AGENDA

PLANNING & ZONING COMMISSION REGULAR MEETING
TUESDAY, NOVEMBER 1, 2016 - 3:30 PM
MCALLEN CITY HALL, 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR

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

CALL TO ORDER - PEPE CABEZA DE VACA- CHAIRPERSON
PLEDGE OF ALLEGIANCE
INVOCATION

1) MINUTES:

a) Minutes for Regular Meeting held on October 18, 2016

2) SITE PLAN:

a) Proposed Lots 1-4, Community Center at Tres Lagos; 5100 Tres Lagos Boulevard- Heffner Design Team, PLLC **(SPR2016-0031)** HDT

b) Lot A, Jackson Gardens Subdivision; 800 South Jackson Road **(SPR2016-0032)**

c) Revised Site Plan Approval for La Plaza Phase 1A Subdivision; 2200 South 10th Street- Simon Property Group (Texas), L.P., A Texas Limited Partnership and La Plaza Mall, LLC, A Delaware Limited Liability Company **(SPR2015-0051)** HA

3) SUBDIVISIONS:

a) The Villas at La Vista Subdivision; 100 East La Vista Avenue- Affordable Homes of South Texas **(Revised Preliminary)(SUB2016-0057)** CHC

b) Kshatriya Subdivision; 4000 Neuhaus Drive- KVS Family Limited Partnership **(Preliminary)(SUB2016-0078)** RDE

4) CONSENT:

a) Community Center at Tres Lagos Subdivision; 5100 Tres Lagos Boulevard- Mike Rhodes **(Final)(SUB2016-0075)** M & H

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

a) REZONING:

1. Rezone from C-3L (light commercial) District to R-3A (multifamily residential apartment) District: 4.30 acres out of Lot 367, John H. Shary Subdivision, Hidalgo County, Texas; 6320 North Taylor Road. **(REZ2016-0029)**

2. Rezone from R-2 (duplex-fourplex residential) District to C-3 (general business) District: Lot 10, Block 45, Hammond's Addition, Hidalgo County, Texas; 2237 Chicago Avenue. **(REZ2016-0036)(TABLED: 10/18/2016)**

b) CONDITIONAL USE PERMITS:

1. Request of Javier Quintanilla for a Conditional Use Permit, for life of the use, for a planned unit development, at the north 3.956 acres out of the south 10 acres of Lot 267, John H. Shary Subdivision, Hidalgo County, Texas; 1820 North Taylor Road. **(CUP2016-0133)(TABLED:10/04/2016)(REMAINED TABLED:10/18/2016)**

2. Request of Norma Melhart, for a Conditional Use Permit, for life of the use, for a guest house at Lot 21, Arthur Terrace Subdivision, Hidalgo County, Texas; 3601 Hawk Court. **(CUP2016-0143)(TABLED: 10/18/2016)**

3. Request of Gricelda Castro for a Conditional Use Permit, for one year, for a home occupation (daycare) at the north 18 ft. of Lot 56 and the south 47 ft. of Lot 57, Block 2 Golden Acres Retirement #4 Subdivision, Hidalgo County, Texas; 400 North 41st Street. **(CUP2016-0106)**

4. Request of Melanie R. Ramirez for a Conditional Use Permit, for one year, for an event center at Lot 1,Nightingale Commerce Subdivision, Hidalgo County, Texas; 6601 North 10th Street, Suite A1. **(CUP2016-0149)**

5. Request of Rachel Pena for a Conditional Use Permit, for one year, for an event center at the East 20 Feet of Lot 1, and All of Lots 2-4, Whalen Acres Subdivision, Hidalgo County, Texas; 1314 East Business 83. **(CUP2016-0150)**

6) DISCUSSION:

7) INFORMATION ONLY:

a) City Commission Action of October 24, 2016

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

ADJOURNMENT:

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

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McAllen

The McAllen Planning and Zoning Commission convened in a Regular Meeting on Tuesday, October 18, 2016, at 3:35 p.m. in the Municipal Building City Commission Room at City Hall, 1300 Houston Avenue, McAllen, Texas.

Present:	**Pepe Cabeza de Vaca**	**Chairperson**
	John Millin	**Vice-Chairperson**
	Mark Wright	**Member**
	Daniel Santos	**Member**
	Brenton M. Baldree	**Member**
	Michael D. Hovar	**Member**
	Robert Luciano	**Member**

Absent:

Staff Present:	**Luis Mora**	**Senior Planner**
	Kimberly Guajardo	**Planner III**
	Miguel Martinez	**Planner II**
	Rodrigo Sanchez	**Planner II**
	Cristina Garcia	**Planner I**
	Gardenia Perez	**Administrative Supervisor**
	Nikki Cavazos	**Secretary**

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

PLEDGE OF ALLEGIANCE

INVOCATION Member – Mr. Daniel Santos

1. MINUTES:

a) Minutes for Regular Meeting held on October 4, 2016

The minutes for the regular meeting held on October 4, 2016 were approved as submitted. The motion to approve was made by Mr. John Millin. Mr. Brent Baldree seconded the motion, which carried unanimously with seven members present and voting.

2. SITE PLAN:

a) Lot 2, South Texas Buick GMC Subdivision; 4100 Expressway 83 **(SPR2016-0026)** HEI

Mr. Martinez stated the property was located on the north side of U.S. Expressway 83, approximately 510 ft. east of S. Bentsen Rd., and was zoned C-3 (general business) District. The adjacent zoning was C-3 in all directions.

The property was part of Proposed South Texas Buick GMC Subdivision, which received final plat approval by the Planning & Zoning at their meeting on January 5, 2016. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

The applicant was proposing to construct a 5,700 sq. ft. building for a used car lot sales office

area. Based on the square footage, 32 spaces were required; 32 parking spaces were provided. Two 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 new internal common drives. Required landscaping for the lot was 10,520 sq. ft. with trees required as follows: 27 – 2 ½" caliper trees, or 14 – 4" caliper trees, or 7 – 6" caliper trees, or 54 palm trees. A minimum 10 ft. wide landscaped strip was required inside the property line along the Frontage 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 sidewalk was required along U.S. Expressway 83. A 6 ft. buffer was required around dumpsters/compactors if visible from the street. No structures were permitted over easements. All building setbacks were in compliance with the plat note requirements and zoning ordinance.

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

Being no discussion of the item, Mr. Brent Baldree **moved** to approve the site plan subject to the conditions noted, paving and building permit requirements and the subdivision and zoning ordinances. Mr. Daniel Santos seconded the motion, which was approved unanimously with six members present and voting and one abstention. Mr. Mark Wright abstained.

3. SUBDIVISIONS:

a) Las Cañadas, Lots 29A & 29 B Subdivision; 4100 Expressway 83 **(Preliminary)(SUB2016-0072)** PE

Ms Guajardo stated the plat consisted of 2 lots and was located on the east side of South "L" Street,south of East Olympia Avenue. The property was zoned R-2/ C-3 (duplex- fourplex residential and general business) and was proposed as duplex- fourplex. Project engineer was to label centerline and show existing ROW on both sides on S. Jackson Road to determine dedication requirements for 120 ft. ROW with paving and curb & gutter to be done by the state. Project engineer was to label existing ROW on S. "L" Street with 40 ft. of paving and curb & gutter on both sides. Alley/service drive easement was required for commercial properties. As Per Public Works a service drive may be required for city services; need to provide site plan showing dumpster location(s) and enclosure. Front setbacks on S. "L" Street were 20 ft. Rear setbacks on Lot 29A were in accordance with the Zoning Ordinance, or greater for easements. Rear setbacks for Lot 29B along S. Jackson Road were to be determined based on easement information to be provided by the project engineer. Side setbacks were in accordance with the Zoning Ordinance, or greater for easements. Garage setbacks were 18 ft. except where greater setback were required; greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on S. "L" Street. A 5 ft. wide sidewalk was required on S. Jackson Road; verify sidewalk width with City Engineering Department. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. A Park Fee of $700 per dwelling unit was required to be paid prior to recording. Parks Department was reviewing park fees paid as part of original plat; to be determined prior to final. A Trip Generation was needed to determine if TIA was required, prior to final plat. Plat must comply with the City's Access Management Policy. Public Hearing without legal notices was required at time of final for the

resubdivision. Project engineer was to label ROWs for S. Jackson Road and S. "L" Street to determine if additional requirements apply prior to final. Project engineer was to revise the name of the replat since only two lots are being replatted (Las Canadas, Lots 29A & 29B Subdivision). Project engineer was to show existing easements on the plat including driveway, utility and fire lane easement (part of Lot 29) as indicated on the recorded plat.

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

The board inquired about the ROW easement, if the lots were one lot or 2 lots and whether the property would be landlocked.

Ms. Guajardo stated the sliver of Lot 29 A on South Jackson had an easement for commercial development in the front. The replat would make one lot into 2- separate lots to construct duplex- fourplex on both lots. Lot 29 used to have a gas well as the property was developed as the original Las Cañadas had a flag lot that went out to Jackson Road to serve as a service drive and also a paved area to serve the commercial area. In speaking to the engineer, he had initially proposed to have 3 lots and he was going to speak to the ROW department to discuss the possibility of dedicating the sliver to the city. The access would be South “L” Street.

Following a brief discussion of the item, Mr. Mark Wright **moved** to recommend approval of the subdivision in preliminary form subject to conditions noted, and utility and drainage approvals. Mr. Michael Hovar seconded the motion which carried unanimously with seven members present and voting.

b) Vendome Subdivision; 3500 El Pacifico Avenue- Kenneth Johnson **(Final)(SUB2016-0077)** IEG

Ms Guajardo stated the property was a 59 lot subdivision zoned and proposed as R-1 (single-family residential) located at the northeast corner of North 38th Street and El Pacifico Avenue. El Pacifico Avenue had 10 ft. dedication for 35 ft. from centerline with 70 ft. ROW and 44 ft. of paving and curb & gutter on both sides. N. 38th Street had dedication as needed for 35 ft. from centerline with 70 ft. ROW and 44 ft. of paving and curb & gutter on both sides. N. 35th Street (entry street) had 80 ft. ROW (private) with approximately 54 ft. of paving and curb & gutter on both sides. Private streets were to comply with and be built according to city standards. Interior Streets: had 50 ft. of ROW (private) with 32 ft. of paving and curb & gutter on both sides. Private streets were to comply with and built according to city standards. Front setbacks were 25 ft. Rear setbacks were 10 ft. except 25 ft. for double fronting lots (Lots 1 thru 18), or greater for easements. Side setbacks were 6 ft. or greater for easements. Corner setbacks were 10 ft. or greater for easements. Garage setbacks were 18 ft. except where greater setback was required, the greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on El Pacifico Ave., N. 38th Street, and both sides of all interior streets. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, and industrial zones/uses, and along El Pacifico Ave. and N. 38th Street. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. No curb cut, access, or lot frontage was permitted along El Pacifico Ave. and N. 38th Street. Common Areas, Private Streets must be maintained by

the lot owners and not the City of McAllen. Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Interior streets were proposed as private and shall be built according to city standards. All lots shall comply with minimum 50 ft. of frontage with corner lots being 4 ft. wider. Must comply with all conditions of Parkland Dedication as approved by the City Commission in 2005. A Trip Generation was approved and a TIA was not required. Preliminary plat was approved with conditions by the Planning and Zoning Commission on June 21, 2016 under El Pacifico Phase III. Revised Preliminary plat with the name change was approved with conditions by P&Z on September 6, 2016. Gate detail along El Pacifico Avenue was approved by the Traffic Operations Department and gate for secondary access at N. 38th Street and northernmost E/W Street to comply with Fire Department requirements. Monies must be escrowed for improvements not constructed prior to plat recording. Homeowner's Association notes on the plat and documentation must be submitted for review/approval prior to plat recording.

Staff recommended approval of the subdivision in final form subject to drainage approval and compliance with City Commission action on parkland dedication as approved in 2005.

Chairperson, Pepe Cabeza de Vaca inquired the secondary access at N. 38th Street.

Ms. Guajardo stated the secondary access was to comply with Fire Department requirements as far as the siren activation.

Mr. Hovar inquired buffer facing North 38th Street.

Ms. Guajardo stated there would be a 6 ft. buffer along 38th Street and El Pacifico Avenue, and the backyards and no curb cut, access or lot frontage.

Following a brief discussion of the item, Mr. John Millin **moved** to recommend approval of the subdivision in final form subject to drainage approval and compliance with city commission action on parkland dedication as approved in 2005. Mr. Robert Luciano seconded the motion which carried unanimously with six members present and voting and one abstention. Mr. Brent Baldree abstained.

c) La Herencia Estates Subdivsion; 9412 SH 107- Vela Development, LLC. (Lorenzo & Rosalinda Vela), Ramona Vela and Maria Marcelina Vela & Eliza Vela and Sylvia Vela **(Revised Preliminary)(SUB2016-0036)(TABLED: 08/02/2016)(REMAINED TABLED: 08/16/ 2016, 09/14/2016, 09/20/2016, 10/04/2016)** M & H

Mr. John Millin **moved** to have item removed from the table and Mr. Brent Baldree seconded the motion with seven members present and voting.

Ms. Guajardo stated the item would be referred back to staff.

The property was a 10 lot subdivision located on the north side of S.H. 107. S. H. 107 which had 172 ft. of ROW existing. S. H. 107 had 172 ft. ROW existing. Project Engineer was to show centerline to determine additional ROW as needed. N/S Interior Street had 50 ft. ROW with 32 ft. of proposed paving and curb & gutter on both sides. Interior cul-de-sac shown was approximately 775 ft. in length, exceeded the maximum 600 ft. allowed. Subject to 40 ft. pavement width if cul-de-sac variance was granted. Proposed 775 ft. length shown exceeds maximum 600 ft. allowed. Project Engineer had submitted a variance request to allow the interior N/S street to have a length of approximately 775 ft. instead of the maximum of 600 ft. allowed in Section 134-105 of the Subdivision Ordinance. If the variance was granted, it would be subject to 40 ft. of paving with curb & gutter on both sides. An alley/service drive easement was required for commercial properties. Initial plat submittal shows Lot 10 proposed for commercial use, which would require an alley was to be determined. Front setbacks along S. H. 107 were 75 ft. or greater for approved site plan. N/S Interior Street setbacks were 25 ft. for Lots 3 thru 9. Rear setbacks were 15 ft. or greater for approved site plan or easements. Sides setbacks being proposed were 6 ft. or greater for easements were to be determined. Corner setbacks were10 ft. or greater for easements for Lots 2 & 10 were 25 ft. if use was commercial. Garage setbacks were 18 ft. except where greater setback was required, the greater setback applied. All setbacks were subject to increase for easements or approved site plan. 4 ft. wide minimum sidewalk was required on S. H. 107 and both sides of the N/S interior street. A 5 ft. wide sidewalk on S. H. 107; was to be verified with Engineering Department. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, and industrial zones/uses. An 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. Notes on the plats were to be determined. As proposed, not all lots have the minimum 100 ft. frontage and 1-acre size for septic tank lots. MPU approved variance allowing lots with less than 100 ft. of frontage and 1 acre in size on June 28, 2016. If the property was annexed, initial zoning of the property would be needed prior to final consideration. If the property was annexed a rezoning and park fee would be required prior to recording. A Trip Generation to determine if TIA was required, prior to final plat. Engineer to clarify if the subdivision was proposed as public or private. Street name to comply with city requirements. Public Utility to address lot size and width for use of septic tank - prior to final plat consideration. Must escrow monies for improvements if not constructed prior to plat recording.

Staff recommended approval of the subdivision plat in revised preliminary form subject to conditions noted, utility & drainage approvals, and a recommendation to the city commission regarding the proposed cul-de-sac length.

d) Gaeli Subdivision; 1813 North Jackson Road - Lone Star National Bank **(Revised Preliminary)(SUB2016-0053)(TABLED:09/14/2016) (REMAINED TABLED 09/20/2016, 10/04/2016)** NAIN

Mr. John Millin **moved** to have item removed from the table and Mr. Mark Wright seconded the motion with seven members present and voting.

Ms. Guajardo stated the item was withdrawn.
The property was a 28-lot subdivision proposed for multifamily development located on the west side of North Jackson Road and north of Pecan Boulevard (FM 495). The property was

currently zoned C-3 (general commercial) District. N. Jackson Road had 10 ft. of ROW dedication proposed for 60 ft. from centerline and future total of 120 ft. of ROW with paving and curb & gutter to be done by the state. N. "K" Center Street had 60 ft. of ROW with 86.56 ft. shown on the preliminary plat with 40 ft. of paving and curb & gutter on both sides. However, the plat had since been revised without N. "K" Center Street. The project engineer, on behalf of the developer was requesting a variance to not require N. "K" Center. E. Sycamore Ave (E/W interior street) had 60 ft. of ROW with 40 ft. paving and curb & gutter on both sides. As proposed, E. Sycamore Avenue exceeds the 600 ft. maximum street length allowed for a cul-de-sac street. The block shown for Sycamore Ave. exceeded the 800 ft. block length allowed without a "stub out" street. Alley had 20 ft. of ROW with 16 ft. of paving. Alley/service drive was required for this multi-family residential development. ROW and paving width may increase for parking areas. Front setbacks had a 30 ft. setback or greater for approved site plan or easements. Property was currently zoned C-3 (general commercial) District. If it was rezoned, front setbacks may be revised prior to final. Rear and Interior setbacks were as per Zoning Ordinance or greater for approved site plan or easements. Corner setbacks on N. Jackson Road had 60 ft. or greater for approved site plan or easements. N. "K" Center Street had 30 ft. or greater for approved site plan or easements. The property was currently zoned C-3 (general commercial) District. If the property was rezoned, setbacks may be revised. Garage setbacks were 18 ft. except where greater setback was required, greater setback applied. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on N. Jackson Road, and both sides of N. "K" Center Street and E. Sycamore Ave. Engineer was to verify 5 ft. sidewalk requirement on N. Jackson Road with Engineering Department. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, and industrial zones/uses. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Perimeter buffers must be built at time of Subdivision Improvements. If the property was rezoned, additional buffers may be required prior to final. A note on the plat would state that no curb cut, access, or lot frontage permitted along N. Jackson Road and N. "K" Center Street. Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. If the property was rezoned prior to final, this note may not be applicable. Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc. Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen. Detention area shown on the plat should be labeled as a Common Area with a lot number prior to final. 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. The section referenced in the plat note may be revised to reflect Section 110-72 of the Vegetation Ordinance prior to final. Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording. Land dedication in lieu of fee: Based on number of units proposed, Parkland Dedication Advisory Board and City Commission was required. Park Fee of $700 was to be paid prior to recording. If the fee was applied, it will be based on $700 per dwelling unit, and must be paid prior to recording. Pending review by the Parkland Dedication Advisory Board and City Commission prior to final. A Trip Generation was needed to determine if TIA is required, prior to final plat. Comply with Fire Department requirements regarding two separate access roads for the development. Alley requirements for access to parking, city services (including dumpster locations), site improvements, etc. were required for this multi-family development. 20 ft. by 20 ft. ROW clips was required at all alley/alley intersections. Must

escrow monies for improvements not constructed prior to recording.

Staff recommended approval of the subdivision plat in revised preliminary form subject to conditions noted, clarification/recommendation on the requested variances, and drainage & utility approvals.

Adjourned at 3:50 pm

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

a) SUBDIVISION:

1. Renaissance Center, Lots 10A – 15A Subdivision; 1300 East Dove Avenue- City of McAllen **(Preliminary/Final) (SUB2016-0074)** JHE

Ms. Guajardo stated the property was a six lot resubdivision located on the east side of North "L" Street between E. Dove Avenue and Zinnia Avenue. The property was zoned as C-3 (general business) and proposed to construct medical offices. E. Dove Avenue had 50 ft. from centerline for 100 ft. ROW existing with 65 ft. of paving and curb & gutter on both sides. Variance for no additional ROW was approved by the City Commission on August 11, 2014. E. Zinnia Avenue had 60 ft. ROW existing with 40 ft. of paving and curb & gutter on both sides. N. "L" Street had 70 ft. ROW existing with 44 ft. of paving and curb & gutter on both sides. Private service drive easement was to be reviewed as part of the site plan. E. Dove Avenue had 50 ft. or greater for approved site plan or easements. N. "L" Street had 35 ft. or greater for approved site plan or easements. E. Zinnia Avenue had 30 ft. or greater for approved site plan or easements. Other setbacks were in accordance with the Zoning Ordinance, or greater for approved site plan or easements. All setbacks were subject to increase for easements or approved site plan. A 4 ft. wide minimum sidewalk was required on E. Dove Avenue, E. Zinnia Avenue, and N. "L" Street. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance. As per Traffic Department, the previous Traffic Impact Analysis would be honored on the condition that the proposed drive ways, the land usage, and gross square footage remain the same as in the projected TIA. Existing plat notes would remain the same for the resubdivision.

Staff recommended approval of the resubdivision in preliminary/final form.

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

The board inquired if the property would be used for parking for the adjacent property, if a TIA was approved, and who owned the property.

Ms. Guajardo stated a research center was to be constructed on one lot and the TIA was honored as a masterplan for the original plat as long as the land use remained the same for office use.

Mr. John Millin **moved** to recommend approval of the resubdivision in preliminary/final form. Motion failed with no second.

Mr. Javier Hinojosa, project engineer, stated all the infrastructure was already in place, the property was going to be five lots instead of two lots.

Mr. Victor Flores stated if the board had any further questions he suggested to go into executive session to speak to the city attorney.

Mr. Daniel Santos **moved** to table the item. Mr. Mark Wright seconded the motion with seven members present and voting.

Mr. John Millin **moved** to have item removed from the table and Mr. Brent Baldree seconded the motion with seven members present and voting.

Mr. Robert Luciano **moved** to recommend approval of the resubdivision in preliminary/final form. Mr. John Millin seconded the motion which carried unanimously with seven members present and voting.

2. The Centre Subdivision; 500 North Cynthia Street- Aaron Garza and James Anthony Reyna **(Final)(SUB2016-0076)** AGES

Ms Guajardo stated the property was a four lot resubdivision located on the northeast corner of East Ebony Avenue and North Cynthia Avenue. The property was zoned R-3A (multifamily residential apartments) and was proposed as R-2(duplex- fourplex residential). N. Cynthia Street had 25 ft. from centerline for 50 ft. ROW existing with approximately 35 ft. of existing paving and curb & gutter on both sides. E. Ebony Avenue had 25 ft. from centerline for 50 ft. ROW existing with approximately 28 ft. of existing paving and curb & gutter on both sides. Variance to not dedicate an additional 5 ft. ROW for 30 ft. from centerline for 60 ft. ROW and 40 ft. of pavement was granted by the City Commission at their meeting of July 11, 2016. Ingress/Egress easements were to be provided between the lots was in compliance with parking and access with proper turnaround as may be required by Public Works Department. Front setbacks on N. Cynthia Street were 20 ft. or greater for easements for Lots 1 & 2. E. Ebony Avenue had 20 ft. or greater for easements for Lots 3 & 4. Rear and interior setbacks were in accordance with the Zoning Ordinance, or greater for easements. Corner setbacks were 10 ft. or greater for easements on the west of Lot 3 along N. Cynthia Street. Garage setbacks were 18 ft. except where greater setback was required; greater setback applied. All setbacks were subject to increase for easements. A 4 ft. wide minimum sidewalk was required on N. Cynthia Street and E. Ebony Avenue. Perimeter sidewalks must be built or money escrowed if not built at this time. A 6 ft. opaque buffer was required from adjacent/between multi-family residential and commercial, or industrial zones/uses. An 8 ft. masonry wall was required between single-family residential and commercial, industrial, or multi-family residential zones/uses. Park Fee of $11,200 based on 16 dwelling units at $700 each was required to be paid prior to recording. A Trip Generation was approved by the Traffic Department and a TIA was not required, prior to final plat. Per Traffic, the plat must comply with the City's Access Management Policy. Existing plat notes were to remain the same for that portion of the resubdivision. Ingress/Egress easement were to be provided with turnaround as may be required by Public Works with dumpster locations finalized at time of building permit/site plan review.

Staff recommended approval of the resubdivision in final form.

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

Being no discussion, Mr. John Millin **moved** to recommend approval of the resubdivision in final form. Mr. Brent Baldree seconded the motion which carried unanimously with seven members present and voting.

b) CONDITIONAL USE PERMIT:

1. Request of Norma Melhart, for a Conditional Use Permit for life of the use , for a guest house at Lot 21, Arthur terrace Subdivision, Hidalgo County, Texas; 3601 Hawk Court. **(CUP2016-0143)**

Ms. Garcia stated the property was located at the southwest corner of Hawk Court and North 36th Lane, and was zoned R-1 (single family residential) District. The adjacent zoning was R-1 District in all directions. Surrounding land uses include single family residences and agricultural & open space.

Currently, there was an existing one story brick residence on the property. The applicant was proposing to construct a 400 sq. ft. guest house on the property. The guest house would serve as an accessory use to the existing main house, and would share the existing driveway and utilities with the main residence. The required setbacks were 10 ft. rear, 6 ft. on the west side, 10 ft. on the east side and 20 ft. on the front. The site plan submitted shows a rear setback of 10 ft. from the property line and 10 ft. on the east side with a 12 ft. building separation.

A guest house was permitted in an R-1 zone with a conditional use permit. A guest house was an accessory building designed for the temporary occupancy of guests of the primary dwelling for which there was no remuneration. The guest house must meet the requirements set forth in Section 138-118(5) of the Zoning Ordinance and specific requirements as follows:

1) Only one guest house shall be permitted on the property;

2) The proposed use shall comply with setback requirements. Required setbacks and building separation were being met;

3) The proposed use shall be connected to the same utilities as the primary residence. The guest house would share the utilities with the primary residence;

4) Lot size must be a minimum 8,000 sq. ft. The subject property was approximately 9,400 sq. ft.;

5) Separate driveways or garages for the proposed use shall not be permitted. The guest house would be utilizing the existing driveway;

6) The proposed use shall not be rented; and

7) The permit shall be revoked if rent was paid or utility expenses were shared with the proposed use.

Staff recommended approval of the request, for life of the use, subject to Section 138-118(5) of the Zoning Ordinance, building permit and Fire Department requirements.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit request and there was a surrounding neighbor present to speak in opposition. The applicant was not present.

Mr. Michael Hines, a surrounding neighbor in opposition, stated he was concerned with parking, someone living there permanently and wanted to make sure the area would stay as single family residential.

Ms. Garcia stated the guest house was to be used for temporary use.

After a brief discussion of the item, Mr. Mark Wright **moved** to table the item to allow the applicant time to atted the next meeting. Mr. John Millin seconded the motion with seven members present and voting.

2. Request of Ruben Ruiz Jr., for a Conditional Use Permit, for life of the use, for a guest house at Lot 20, Spanish Oaks Estates Subdivision, Hidalgo County, Texas; 1712 North 49th Street. **(CUP2016-0144)**

Ms. Garcia stated the property was located on the east side of the "knuckle" where North 49th Street and Redwood Avenue intersect, and was zoned R-1 (single family residential) District. The adjacent zoning was R-1 District to the south, west, and north and A-O (agricultural & open space) District to the east. Surrounding land uses include single family residences, vacant land, and a drainage canal.

Currently, there was a 2,778 sq. ft. residence and a 539 sq. ft. cabana was being constructed on the property. If the conditional use permit was approved, the cabana would be used as a guest house. The guest house would consist of a bedroom, one bath and a living area with a kitchen. The guest house would serve as an accessory use to the existing main house, and would share the existing driveway and utilities with the main residence.

A guest house was permitted in an R-1 zone with a conditional use permit. A guest house was an accessory building designed for the temporary occupancy of guests of the primary dwelling for which there was no remuneration. The guest house must meet the requirements set forth in Section 138-118(5) of the Zoning Ordinance and specific requirements as follows:

1) Only one guest house shall be permitted on the property;

2) The proposed use shall comply with setback requirements. Required setbacks and building separation were being met;

3) The proposed use shall be connected to the same utilities as the primary residence. The guest house would share the utilities with the primary residence;

4) Lot size must be a minimum 8,000 sq. ft. The subject property was approximately 11,604 sq. ft.;

5) Separate driveways or garages for the proposed use shall not be permitted. The guest house would be utilizing the existing driveway;

6) The proposed use shall not be rented; and

7) The permit shall be revoked if rent was paid or utility expenses were shared with the proposed use.

