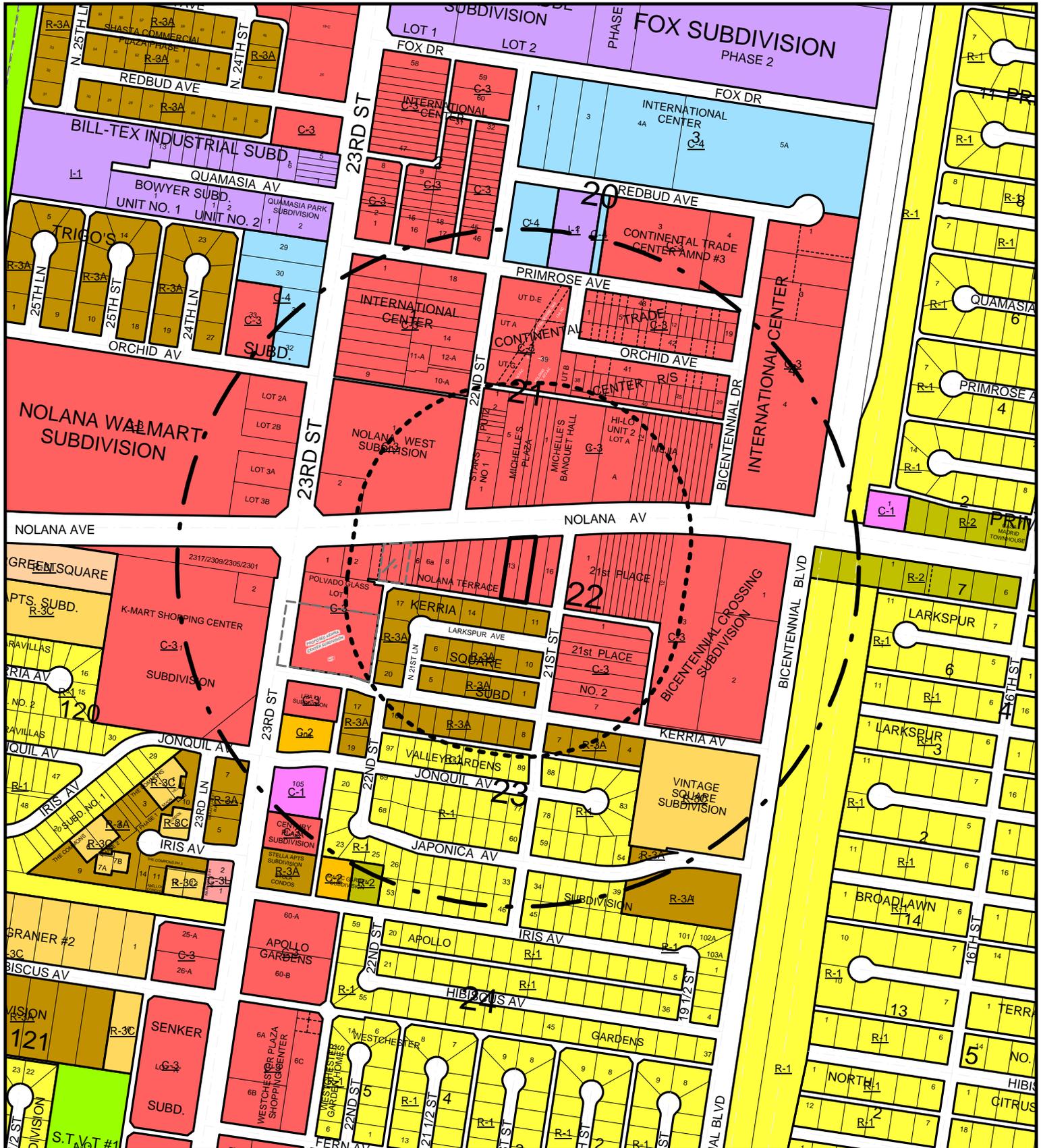
The establishment must also comply with requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 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 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 no 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 36 parking spaces are provided on site. Parking agreements have been submitted and are 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 will be determined at time of building permit.