Staff recommended approval of the request, for life of the use, subject to Section 138-118(5) of the Zoning Ordinance, building permit and Fire Department requirements.

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

Being no discussion of the item, Mr. John Millin **moved** to recommend approval of the conditional use permit for life of use, subject to Section 138-118(5) of the Zoning Ordinance, building permit and Fire Department requirements. Mr. Daniel Santos seconded the motion which carried unanimously with seven members present and voting.

Recess for Executive Session at 4:19 pm

3. Request of Mario Chicas, for a Conditional Use Permit, for one year, for a portable food concession stand at Lot 2, Redbud Unit No. 2 Subdivision, Hidalgo County, Texas; 6700 North 23rd Street, Suite E. **(CUP2016-0142)**

Ms. Garcia stated the property was located at the northeast corner of Oriole Avenue and N. 23rd Street. The property dimensions were 137 ft. by 270 ft. and it was zoned C-3 (general business) District. The adjacent zoning was R-3C (condominiums) District to the north, R-1 (single family residential) District to the east and west, and C-1 (office building) District to the south. A portable food concession stand 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 this location by the Planning and Zoning Commission on April 5, 2011 and had been renewed annually by different tenants. The last permit was approved for one year on May 20, 2014. No renewal followed for 2015; therefore, the applicant had to go before the Planning and Zoning Commission as a new request. There was currently a commercial strip center on the property with restaurant uses and retail.

The applicant was proposing to continue operating a business from the existing 172 sq. ft. portable food concession stand with a 38 sq. ft. outdoor deck area. The proposed hours of operation were from 11 a.m. to 9 p.m. Monday –Sunday. It would be strictly take out with no seating being proposed in the deck area. If in the future seating was proposed, additional parking would need to be provided. The applicant was proposing to utilize the existing parking

lot to meet the required parking. Based on the total area of the 210 sq. ft. portable food concession stand/deck area, 4 parking spaces were required; 56 parking spaces provided on site. Of the 56 parking spaces, 47 parking spaces were required for the restaurants and 5 parking spaces were required for the retail, for a total of 52 spaces required.

The Health and Fire Departments have inspected the stand and was in compliance with their requirements. The proposed use must also comply with the zoning ordinance and specific requirements as follows:

1) The proposed use shall not be located in a residentially zoned area. The portable food concession stand was located in a C-3 District;

2) The proposed use shall be inspected by the Building Inspector and comply with applicable building codes;

3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. The applicant was proposing to utilize the existing parking lot. Based on the total area of then 210 sq. ft. portable food concession stand/deck area, 4 parking spaces were required; 56 parking spaces provided on site. Of the 56 parking spaces, 47 parking spaces were required for the restaurants and 5 parking spaces were required for the retail, for a total of 52 spaces required. Should seating be provided in the future, additional parking would need to be provided;

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. Bathroom facilities would be provided on site from the existing portable food concession stand.

Staff recommended approval of the request, for one year, subject to the conditions noted on Section 138-118(9) 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 request and no one was present to speak in opposition. The applicant was not present.

Being no discussion of the item, Mr. John Millin **moved** to recommend approval of the conditional use permit for one year subject to Section 138-118(9) of the Zoning Ordinance, Health and Fire Department requirements. Mr. Daniel Santos seconded the motion which carried unanimously with seven members present and voting.

4. Request of Jose Martinez, for a Conditional Use Permit, for one year, for an institutional use (church), west 3.61 acres out of Lots 7, 8 and 9 , Espensen Industrial Park Unit No. 2 Subdivision, Hidalgo County, Texas; 2601 Zinnia Avenue. **(CUP2016-0147)**

Ms. Garcia stated the property was located on the south side of Zinnia Avenue, approximately 730 ft. east of North 29th Street. It was zoned I-1 (light industrial) District. The adjacent zoning was I-1 District to the north, west, and east, and I-2 (heavy industrial) District to the south. Surrounding land uses include industrial businesses, a church, and single family residences. An institutional use was permitted in an I-1 zone with a Conditional Use Permit and in compliance with requirements.

Currently, there was an existing 25,777 sq. ft. building on the property that was the Food Bank of the RGV. The applicant was proposing to purchase the building for a church. The proposed church would havea fellowship hall, lobby, two storage area, classrooms, and the main sanctuary. The maximum seating capacity would be 240 seats based on the 60 parking spaces provided; however, during inspection, staff observed that the parking to the west needs striping. Striping would need to be done in order to determine the final maximum seating capacity in the main sanctuary.

A building permit application would need to be submitted and reviewed by the City departments. All requirements of the building permit must be met, including setbacks, landscaping, parking, etc.

The Fire Department had inspected the site; however, a final inspection was pending once the building permit was finalized. The church must 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 Zinnia Avenue and had access to North 29th Street as well.

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. The maximum seating capacity would be 240 seats based on the 60 parking spaces provided; however, during inspection, staff observed that the parking to the west needs striping. Striping would need to be done in order to determine the final maximum seating capacity in the main sanctuary;

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 a 6 ft. opaque fence.

Staff recommended approval of the request, for one year, subject to conditions noted, striping the parking spaces on the west side, the Zoning Ordinance, Fire Department requirements and building permit requirements.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit request and someone was present to speak in opposition. The applicant was not present.

Mr. Melvin Paramo, a surrounding neighbor in opposition stated his concern with the parking requirements and parking along the street.

Ms. Garcia stated the applicant would need to strip the parking lot to verify the parking and set the maximum seating capacity for the proposed church.

Following a brief discussion of the item, Mr. John Millin **moved** to recommend approval of the conditional use permit for one year subject to subject to conditions noted, striping the parking spaces on the west side, the Zoning Ordinance, Fire Department requirements and building permit requirements. Mr. Michael Hovar seconded the motion which carried unanimously with seven members present and voting.

5. Request of David C. Shutter, for a Conditional Use Permit, for one year, for an portable building greater than 10'x12' at Lots 17 and 18, Northeast Industrial Subdivision, Hidalgo County, Texas; 1309 East Upas Avenue. **(CUP2016-0146)**

Ms. Garcia stated the property was located on the north side of East Upas Avenue, approximately 610 ft. west of North Jackson Road. The property was zoned I-1 (light industrial) District. The adjacent zoning was I-1 to the east, south, and west and R-1 (single family residential) District to the north. Surrounding land uses include commercial businesses, industrial businesses and vacant land. A portable building was allowed in an I-1 District with a Conditional Use Permit and in compliance with requirements.

Currently, the property was vacant. The applicant was proposing to place eighteen (18) - 8 ft. by 40 ft. (320 sq. ft.) portable buildings on the property for seasonal packages for the high rush for the months of November and December. The applicant stated that after December the portable buildings would be removed. Access was proposed from the UPS site, a 16 ft. access gravel drive located on the southeast corner of the UPS property, as per site plan.

The applicant had submitted a letter requesting an exception to the paving requirements and be allowed to place gravel instead.

A building permit would be necessary to place the portable buildings at the location.

The portable buildings 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 building would be used for mail packages only;

2) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts East Upas Avenue;

3) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. The applicant had submitted a letter requesting an exception to the paving requirements and be allowed to place gravel instead;

4) Must provide for garbage and trash collection and disposal. A dumpster would be required as part of the building permit;

5) Must be connected to an approved water distribution and sewage disposal system. Would not require utility connections for its not an office use;

6) No form of pollution shall emanate beyond the immediate property line of the permitted use; and

7) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

Staff recommended approval of the request, for 6 months only, subject to the any variance approvals, Section 138-118(3) of the Zoning Ordinance, building permit and fire department requirements.

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

Being no discussion of the item, Mr. Mark Wright **moved** to recommend approval of the conditional use permit for six months only, subject to Section 138-118(3) of the Zoning Ordinance, building permit and fire department requirements and allowing gravel instead of pavement. Mr. John Millin seconded the motion which carried unanimously with seven members present and voting.

6. Request of Jose A. Navarrete on behalf of Stripes #9641, for a Conditional Use Permit, for one year, for a portable building greater than 10'x12' (storage) at Lot 1, Cassandra Subdivision, Hidalgo County, Texas; 3618 Pecan Boulevard, Suite A. **(CUP2016-0129)(TABLED: 10/04/2016)**

Mr. John Millin moved to have item removed from the table and Mr. Mark Wright seconded the motion with seven members present and voting.

Ms. Garcia stated the property was located at the northeast corner of North Ware Road and Pecan Boulevard. The property was zoned C-3 (general business) District. The adjacent zoning was C-3 to the south, east and west, and A-O (agricultural & open space) District to the north. Surrounding land uses include commercial businesses, restaurants, and South Texas College. A portable building was allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

Currently, there was a commercial building on the property. The initial conditional use permit was approved for one year, instead of the life of the use requested, by the Planning and Zoning Commission on March 5, 2013. No renewal followed after that. There was a new representative for Stripes and due to the expired time frame, it had to come before the Planning and Zoning Commission for consideration and approval.

The new representative was proposing to continue to utilize an 8 ft. X 20 ft. portable building on the property for storage for the existing business (Stripes Convenience Store). The proposed 160 sq. ft. portable building was located at the front of the building, which eliminates one parking space. Based on the retail store business, 11 parking spaces were required; 17 parking spaces were provided. The portable building must comply with all required setbacks, including a 60 ft. front building setback.

The Fire Department had inspected the property and meets all the minimum standards and applicable ordinances. The establishment must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

8) Portable buildings must not be used for living quarters. The building was being used for storage purposes;

9) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts North Ware Road.

10) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the retail store business, 11 parking spaces were required; 17 parking spaces were provided;

11) Must provide for garbage and trash collection and disposal. A dumpster was already provided on site.

12) Must be connected to an approved water distribution and sewage disposal system. Would not require utility connections for its not an office use;

13) No form of pollution shall emanate beyond the immediate property line of the permitted use; and

14) 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.

The item was tabled at the October 4, 2016 Planning and Zoning Commission meeting. There

was no one present to speak in opposition of the request and the applicant was not present.

The board inquired about a previous permit that was denied at a different location. Staff explained the reason for the denial and stated that for this permit the setbacks and parking were being met at that location.

After discussion of the item, the board voted to table the item to allow the applicant time to be present at the next Planning and Zoning Commission meeting.

Staff recommended approval of the request for one year, subject to Section 138-118(3) 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 request and no one was present to speak in opposition. The applicant was present.

Being no discussion of the item, Mr. John Millin **moved** to recommend approval of the conditional use permit for one year subject to Section 138-118(3) of the Zoning Ordinance, and Fire Department requirements. Mr. Brent Baldree seconded the motion which carried unanimously with seven members present and voting.

7. Request of Cesar Quintanilla on behalf of Stripes #7304, for a Conditional Use Permit, for one year, for a portable building (storage) at the North 110.0 feet of the East 150.0 feet of Lot 25, Block 2, C. E. Hammonds Subdivision; Hidalgo County, Texas; 1225 North 23rd Street. **(CUP2016-0130)(TABLED: 10/04/2016)**

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

Ms. Garcia stated the property was located at the southwest corner of North 23rd Street and Maple Avenue. The property was zoned C-3 (general business) District. The adjacent zoning was C-3 District in all directions and C-1 (office) District to the northwest. Surrounding land uses include commercial businesses, single family residences and offices. A portable building was allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

Currently, there was a commercial building on the property. The initial conditional use permit was approved for one year, instead of the life of the use requested, by the Planning and Zoning Commission on March 5, 2013 with the conditions to comply with the minimum setbacks and placing the portable building on a concrete pad or paved area. No renewal followed after that. There was a new representative for Stripes and due to the expired time frame, it had to come before the Planning and Zoning Commission for consideration and approval.

The new representative was proposing to continue to utilize an 8 ft. X 20 ft. portable building on the property for storage for the existing business (Stripes Convenience Store). The proposed 160 sq. ft. portable building was located north of the building along Maple Avenue. During inspection staff observed that the portable was sitting in an unimproved area. In order for the portable building to be in compliance it must sit in a concrete pad or a paved area, this area would need to be paved to city standards and meet landscaping requirements.

Based on the retail store business, 6 parking spaces were required; 10 parking spaces were provided. The portable building must comply with all required setbacks, including a 10 ft. corner setback.

The Fire Department had inspected the property and meets all the minimum standards and applicable ordinances. The establishment must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

15) Portable buildings must not be used for living quarters. The building would being used for storage purposes;

16) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts North 23rd Street.

17) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the retail store business, 6 parking spaces were required; 10 parking spaces were provided;

18) Must provide for garbage and trash collection and disposal. A dumpster was already provided on site.

19) Must be connected to an approved water distribution and sewage disposal system. Would not require utility connections for its not an office use;

20) No form of pollution shall emanate beyond the immediate property line of the permitted use; and

21) 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.

The item was tabled at the October 4, 2016 Planning and Zoning Commission meeting. There was no one present to speak in opposition of the request and the applicant was not present.

The board discussed the previous conditions placed on the initial conditional use permit. Following discussion, the board voted to table the item to allow the applicant time to be present at the next Planning and Zoning Commission meeting.

Staff recommended approval of the request for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks, Fire Department requirements, and placing the portable building in a concrete pad or paved area.

Chairperson, Pepe Cabeza de Vaca, asked if there was anyone present in opposition of the conditional use permit request and no one was present to speak in opposition. The applicant was present.
The board inquired why it took so long for them to renew their permit after the timeframe of the expiration of the permit, if the applicant neglected to put the portable building on the concrete

slab as approved initially, and if staff had verified that the applicant had complied with the requirements.

Ms. Garcia stated the permit was released on the condition of complying with the requirements due to the number of permits that received approval.

Mr. Cesar Quintanilla, applicant, stated the corporate office had applied for the permit and was unaware of needing to reapply accordingly.

After discussion of the item, Mr. Mark Wright **moved** to recommend approval the request for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks, Fire Department requirements, and placing the portable building in a concrete pad or paved area. Motion failed with no second.

Mr. Mark Wright **moved** to recommend disapproval of the request based on noncompliance with minimum setbacks, Fire Department requirements, and placing the portable building in a concrete pad or paved area. Mr. Michael Hovar seconded the motion with seven members present and voting.

8. Request of Cesar Quintanilla on behalf of Stripes # 9632, for a Conditional Use Permit, for one year, for a portable building greater than 10'x12' (storage) at the East 200 feet of Lots 1 & 2, and the East 200 feet of the North 12 feet of Lot 3, Block 2, T.H.E. ENTERPRISE Subdivision, Hidalgo County, Texas; 4839 North 10th Street. **(CUP2016-0131)(TABLED: 10/04/2016)**

Mr. Mark Wright moved to have item removed from the table and Mr. Brent Baldree seconded the motion with seven members present and voting.

Ms. Garcia stated the property was located at the southwest corner of North 10th Street and Wisteria Avenue. The property was zoned C-3 (commercial business) District. The adjacent zoning was C-3 District to the north, southeast, south and west, and R-3A (apartments) District to the east. Surrounding land uses include commercial businesses and multi-family residences. A portable building was allowed in a C-3 District with a Conditional Use Permit and in compliance with requirements.

Currently, there was a commercial building on the property. The initial conditional use permit was approved by the Planning and Zoning Commission for one year, instead of the life of the use requested, on February 5, 2013. No renewal followed after that. There was a new representative for Stripes and due to the timeframe, it had to come before the Planning and Zoning Commission for consideration and approval.

The new representative was proposing to continue to utilize an 8 ft. X 20 ft. portable building on the property for storage for the existing business (Stripes Convenience Store). The proposed 160 sq. ft. portable building was located by the building along Wisteria Avenue, was placed within the 10 ft. corner setback requirements and was approximately 2 ft. in the right-of-way of

Wisteria Avenue. Based on the retail store business, 6 parking spaces were required; 6 parking spaces were provided. The portable building would be required to comply with all required setbacks, including a 10 ft. corner setback.

The Fire Department had inspected the property and meets all the minimum standards and applicable ordinances. The establishment must also meet the requirements set forth in Section 138-118(3) of the Zoning Ordinance as follows:

22) Portable buildings must not be used for living quarters. The building would be used for storage purposes;

23) Must be located in such a manner as to have access to a public right-of-way within 200 ft. The property fronts North 10th Street.

24) The proposed use and adjacent businesses shall comply with the off-street parking and loading ordinance. Based on the retail store business, 6 parking spaces were required; 6 parking spaces were provided;

25) Must provide for garbage and trash collection and disposal. A dumpster was already provided on site.

26) Must be connected to an approved water distribution and sewage disposal system. Would not require utility connections for its not an office use;

27) No form of pollution shall emanate beyond the immediate property line of the permitted use; and

28) 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.

The item was tabled at the October 4, 2016 Planning and Zoning Commission meeting. There was no one present to speak in opposition of the request and the applicant was not present.

The board voted to table the item to allow the applicant time to be present at the next Planning and Zoning Commission meeting.

Staff recommended disapproval of the request based on non-compliance with the minimum side yard setback requirement.

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

Being no discussion of the item, Mr. Mark Wright **moved** to recommend disapproval of the request based on noncompliance with minimum side yard setback requirement. Mr. Michael Hovar seconded the motion with seven members present and voting.

9. Request of Victor Barrera, for a Conditional Use Permit, for one year, for a banquet hall at Lot 1, Michelle's Banquet Hall Subdivision, Hidalgo County, Texas; 2100 Nolana Avenue. **(CUP2016-0145)**

The property was located on the north side of Nolana Avenue, approximately 280 ft. east of North 22nd Street. The property had 193 ft. of frontage along Nolana Avenue and a depth of 416 ft. at its deepest point. The property, as well as the surrounding area, was zoned C-3 (general business) District. Surrounding land uses include restaurants, commercial businesses, offices, bars, the International Museum of Arts & Science (IMAS) and McAllen's Library. A banquet hall 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 dancehall at this location on November 21, 2000 for one year by the Planning and Zoning Commission and had been renewed annually up until August 4, 2009. A renewal was not done for the year 2010 and 2011. Code Enforcement issued a notice of violation and the applicant submitted an application on November 21, 2011. The permit was approved January 23, 2012 by the City Commission with a variance to the distance requirement. The last permit was approved, for one year, for a banquet hall on November 9, 2015 by the City Commission with a variance to the distance requirement.

The applicant was proposing to continue to operate a banquet hall (D'Gala) from the existing 13,087 sq. ft. building. The hours of operation were from 9:00 a.m. to 2:00 a.m. Monday through Saturday. Based on the square footage 131 parking spaces were required; 131 spaces were provided on site.

Staff had received a letter of opposition for the request with concerns with trash and graffiti.

A police activity report was attached indicating service calls from October 2015 to present. The Health and Fire Departments have inspected the establishment which was in compliance with health and safety codes and regulations. The establishment must 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 feet 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 property was within 600 ft. of residential zones and uses, the International Museum of Arts & Science, and McAllen's Library;

2) The property must be as close as possible to a major arterial and shall no generate traffic onto residential sized streets. The establishment had direct access to Nolana Avenue;

3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage 131 parking spaces were required; 131 spaces were provided on site;

4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;

5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;

6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and

7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum number of persons allowed was 600.

Staff recommended disapproval of the request due to non compliance 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 request and no one was present to speak in opposition. The applicant was not present.

Being no discussion of the item, Mr. Mark Wright **moved** to disapprove 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. Mr. Daniel Santos seconded the motion which carried with six members voting aye and one abstention. Mr. John Millin abstained.

10. Request of Javier Quintanilla for a Conditional Use Permit, for life of the use, for a planned unit development, at the north 3.956 acres out of the south 10 acres of Lot 267, John H. Shary Subdivision, Hidalgo County, Texas; 1820 North Taylor Road. **(CUP2016-0133) (TABLED : 10/04/2016)**

Ms. Garcia stated the item was to remain tabled.

The property was located on the east side of North Taylor Road, approximately 960 ft. south of Vine Avenue and was zoned R-1 (single family residential) District. The adjacent zoning was A-O (agriculture & open space) District to the south and R-1 District to the north and east. The area to the west was outside city limits. Surrounding land uses include, single family residences, vacant land and commercial businesses along Pecan Boulevard. A Planned Unit Development was permitted in an R-1 District with a conditional use permit and in compliance with Article IV Planned Developments of the Subdivision Ordinance.

Currently, the property was vacant. The property was part of Quinta Real Subdivision, which consist of thirty-five (35) lots and received preliminary approval by the Planning and Zoning Commission on June 21, 2016. A note in the plat states that a site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit.

The applicant was proposing to develop a Planned Unit Development, which would include only townhouses. Planned unit developments allow a variety of land uses that complement each other

within the development and with existing land uses in the vicinity. Specific requirements for approval were specified in the Ordinance creating a Planned Unit Development for the subject property and summarized as the following:

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan.

2. PERMITTED USES: Permitted uses were uses permitted in the R-1 District for buildings designated as residential.

3. OFF-STREET PARKING AND LOADING: two spaces per unit.

4. LANDSCAPING: 10% landscape in R-1 District. 50% of front yard landscape. Dumpsters screened. Site plan must indicated landscape areas provided, trees, etc.

5. STREETS AND SETBACKS: Quinta Real Subdivision was in process. Street alignment and pattern was being received as part of the plat and would need to be resolved to determine final details for the PUD. Also, the site plan must identify setbacks and building envelope on each lot. Dimension of pavement and front and rear setbacks must be shown in site plan. As well as sidewalks along within the development and entrance and exists.

6. DRAINAGE: During the Quinta Real Subdivision process final drainage detention and design and drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.

7. ADDITIONAL PROVISIONS: CUP site plan controls if there was conflict with other City ordinances. A decision by the Planning Director may be reviewed by Planning and Zoning Commission for recommendation to Board of Commissioners for final determination.

8. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan.

9. A recorded subdivision plat and Planned Unit Development site plan was required prior to issuance of building permits. During the final stages of Quinta Real Subdivision process must be completed.

The item was tabled at the October 4, 2016 Planning and Zoning Commission meeting. There was surrounding neighbors present to speak in opposition of the request and the applicant was not present.

The surrounding neighbors stated their concerns that dealt with the proximity of the location of the canal, high traffic, the access, safety. A signed petition was also submitted to staff at the meeting.

After discussion of the item, the board voted to table the item to allow the applicant time to submit the necessary information to verify compliance.

Staff had verified the petition that showed a 9.8 percent of opposition.

Staff recommended that the item remain tabled to allow the applicant time to submit the necessary information and submittals to verify compliance.

c) REZONING:

1. Rezone from R-2 (duplex-fourplex residential) District to C-3 (general business) District: Lot 10, Block 45, Hammond's Addition, Hidalgo County, Texas; 2237 Chicago Avenue. **(REZ2016-0036)**

Mr. Sanchez stated the applicant was not present. The staff recommended the item to be tabled in order to allow the applicant to be present at the next public hearing.

The property was located along the south side of Chicago Avenue approximately 100 feet east of South 23rd Street. The tract had 50 feet of frontage along Chicago Avenue and a depth of 140 feet for a tract size of 7,000 square feet. The applicant was requesting C-3 (general business) District in order to expand an existing auto parts store by the name of Frontera Collision Auto Parts located on Lots 11 and 12. The applicant plans to expand the existing building into Lot 10 as shown in the feasibility plan. Adjacent zoning was R-2 (duplex-fourplex residential) District to the north, east, and south and C-3 (general business) District to the west. The tract contains a single family residence that was to be demolished for commercial use. Surrounding land uses were single family residences, McAllen Groceries, Asap Printing Solutions, and Luxor Beauty Salon.

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

The development trend for this area Chicago Avenue was single family residential use. This tract was rezoned R-2 (duplex-fourplex residential) District upon comprehensive zoning in 1997. There have been no other rezoning requests for the subject property since that time. Rezoning requests to C-3 District along the east side of 23rd Street into residential areas have been disapproved, 2 cases in 2013 and approved, 3 cases 1988 and 2013. The commercial corridor was expanded at Fresno Avenue and 23rd Street in 1995 for an existing commercial building.

The requested zoning does not conform to the Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The rezoning expands the width of the commercial corridor from 2 lots to 3 lots. Single family residences were located along the north side of Chicago facing the commercial building. The subject property faces a single family residence constructed in 2003. The proposed building expansion was for inventory storage of the existing auto parts store. The proposed addition comprises 4,200 square feet that would require 14 parking spaces for general commercial. Additional parking and curb cut would generate more commercial traffic on to a residential street. Approval of the rezoning may encourage other rezoning requests to widen the commercial corridor into adjacent residential areas. Chicago Avenue was designated as a local street with 50 feet of right-of-way, with 36 feet of pavement providing 2 travel lanes, a parking lane, curb and gutter, and a sidewalk. An 8 foot masonry wall was required where a nonresidential use had a side property line in common with a single family residential use or zone. Compliance with off-street parking, landscaping, and various building and fire codes were required as part of the building permit process for commercial development.
Approval of the rezoning request allows for expansion of an existing business and strengthens the commercial corridor along 23rd Street.

Staff recommended disapproval of the rezoning request.

Mr. Robert Luciano **moved** to table the item. Mr. Mark Wright seconded the motion with seven members present and voting.

2. Rezone from R-2 (duplex-fourplex residential) District to C-1 (office building) District: Lot 19, Block 3, Metz Subdivision No.'s 1, 2, and 3, Hidalgo County, Texas; 2233 Ivy Avenue. **(REZ2016-0038)**

Mr. Sanchez stated the property was located on the south side of Ivy Avenue, 160 feet east of 23rd Street. The tract had 64.26 feet of frontage along Ivy Avenue and a depth of 115 feet at its deepest point feet for a tract size of 7,389 square feet. The applicant was requesting C-1 (office building) District for a proposed day care center. A feasibility plan had been submitted to the Planning Department showing the first floor converted into a daycare while retaining the apartment on the second floor. Adjacent zoning was R-1 (single family residential) District to the north, east and south, and C-3 (general business) District to the west. The tract comprises one lot containing a duplex. Surrounding land uses were Skateland Bingo, Starlite Burgers, Auto Credit Used Car Dealership, Lopez Ties & Wheels, Our Lady of Perpetual Help Church, and single family residences.

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

The development trend along Ivy Avenue was single family residential. The property was rezoned to R-2 (duplex-fourplex residential) District in 1983 and was converted to a duplex. There have been no other rezoning requests along Ivy Avenue. A conditional use permit for a parking lot in an R-1 District was approved in 1998 for the property across the street. A conditional use permit for a bookkeeping service was approved for one year at 2224 Ivy Avenue in 1999.

The requested zoning does not conform to the Auto Urban Residential land use designation for the area as indicated on the Foresight McAllen Comprehensive Plan. The character of the area east of the alley was residential. The alley provides a separation between commercial and residential districts. The current zoning district for the subject property permits a home occupation day care with a conditional use permit. The applicant may apply for a conditional use permit for a day care with a variance to Section 138-118(8)(e) Person who applies for permit must reside at location for which permit was applied. A home occupation daycare was limited to 12 children. Land uses permitted in a C-1 zone were: office building for professional services, medical services, financial services and personal services including beauty salons, day care centers and nursing homes. The applicant proposes to remodel the existing residence into a day care center with approximately 40 children. The maximum building height limit for C-1 District was 2 stories. A masonry wall 8 feet in height was required along the property line contiguous to single family residences. The applicant was proposing 5 parking spaces as shown in the feasibility plan. Six (6) parking spaces were required for the daycare occupying 1,209 square feet on the first floor. The one bedroom apartment on the second floor requires 2 parking spaces. The minimum parking stall depth was 18 feet. The parking stalls shown in the feasibility plan as 1 through 5 have a depth of 12 feet to the alley. Section 138-399(a) states that maneuvering space for 90-degree angle parking space shall not be less than 24 feet. The adjacent alley to the west of the property was only 20 feet wide. A Special Exception for parking stalls may be required or the applicant may meet the parking requirement by a parking

lease agreement. Compliance with off-street parking, landscaping, buffers and various building and fire codes were required as part of the building permit process for commercial occupancy. Ivy Avenue was a local residential street with 50 feet of right-of-way providing 2 travel lanes and sidewalks.

Staff recommended disapproval of the rezoning request.

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

Mr. Thomas Brownmiller, representative for the applicant, sated that Ms. Garza had contacted the Building Permits and Inspections Department and Fire Department regarding commercial permit checklist requiring commercial kitchen, grease trap, fire exits and masonry wall requirements. She was working with Engineering Department concerning parking specifications and with Bingo Gardens for a parking agreement for complying with the parking requirements. Ms. Garza indicated that the daycare will comply with the Child Care State Licensing Regulations and the facility could support up to 30 children. Seven employees were proposed with additional caregivers as required based upon the number of children. He also stated that the floor plan had changed to convert the second floor apartment use to an office for the day care business.

The board stated the alley served as a buffer between commercial and residential. Rezoning the property adjacent to residential may encourage other rezoning requests into the neighborhood. The board indicated that the number of children was excessive for the existing residence and the site did not appear to support the day care facility.

Following discussion of the item, Mr. John Millin **moved** to recommend disapproval of the rezoning request. Mr. Hovar seconded the motion. The Board voted to recommend disapproval of the rezoning request with seven members present.

5. DISCUSSION:

6. INFORMATION ONLY:

a) City Commission Action of October 10, 2016

7. 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 5:21 p.m., Mr. Mark Wright seconded the motion which carried unanimously with seven members present and voting.

_____
Chairperson, Pepe Cabeza de Vaca

ATTEST: _____
Susana De La Cerda, Secretary

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: October 28, 2016

SUBJECT: SITE PLAN APPROVAL FOR PROPOSED LOTS 2, 3 & 4, COMMUNITY CENTER AT TRES LAGOS SUBDIVISION; 5100 TRES LAGOS BOULEVARD.

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 and south side of Tres Lagos Blvd between Shary Rd and Ware Rd, and is zoned R-1 (single-family residential) District. The adjacent zoning is C-4 (commercial industrial) District to the west and southeast, and R-1 in all other directions.

The property is part of Community Center at Tres Lagos and is scheduled for final consideration by Planning & Zoning Commission on the same agenda. 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.

The applicant is proposing three separate parks as follows:

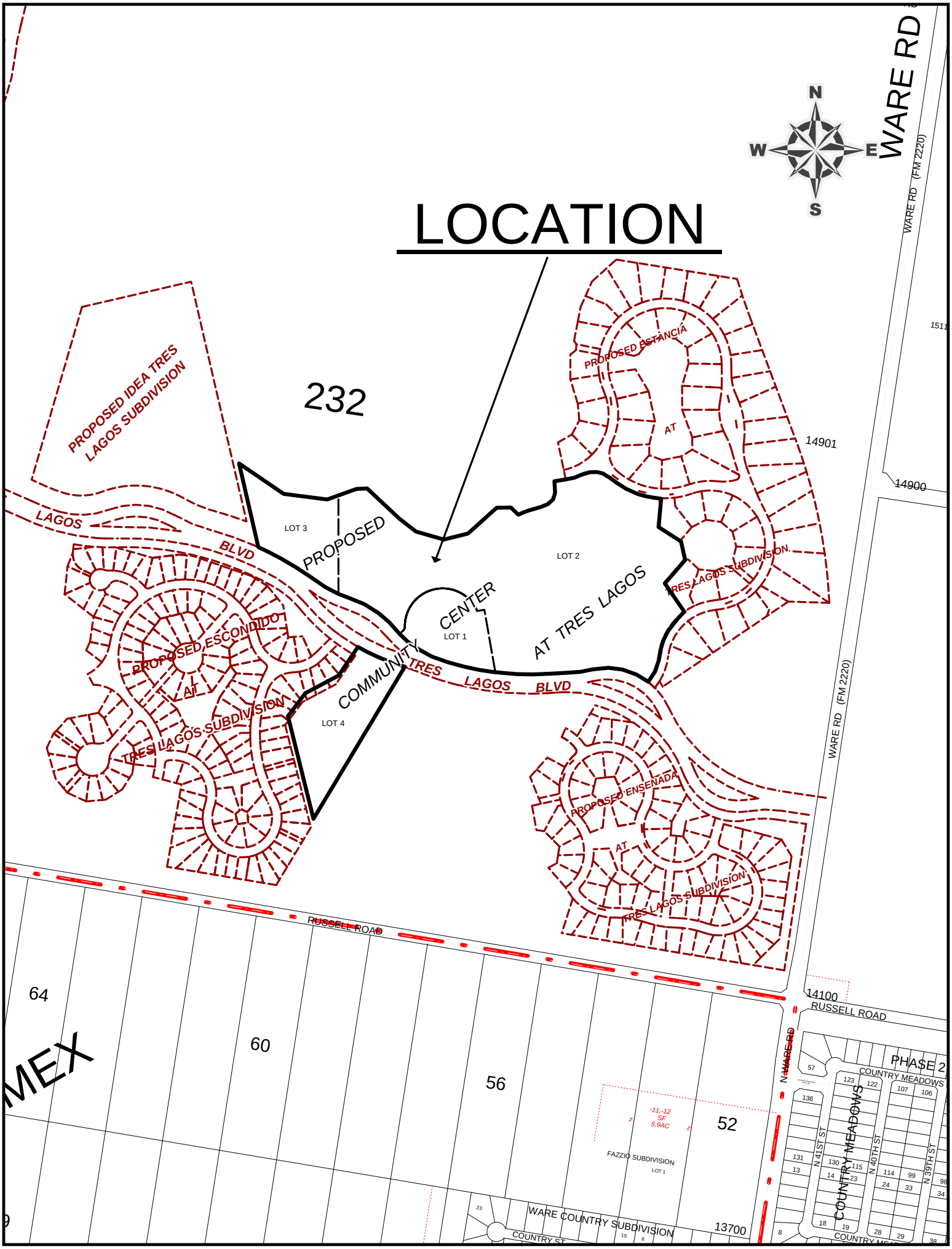
- Lot 2 is the sports park and will have a soccer field, two tennis courts, two basketball courts, and one sand volleyball court. Required landscaping requirement for the sports park is 31,327 sq. ft. with trees required as follows: 53 – 2 ½" caliper trees, or 27 – 4" caliper trees, or 13 – 6" caliper trees, or 106 palm trees.

- Lot 3 is the lake park and will have an amphitheater, rental pavilion, and playground. Required landscaping requirement for the lake park is 22,546 sq. ft. with trees required as follows: 42 – 2 ½" caliper trees, or 21 – 4" caliper trees, or 11 – 6" caliper trees, or 84 palm trees.

- Lot 4 is the south park and will have a large dog park area and a small dog park area along with 36 parking spaces. Required landscaping for the south park is 23,647 sq. ft. with trees required as follows: 43 – 2 ½" caliper trees, or 22 – 4" caliper trees, or 11 – 6" caliper trees, or 86 palm trees.

A minimum 10 ft. wide landscaped strip is required inside the property line along Tres Lagos Blvd. 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. A 6 ft. opaque buffer is required around dumpsters if visible from the street. No structures are permitted over easements. All building setbacks will be in compliance with the zoning ordinance and subdivision requirements.

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


LOCATION
N
W
E
S
WARE RD
WARE RD (FM 2220)
232
PROPOSED IDEA TRES LAGOS SUBDIVISION
PROPOSED ESTANCIA AT TRES LAGOS SUBDIVISION
14901
14900
LAGOS BLVD
LOT 3
PROPOSED
LOT 2
CENTER
LOT 1
AT TRES LAGOS
COMMUNITY
TRES LAGOS BLVD
LOT 4
PROPOSED ESCONDIDO AT TRES LAGOS SUBDIVISION
PROPOSED ENSENADA AT TRES LAGOS SUBDIVISION
RUSSELL ROAD
14100
64
60
56
52
-11,-12 SF 5.9AC
FAZZIO SUBDIVISION LOT 1
N WARE RD
PHASE 2
COUNTRY MEADOWS
N 41ST ST
N 40TH ST
N 39TH ST
WARE COUNTRY SUBDIVISION
COUNTRY ST
13700

SPORT PARK; LANDSCAPE ORDINANCE COMPLIANCE SCHEDULE

BUILDING SITE:	313,267 SF
REQUIRED LANDSCAPE AREA (10%):	31,327 SF
PROPOSED LANDSCAPE AREA (79%) :	246,370 SF
REQUIRED NO. OF TREES BASED ON REQUIRED	
LANDSCAPE AREA:	53 - 2.5" CAL. TREES = 133" CAL.
PROPOSED TREES:	135 - 2.5" CAL. TREES = 338" CAL.

NORTH
SCALE 1" = 40'

HEFFNER DESIGN TEAM, PLLC
heffnerdesignteam@gmail.com
1604 LARK AVENUE
McALLEN, TX. 78504
(956) 212-3385

PROJECT: TRES LAGOS PARKS MCALLEN, TX

DATE	DESCRIPTION
10-11-2016	ISSUED FOR REVIEW

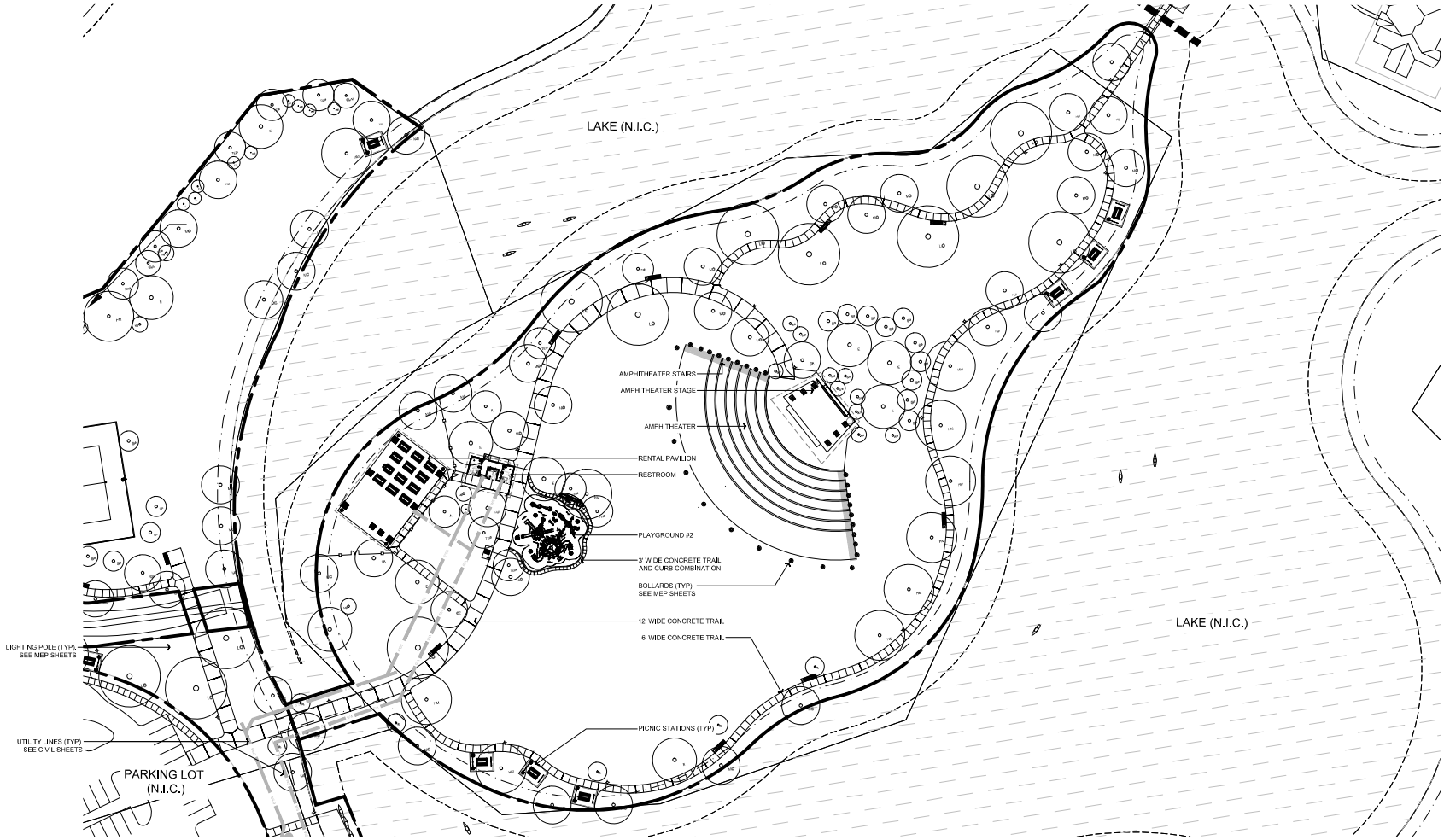
DATE 10-11-16

SHEET TITLE: SPORTS PARK

These Drawings and Specifications are to be an instrument of service and shall remain the property of the Landscape Architect. They are not to be used on other projects or extensions to this project except by agreement in writing with the Landscape Architect. The Landscape Architect is not responsible for construction means, methods, sequences or procedures or for safety precautions and programs in connection with the project.

PROJECT NUMBER:

SHEET NUMBER: L1



LAKE PARK: LANDSCAPE ORDINANCE COMPLIANCE SCHEDULE

BUILDING SITE:	225,457 SF
REQUIRED LANDSCAPE AREA (10%):	22,546 SF
PROPOSED LANDSCAPE AREA (86%) :	193,882 SF
REQUIRED NO. OF TREES BASED ON REQUIRED	
LANDSCAPE AREA:	42 - 2.5" CAL. TREES = 105" CAL.
PROPOSED TREES:	94 - 2.5" CAL. TREES = 235" CAL.

NORTH
SCALE 1" = 40'

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heffnerdesignteam@gmail.com
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McALLEN, TX. 78504
(956) 212-3385

PROJECT: TRES LAGOS PARKS MCALLEN, TX

DATE	DESCRIPTION
10-11-2016	ISSUED FOR REVIEW

DATE 10-11-16

SHEET TITLE: LAKE PARK

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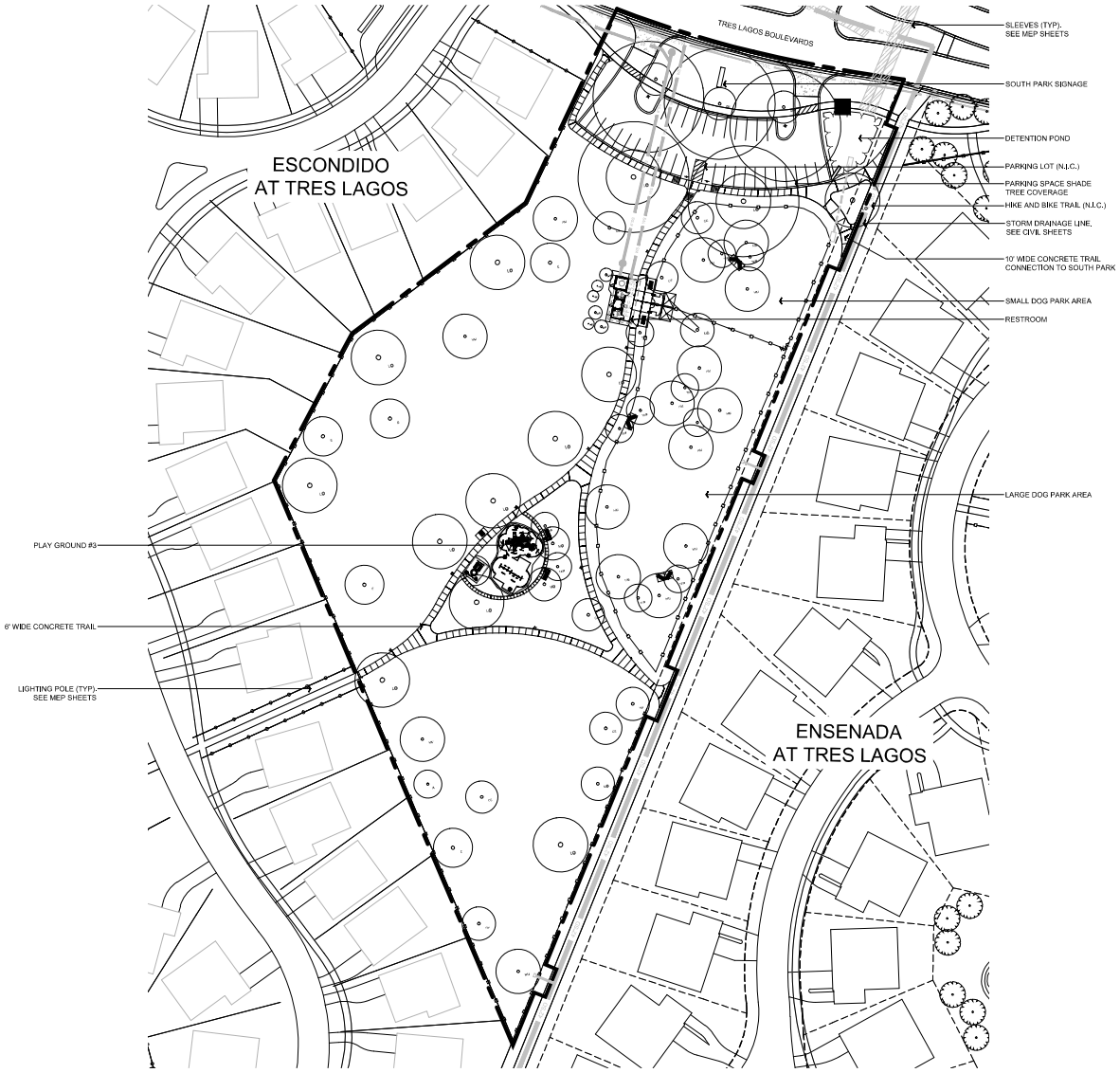
PROJECT NUMBER:

SHEET NUMBER: L2

LANDSCAPE MATERIAL SCHEDULE						
SYMBOL	BOTANICAL NAME	COMMON NAME	APPROX. QTY. SOUTH PARK	APPROX. QTY. SPORT PARK	APPROX. QTY. LAKE PARK	COMMENTS
ACA	ACACIA FARNESIANA	HUISACHE	7	8	7	2.5" CAL., SINGLE STEM, B&B
ANM	ANEMIA MEXICANA	MEXICAN ORCHID SHRUB	3	12	0	5 GALLON
~~CLT~~	~~CELTIS LAEVIGATA~~	~~SUGAR HACKBERRY~~	~~0~~	~~0~~	~~0~~	~~2.5" CAL., SINGLE STEM, B&B~~
CTH	CITHARXYLUM BERLANDIERI	HIDDEN WOOD	0	15	0	2.5" CAL., SINGLE STEM, B&B
COB	CORDIA BOISSIERI	MEXICAN OLIVE TREE	0	6	2	2.5" CAL., SINGLE STEM, B&B
EHA	EHRETIA ANACUA	ANACUA	1	0	2	2.5" CAL., SINGLE STEM, B&B
FRT	FRAXINUS TEXENSIS	TEXAS ASH	0	1	1	2.5" CAL., SINGLE STEM, B&B
LEP	LEUCAENA PULVERULENTA	TRIFOLIATE	11	16	6	2.5" CAL., SINGLE STEM, B&B
PAC	PARKINSONIA ACULEATA	RETAMA	0	1	5	2.5" CAL., SINGLE STEM, B&B
PFL	PITHECELLOBIUM FLEXICAULE	EBONY	5	6	8	2.5" CAL., SINGLE STEM, B&B
PLC	PITHECELLOBIUM DULCE	GUAMUCHIL	0	5	0	2.5" CAL., SINGLE STEM, B&B
PGL	PROSOPIS GLANDULOSA	MESQUITE	16	23	9	2.5" CAL., SINGLE STEM, B&B
QMA	QUERCUS MACROCARPA	LIVE OAK	13	6	9	2.5" CAL., SINGLE STEM, B&B
QMD	QUERCUS POLYMORPHA	MONTERREY OAK	3	6	13	2.5" CAL., SINGLE STEM, B&B
SBT	SABAL TEXANA	TEXAS SABAL PALM	0	12	10	9' CLR. TRUNK FULLY ROOTED
SGL	SOPHORA SECUNDIFLORA	TEXAS MOUNTAIN LAUREL	0	3	1	2.5" CAL., SINGLE STEM, B&B
TMC	TAXODIUM MUCRONATUM	MONTEZUMA BALD CYPRESS	1	9	9	2.5" CAL., SINGLE STEM, B&B
UCE	ULMUS CRASSIFOLIA	CEDAR ELM	9	10	2	2.5" CAL., SINGLE STEM, B&B
WRO	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	3	9	10	18' CLR. TRUNK
	CMU WALL		1,100 LF			8" CMU WALL
	CHAIN LINK FENCE		6' - 2,509 LF 10' - 0 LF 12' - 0 LF	6' - 0 LF 10' - 1,121 LF 12' - 396 LF	6' - 191 LF 10' - 0 LF 12' - 0 LF	6', 10' & 12' TALL
	CONCRETE SIDEWALK		13,423 SF	14,126 SF	18,141 SF	
	HYDROMULCH (UNDER CONSTRUCTION)		206,466 SF	216,349 SF	182,107 SF	TEMP. SEEDING AND HYDROMULCH 10' BEYOND WATERS EDGE AROUND THE ENTIRE LAKE
	SOD (UNDER CONSTRUCTION)		0 - SF	0 - SF	17,182 - SF	



SOUTH PARK; LANDSCAPE ORDINANCE COMPLIANCE SCHEDULE

BUILDING SITE:	236,466 SF
REQUIRED LANDSCAPE AREA (10%):	23,647 SF
PROPOSED LANDSCAPE AREA (87%) :	206,369 SF
REQUIRED NO. OF TREES BASED ON REQUIRED	
LANDSCAPE AREA:	43 - 2.5" CAL. TREES = 108" CAL.
PROPOSED TREES:	63 - 2.5" CAL. TREES = 158" CAL.

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heffnerdesignteam@gmail.com
1604 LARK AVENUE
McALLEN, TX. 78504
(956) 212-3385

PROJECT: TRES LAGOS PARKS MCALLEN, TX

DATE	DESCRIPTION
10-11-2016	ISSUED FOR REVIEW

DATE: 10-11-16

SHEET TITLE: SOUTH PARK

These Drawings and Specifications are to be an instrument of service and shall remain the property of the Landscape Architect. They are not to be used on other projects or extensions to this project except by Agreement with the Landscape Architect. The Landscape Architect is not responsible for construction means, methods, sequences or procedures or for safety precautions and programs in connection with the project.

PROJECT NUMBER:

SHEET NUMBER: L3

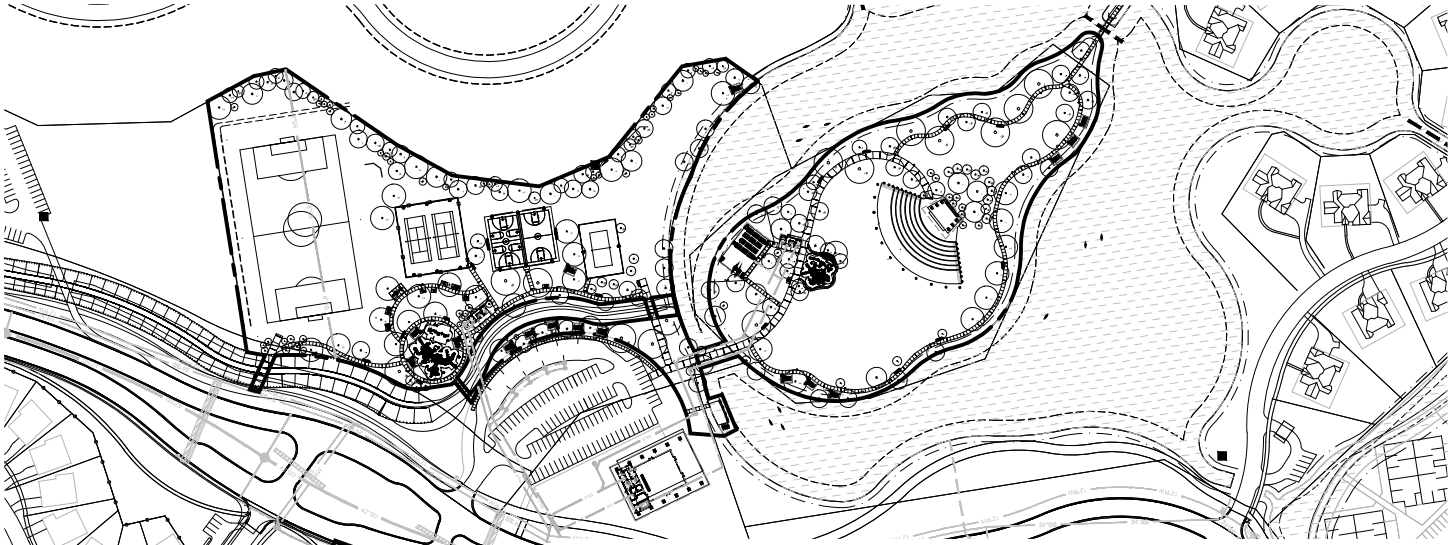
TRES LAGOS PARKS

McALLEN, TEXAS

TPWD PROJECT NO. 48-001136

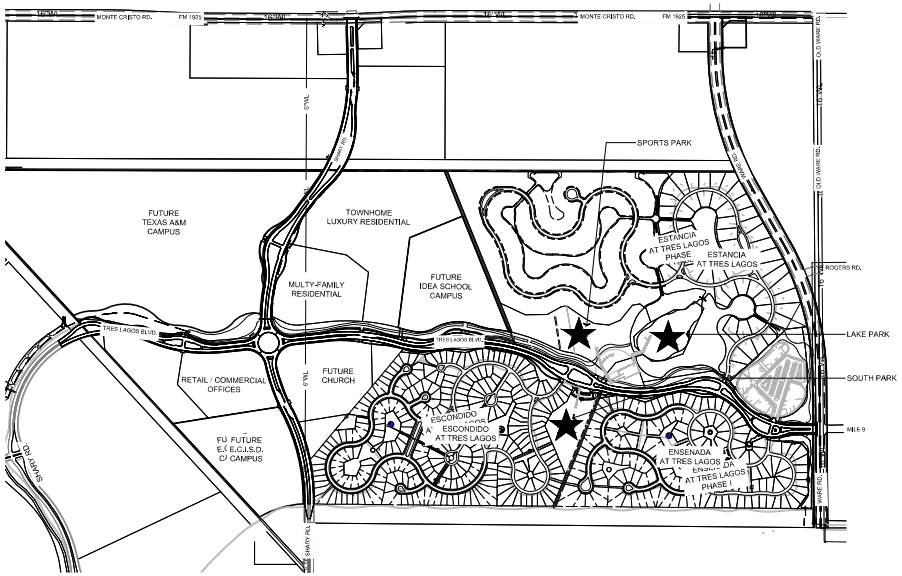
TDLR REGISTRATION NO. _____

TRES LAGOS
LIVE LIFE BY DESIGN



OVERALL SITE LAYOUT

NORTH
SCALE 1" = 100'



SITE LOCATION MAP

NORTH
SCALE 1" = 600'