If the permit is approved, parking agreements must be approved and comply with the city ordinance with no hours overlapping.

**RECOMMENDATION:**

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
------------------	-------------------------------	-----------------

ZONING LEGEND			
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-3I (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.

AREA MAP





21

22

23

NOLANA WEST SUBDIVISION

ORCHID AVE  
CENTER RIS

NOLANA AV

NOLANA AV

OLVADC GLASS LOT 1

NOLANA TERRACE

21st PLACE

POSED KERRIA SUBDIVISION

KERRIA

LARKSPUR AVE

21st PLACE

SQUARE

SUBD

NO. 2

BICENTENNIAL SUBDIVISION

KERRIA A

VALLEY GARDENS

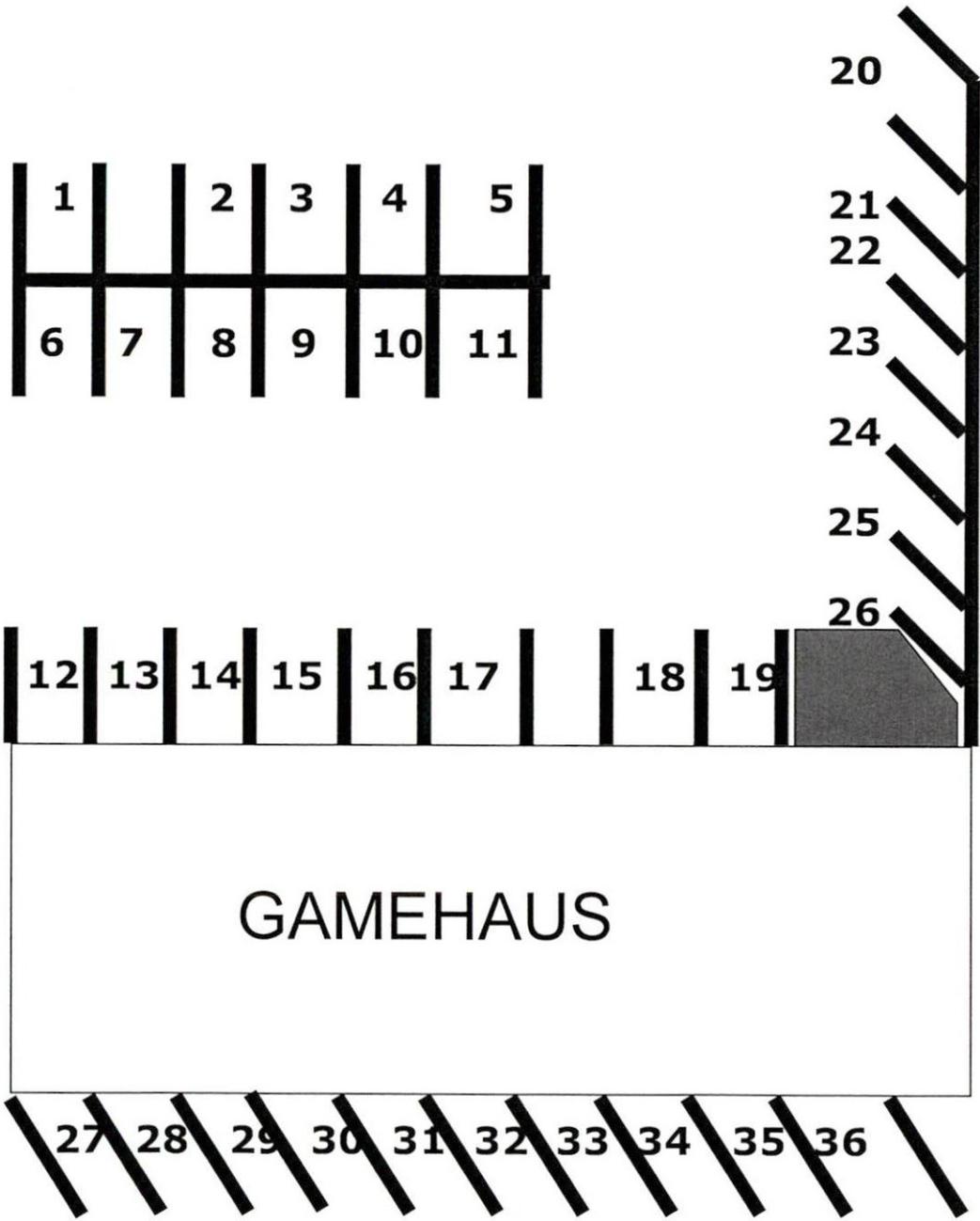
JONQUIL AV

VINTAGE SQUARE SUBDIVISION

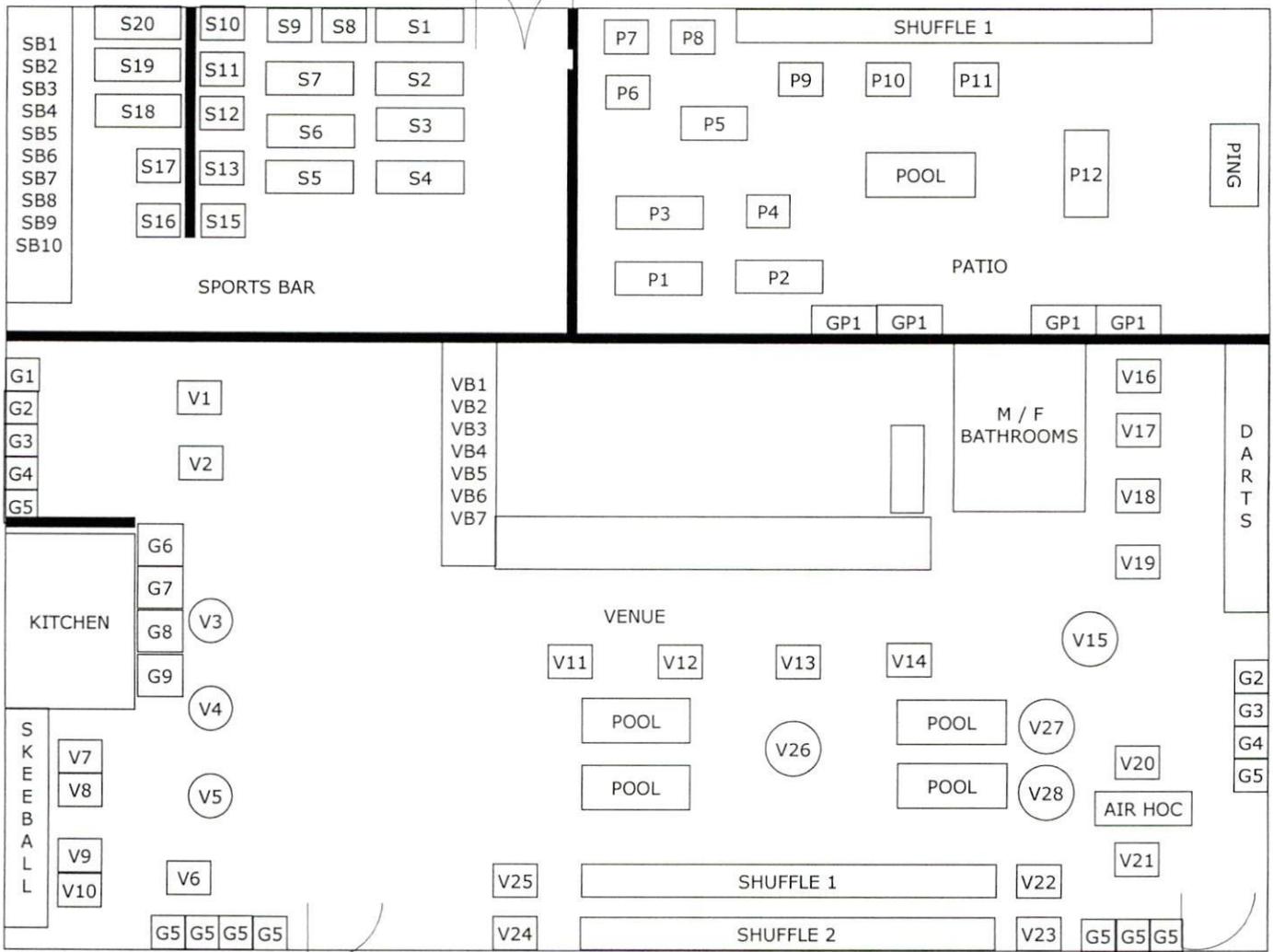


NOLANA AVE

21ST



RECEIVED  
MAR 15 2015  
BY: [Signature]



**RECEIVED**  
 MAR 15 2015  
 BY: *William*

**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 2019  
BY: KAC@9:41  
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.



# 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

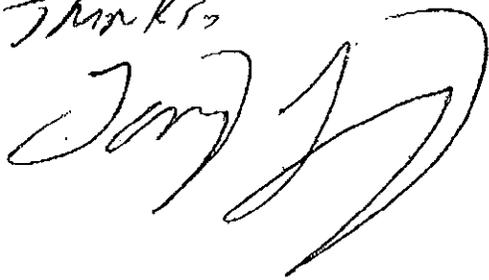
Re: CUP @ 2109 Nolana.

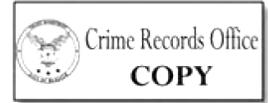
Dear Ms. GARCIA,

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,