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(956) 212-3385

PROJECT: TRES LAGOS PARKS MCALLEN, TX

DATE	DESCRIPTION
10-11-2016	ISSUED FOR REVIEW

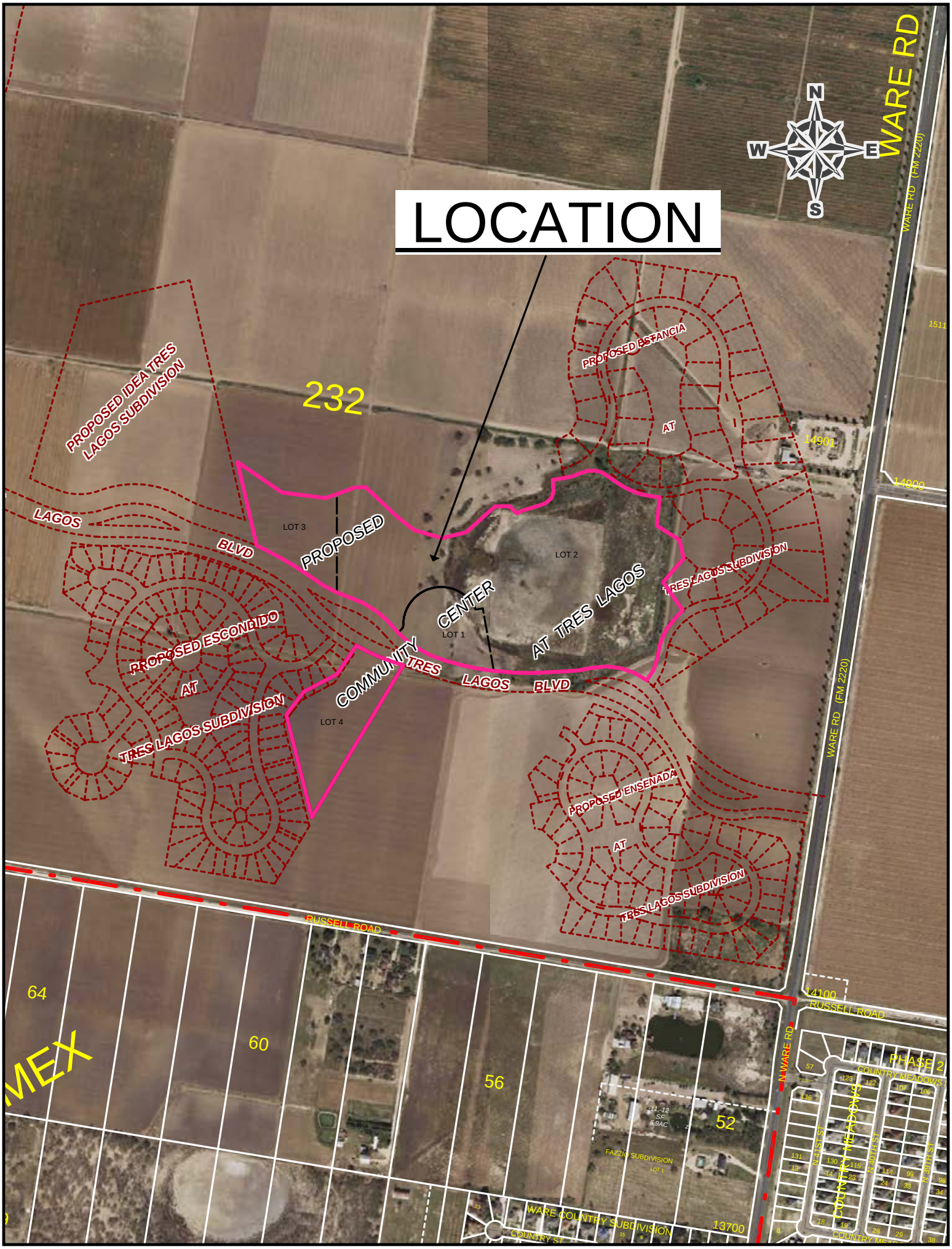
DATE 10-11-16

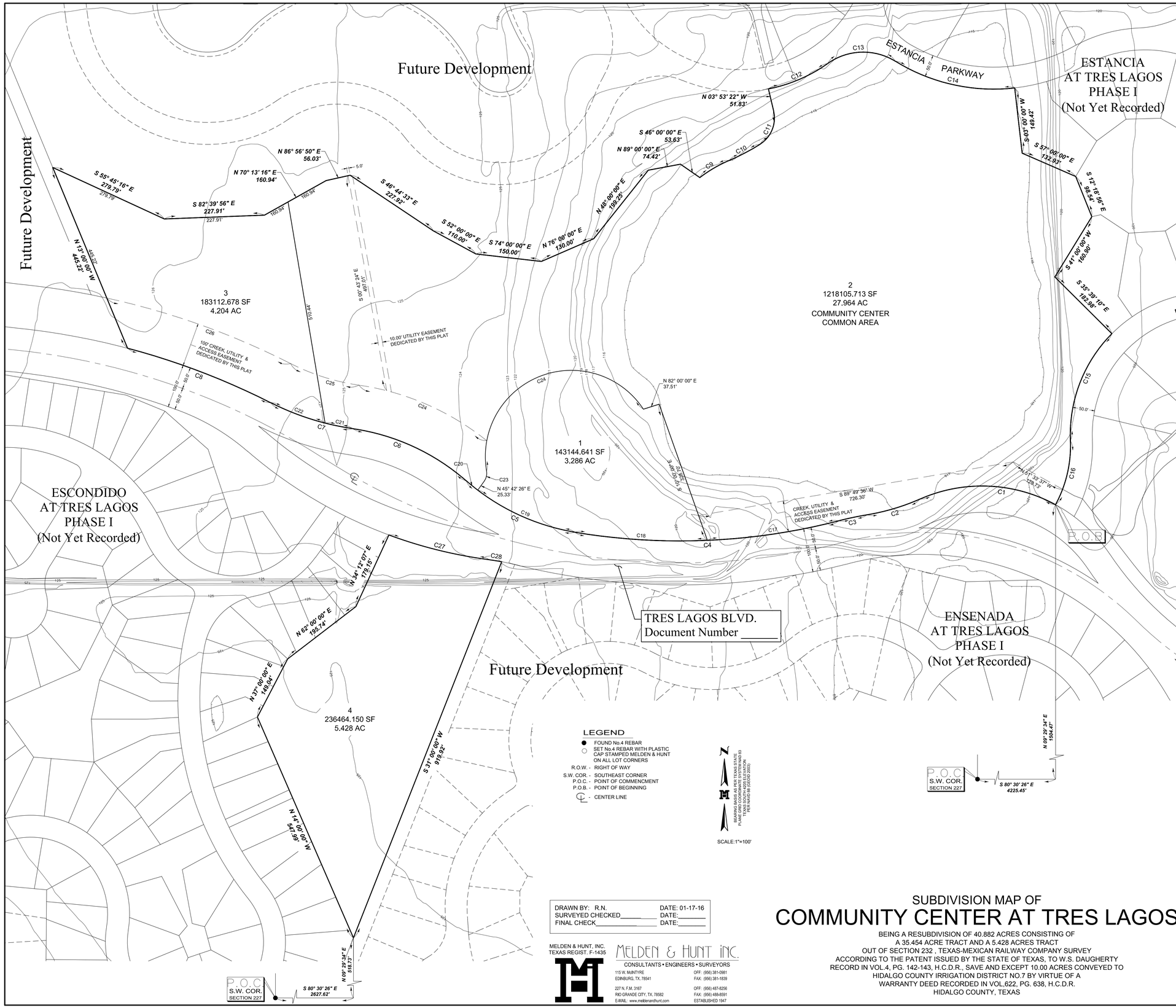
SHEET TITLE: COVER SHEET

These Drawings and Specifications are to be the instrument of service and shall remain the property of the Landscape Architect. They are not to be used on other projects or extensions to this project except by Agreement in writing and with the Landscape Architect. The Landscape Architect is not responsible for construction means, methods, sequences or procedures or for safety precautions and programs in connection with the project.

PROJECT NUMBER:

SHEET NUMBER: L0.0

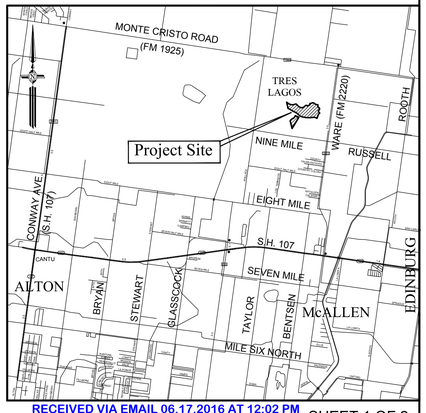

LOCATION
N
W
E
S
WARE RD
WARE RD (FM 2220)
232
PROPOSED IDEA TRES LAGOS SUBDIVISION
PROPOSED ESTANCIA
AT
TRES LAGOS SUBDIVISION
LAGOS
BLVD
PROPOSED
LOT 3
LOT 2
LOT 1
LOT 4
COMMUNITY CENTER
AT TRES LAGOS
TRES LAGOS BLVD
PROPOSED ESCONDIDO
AT
TRES LAGOS SUBDIVISION
PROPOSED ENSENADA
AT
TRES LAGOS SUBDIVISION
RUSSELL ROAD
14100
14901
14900
1511
64
60
56
52
13700
MEX
N WARE RD
PHASE 2
COUNTRY MEADOWS
FAZZIO SUBDIVISION
LOT 1
WARE COUNTRY SUBDIVISION
COUNTRY ST



Curve Table						
Curve #	Delta	Radius	Length	Tangent	Chord Direction	Chord Length
C1	052° 19' 56"	350.00'	319.68'	171.96	N78° 08' 30"W	308.68'
C2	014° 25' 41"	500.00'	125.91'	63.29	S82° 54' 23"W	125.58'
C3	005° 03' 56"	750.00'	66.31'	33.17	S87° 35' 16"W	66.28'
C4	023° 55' 10"	1,450.00'	605.34'	307.14	N82° 59' 06"W	600.95'
C5	031° 43' 20"	500.00'	276.83'	142.06	N55° 09' 51"W	273.31'
C6	033° 03' 23"	500.00'	288.47'	148.37	N55° 49' 52"W	284.49'
C7	018° 45' 05"	600.00'	196.36'	99.07	S62° 58' 27"E	195.49'
C8	012° 08' 05"	1,650.00'	349.45'	175.38	N59° 39' 57"W	348.80'
C9	014° 20' 53"	310.00'	77.63'	39.02	N69° 15' 19"E	77.43'
C10	009° 18' 32"	490.00'	79.61'	39.89	N71° 46' 30"E	79.52'
C11	071° 00' 36"	70.00'	86.76'	49.94	N31° 36' 56"E	81.31'
C12	024° 36' 58"	345.00'	148.22'	75.27	N76° 17' 40"E	147.09'
C13	067° 13' 47"	139.00'	163.10'	92.40	S82° 23' 56"E	153.90'
C14	038° 11' 58"	425.35'	283.58'	147.29	S67° 53' 02"E	278.36'
C15	047° 21' 35"	325.00'	268.64'	142.53	S30° 40' 03"W	261.06'
C16	030° 59' 44"	279.79'	151.36'	77.58	S22° 33' 15"W	149.52'
C17	011° 57' 30"	1,450.00'	302.64'	151.87	S88° 57' 56"E	302.09'
C18	011° 56' 47"	1,450.00'	302.33'	151.72	S77° 00' 48"E	301.78'
C19	027° 52' 43"	500.00'	243.29'	124.10	S57° 05' 10"E	240.89'
C20	003° 50' 37"	500.00'	33.54'	16.78	S41° 13' 30"E	33.54'
C21	006° 07' 32"	600.00'	64.15'	32.10	S69° 17' 14"E	64.12'
C22	012° 37' 32"	600.00'	132.22'	66.38	S59° 54' 41"E	131.95'
C23	046° 00' 45"	30.00'	24.09'	12.74	N22° 42' 03"E	23.45'
C24	030° 40' 13"	600.00'	321.18'	164.54	N57° 01' 27"W	317.36'
C24	156° 26' 38"	196.00'	535.17'	940.00	S77° 55' 00"W	383.75'
C25	018° 46' 20"	499.40'	163.62'	82.55	N62° 58' 24"W	162.89'
C26	014° 36' 34"	1,747.27'	445.53'	223.98	N60° 53' 31"W	444.32'
C27	012° 59' 21"	1,043.00'	236.45'	118.74	S66° 40' 01"E	235.95'
C28	003° 11' 59"	500.00'	27.92'	13.96	S71° 33' 43"E	27.92'

LOCATION MAP

SCALE: 1" = 5000'



DRAWN BY: R.N. DATE: 01-17-16
SURVEYED CHECKED_____ DATE:_____
FINAL CHECK_____ DATE:_____

MELDEN & HUNT, INC.
TEXAS REGIST. F-1435

MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

115 W. McINTYRE
EDINBURG, TX. 78541
OFF: (956) 381-0981
FAX: (956) 381-1839

227 N. F.M. 3167
RIO GRANDE CITY, TX. 78582
OFF: (956) 487-8256
FAX: (956) 488-8591

E-MAIL: www.meldenandhunt.com
ESTABLISHED 1947

SUBDIVISION MAP OF

COMMUNITY CENTER AT TRES LAGOS

BEING A RESUBDIVISION OF 40.882 ACRES CONSISTING OF
A 35.454 ACRE TRACT AND A 5.428 ACRES TRACT
OUT OF SECTION 232 , TEXAS-MEXICAN RAILWAY COMPANY SURVEY
ACCORDING TO THE PATENT ISSUED BY THE STATE OF TEXAS, TO W.S. DAUGHERTY
RECORD IN VOL.4, PG. 142-143, H.C.D.R., SAVE AND EXCEPT 10.00 ACRES CONVEYED TO
HIDALGO COUNTY IRRIGATION DISTRICT NO.7 BY VIRTUE OF A
WARRANTY DEED RECORDED IN VOL.622, PG. 638, H.C.D.R.
HIDALGO COUNTY, TEXAS

RECEIVED VIA EMAIL 06.17.2016 AT 12:02 PM
RECEIVED
By Nikki Marie Cavazos at 9:44 am, Jun 20, 2016

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: October 28, 2016

SUBJECT: SITE PLAN APPROVAL FOR LOT A, JACKSON GARDENS SUBDIVISION; 820 S. JACKSON RD.

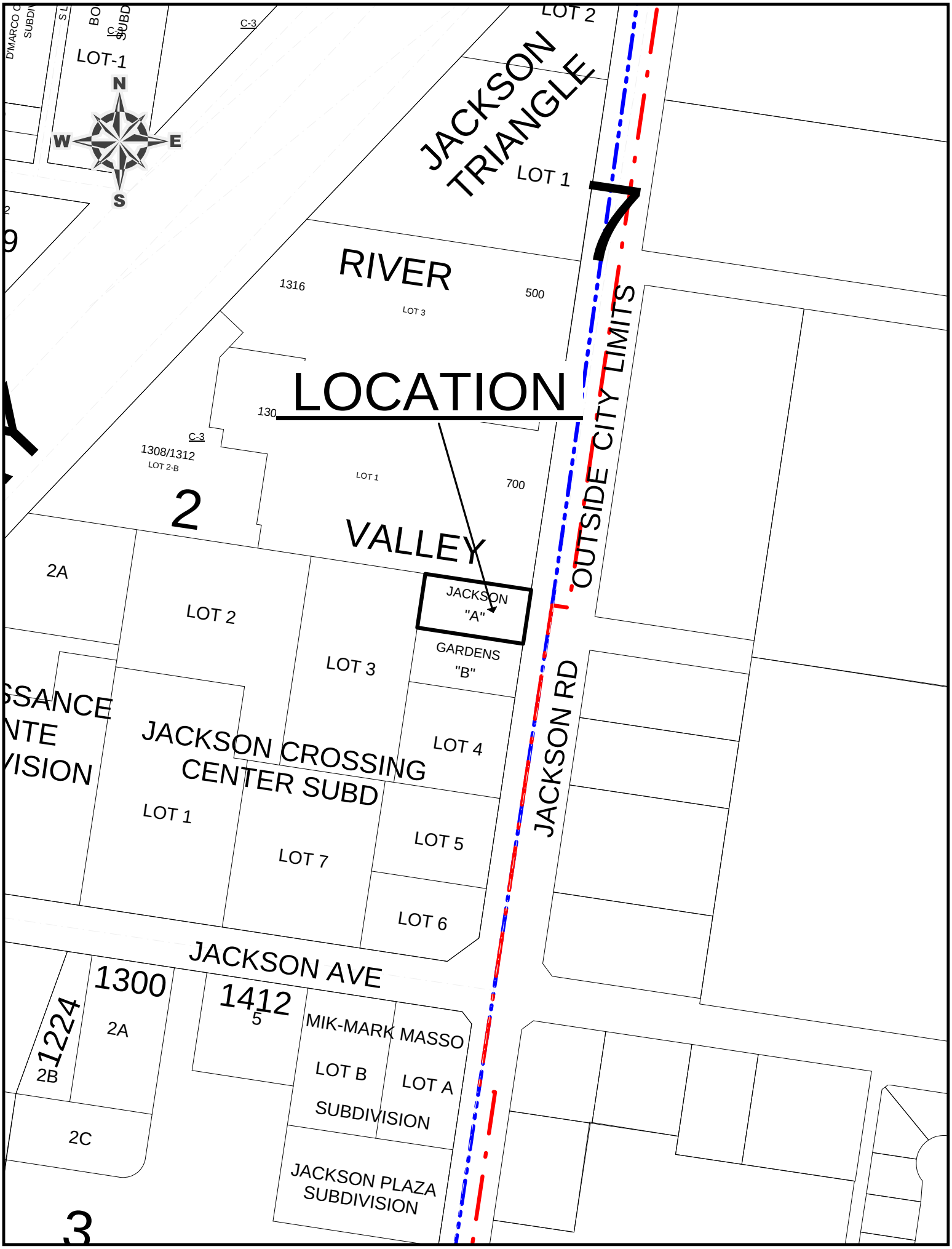
GOAL:
The goal of a site plan is to 1) promote a vibrant economy of commercial businesses, 2) ensure compliance with city requirements, 3) assists in the orderly and harmonious development of the city, and 4) enhancement of the general welfare.

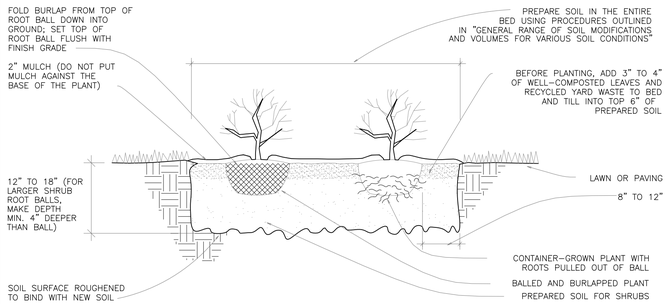
BRIEF DESCRIPTION:
The vacant property is located on S. Jackson Rd approximately 580 ft. north of Jackson Ave. and is zoned C-3 (general business) District. The adjacent zoning is C-3 in all directions.

The property is part of Jackson Gardens Subdivision, which was recorded June 1993. A note on the plat indicates that a site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.

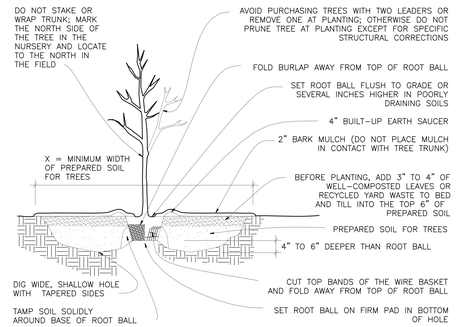
The applicant is proposing to construct a 1,407 sq. ft. building for restaurant use on the property. Based on the square footage and use of the building, 19 parking spaces are required; 21 parking spaces are provided. One accessible parking spaces is required, one of which must be van accessible with an 8 ft. wide aisle. Access to the site is proposed to be from one 24 ft. curb cut off S. Jackson Rd. Required landscaping for the lot is 1,989 sq. ft. with trees required as follows: 10 – 2 ½" caliper trees, or 5 – 4" caliper trees, or 3 – 6" caliper trees, or 20 palm trees. A minimum 10 ft. wide landscaped strip is required inside the property line along S. Jackson 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 sidewalk is required on S. Jackson Rd. A 6 ft. buffer is required between single-family residential zones/uses, as well as a 6 ft. buffer around the dumpster if visible from the street. No structures are permitted over easements. All setbacks will be in compliance with the plat note requirements and the zoning ordinance.

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


LOT 2
JACKSON TRIANGLE
LOT 1
LOT-1
N
W
E
S
C-3
RIVER
1316
LOT 3
500
LOCATION
130
C-3
1308/1312
LOT 2-B
LOT 1
700
2
VALLEY
OUTSIDE CITY LIMITS
2A
LOT 2
JACKSON "A"
GARDENS "B"
LOT 3
JACKSON RD
JACKSON CROSSING CENTER SUBD
LOT 4
LOT 1
LOT 7
LOT 5
LOT 6
JACKSON AVE
1300
1412
5
1224
2A
2B
MIK-MARK MASSO
LOT B
LOT A
SUBDIVISION
2C
JACKSON PLAZA SUBDIVISION



02 PLANTING DETAIL
NTS



03 PLANTING DETAIL
NTS

PLANTING NOTES:

a. SEE AMERICAN STANDARD OF NURSERY STACK, ANSI Z60.1 FOR COMPLETE LIST OF NURSERY STANDARDS FOR OTHER TYPES AND SIZES OF TREES AND SHRUBS.
b. SEE INTERNATIONAL SOCIETY OF ARBORICULTURE'S "PRINCIPLES AND PRACTICES OF PLANTING TREES AND SHRUBS"1997.

LANDSCAPE AND IRRIGATION NOTES:

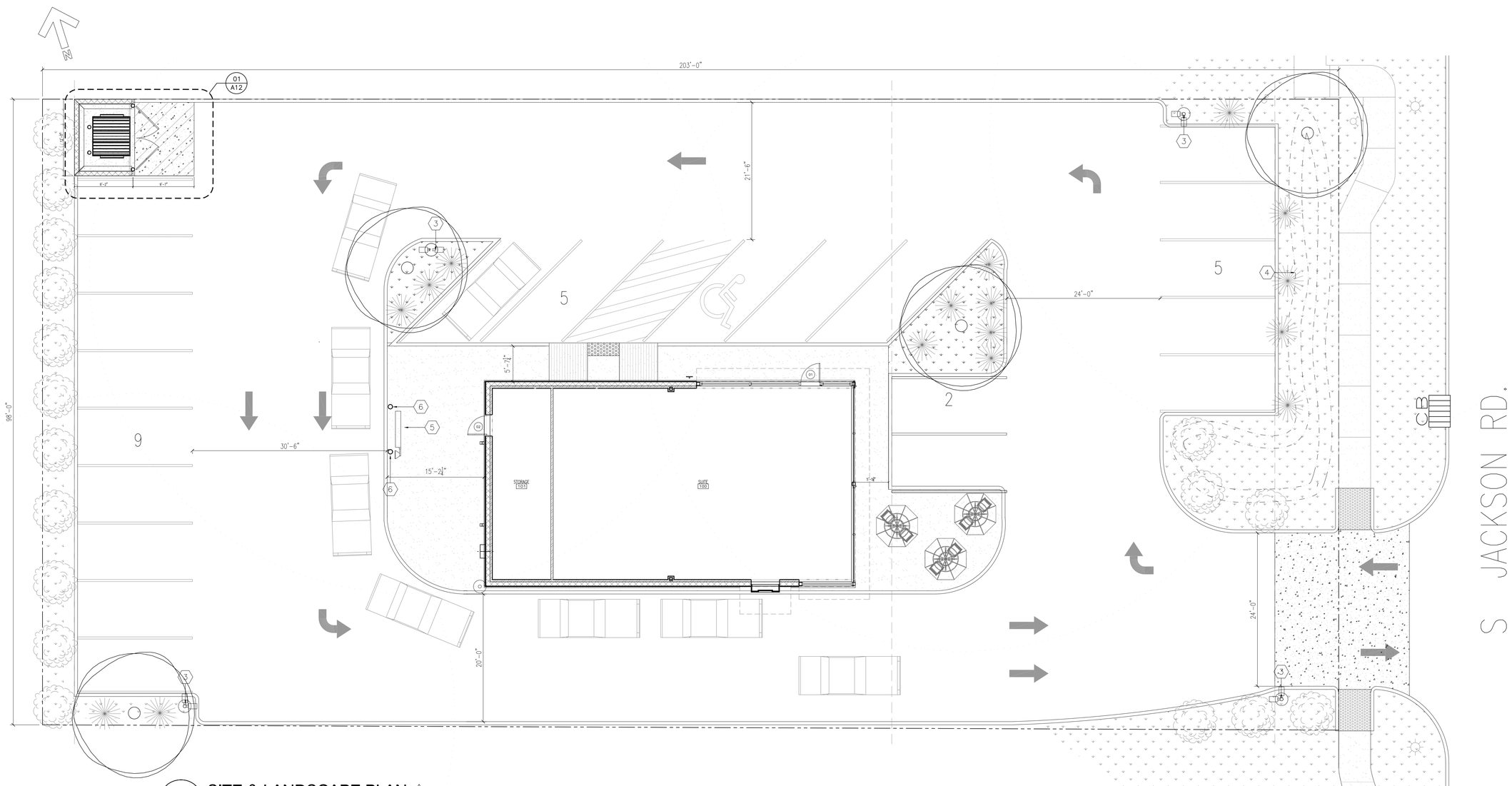
a. LANDSCAPE CONSTRUCTION PLANS TO BE DONE BY A LICENSED LANDSCAPE COMPANY.
b. ALL LANDSCAPE TO FOLLOW ANSI, AMERICAN STANDARDS FOR NURSERY STOCK.
c. ALL TREES TO BE A MINIMUM OF 3" IN CALIBER AND A 10" IN HEIGHT.
d. ALL SHRUBS TO BE 5 GAL MINIMUM.
e. ALL IRRIGATION TO BE DRIP SYSTEM ON PVC MAINS AND TO BE DESIGNED PER CODE BY A LICENSED IRRIGATOR BY THE STATE OF TEXAS.
f. ALL AND RETENTION AREAS TO BE ST. AUGUSTINE SOLID SOD PLANTED.
g. ALL PERMITS ARE SOLE RESPONSIBILITY OF LICENSED IRRIGATOR CONTRACTOR.
h. LANDSCAPE AND IRRIGATION CONTRACTOR RESPONSIBLE FOR LOCATING ALL UTILITIES IN THEIR SCOPE OF WORK.
i. LANDSCAPE AND IRRIGATION CONTRACTOR TO PROVIDE AS-BUILT PLANS, NOTES, SPECIFICATIONS AND MAINTENANCE MANUALS.

SOIL IMPROVEMENT NOTES:

a. IF SITE OR DESIGN CONSTRAINS PROHIBIT USE OF THE DIMENSIONS SHOWN ON THIS PAGE, FOLLOW THE GUIDELINES FOR PLANTING IN URBAN AREAS.
b. WHENEVER POSSIBLE THE SOIL IMPROVEMENTS AREA SHOULD BE CONNECTED FROM TREE TO TREE.
c. ALWAYS TEST SOIL FOR PH AND NUTRIENT LEVELS AND ADJUST THESE AS REQUIRED.
d. LOOSEN SOIL WITH A BACKHOE OR OTHER LARGE COARSE-TILLING EQUIPMENT WHEN POSSIBLE. TILLING THAT PRODUCES LARGE, COARSE CHUNKS OF SOIL IS PREFERABLE TO TILLING THAT RESULTS IN FINE GRAINS UNIFORM IN TEXTURE.
e. THE BOTTOM OF PLANTING SOIL EXCAVATIONS SHOULD BE ROUGH TO AVOID MATTING OF SOIL LAYERS AS NEW SOIL IS ADDED. IT'S PREFERABLE TO TILL THE FIRST LIFT ((2 TO 3 IN.) OF PLANTING SOIL INTO THE SUBSOIL.

NOTES:

1. SURFACE RETENTION AREAS REF. CIVIL SCOPE OF WORK.
2. FUTURE MENU BOARD LOCATION, INSTALL POWER/DATA SLEEVES.
3. REFERENCE ELECTRICAL SCOPE FOR SITE LIGHTING.
4. REFERENCE CIVIL SCOPE FOR RETENTION CALCULATIONS.
5. FUTURE MENU BOARD REFERENCE MEP SCOPE FOR POWER DATA REQUIREMENTS.
6. STEEL BOLLARD REFERENCE DETAIL 01 ON SHEET A11



01 SITE & LANDSCAPE PLAN 1
1/8" = 1'

FRANK P. KEY & ASSOCIATES
1100 E JASMINE AVE. SUITE 104
MCALLEN, TX 78501
TEL. 956-664-1110, FAX 956-664-1113
www.frankkeyarchitect.com

DATE	REVISION NO. & DESCRIPTION	BY
07-15-16	ISSUED FOR 65% REVIEW	VP
07-29-16	ISSUED FOR 95% REVIEW	VP
09-06-16	ISSUED FOR BUILDING PERMIT	FPK
10-25-16	1 REVISED	VP

LEGEND :

(4X) LIVE OAK 3" CALIPER

(17X) OLEANDER 5 GALLON

(16X) GIANT LIRIOPE 1 GALLON

TOTAL ACREAGE = 0.46
TOTAL SQUARE FOOTAGE = 19953
2105 SQFT GREEN AREA= 10.54%

DRAWN BY: EG

CHECKED BY: VP, FPK

THE USE OF THESE DRAWINGS IS RESTRICTED TO THE ORIGINAL PURPOSE FOR WHICH THEY WERE INTENDED. REPRODUCTION WITHOUT WRITTEN PERMISSION OF THE OWNER IS PROHIBITED.
© FRANK P. KEY & ASSOCIATES ARCHITECTS

PROJECT:

JJRGV-3 LLC
SHELL SPACE

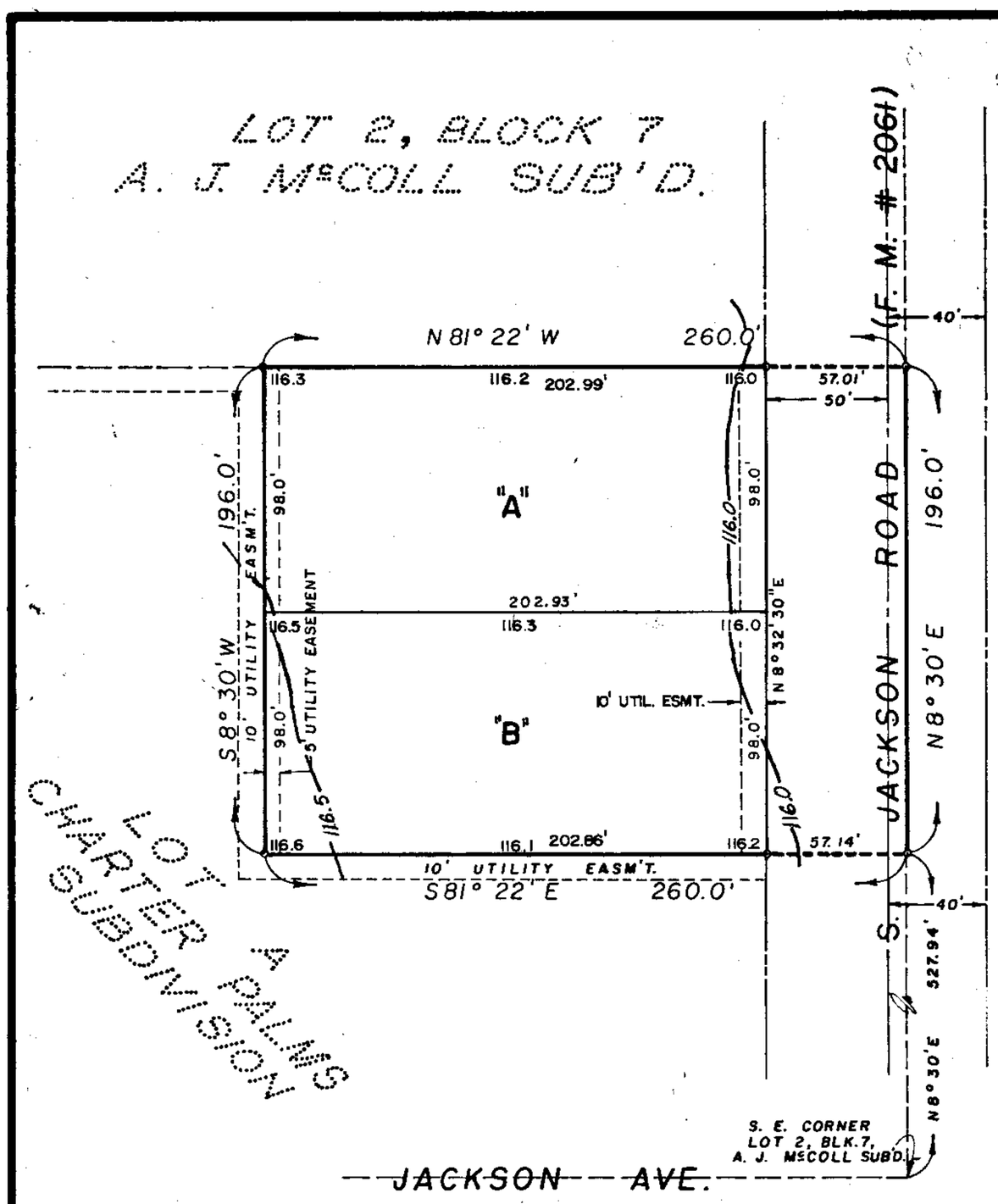
Lot A, Jackson Gardens, S Jackson rd.
McAllen TX 78501

DRAWING TITLE:

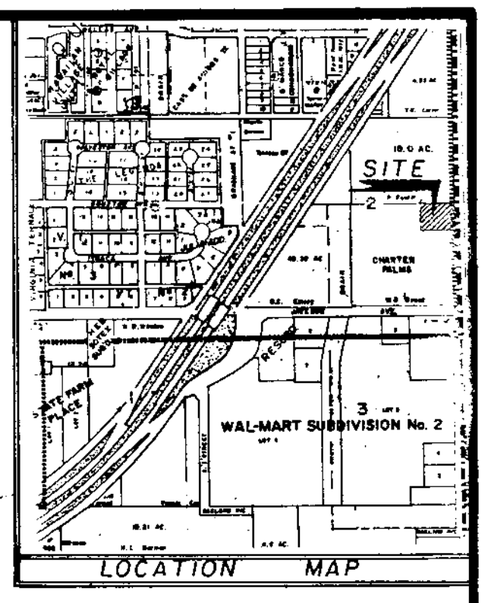
SITE & LANDSCAPE PLAN

PLOT SCALE:	DWG. SCALE:	SHEET:
1"=1'	AS NOTED	A1
DRAWING PROJECT NO.		OF

LOCATION
N
W
E
S
LOT 1
LOT 2
JACKSON TRIANGLE
LOT 1
RIVER
1316
500
LOT 3
130
1308/1312
LOT 2-B
LOT 1
700
2
VALLEY
2A
LOT 2
JACKSON "A"
GARDENS "B"
LOT 3
LOT 4
JACKSON CROSSING CENTER SUBD
LOT 1
LOT 7
LOT 5
LOT 6
JACKSON AVE
1300
1412
1224
2A
5
2B
2C
MIK-MARK MASSO
LOT B
LOT A
SUBDIVISION
JACKSON PLAZA SUBDIVISION
3
JACKSON RD
OUTSIDE CITY LIMITS



326982



Recorded In Volume 28 Page 103B
of the map records of Hidalgo
County, Texas
Melden and Hunt, Inc.
County Surveyors

MAP OF JACKSON GARDENS

McALLEN TEXAS

BEING A SUBDIVISION OF THE NORTH 196.0 FT. OF THE EAST 260.0 FT. OF THE EAST 15.0 AC. OF THE SOUTH 24.19 ACRES OF LOT 2, BLOCK 7, A. J. McCOLL SUBDIVISION, OF PORCION 68, HIDALGO COUNTY, TEXAS
CONTAINING 1.17 ACRES, MORE OR LESS

58-A:pon2.nt

PREPARED
BY
FABIAN, NELSON & MEDINA, INC.
320 NORTH 15TH STREET
MCALLEN, TEXAS 78501

SCALE 1" = 50' DATE: MAY 28, 1992

58-A:117ajm2.1d

METES AND BOUNDS

THE NORTH 196.0 FEET OF THE EAST 260.0 FEET OF THE EAST 15.0 ACRES OF THE SOUTH 24.19 ACRES OF LOT 2, BLOCK 7, A.J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS.

BEGINNING at a point on the East line of Lot 2, North 8 Deg. 30 Min. East, 527.94 feet from the Southeast corner of Lot 2, for the Southeast corner of the following described tract of land; said point being in Jackson Road (F.M. #2061);

THENCE, with the East line of Lot 2, in Jackson Road, North 8 Deg. 30 Min. East, 196.0 feet to a point, for the Northeast corner hereof;

THENCE, North 81 Deg. 22 Min. West, at 47.01 feet pass the West line of Jackson Road, and at 260.0 feet a point, for the Northwest corner hereof; said point being a Northeast corner of Lot A, Charter Palms Subdivision;

THENCE, with an East line of said Lot A, South 8 Deg. 30 Min. West, 196.0 feet to an interior corner of Lot A, for the Southwest corner hereof;

THENCE, with a North line of Lot A, South 81 Deg. 22 Min. East, at 212.86 feet pass the West line of Jackson Road, and at 260.0 feet the PLACE OF BEGINNING. Containing 1.17 acres of land, more or less, of which 0.21 acre lies in Jackson Road (F.M. #2061).

NOTES:

1. FINISHED FLOOR ELEVATION SHALL BE 22 INCHES ABOVE TOP OF CURB MEASURED AT SOUTH LINE OF EACH LOT.
2. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
   FRONT - 60 FT
   REAR - 5 FT
   SIDE - IN ACCORDANCE WITH ZONING ORDINANCE
3. OWNER IS REQUIRED TO PROVIDE AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEERING DEPT. PRIOR TO APPLICATION FOR BUILDING PERMIT.
4. STORM WATER DETENTION OF 0.09 AC-FT IS REQUIRED FOR THIS SUBDIVISION.
5. 4 FOOT SIDEWALK REQUIRED ON THE WEST SIDE OF JACKSON ROAD.
6. 6 FOOT BUFFER REQUIRED FROM ANY RESIDENTIAL ZONE/USE.
7. SITE PLAN SHOWING CURB CUT LOCATIONS MUST BE APPROVED BY THE PLANNING & ZONING COMMISSION PRIOR TO ISSUANCE OF ANY BUILDING PERMIT.
8. SANITARY SEWER SERVICE FOR LOT "B" SHALL BE A PRIVATE LINE, TO BE LOCATED WITHIN THE 5 FOOT UTILITY EASEMENT AND SHALL BE MAINTAINED BY OWNER OF LOT "B".

STATE OF TEXAS
COUNTY OF HIDALGO

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

REGISTERED PROFESSIONAL ENGINEER
P.E. REGISTRATION NO. 56752

STATE OF TEXAS
STEPHEN SPOOR
56752
REGISTERED PROFESSIONAL ENGINEER

APPROVED FOR RECORDING
BY
COMMISSIONERS' COURT
This the 14th day of June 1993
WILLIAM "BILLY" LEO, County Clerk
Hidalgo County, Texas
By ..... Deputy

APPROVED FOR RECORDING
HIDALGO CO. PLANNING DEPT.
BY: Emilio Garcia
DATE: 6-[illegible]-93
Emilio Garcia

CHECKED FOR DRAINAGE
BY: 5/27/93

STATE OF TEXAS
COUNTY OF HIDALGO

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

J. M. MOFFITT, TRUSTEE
718 NORTH 10TH STREET
MCALLEN, TX 78501

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED J.M. MOFFITT, KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT (TH) (S)HE(Y) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 5th DAY OF March, 1993.

JANE ELLEN RIOS
MY COMMISSION EXPIRES
December 5, 1994

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION

STATE OF TEXAS
COUNTY OF HIDALGO

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

PLINIO C. MEDINA
REGISTERED PROFESSIONAL LAND SURVEYOR
MCALLEN, TEXAS

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

MAYOR, CITY OF MCALLEN

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 ON THIS 16th DAY OF July, A.D., 1992.

SECRETARY PRESIDENT

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: October 27, 2016

SUBJECT: REVISED SITE PLAN APPROVAL FOR PROPOSED LA PLAZA PH 1A SUBDIVISION; 2200 S. 10TH STREET.

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

BRIEF DESCRIPTION:
The property is located on the northwest corner of S. 10th Street and Wichita Avenue and is zoned C-3 (general business) District. Surrounding areas are zoned C-3 and R-1 (single-family residential) District to the north, C-3 to the east, A-O (agricultural and open space) District to the South, C-3 and I-1 (light industrial) District to the west.

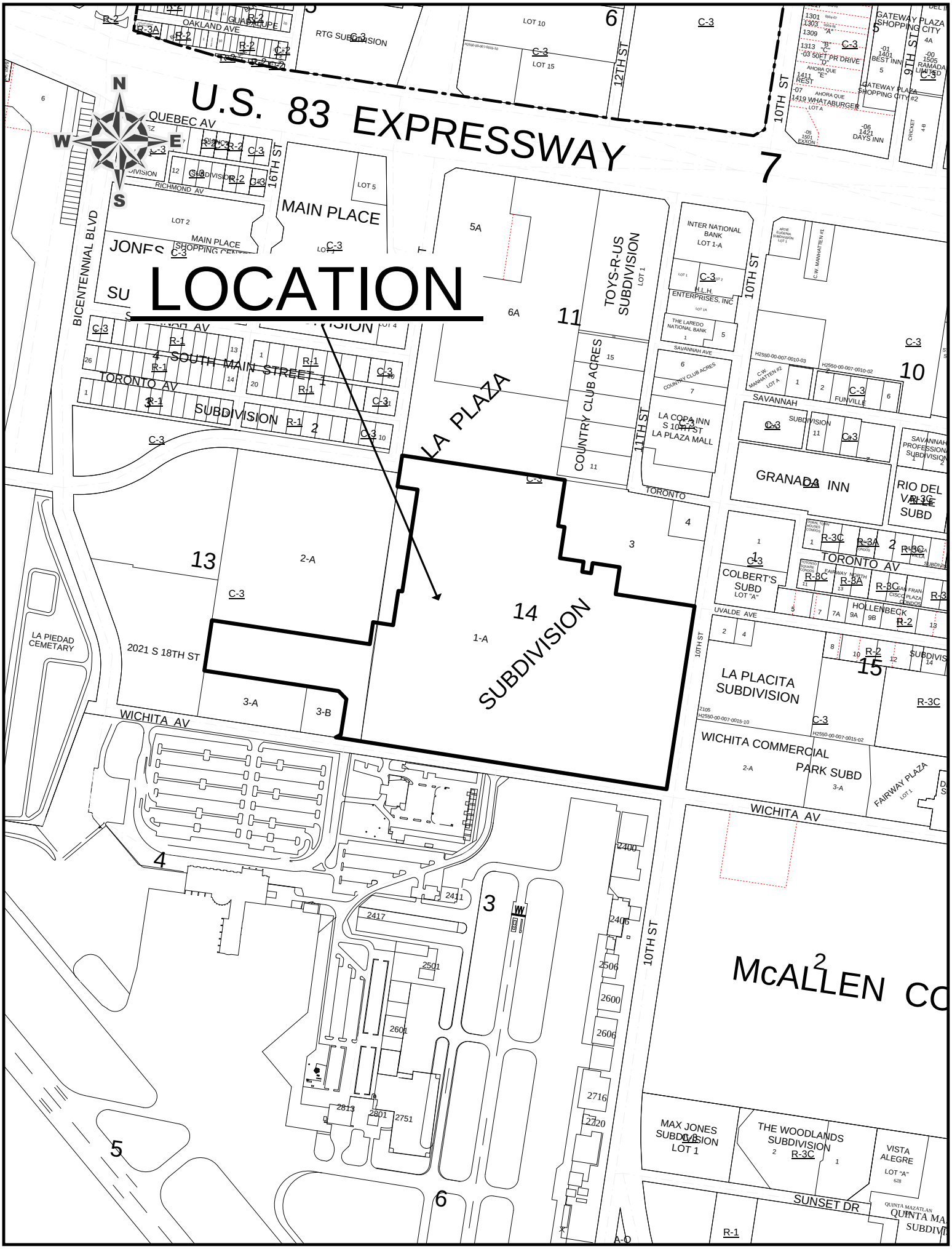
HISTORY:
The property is part of proposed La Plaza Mall Phase 1A Subdivision which received final replat approval by Planning & Zoning Commission on March 1, 2016. A site plan must be approved by the Planning and Zoning Commission prior to issuance of a building permit. Site plan was previously approved on March 1, 2016; however, the plan has been revised.

PROPOSAL/ANALYSIS:
The applicant has modified the south parking deck from the previous approval. The previous south side parking garage deck called for 1,258 parking spaces, and the revised change calls for 1,776 parking spaces. In terms of net gain parking spaces for the overall mall site is 50 extra spaces. An approximate total of 5,850 spaces will be provided for the mall once all improvements are complete. Access to the parking garage will be from existing curb cuts.

- Total landscape area removed 55,336 sq. ft. overall
- Total proposed landscape area provided 91,534 sq. ft. overall
- Total removed shade trees 777 inches
- Total replaced shade trees 812 inches
- Total removed palm trees 65
- Total replaced palm trees 68

Other existing landscape areas, landscape strips, buffers, trees, sidewalks and site improvements will remain as they now exist for the balance of the property. Existing buffers will remain and new ones provided around dumpster areas if visible from any street. A minimum 4 ft. sidewalk is required on all perimeter streets, except along S. 11th Street which was granted a variance by City Commission on February 22, 2016. All building setbacks are in compliance with the plat note requirements and the Zoning Ordinance except for buildings proposed to be built over lot lines. The applicant will apply for a variance to allow the construction over the lot lines.

RECOMMENDATION:
Staff recommends approval of the site plan subject to the conditions noted, approval of the variance to build over lot lines by Zoning Board of Adjustments & Appeals, paving and building permit requirements, and the subdivision and zoning ordinances.


LOCATION
U.S. 83 EXPRESSWAY
N
S
E
W
QUEBEC AV
RICHMOND AV
16TH ST
MAIN PLACE
MAIN PLACE SHOPPING CENTER
JONES
BICENTENNIAL BLVD
SOUTH MAIN STREET
TORONTO AV
SUBDIVISION
LA PLAZA
TOYS-R-US SUBDIVISION
COUNTRY CLUB ACRES
11TH ST
LA COPA INN S 10TH ST
LA PLAZA MALL
INTER NATIONAL BANK
H.L.H. ENTERPRISES, INC
THE LAREDO NATIONAL BANK
SAVANNAH AVE
SAVANNAH
FUNVILLE
GRANADA INN
RIO DEL VALLE SUBD
COLBERT'S SUBD
HOLLENBECK
UVALDE AVE
LA PLACITA SUBDIVISION
WICHITA COMMERCIAL PARK SUBD
FAIRWAY PLAZA
WICHITA AV
LA PIEDAD CEMETARY
2021 S 18TH ST
SUBDIVISION
10TH ST
12TH ST
9TH ST
GATEWAY PLAZA SHOPPING CITY
BEST INN
RAMADA LIMITED
GATEWAY PLAZA SHOPPING CITY #2
WHATABURGER
DAYS INN
EXXON
CRICKET
50FT PR DRIVE
AHORA QUE
REST
OAKLAND AVE
GUADALUPE
RTG SUBDIVISION
McALLEN CO
MAX JONES SUBDIVISION LOT 1
THE WOODLANDS SUBDIVISION
VISTA ALEGRE
SUNSET DR
QUINTA MAZATLAN
2400
2411
2417
2501
2601
2406
2506
2600
2606
2716
2720
2813
2801
2751
A-O

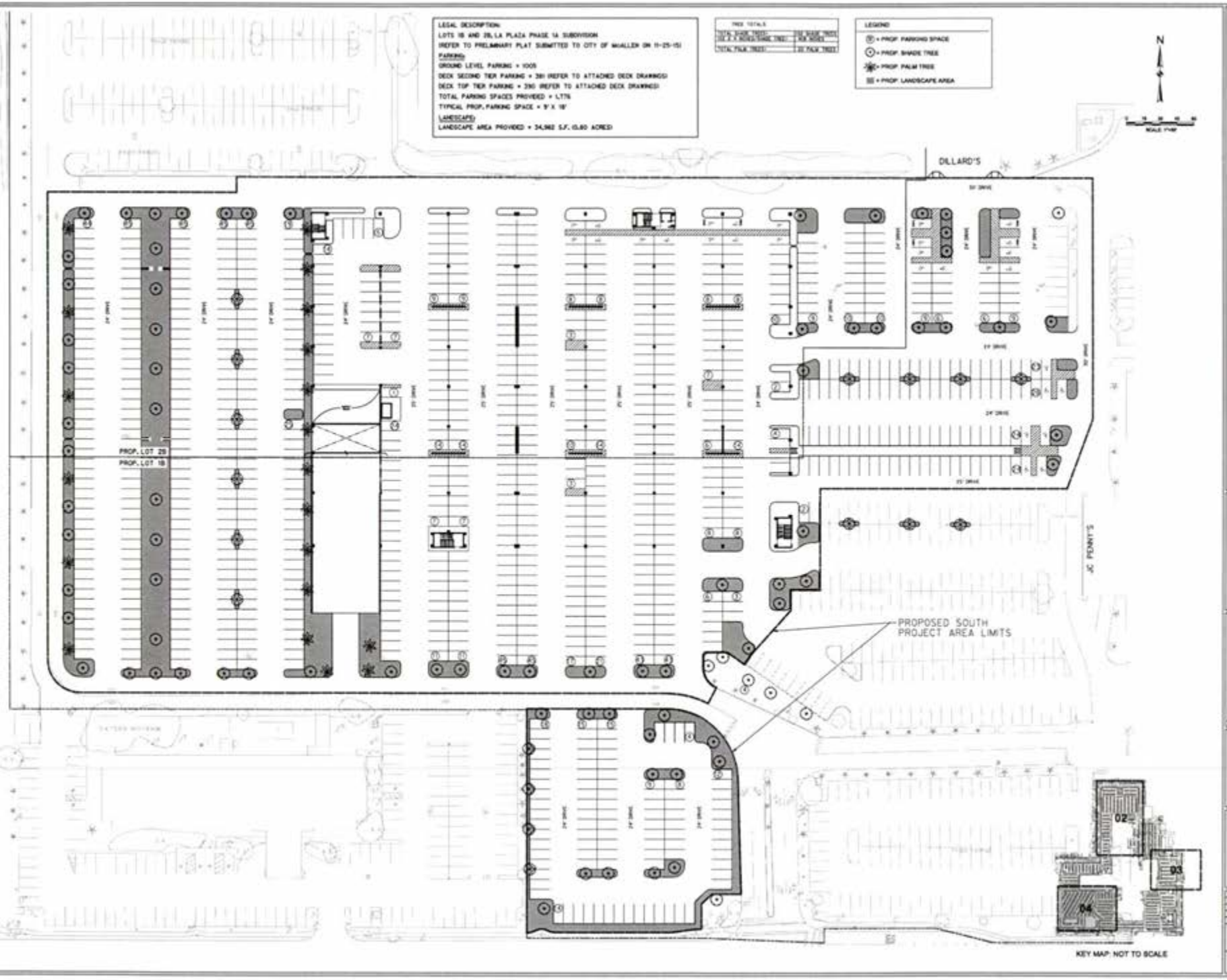
LEGAL DESCRIPTION:
LOTS 18 AND 28, LA PLAZA PHASE 1A SUBDIVISION
(REFER TO PRELIMINARY PLAT SUBMITTED TO CITY OF McALLEN ON 11-25-15)

PARKING:
GROUND LEVEL PARKING = 1005
DECK SECOND TIER PARKING = 381 (REFER TO ATTACHED DECK DRAWINGS)
DECK TOP TIER PARKING = 390 (REFER TO ATTACHED DECK DRAWINGS)
TOTAL PARKING SPACES PROVIDED = 1,776
TYPICAL PROP. PARKING SPACE = 9' X 18'

LANDSCAPE:
LANDSCAPE AREA PROVIDED = 34,982 S.F. (0.80 ACRES)

TREE TOTALS	
TOTAL SHADE TREES:	52 (PLUS TREES)
1.5" X 8' SHADE TREE:	104 (EACH)
TOTAL PALM TREES:	22 (PLUS TREES)