# 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**



GAMEHAUS

2117

EZPA

NOTICE  
BAR  
For  
This Property  
CUP2016-0042

## **Memo**

**TO:** Planning & Zoning Commission  
**FROM:** Julianne R. Rankin, FAICP, Director of Planning  
**DATE:** April 28, 2016  
**SUBJECT:** City Commission Actions of April 25, 2016

---

### REZONINGS:

1. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: Lot 4, Block 57, McAllen Addition, Hidalgo County, Texas; 710 South 17th Street.
  - Planning & Zoning Commission recommended approval
  - City Commission approved
2. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: Lot 5, Block 55, McAllen Addition, Hidalgo County, Texas; 604 South 16th Street.
  - Planning & Zoning Commission recommended approval
  - City Commission approved
3. Rezone from C-2 (neighborhood commercial) District to C-4 (commercial-industrial) District: 1 acre out of Lot 15, Section 280, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2220 Sprague Road.
  - Planning & Zoning Commission recommended approval
  - City Commission approved
4. Rezone from R-1 (single family residential) District to C-1 (office building) District: 7.475 acres out of Lot 1, Block 1, Golden Grapefruit Gardens Tract No. 2, Hidalgo County, Texas; 8100 North 23rd Street (rear) 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 & Zoning Commission recommended disapproval
  - City Commission tabled due to need for full board to be present

CONDITIONAL USE PERMITS:

1. Request of Rosalia De Leon, appealing the decision of the Planning & Zoning Commission of the April 5, 2016 meeting, denying a Conditional Use Permit, for one year, for a bar, at Lot 1, Las Arboledas Office Park Subdivision, Hidalgo County, Texas; 6400 North 10th Street.
  - Planning & Zoning Commission disapproved and recommended approval of a variance to distance requirements
  - City Commission approved variance and CUP
2. Request of Caribe Investments, L.P., appealing the decision of the Planning & Zoning Commission of the April 5, 2016 meeting, denying a Conditional Use Permit, for one year, for a bar, at Lot 3, Lone Star National Bank Subdivision, Hidalgo County, Texas; 500 Nolana Avenue.
  - Planning & Zoning Commission disapproved and recommended approval of a variance to distance requirements
  - City Commission approved variance and CUP

VARIANCE:

Consideration of a variance request to the Right-Of-Way dedication on Pecan Boulevard for proposed Cooperfield Estates Phase 1A Subdivision; 4201 Pecan Boulevard.

- Planning & Zoning Commission recommended approval
- City Commission approved



## 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.