LEGEND
- = PROP. PARKING SPACE
- = PROP. SHADE TREE
- = PROP. PALM TREE
- = PROP. LANDSCAPE AREA



LA PLAZA MALL
EXPANSION & PARKING DECKS
McALLEN, TEXAS

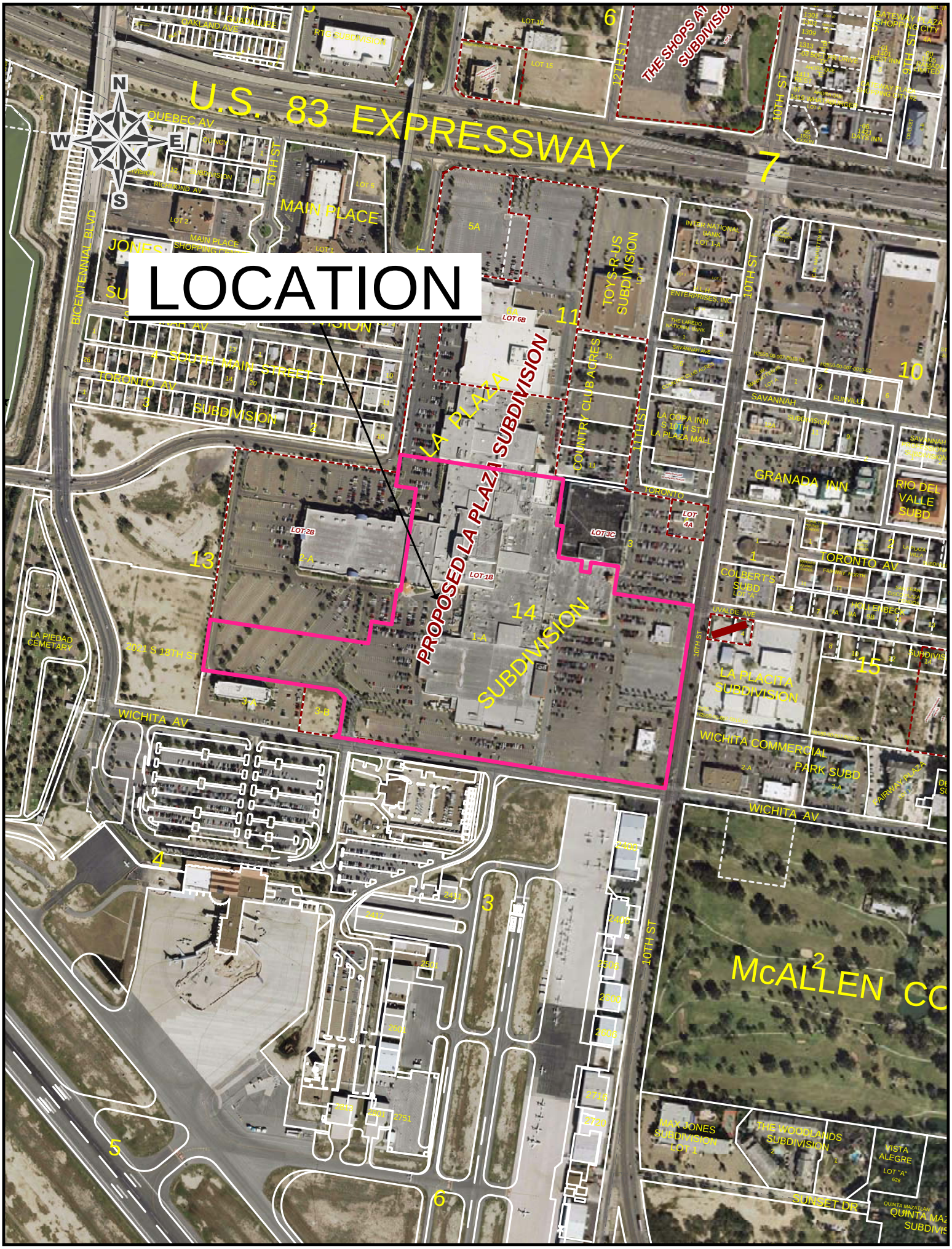
SIMON

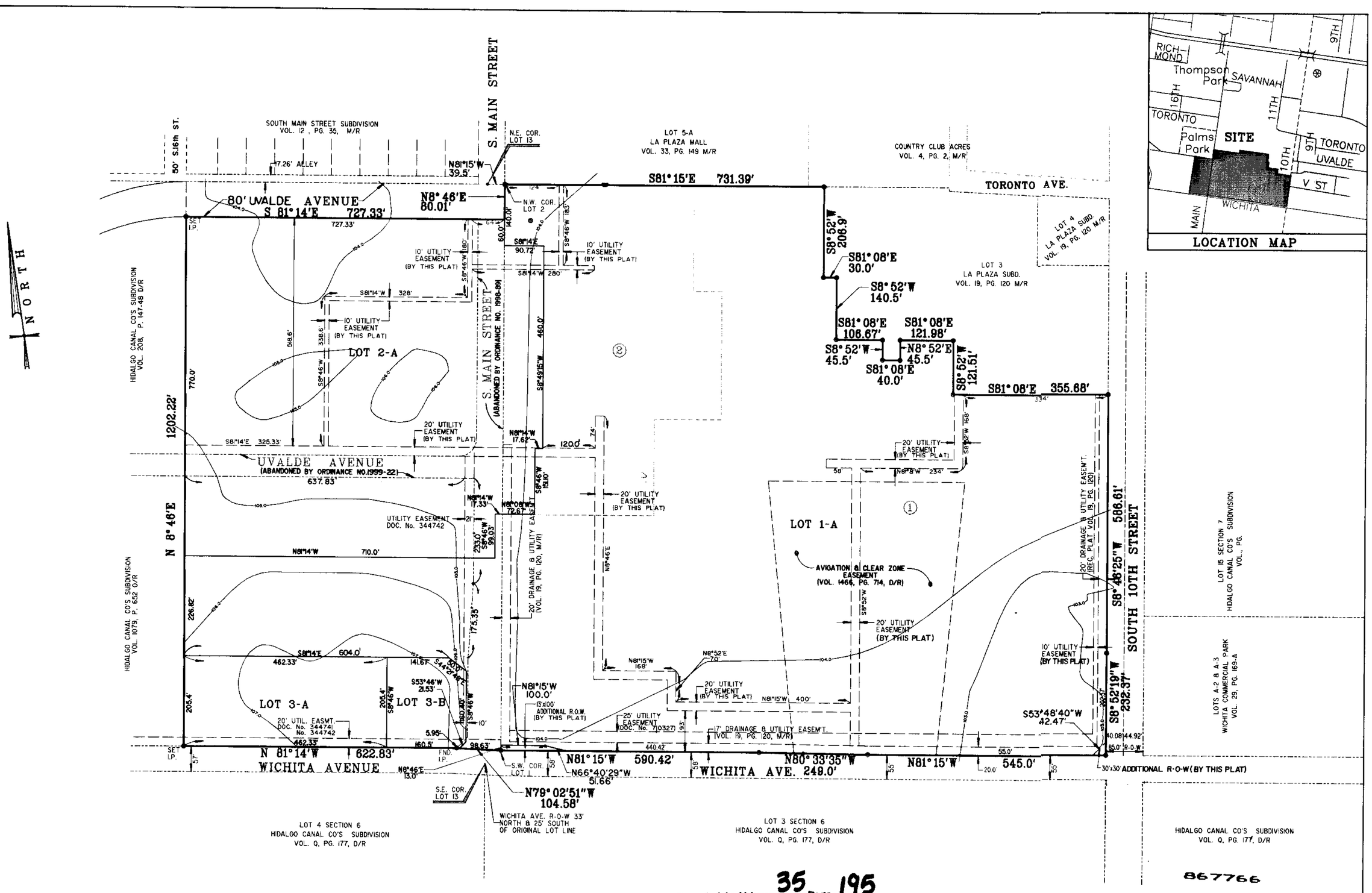
HALFF

EXHIBIT
FOR INTERIM REVIEW ONLY

SOUTH PARKING DECK
PROPOSED SITE PLAN

SP4.2


LOCATION
U.S. 83 EXPRESSWAY
PROPOSED LA PLAZA SUBDIVISION
LA PLAZA SUBDIVISION
MAIN PLACE
JONES SUBDIVISION
TOYS-R-US SUBDIVISION
COUNTRY CLUB ACRES
THE SHOPS AT SUBDIVISION
GRANADA INN
RIO DEL VALLE SUBD
LA PLACITA SUBDIVISION
WICHITA COMMERCIAL PARK SUBD
McALLEN CC
LA PIEDAD CEMETARY
BICENTENNIAL BLVD
10TH ST
12TH ST
16TH ST
WICHITA AV
TORONTO AV
SAVANNAH AV
QUEBEC AV
RICHMOND AV
SOUTH MAIN STREET
2021 S 13TH ST
UVALDE AVE
SUNSET DR
LOT 2B
LOT 1B
LOT 3C
LOT 4A
LOT 6B
LOT 2-A
LOT 1-A
LOT 3-A
LOT 3-B
LOT 5A
LOT 15
LOT 16
LA COPA INN S 10TH ST LA PLAZA MALL
INTER NATIONAL BANK LOT 1-A
THE LAREDO NATIONAL BANK
COLBERT'S SUBD LOT "A"
HOLLIBED
MAX JONES SUBDIVISION LOT 1
THE WOODLANDS SUBDIVISION
VISTA ALEGRE LOT "A"
QUINTA MAZATLAN SUBDIVIS
N
S
E
W



867766

Recorded in Volume 35 Page 195
of the map records of Hidalgo County, Texas
Melden and Hunt, Inc.

Filed for Record in:
Hidalgo County
by Juan D. Salinas III
County Clerk
On: Apr 28,2000 at 10:28A
As a
Map - Large
Document Number: 867766
Total Fees : 91.00
Receipt Number - 278882
By,
Bea Cruz

MAP OF LA PLAZA LOTS 1-A, 2-A, 3-A & 3-B, SUBDIVISION

McALLEN, TEXAS

BEING A SUBDIVISION OF 54.85 AC. OF LAND OUT OF LOT 13, SECTION 7, HIDALGO CANAL COMPANY'S SUBDIVISION, OF PORCIONES 64, 65, AND 66, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 9, PG. 177, DEED RECORDS, HIDALGO COUNTY, TEXAS AND ALL OF LOTS 1 AND 2, LA PLAZA SUBDIVISION, AMENDED, CITY OF McALLEN, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 19, PG. 120, MAP RECORDS HIDALGO COUNTY, TEXAS AND PORTIONS OF MAIN STREET AND UVALDE AVE. CITY OF McALLEN, TEXAS

PREPARED BY:
FABIAN, NELSON & MEDINA, INC.
320 N. 15Th. STREET, McALLEN, TEXAS
SCALE: 1"= 150' DATE: 1-21-99
(956) 682-3414

NOTES:

1. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
   SOUTH 10TH STREET - 50 FT OR GREATER FOR APPROVED SITE PLAN
   WICHITA AVENUE - 40 FT OR GREATER FOR APPROVED SITE PLAN
   UVALDE AVENUE - 40 FT OR GREATER FOR APPROVED SITE PLAN
   OTHERS - IN ACCORDANCE WITH ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN
2. MINIMUM FINISH FLOOR ELEVATION SHALL BE ELEV. 104.60, OR 18" ABOVE TOP/CURB.
3. THIS PROPERTY FALLS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 480343 0010 C, DATED 11-2-82.
4. OWNER IS REQUIRED TO PROVIDE AN ENGINEERED DETENTION PLAN PRIOR TO APPLICATION FOR BUILDING PERMIT.
5. A 6 FT BUFFER IS REQUIRED FROM ADJACENT RESIDENTIAL ZONE/USE.
6. SITE PLAN MUST BE APPROVED BY PLANNING & ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE.
7. 4 FT SIDEWALKS REQUIRED ALONG SOUTH 10TH STREET, WICHITA AVENUE, AND UVALDE AVENUE.
8. DRAINAGE DETENTION OF 1.73 ACRE-FEET IS REQUIRED FOR THIS SUBDIVISION.

METES AND BOUNDS

A 54.85 ACRE TRACT OF LAND OUT OF LOT 13, SECTION 7, HIDALGO CANAL COMPANY'S SUBDIVISION, OF PORCIONES 64, 65 AND 66, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 9, PG. 177, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND ALL OF LOTS 1 AND 2, LA PLAZA SUBDIVISION AMENDED, CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 19, PG. 120, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND PORTIONS OF SOUTH MAIN STREET AND UVALDE AVENUE, CITY OF MCALLEN, TEXAS.

BEGINNING at the Southeast corner of Lot 1, La Plaza Subdivision, Amended, for the Southeast corner of the following described tract of land; said point being the intersection of the West line of South 10th Street (S.H. No. 336) and the North line of Wichita Avenue;

THENCE, with the South line of Lots 1 and 2, and the North line of Wichita Avenue, as follows: North 81 Deg. 15 Min. West, 545.0 feet; North 80 Deg. 33 Min. 35 Sec. West, 249.0 feet; and North 81 Deg. 15 Min. West, 590.42 feet to the Southwest corner of Lot 1, for an angle point in the South line hereof; said point being on the East line of South Main Street;

THENCE, North 79 Deg. 02 Min. 51 Sec. West, 104.58 feet to the most Southerly Southeast corner of a certain 9.19 acre tract out of Lot 13, for an angle point in the South line hereof; said point being on the West line of South Main Street;

THENCE, continue with the North line of Wichita Avenue, with the South line of said 9.19 acre tract, North 81 Deg. 14 Min. West, 622.83 feet to the Southwest corner of said 9.19 acre tract, for the Southwest corner hereof;

THENCE, with the West line of said 9.19 acre tract and its projection and with the West line of a certain 8.217 acre tract out of Lot 13, North 8 Deg. 46 Min. East, 1202.22 feet to the Northwest corner of said 8.217 acre tract, for the most Westerly Northwest corner hereof; said point being on the South line of future UVALDE Avenue;

THENCE, with the North line of said 8.217 acre tract and its projection, and the South line of future UVALDE Avenue, South 81 Deg. 14 Min. East, 727.33 feet to a point on the West line of Lot 2, La Plaza Subdivision, Amended, for an interior corner hereof; said point being on the East line of South Main Street;

THENCE, with the West line of Lot 2, and the East line of South Main Street, North 8 Deg. 46 Min. East, 80.01 feet to the Northwest corner of Lot 2, for the most Northerly Northwest corner hereof;

THENCE, with the North line of Lots 2 and 1, South 81 Deg. 15 Min. East, 731.39 feet to the most Northerly Northeast corner of Lot 1, for the most Northerly Northeast corner hereof; said point being the Northwest corner of Lot 3, La Plaza Subdivision, Amended;

THENCE, with the division line between Lots 1 and 3, as follows: South 8 Deg. 52 Min. West, 206.90 feet; South 81 Deg. 08 Min. East, 30.0 feet; South 8 Deg. 52 Min. West, 140.50 feet; South 81 Deg. 08 Min. East, 106.67 feet; South 8 Deg. 52 Min. West, 45.50 feet; South 81 Deg. 08 Min. East, 40.0 feet; North 8 Deg. 52 Min. East, 45.50 feet; South 81 Deg. 08 Min. East, 121.98 feet; South 8 Deg. 52 Min. West, 121.51 feet; and South 81 Deg. 08 Min. East, 355.68 feet to the most Southerly Northeast corner of Lot 1, for the most Southerly Northeast corner hereof; said point being on the West line of South 10th Street;

THENCE, with the East line of Lot 1, and the West line of South 10th Street, as follows: South 8 Deg. 46 Min. 25 Sec. West, 586.61 feet and South 8 Deg. 52 Min. 19 Sec. West, 232.37 feet to the PLACE OF BEGINNING. Containing 54.85 acres of land, more or less.

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

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: _____ 4/27/2000

STATE OF TEXAS
COUNTY OF HIDALGO

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE LA PLAZA LOTS 1-A, 2-A, 3-A & 3-B SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE), WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

SIMON PROPERTY GROUP (TEXAS) L.P.
115 W. WASHINGTON ST.
INDIANAPOLIS, IN. 46204
BY: Golden Ring Mall Company Limited Partnership, its general Partner
By: Simon Property Group (Delaware), Inc, General Partner
By: David Simon, Chief Executive Officer

DILLARD TEXAS OPERATING LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP
BY: DILLARD'S, INC., A DELAWARE CORPORATION, its general partner
BY: JAMES W. CHERRY, JR., VICE PRESIDENT

STATE OF INDIANA
COUNTY OF MARION

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED David Simon, in said capacity, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 23rd DAY OF February, 2000.

JAN L. LOCKE, Notary Public
County of Residence: Johnson
My Commission Expires: Oct. 22, 2001

NOTARY PUBLIC

STATE OF ARKANSAS
COUNTY OF PULASKI

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JAMES W. CHERRY, 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 CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 29th DAY OF February, 2000.

STATE OF ARKANSAS
DEBORAH K. DYNEK
NOTARY PUBLIC
PULASKI COUNTY
My Comm. Exp. 3-10-2005

NOTARY PUBLIC

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

CHAIRMAN, PLANNING COMMISSION

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

PLINIO C. MEDINA
REGISTERED PROFESSIONAL LAND SURVEYOR
McALLEN, TEXAS

STATE OF TEXAS:
COUNTY OF HIDALGO:

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

3-1-00

REGISTERED PROFESSIONAL ENGINEER
P.E. REGISTRATION No. 56752

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

MAYOR, CITY OF McALLEN

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No.3 ON THIS 2nd DAY OF March A.D.,2000

SECRETARY

PRESIDENT

..\importplaza.dgn Feb. 24, 2000 16:50:44

SUB2016-0057

City of McAllen
Planning Department
APPLICATION FOR SUBDIVISION PLAT REVIEW

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

Project Description

Subdivision Name THE VILLAS AT LA VISTA

Location NORTH 1ST STREET AND LA VISTA

City Address or Block Number BLOCK 10

Number of lots 18 Gross acres 3.56 Net acres

Existing Zoning R-3T Proposed R-3T Rezoning Applied For ☐Yes ☐No Date

Existing Land Use OPEN Proposed Land Use TOWNHOUSES Irrigation District #

Residential Replat Yes ☐ No ☒ **Commercial** Replat Yes ☐ No ☒ **ETJ** Yes ☐ No ☐

Agricultural Tax Exemption Yes ☐ No ☐ Estimated Rollback tax due 0

Legal Description 3.56 ACRES OF LAND OUT OF LOT 3, BLOCK 10, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS

Owner

Name AFFORDABLE HOMES OF SOUTH TEXAS Phone 956-687-6263

Address 1420 ERIE AVENUE

City McALLEN State TEXAS Zip 78501

E-mail

Developer

Name SAME AS ABOVE Phone

Address

City State Zip

Contact Person

E-mail

Engineer

Name CRUZ-HOGAN CONSULTANTS, INC. Phone 682-5022

Address 605 E. VIOLET AVE, STE. 1

City McALLEN State TX Zip 78501

Contact Person RONNIE CRUZ, P.E., CFM

E-mail RONNIE@CRUZHOGAN.NET

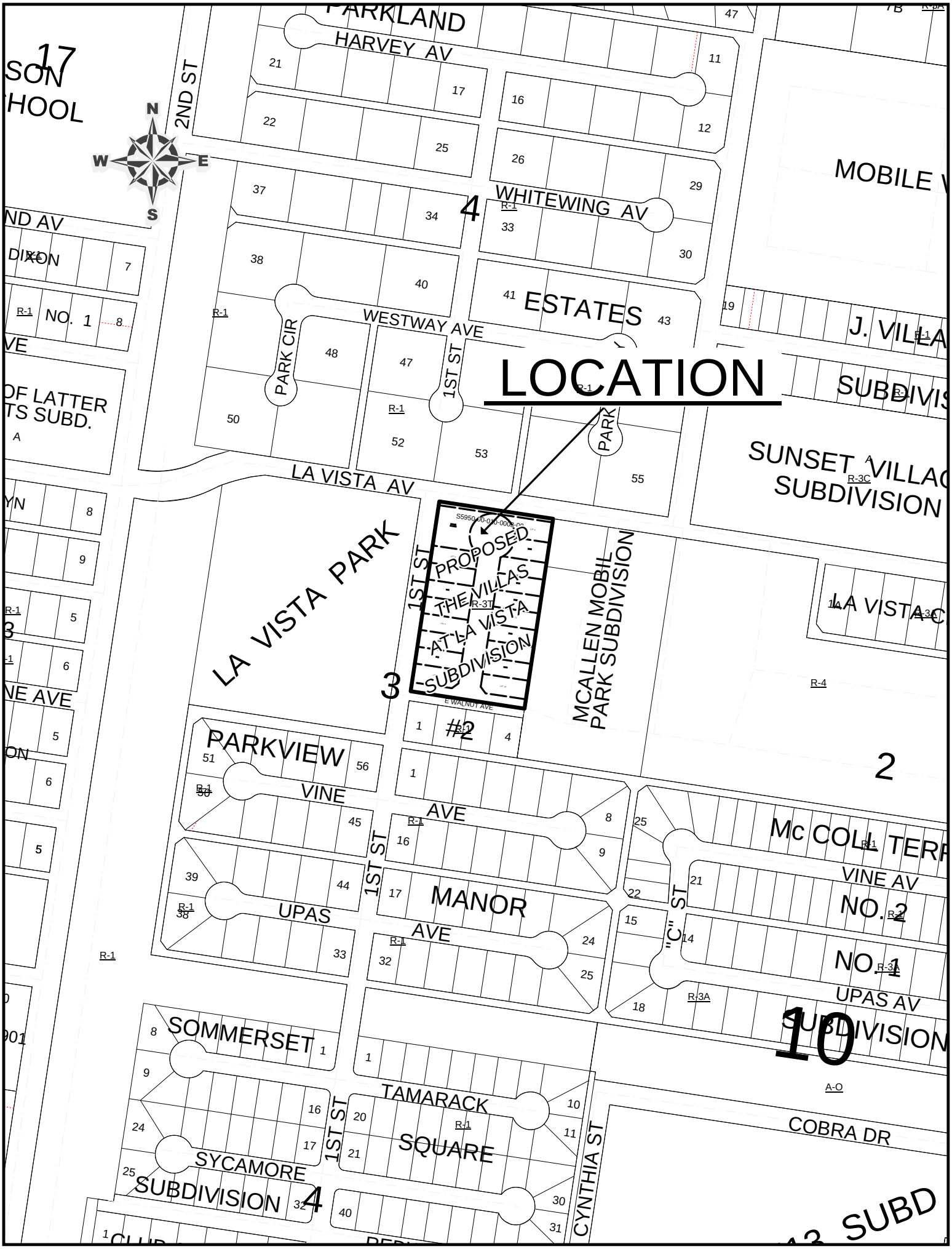
Surveyor

Name ROBLES & ASSOCIATES Phone 956-968-2422

Address 107 W. HUISACHE

City WESLACO State TX Zip 78596

RECEIVED
AUG 29 2016
BY: 9:42 am


LOCATION
PROPOSED
THE VILLAS
AT LA VISTA
SUBDIVISION
S5950000-000-0008-00
E WALNUT AVE
LA VISTA PARK
MCALLEN MOBIL
PARK SUBDIVISION
PARKLAND
HARVEY AV
2ND ST
WHITEWING AV
ESTATES
WESTWAY AVE
PARK CIR
1ST ST
PARK
LA VISTA AV
SUNSET VILLAGE
SUBDIVISION
LA VISTA
PARKVIEW
VINE
AVE
UPAS
MANOR
AVE
Mc COLL TERR
VINE AV
NO. 2
NO. 1
UPAS AV
SUBDIVISION
"C" ST
SOMMERSET
TAMARACK
SQUARE
SYCAMORE
SUBDIVISION
CYNTHIA ST
COBRA DR
MOBILE
J. VILLA
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R-3C
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R-4
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STATE OF TEXAS
COUNTY OF HIDALGO

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

_____ _____

JASON LEAL DATE
AFFORDABLE HOME OF SOUTH TEXAS, INC
BOARD PRESIDENT
1420 ERIE AVE
McALLEN, TEXAS 78501

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED LUIS FIGUEROA 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 CONTAINED THEREIN ARE TRUE AND CORRECT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATION THEREBY EXPRESSED. GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS _____ DAY OF _____, 20____.

_____

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS

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.

_____ _____

JIM DARLING DATE
MAYOR, CITY OF McALLEN

_____ _____

CITY CLERK DATE

PLANNING AND ZONING:

APPROVED AND AUTHORIZED FOR RECORD BY THE PLANNING AND ZONING COMMISSION, CITY OF McALLEN, TEXAS, THIS THE _____DAY OF _____, 20___ , BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN, TEXAS.

_____

CHAIRMAN, PLANNING & ZONING COMMISSION

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 AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

_____ _____

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

IRRIGATION DISTRICT:

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 2, ON THIS THE _____DAY OF _____ , 20____.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATIONS, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED ON HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 RIGHT OF WAYS OR EASEMENTS.

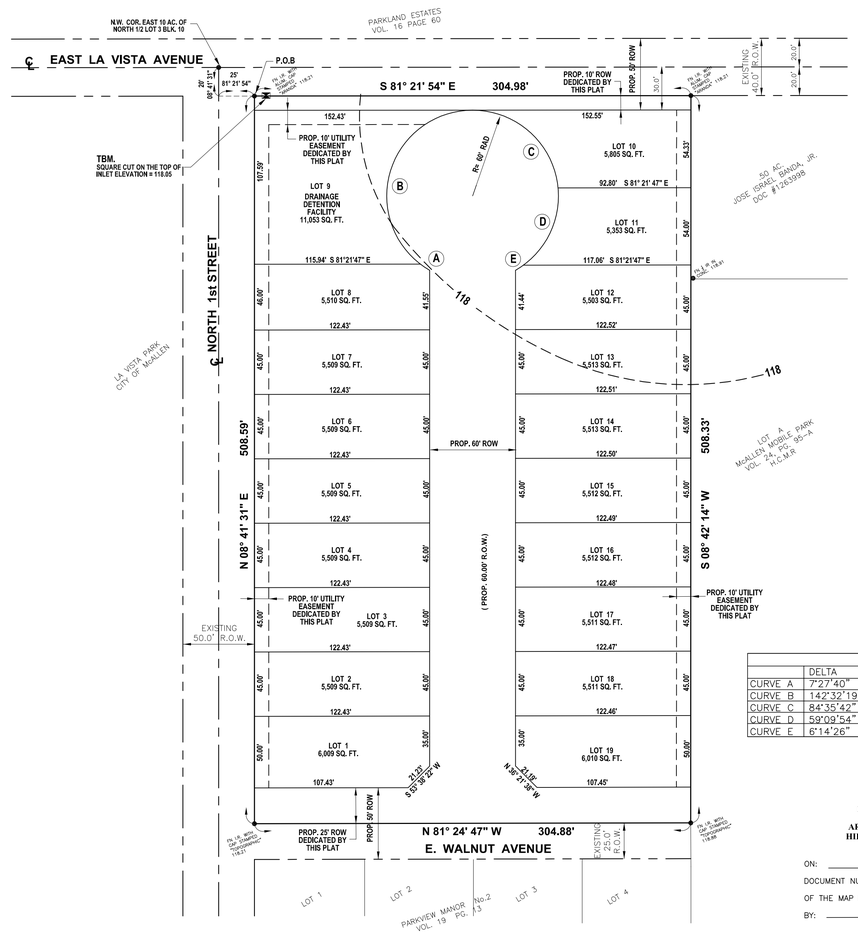
_____

PRESIDENT

ATTEST: _____
SECRETARY

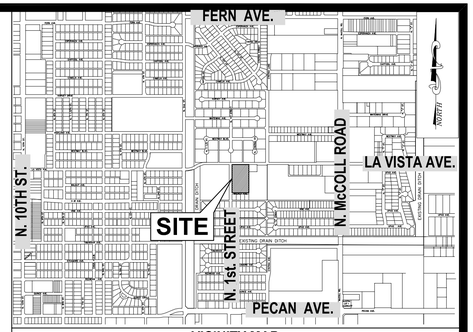
PRINCIPAL CONTACTS:

	NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER:	JASON LEAL	1420 ERIE AVE.	McALLEN, TX. 78501	(956) 687–6263	(956) 682–9751
ENGINEER:	ROLANDO CRUZ, PE	605 E. VIOLET AVE. STE. 1	McALLEN, TX. 78504	(956) 682–5022	(956) 682–5089
SURVEYOR:	REYNALDO ROBLES	P.O. BOX 476	WESLACO, TX. 78599	(956) 968–2422	(956) 969–2011



LEGEND

● FOUND 1/2" IRON ROD



VICINITY MAP
SCALE: 1" = 1000'

CURVE DATA				
	DELTA	RADIUS	LENGTH	CHORD
CURVE A	7°27'40"	60.00'	7.81'	S47°34'38"E – 7.81'
CURVE B	142°32'19"	60.00'	149.27'	S27°25'22"W –113.64'
CURVE C	84°35'42"	60.00'	88.59'	N39°00'38"W – 8.76
CURVE D	59°09'54"	60.00'	61.96'	N32°52'10"E – 59.24'
CURVE E	6°14'26"	60.00'	6.54'	N65°34'20"E – 6.53'

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

ON: _____ AT _____ AM/PM

DOCUMENT NUMBER _____

OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

METES & BOUNDS

BEING 3.56 ACRES OF LAND SITUATED IN HIDALGO COUNTY, TEXAS, AND BEING OUT OF THE EAST 10 ACRES OF THE NORTH ONE HALF OF LOT 3, BLOCK 10 OF THE STEELE AND PERSHING SUBDIVISION AS PER MAP RECORDED IN VOLUME 8, PAGE 115 OF THE HIDALGO COUNTY DEED RECORDS, AND SAID 3.56 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD WITH AN ALUMINUM CAP STAMPED "ARANDA" FOUND FOR THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED, SAID IRON ROD BEING LOCATED AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF NORTH 1ST. STREET (50 FEET WIDE) WITH THE SOUTH RIGHT OF WAY LINE OF LA VISTA AVENUE (40 FEET WIDE), AND BEARS SOUTH 08°41'31" WEST, 20.00 FEET AND SOUTH 81°21'54" EAST 25.00 FEET FROM THE NORTHWEST CORNER OF SAID 10 ACRE TRACT;

THENCE, SOUTH 81°21'54" EAST, 304.98 FEET, WITH THE SOUTH RIGHT OF WAY LINE OF SAID EAST LA VISTA AVENUE TO AN IRON ROD WITH AN ALUMINUM CAP STAMPED "ARANDA" FOUND FOR THE NORTHEAST CORNER OF SAID TRACY HEREIN DESCRIBED;

THENCE, SOUTH 08°42'14" WEST, WITH THE WEST LINE OF A .50 ACRE TRACT AS DESCRIBED IN DOCUMENT No. 1263998 OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, AT A DISTANCE OF 127.58 FEET PASS THE SOUTHWEST CORNER OF SAID 0.50 ACRE TRACT AND CONTINUING WITH THE WEST LINE OF LOT A, McALLEN MOBILE PARK SUBDIVISION AS PER MAP RECORDED IN VOLUME 24, PAGE 95–A OF THE HIDALGO COUNTY MAP RECORDS, FOR A TOTAL DISTANCE OF 508.33 FEET TO A 1/2"–INCH IRON ROD WITH A CAP STAMPED "TOPOGRAPHIC" FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 81°24'47" WEST, 304.88 FEET, WITH THE NORTH RIGHT OF WAY LINE OF WALNUT AVENUE (25 FEET WIDE) TO A 1/2–INCH IRON ROD WITH A CAP STAMPED "TOPOGRAPHIC" FOUND FOR THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 08°41'31" EAST 508.59 FEET, WITH EAST RIGHT OF WAY LINE OF SAID NORTH 1ST. STREET TO THE POINT OF BEGINNING AND CONTAINING 3.56 ACRES OF LAND MORE OR LESS.

THE VILLAS AT LA VISTA SUBDIVISION

3.56 ACRES OF LAND
OUT OF LOT 3,
BLOCK 10, STEELE AND PERSHING
SUBDIVISION,
HIDALGO COUNTY, TEXAS

GENERAL NOTES:

1.– FLOOD ZONE DESIGNATION: ZONE "B" AREAS BETWEEN LIMITS OF THE 100–YEAR AND 500–YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100–YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE (1) SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.

COMMUNITY–PANEL NO. 480343 0005 C
EFFECTIVE DATE: NOVEMBER 2, 1982

2.– MINIMUM BUILDING SETBACKS
FRONT : 10 FT. OR GREATER FOR EASEMENTS, INCLUDING 10 FT. FOR DOUBLE FRONTING LOTS ALONG N. 1ST STREET.
REAR : IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS.
CORNER : 10 FT. OR GREATER FOR EASEMENTS ALONG E. WALNUT AVENUE AND E. LA VISTA AVENUE.
GARAGE : 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.

3.– NOTE: NO ACCESS FROM LOTS 1 AND 19 TO E. WALNUT AVENUE
NO ACCESS FROM LOTS 1 – 9 TO NORTH 1st. STREET
NO ACCESS FROM LOT 10 TO EAST LA VISTA AVENUE

4.–NO STRUCTURES SHOULD BE CONSTRUCTED ON ANY EASEMENTS.

5.– FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AS MEASURED FROM THE CENTER OF EACH LOT.

6.– ONE SINGLE FAMILY TOWNHOUSE DWELLING UNIT PER LOT.

7.– BENCHMARK:
CITY OF McALLEN B.M. #67, LOCATION ON THE WEST SIDE OF McCOLL ROAD ABOUT 1330' NORTH OF THE LA VISTA AVENUE
NORTHING=16607782.77264
EASTING=1079765.00612
ELEVATION=115.68

TBM–SQUARE CUT ON TOP OF INLET LOCATED ON THE SOUTH SIDE OF EAST LA VISTA AVE, ABOUT 7 FEET EAST OF NORTHWEST CORNER.
ELEVATION=118.05

8.–6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI–FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG E. LA VISTA, N. 1ST STREET AND E. WALNUT AVENUE.

8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTY–FAMILY RESIDENTIAL ZONES/USES.

PERIMETER BUFFERS MUST BE BUILT AT TIME OF SUBDIVISION IMPROVEMENTS.

9. –THIS SUBDIVISION IS REQUIRED TO DETAIN 14,123 FT^3 OR .320 AC–FT. LOT 9 IS EXCLUSIVELY DESIGNATED AS DRAINAGE DETENTION FACILITY.

10.–CONSTRUCTION WILL COMPLY WITH T.P.D.E.S. REQUIREMENTS AND SITE'S STORM WATER POLLUTION PREVENTION PLAN.

11.–A 4' SIDEWALK WITH A.D.A. COMPLIANT RAMPS AND LANDINGS SHALL BE REQUIRED ALONG NORTH SIDE OF WALNUT AVENUE, SOUTH SIDE OF EAST LA VISTA AVENUE, AND BOTH SIDES OF INTERIOR STREET.

12.–OWNER(S) TO MAINTAIN DETENTION AREA.

13.–LEGEND ● DENOTES 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED.

14.–ENFORCEMENT OF ALL PLAT NOTES AND DEDICATIONS SHALL BE THE RESPONSIBILITY OF THE AGENCY OR ENTITY TO WHOM THE DEDICATION IS GRANTED.

15.–DETENTION AREAS THAT ARE 3 FEET OR DEEPER WILL REQUIRE PERIMETER FENCE.

16.–OWNERS TO MAINTAIN R.O.W. AND PERIMETER OF SUBDIVISION.

17.–ALL LOT CORNERS ARE MARKED WITH A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "R&A" UNLESS OTHERWISE NOTED THERE ON.

18.–NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG E. LA VISTA AVENUE, N. 1ST STREET AND E. WALNUT AVENUE.

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

20.–COMMON AREAS, PRIVATE STREETS MUST BE MAINTAINED BY THE LOT OWNERS AND NOT THE CITY OF McALLEN.

21.–SHOULD THE SUBDIVISION BE PROPOSED AS PUBLIC, THEN A HOMEOWNER'S ASSOCIATION IS REQUIRED PER SECTION 110–72(e) OF THE VEGETATION ORDINANCE WITH REGARDS TO MAINTENANCE OBLIGATIONS AS IT RELATES TO COMMON AREAS OR AREAS THAT ARE UNIMPROVED AND LIE BETWEEN THE SUBDIVISION AND ADJACENT PUBLIC STREETS.

22.–HOMEOWNER'S ASSOCIATION COVENANTS MUST BE RECORDED AND SUBMITTED WITH DOCUMENT NUMBER ON THE PLAT, PRIOR TO RECORDING.

RECEIVED VIA CD 10/11/16 @ 3:57PM

RECEIVED
By GABRIELA CANTU at 4:22 pm, Oct 11, 2016

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, REYNALDO ROBLES, A REGISTERED PROFESSIONAL PUBLIC 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 AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION AND THAT ALL ASPECTS OF IT ARE IN ACCORDANCE WITH THE CITY OF McALLEN SUBDIVISION ORDINANCE AND ALL STATE STATUTES GOVERNING SURVEYS.

_____

REYNALDO ROBLES
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4032
WESLACO, TEXAS 78599

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, ROLANDO CRUZ, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT, AND THAT ALL ASPECTS OF IT ARE IN ACCORDANCE WITH THE CITY OF McALLEN SUBDIVISION ORDINANCE AND ALL STATE STATUTES GOVERNING SURVEYS.

_____

ROLANDO CRUZ, P.E. CFM
REGISTERED PROFESSIONAL ENGINEER
NO. 55459
McALLEN, TEXAS 78504

THIS DOCUMENT IS PRELIMINARY AND IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW AND MARK–UP ONLY UNDER THE AUTHORITY OF ROLANDO CRUZ, P.E. No. 55459 on OCTOBER 2016.

THE VILLAS AT LA VISTA SUBDIVISION
DATE: OCTOBER 2016

CRUZ-HOGAN *Consultants, Inc.*
Engineers | Planners | Consultants
Harlingen | McAllen | Weslaco
FIRM REG. No: F-4860

City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 10/28/2016

SUBDIVISION NAME: THE VILLAS AT LA VISTA	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
E. La Vista Avenue: 20 ft. ROW dedication required for 40 ft. from centerline for an 80 ft. ROW Paving: 52 ft. - 65 ft. Curb & gutter: both sides *Project engineer, on behalf of the developer is requesting a variance to the 20 ft. ROW dedication requirement; 10 ft. ROW dedication is proposed.	Non-compliance
N. 1st Street: 5 ft. ROW dedication for 30 ft. from centerline for a 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides *Project engineer, on behalf of the developer is requesting a variance to the ROW dedication requirement and is proposing that the 50 ft. ROW remain along N. 1st Street.	Non-compliance
E. Walnut Avenue: 25 ft. ROW dedication required for 50 ft. ROW Paving: 40 ft. Curb & gutter: both sides *Turnaround required at the east end of E. Walnut Avenue; street cannot dead-end. **Project engineer, on behalf of the developer is requesting a variance to allow the street to dead-end.	Non-compliance
N. 1st Lane: 60 ft. ROW Paving: 40 ft. Curb & gutter: both sides	Compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	Compliance
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement as may be required by Public Works; engineer to submit site plan with dumpster location(s) for determination of alley/service drive requirement.	TBD
SETBACKS	
* Front: 10 ft. or greater for easements, including 10 ft. for double fronting lots along N. 1st Street	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	Non-compliance
* Corner: 10 ft. or greater for easements along E. Walnut Avenue and E. La Vista Avenue.	Compliance
* Garage: 18 ft. except where greater setback is required; greater setback applies.	Compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on E. La Vista Avenue, N. 1st Street, E. Walnut Avenue and on both sides of N. 1st Lane.	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied

BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses and along E. La Vista, N. 1st Street and E. Walnut 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
NOTES	
* No curb cut, access, or lot frontage permitted along E. La Vista Avenue, N. 1st Street and E. Walnut Avenue.	Compliance
* Site plan must be approved by the Planning and Zoning Commission prior to building permit issuance.	NA
* Common Areas, Private Streets must be maintained by the lot owners and not the City of McAllen.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets. **Should the subdivision be proposed as public, then a homeowner's association is required per Section 110-72(e) of the Vegetation Ordinance with regards to maintenance obligations as it relates to common areas or areas that are unimproved and lie between the subdivision and adjacent public streets.	Applied
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	Applied
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: R-3T Proposed: townhomes	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* 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
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	NA

COMMENTS	
Comments: *Preliminary plat approved by the Planning and Zoning Commission on September 20, 2016. **Per the Engineering Department, a homeowner's association will be required for maintenance of drainage detention facility. ***Project engineer to provide note regarding exclusive use of the drainage detention facility; need to coordinate with the Engineering Department.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN REVISED PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, CLARIFICATION/RECOMMENDATION ON THE REQUESTED VARIANCES, AND UTILITY & DRAINAGE APPROVALS.	Applied

CRUZ-HOGAN Consultants, Inc.

ENGINEERS | PLANNERS | CONSULTANTS

Weslaco | Harlingen | McAllen

TBPE Firm Reg No. F-4860

October 11, 2016

Julie Rankin
Planning Director
City of McAllen
311 N. 15th Street
McAllen, Texas 78501

RE: **The Villas At La Vista**
Variance Request

Dear Ms. Rankin,

On behalf of my client, Affordable Homes of South Texas (AHSTI), we are requesting the following variance for the above referenced Subdivision:

1. A variance from having to have a turnaround at the end of Walnut Avenue and allow a dead end.

2. A variance from 20 feet of R.O.W. dedication on East La Vista to 10' of R.O.W. Dedication. Existing R.O.W. is 40' and with the 10' it will be 50' with an existing 38' wide Street with curb & gutter.

3. A variance to not dedicate an extra 10' of R.O.W. on 1st Street. Existing R.O.W. is 50' with a 30' wide street with curb & gutter and sidewalks on both sides.

If you have any questions please feel free to contact me at (956) 682-5022.

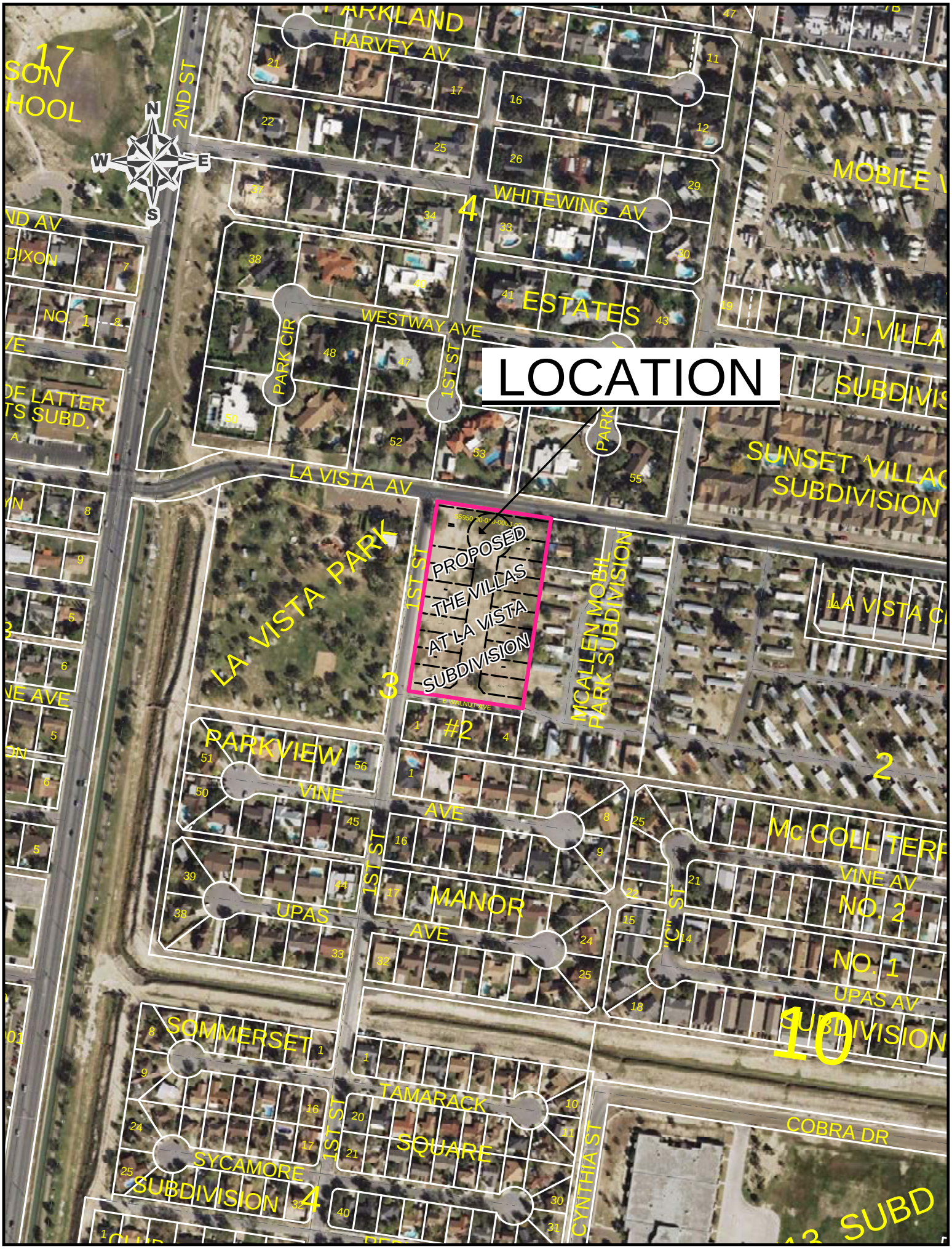
Sincerely,

Ronnie Cruz, P.E., CFM

RC/cr

RECEIVED
OCT 11 2016
BY: 3:51 pm

605 E. Violet, Suite 1 • McAllen, Texas 78504
(956) 682-5022 • Fax (956) 682-5089
www.cruzhogan.net


LOCATION
PROPOSED
THE VILLAS
AT LA VISTA
SUBDIVISION
LA VISTA PARK
LA VISTA AV
2ND ST
1ST ST
WESTWAY AVE
WHITEWING AV
HARVEY AV
PARK CIR
PARKVIEW
VINE
AVE
UPAS
MANOR
AVE
SOMMERSET
TAMARACK
SQUARE
SYCAMORE
SUBDIVISION
CYNTHIA ST
COBRA DR
McALLEN MOBIL
PARK SUBDIVISION
SUNSET VILLAG
SUBDIVISION
MOBILE
ESTATES
J. VILLA
SUBDIVIS
McCOLL TERR
VINE AV
NO. 2
NO. 1
UPAS AV
SUBDIVISION
LA VISTA CI
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City of McAllen
Planning Department
APPLICATION FOR SUBDIVISION PLAT REVIEW

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

Project Description

Subdivision Name KSHATRIYA SUBDIVISION

Location 1/4 MILE SOUTHWEST OF THE INTERSECTION OF FM 2220 (WARE RD) AND NEUHAUS DR. ON THE NORTH RIGHT-OF-WAY OF NEUHAUS DR.

City Address or Block Number

Number of lots 14 Gross acres 3.95 Net acres 3.68

Existing Zoning R-1 Proposed R-1 Rezoning Applied For ☐Yes ☐No Date

Existing Land Use RESIDENTIAL Proposed Land Use RESIDENTIAL Irrigation District # 18

Residential Replat Yes ☒ No ☐ **Commercial** Replat Yes ☐ No ☒ **ETJ** Yes ☐ No ☒

Agricultural Tax Exemption Yes ☐ No ☒ Estimated Rollback tax due 0

Legal Description 3.95 ACRES TRACT OF LAND BEING A PART OF LOT 8, MCALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION

Owner

Name KVS FAMILY LIMITED PARTNERSHIP Phone (956) 453-4561

Address 301 VICTORIA

City MCALLEN State TEXAS Zip 78503

E-mail ilumina161@yahoo.com

Developer

Name KVS FAMILY LIMITED PARTNERSHIP Phone (956) 453-4561

Address 301 VICTORIA

City MCALLEN State TEXAS Zip 78503

Contact Person K.V. CHOWDARY

E-mail ilumina161@yahoo.com

Engineer

Name RIO DELTA ENGINEERING Phone (956) 380-5153

Address 921 S. 10TH AVENUE

City EDINBURG State TEXAS Zip 78539

Contact Person IVAN GARCIA

E-mail regg.engineering@yahoo. com

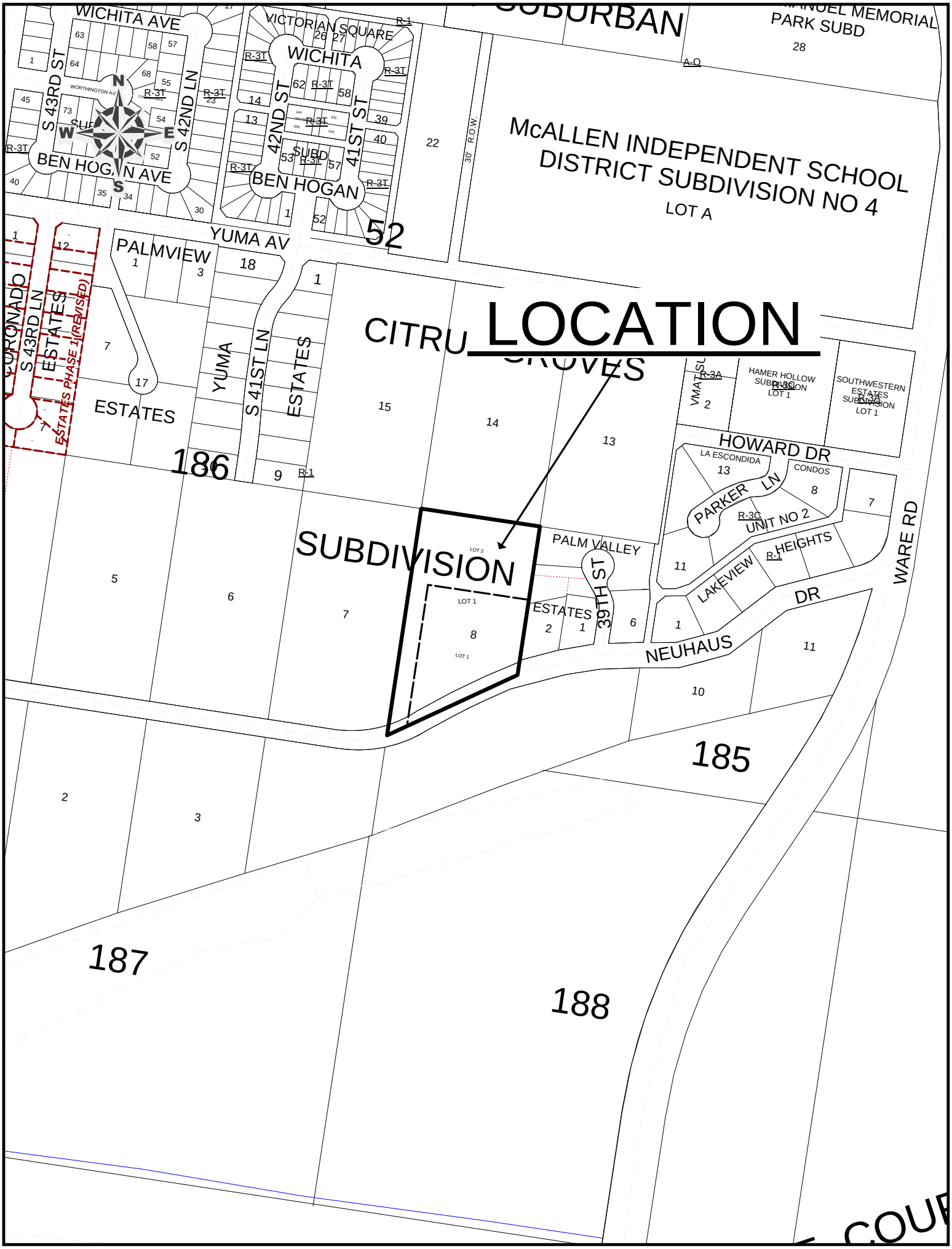
Surveyor

Name RIO DELTA ENGINEERING Phone (956) 380-5153

Address 921 S. 10TH AVENUE

City EDINBURG State TEXAS Zip 78539

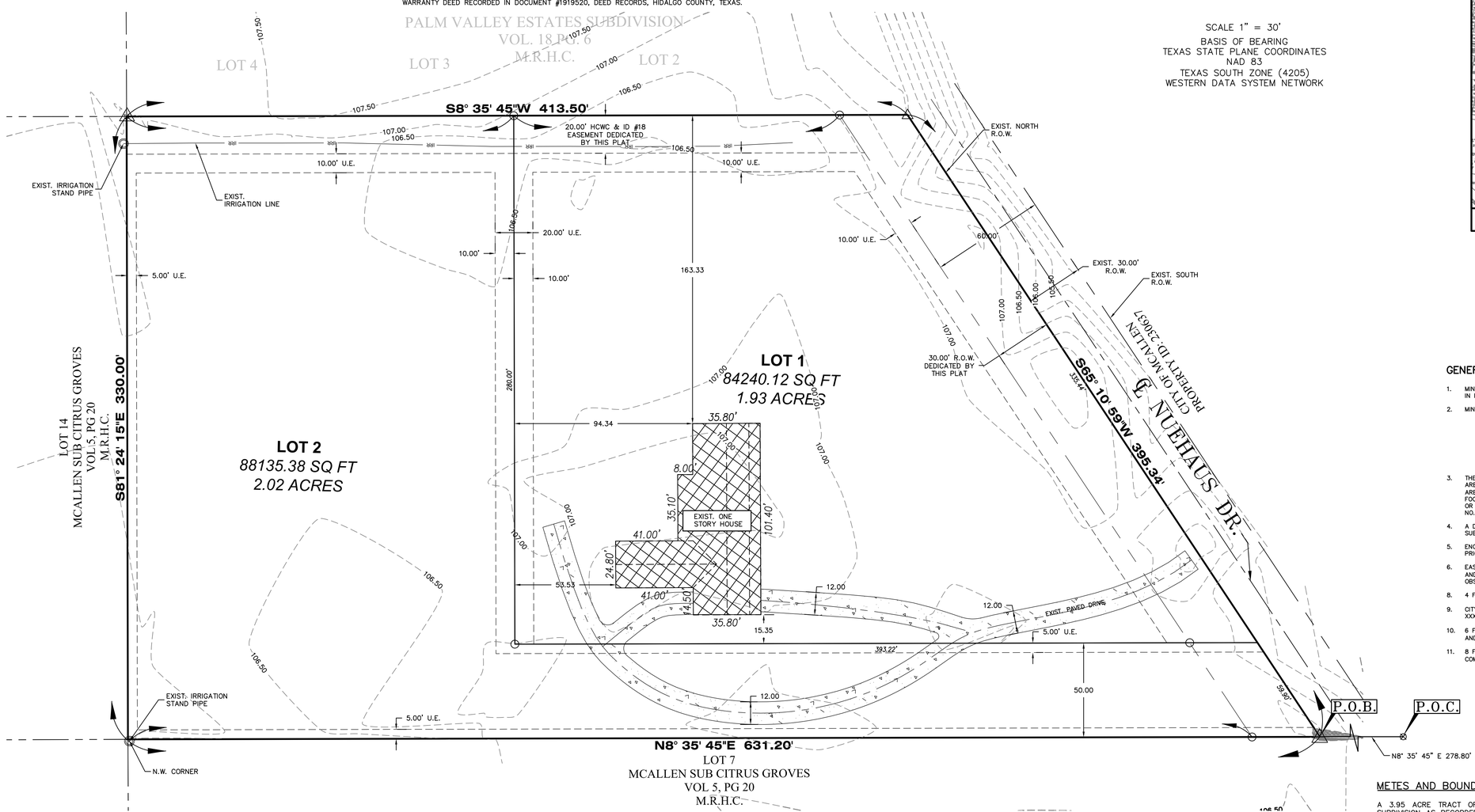
2016-0078
RECEIVED
OCT 13 2016
BY: 353

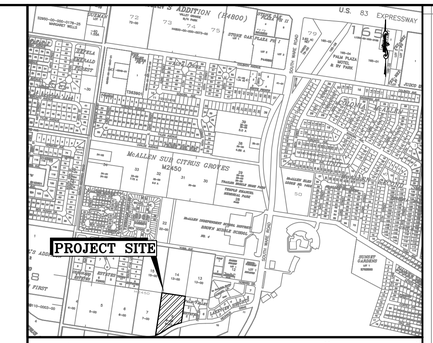

LOCATION
SUBDIVISION
McALLEN INDEPENDENT SCHOOL DISTRICT SUBDIVISION NO 4
LOT A
WICHITA AVE
VICTORIAN SQUARE
WICHITA
BEN HOGAN AVE
BEN HOGAN
S 43RD ST
S 42ND LN
42ND ST
41ST ST
YUMA AV
PALMVIEW
CORONADO ESTATES
S 43RD LN
ESTATES PHASE 1(REVISED)
ESTATES
YUMA
S 41ST LN
CITRUS GROVES
HOWARD DR
LA ESCONDIDA
CONDOS
PARKER LN
UNIT NO 2
HEIGHTS
LAKEVIEW
DR
NEUHAUS
PALM VALLEY
39TH ST
WARE RD
HAMER HOLLOW SUBDIVISION
SOUTHWESTERN ESTATES SUBDIVISION
186
185
187
188
52

KSHATRIYA SUBDIVISION

A 3.95 ACRE TRACT OF LAND BEING A PORTION OF LOT 8, MCALLEN FIRST CITRUS GROVES SUBDIVISION AS RECORDED IN VOLUME 5, PAGE 20, MAP RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED IN GENERAL WARRANTY DEED RECORDED IN DOCUMENT #1919520, DEED RECORDS, HIDALGO COUNTY, TEXAS.

SCALE 1" = 30'
BASIS OF BEARING
TEXAS STATE PLANE COORDINATES
NAD 83
TEXAS SOUTH ZONE (4205)
WESTERN DATA SYSTEM NETWORK





LOCATION MAP SCALE: 1" = 1000'

GENERAL PLAT NOTES:

1. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
2. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:

   FRONT: 25 FT. OR GREATER FOR EASEMENTS.

   REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR, GREATER FOR EASEMENTS.

   INTERIOR SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENTS.
3. THE SUBDIVISION IS IN ZONE "B" (MEDIUM SHADING) OF THE FLOOD INSURANCE RATE, 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. MAP COMMUNITY PANELS NO.: 480334 0400 C MAP REVISED: NOVEMBER 16, 1982
4. A DRAINAGE DETENTION OF **4.347** CF OR **0.100** ACRE FEET IS REQUIRED FOR THIS SUBDIVISION.
5. ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
6. EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
8. 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON THE NORTH SIDE NEUHAUS DRIVE.
9. CITY OF McALLEN BENCHMARK (MC49): ELEV.=XXX.XX, GRID COORDINATES N XXXXXXX.XX, E XXXXXXX.XX NAVD 88.
10. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG NUEHAUSE DRIVE.
11. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.

METES AND BOUNDS DESCRIPTION

A 3.95 ACRE TRACT OF LAND BEING A PORTION OF LOT 8, MCALLEN FIRST CITRUS GROVES SUBDIVISION AS RECORDED IN VOLUME 5, PAGE 20, MAP RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED IN GENERAL WARRANTY DEED RECORDED IN DOCUMENT #1919520, DEED RECORDS, HIDALGO COUNTY, TEXAS. BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING A POINT ON THE WEST LINE OF SAID LOT 8, N 8° 35' 45" E 278.80 FEET FROM ITS SOUTHWEST CORNER, FOR THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED; SAID POINT BEING NEUHAUS DRIVE RIGHT-OF-WAY;

THENCE, N 8° 35' 45" E ALONG THE WEST LINE OF LOT 8 AT A DISTANCE OF 24.0 FEET PASS A No. 4 REBAR SET ON THE NORTH RIGHT-OF-WAY LINE OF NEUHAUS DRIVE AND AT A TOTAL DISTANCE OF 631.20 FEET TO THE NORTHWEST CORNER OF LOT 8, FOR THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED' SAID POINT FALLS INSIDE A CONCRETE IRRIGATION STAND PIPE;

THENCE, S 81° 24' 15" E ALONG THE NORTH LINE OF LOT 8, A DISTANCE OF 330.0 FEET TO A CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER OF LOT 8, FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, S 8° 35' 45" W ALONG THE EAST LINE OF LOT 8, AT A DISTANCE OF 389.50 FEET PASS A No. 4 REBAR ON THE NORTH RIGHT-OF-WAY LINE OF NEUHAUS DRIVE AND AT A TOTAL DISTANCE OF 413.50 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, S 65° 10' 59" W ALONG A LINE IN NEUHAUS DRIVE, A DISTANCE OF 395.34 FEET TO THE POINT OF BEGINNING; CONTAINING 3.95 ACRES, MORE OR LESS, OF WHICH 0.182 ACRE ALONG THE SOUTH SIDE, LIES IN NEUHAUS DRIVE RIGHT-OF-WAY.

OWNER'S ACKNOWLEDGMENT
STATE OF TEXAS
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE KSHATRIYA 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 THERIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF MCALLEN.

_____
K.V. CHOWDARY

KVS LANDCO, INC. (PRESIDENT)
301 VICTORIA
MCALLEN, TEXAS 78503

STATE OF TEXAS
COUNTY OF HIDALGO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS_____DAY OF _____, 2016.

_____
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES ___-___-___

STATE OF TEXAS
COUNTY OF HIDALGO

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 2, THIS THE _____ DAY OF _____, 2016 NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATIONS, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED ON HIDALGO COUNTY IRRIGATION DISTRICT NO.2 RIGHT-OF-WAYS OR EASEMENTS.

_____ _____ ATTEST: _____
PRESIDENT SECRETARY

STATE OF TEXAS
COUNTY OF HIDALGO
MAYOR'S CERTIFICATE

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.

_____
CITY MAYOR DATE

STATE OF TEXAS
COUNTY OF HIDALGO
PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

I, THE UNDERSIGNED, CHAIR 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.

_____
PLANNING AND ZONING CHAIR DATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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 NO. 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

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

STATE OF TEXAS – COUNTY OF HIDALGO

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

_____
IVAN GARCIA P.E. R.P.L.S. DATE
REG. PROFESSIONAL ENGINEER NO. 115662

STATE OF TEXAS
IVAN GARCIA
115662
LICENSED
PROFESSIONAL ENGINEER

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 CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF McALLEN AND HIDALGO COUNTY, TEXAS.

_____
IVAN GARCIA DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6496
SURVEY FIRM # 10194027

STATE OF TEXAS
REGISTERED
IVAN GARCIA
6496
PROFESSIONAL
LAND SURVEYOR

ABBREVIATION LEGEND	
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
S.W.C.	SOUTHWEST CORNER
F.T.	FARM TRACT
F.M.	FARM-TO-MARKET
U.E.	UTILITY EASEMENT
U.E.	UTILITY EASEMENT
℄	CENTER LINE
⅊	LOT LINE

LEGEND	
O	– IRRIGATION STANDPIPE
●	– FOUND 1/2 INCH IRON ROD
▲	– CONCRETE MONUMENT FOUND
△	– SET COTTON PICKER SPINDLE
○	– CAPPED IRON ROD SET
–IRR–	– IRRIGATION PIPE
⊗	– CALCULATED POINT

RECEIVED VIA CD 10/13/16 AT 3:50PM

RECEIVED
By GABRIELA CANTU at 4:10 pm, Oct 13, 2016

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

PRINCIPAL CONTACTS:

NAME		ADDRESS			PHONE & FAX	
OWNER(S): KVC LANDCO, INC.		301 VICTORIA	McALLEN, TX.	78503		
SURVEYOR: IVAN GARCIA	P.E. R.P.L.S.	921 S. 10TH AVENUE	EDINBURG, TX.	78539	(956) 380–5152	(956) 380–5083
ENGINEER: IVAN GARCIA	P.E. R.P.L.S.	921 S. 10TH AVENUE	EDINBURG, TX.	78539	(956) 380–5152	(956) 380–5083

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

DRAWN: OSCAR CORDOVA III
DESIGN: IVAN GARCIA P.E. R.P.L.S
CHECKED: IVAN GARCIA P.E. R.P.L.S
SURVEYOR: IVAN GARCIA P.E. R.P.L.S
SCALE: 1"=30'
DATE: OCTOBER, 2016

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF IVAN GARCIA, P.E. 115662 ON **OCTOBER, 2016** IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

ISSUED FOR:
PRELIMINARY

COVER SHEET
KSHATRIYA SUBDIVISION
McALLEN, TEXAS
HIDALGO COUNTY

PROJECT: 2016-075 SD

PAGE NO. 1-OF-1

City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 10/26/2016

SUBDIVISION NAME: KSHATRIYA	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Neuhaus Drive: 20 ft. ROW required for 40 ft. from centerline; match existing ROW with adjacent recorded plats to the east Paving: 40 ft. Curb & gutter: both sides *Owner must escrow monies for improvements if not built prior to plat recording. **Project engineer to clarify ROW; refer to adjacent subdivisions to the east.	Non-compliance
* 800 ft. Block Length:	Compliance
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
ROW: 20 ft. Paving: 16 ft. *Alley/service drive easement required for commercial properties	NA
SETBACKS	
* Front: Neuhaus Drive - 30 ft. or greater for easements	Non-compliance
* Rear: in accordance with the Zoning Ordinance, or greater for easements	Compliance
* Sides: in accordance with the Zoning Ordinance, or greater for easements	Non-compliance
* Corner:	NA
* Garage: 18 ft. except where greater setback is required; greater setback applies	Non-compliance
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS **Setbacks for existing structure(s) remain as now exist; however, if the structure is removed, any new construction and/or additions shall comply with setbacks as noted.	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Neuhaus Drive.	Non-compliance
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, or industrial zones/uses.	Non-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
NOTES	
* 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

* 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
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: R-1 Proposed: residential	Compliance
* Rezoning Needed Before Final Approval	NA
PARKS	
* Land dedication in lieu of fee:	NA
* Park Fee of $700 for proposed dwelling unit on Lot 2 to be paid prior to recording.	Applied
* Pending review by the Parkland Dedication Advisory Board and CC.	NA
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat. **Per Traffic, the Trip Generation is waived based on a single family residence.	NA
* Traffic Impact Analysis (TIA) required prior to final plat.	NA
COMMENTS	
Comments:	NA
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN PRELIMINARY FORM SUBJECT TO THE CONDITIONS NOTED, AND UTILITY & DRAINAGE APPROVALS.	Applied

LOCATION
SUBDIVISION
CITRUS GROVES
McALLEN INDEPENDENT SCHOOL DISTRICT SUBDIVISION NO 4
LOT A
PARK SUBD
WICHITA AVE
VICTORIAN SQUARE
WICHITA
BEN HOGAN AVE
BEN HOGAN
YUMA AV
PALMVIEW
ESTATES
YUMA
S 41ST LN
S 42ND LN
S 43RD ST
S 43RD LN
ESTATES PHASE 1 (REVISED)
HOWARD DR
PARKER LN
UNIT NO 2
HEIGHTS
LAKEVIEW
DR
PALM VALLEY
ESTATES
NEUHAUS
WARE RD
HAMER HOLLOW SUBDIVISION LOT 1
SOUTHWESTERN ESTATES SUBDIVISION LOT 1
LA ESCONDIDA
CONDOS
186
185
187
188
52

SUB2016-0040

City of McAllen
Planning Department
APPLICATION FOR SUBDIVISION PLAT REVIEW

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

Project Description

Subdivision Name COMMUNITY CENTER AT TRES LAGOS SUBDIVISION

Location Northwest section of Mile 9 North & Ware Road

City Address or Block Number

Number of lots 4 Gross acres 40.882 Net acres 40.882

Existing Zoning ____ Proposed R1 Rezoning Applied For ☐Yes ☒No Date ____

Existing Land Use vacant Proposed Land Use comm. center Irrigation District # UID

Residential Replat Yes ☒ No ☐ **Commercial** Replat Yes ☐ No ☒ **ETJ** Yes ☐ No ☒

Agricultural Tax Exemption Yes ☐ No ☒ Estimated Rollback tax due $349,985.94

Legal Description

40.882 ACRES OUT OF SECTION 232, TEXAS-MEXICAN RAILWAY CO. SURVEY

Owner

Name RHODES ENTERPRISES, INC. Phone (956) 287-2800

Address 200 S. 10th St., Ste. 1400

City MCALLEN State TX Zip 78501

E-mail mike@mlrhodes.com

Developer

Name RHODES ENTERPRISES, INC. Phone (956) 287-2800

Address 200 S. 10th St., Ste. 1400

City MCALLEN State TX Zip 78501

Contact Person Mike Rhodes - mike@mlrhodes.com

E-mail

Engineer

Name MELDEN & HUNT, INC. Phone (956) 381-0981

Address 115 W. MCINTYRE ST.

City EDINBURG State TX Zip 78541

Contact Person FRED L. KURTH, P.E., R.P.L.S. - fkurth@meldenandhunt.com

E-mail

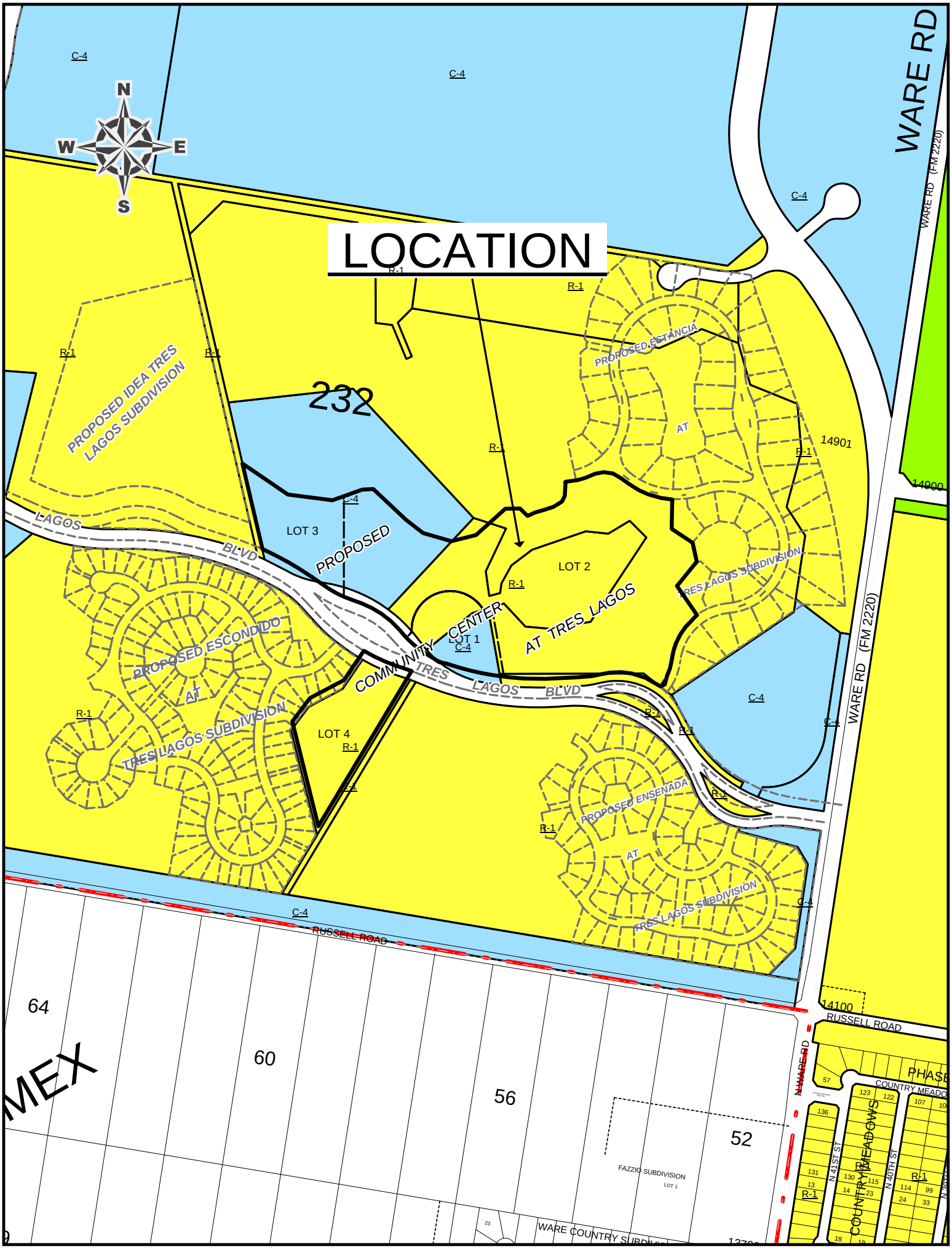
Surveyor

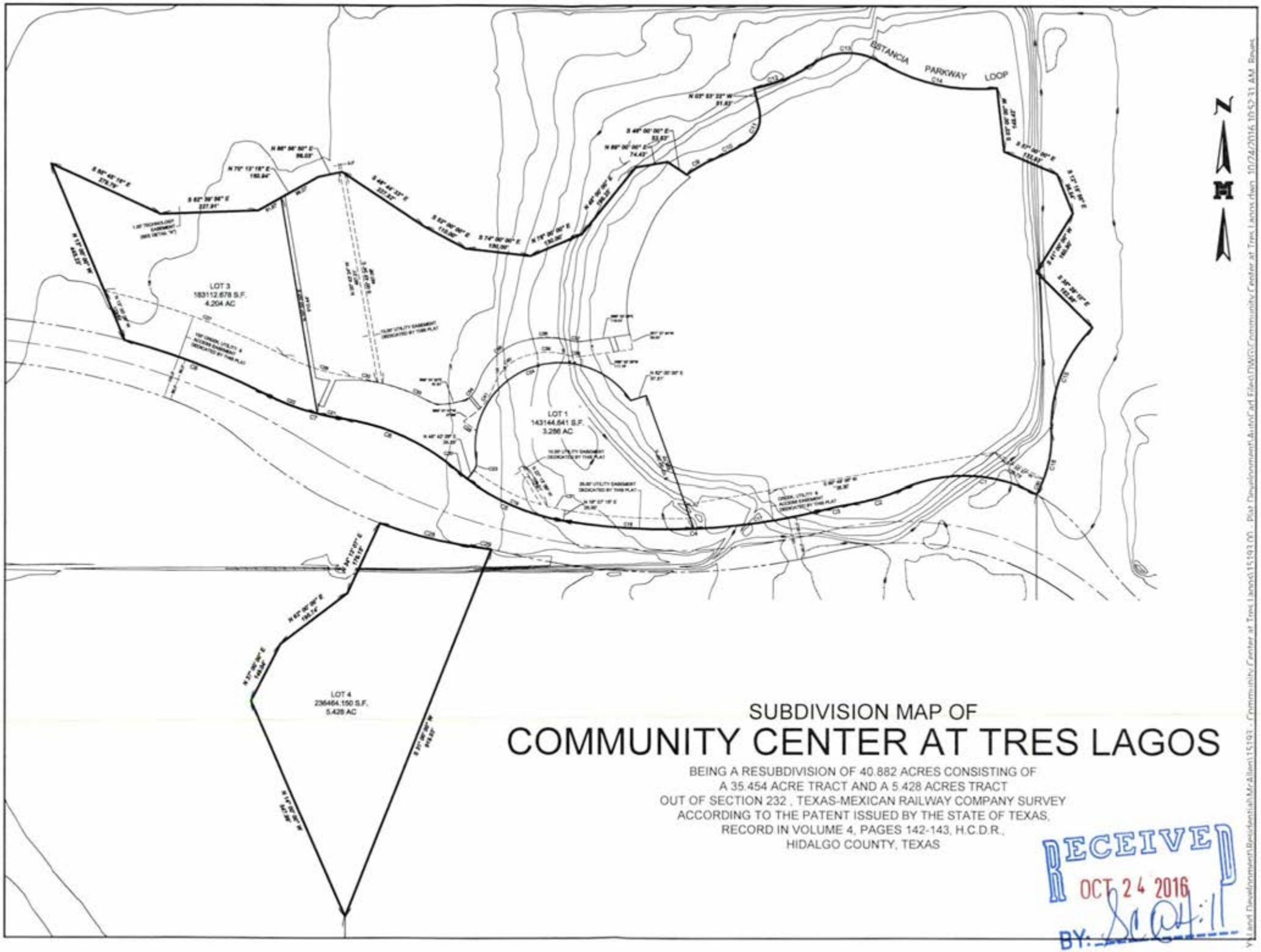
Name MELDEN & HUNT, INC. Phone (956) 381-0981

Address 115 W. MCINTYRE ST.

City EDINBURG State TX Zip 78541

RECEIVED
JUN 17 2016
BY: BC 12:03pm
Pd $300 RCT# 385,007


LOCATION
N
S
E
W
C-4
R-1
WARE RD
WARE RD (FM 2220)
232
14901
14900
14100
PROPOSED IDEA TRES LAGOS SUBDIVISION
PROPOSED ESTANCIA AT TRES LAGOS SUBDIVISION
PROPOSED ESCONDIDO AT TRES LAGOS SUBDIVISION
PROPOSED ENSENADA AT TRES LAGOS SUBDIVISION
LAGOS BLVD
TRES LAGOS BLVD
COMMUNITY CENTER
LOT 1
LOT 2
LOT 3
LOT 4
PROPOSED
RUSSELL ROAD
64
60
56
52
FAZZIO SUBDIVISION
LOT 1
WARE COUNTRY SUBDIVISION
N WARE RD
COUNTRY MEADOWS
N 41ST ST
N 40TH ST



SUBDIVISION MAP OF

COMMUNITY CENTER AT TRES LAGOS

BEING A RESUBDIVISION OF 40.882 ACRES CONSISTING OF
A 35.454 ACRE TRACT AND A 5.428 ACRES TRACT
OUT OF SECTION 232 , TEXAS-MEXICAN RAILWAY COMPANY SURVEY
ACCORDING TO THE PATENT ISSUED BY THE STATE OF TEXAS,
RECORD IN VOLUME 4, PAGES 142-143, H.C.D.R.,
HIDALGO COUNTY, TEXAS

RECEIVED
OCT 24 2016
BY: SC @ 4:11

Y:\Land Developments\Residential\Mr.Allen\15193 - Community Center at Tres Lagos\15193.00 - Plat Development\Auto\Cad Files\DWG\Community Center at Tres Lagos.dwg, 10/24/2016 10:52:31 AM, Bryan

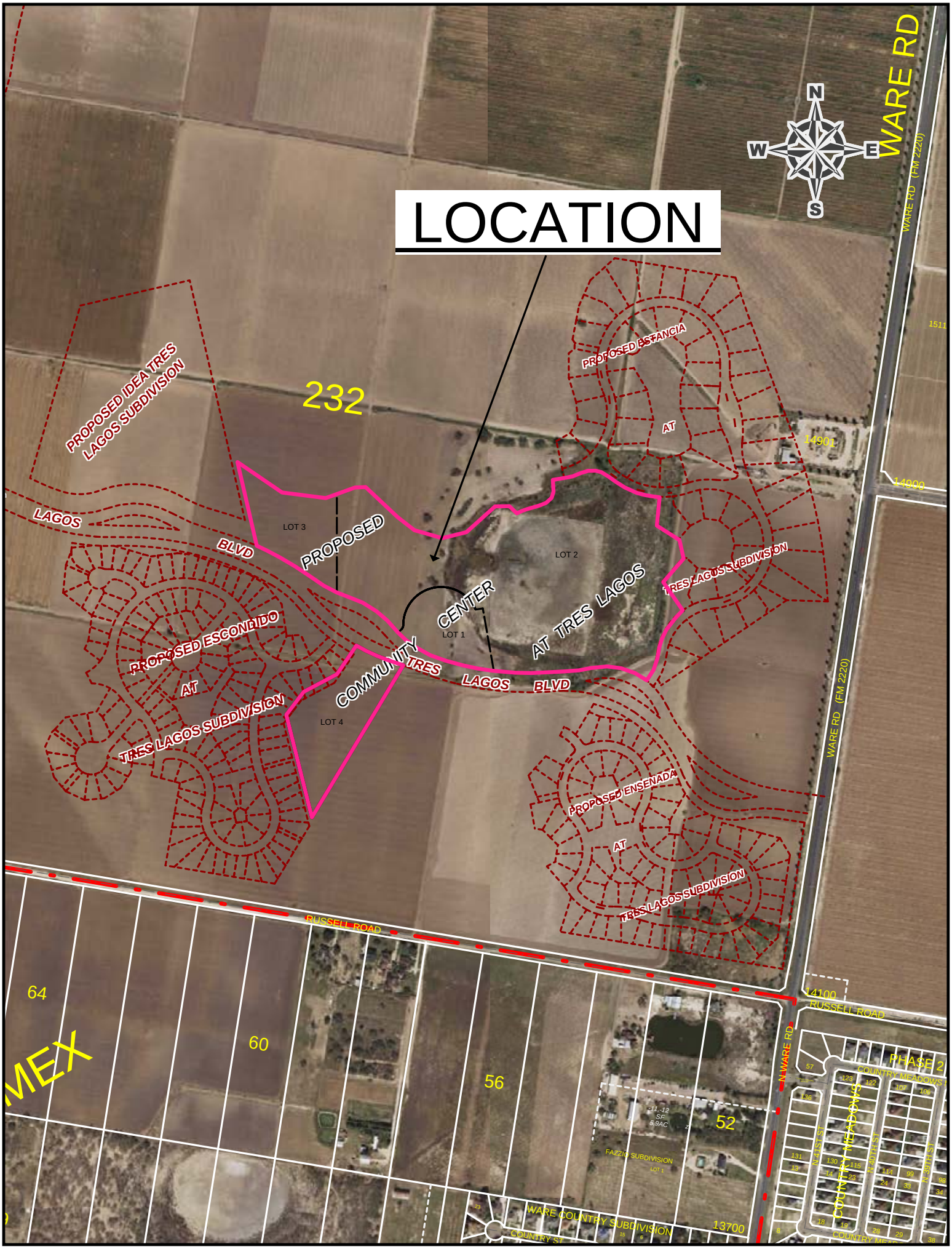
City of McAllen

SUBDIVISION PLAT REVIEW

Reviewed On: 10/28/2016

SUBDIVISION NAME: COMMUNITY CENTER AT TRES LAGOS	
REQUIREMENTS	
STREETS AND RIGHT-OF-WAYS	
Tres Lagos Boulevard: 100 ft. - 210 ft. ROW proposed; ROW to be dedicated by separate instrument. Paving: min. 65 ft. Curb & gutter: both sides **100 ft. Creek, Utility & Access Easement proposed.	Applied
* 800 ft. Block Length:	NA
* 600 ft. Maximum Cul-de-Sac:	NA
ALLEYS	
*Service drive to be reviewed as part of the site plan.	Applied
SETBACKS	
* Front: Tres Lagos Blvd. - 50 ft. or greater for easements or site plan.	Compliance
* Rear: In accordance with the Zoning Ordinance or greater for easements or approved site plan.	Compliance
* Corner:	NA
* Sides: In accordance with the Zoning Ordinance or greater for approved site plan or easements.	Compliance
* Garage:	NA
*ALL SETBACKS ARE SUBJECT TO INCREASE FOR EASEMENTS OR APPROVED SITE PLAN	Applied
SIDEWALKS	
* 4 ft. wide minimum sidewalk required on Tres Lagos Boulevard.	Applied
* Perimeter sidewalks must be built or money escrowed if not built at this time.	Applied
BUFFERS	
* 6 ft. opaque buffer required from adjacent/between multi-family residential and commercial, 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
NOTES	
* 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.	Applied

* Common area, Creek, utility and access easement must be maintained by the lot owners/PID and not the City of McAllen.	Applied
* Common Areas for commercial developments provide for common parking, access, setbacks, landscaping, etc.	NA
* Developer/Homeowner's Association/Owner, their successors and assignees, and not the City of McAllen shall be responsible for compliance of installation and maintenance and other requirements per Section 134-168 of the Subdivision Ordinance, including but not limited to common areas and its private streets.	NA
* Homeowner's Association Covenants must be recorded and submitted with document number on the plat, prior to recording.	NA
LOT REQUIREMENTS	
* Lots fronting public streets:	Compliance
* Minimum lot width and lot area:	Compliance
ZONING/CUP	
* Existing: R-1 & C-4 Proposed: R-1 **Conditional Use Permit required for Associated Recreation in residential zones prior to final; approved by the City Commission for Life of the Use on October 10, 2016.	Complete
* Rezoning Needed Before Final Approval: The area zoned C-4 needs to be rezoned to R-1 prior to final. **A Conditional Use Permit is required for Associated Recreation in residential zones prior to final; approved by the City Commission for Life of the Use on October 10, 2016.	Complete
PARKS	
* 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
TRAFFIC	
* Trip Generation to determine if TIA is required, prior to final plat.	Compliance
* Traffic Impact Analysis (TIA) required prior to final plat.	Compliance
COMMENTS	
Comments: *Preliminary plat approved by the Planning and Zoning Commission on July 5, 2016. **Owner must escrow monies for improvements not constructed prior to plat recording. ***Conditional Use Permit for Associated Recreation must be approved prior to final plat; approved by the City Commission for Life of the Use on October 10, 2016. ****Must comply with City's Access Management Police. *****Agreements needed for Parks Department review regarding maintenance of parks, trails, recreational areas, and maintenance of green areas in general. ******On Lot 4, need to verify the west property line as it relates with the proposed Escondido @ Tres Lagos Subdivision boundaries to assure no overlap exists.	Applied
RECOMMENDATION	
Recommendation: STAFF RECOMMENDS APPROVAL OF THE SUBDIVISION IN FINAL FORM.	Applied


LOCATION
N
W
E
S
WARE RD
WARE RD (FM 2220)
232
PROPOSED IDEA TRES LAGOS SUBDIVISION
PROPOSED ESTANCIA
AT
TRES LAGOS SUBDIVISION
LAGOS
BLVD
PROPOSED
LOT 3
LOT 2
LOT 1
LOT 4
COMMUNITY CENTER
AT TRES LAGOS
TRES LAGOS BLVD
PROPOSED ESCONDIDO
AT
TRES LAGOS SUBDIVISION
PROPOSED ENSENADA
AT
TRES LAGOS SUBDIVISION
RUSSELL ROAD
14100
14901
14900
1511
64
60
56
52
13700
MEX
N WARE RD
PHASE 2
COUNTRY MEADOWS
FAZZIO SUBDIVISION
LOT 1
WARE COUNTRY SUBDIVISION
COUNTRY ST

Planning Department

Memo

TO: Planning & Zoning Commission

FROM: Planning Staff

DATE: October 26, 2016

SUBJECT: REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 4.30 ACRES OUT OF LOT 367, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6320 NORTH TAYLOR ROAD. (REZ2016-0029)

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

LOCATION: The property is located at the southeast corner of Lark Avenue (4 Mile Line) and North Taylor Road. The tract has 229 feet of frontage along North Taylor Road and a depth of 816.80 feet for a tract size of 4.30 acres.

PROPOSAL: The applicant is requesting R-3A (multifamily residential apartment) District in order to sell the property for apartments. A revised feasibility plan has not been submitted at this time.

ADJACENT ZONING: Adjacent zoning is R-1 (single family residential) District to the east and south, A-O (agricultural-open space) District to the north across Lark Avenue and outside the city to the west.

LAND USE: The tract comprises one lot that is vacant. Surrounding land uses are single family residential, apartments, Iglesia Union Cristiana, McAllen Iglesia Del Nazareno, and Chamsarang Korean Presbyterian Church of McAllen.

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

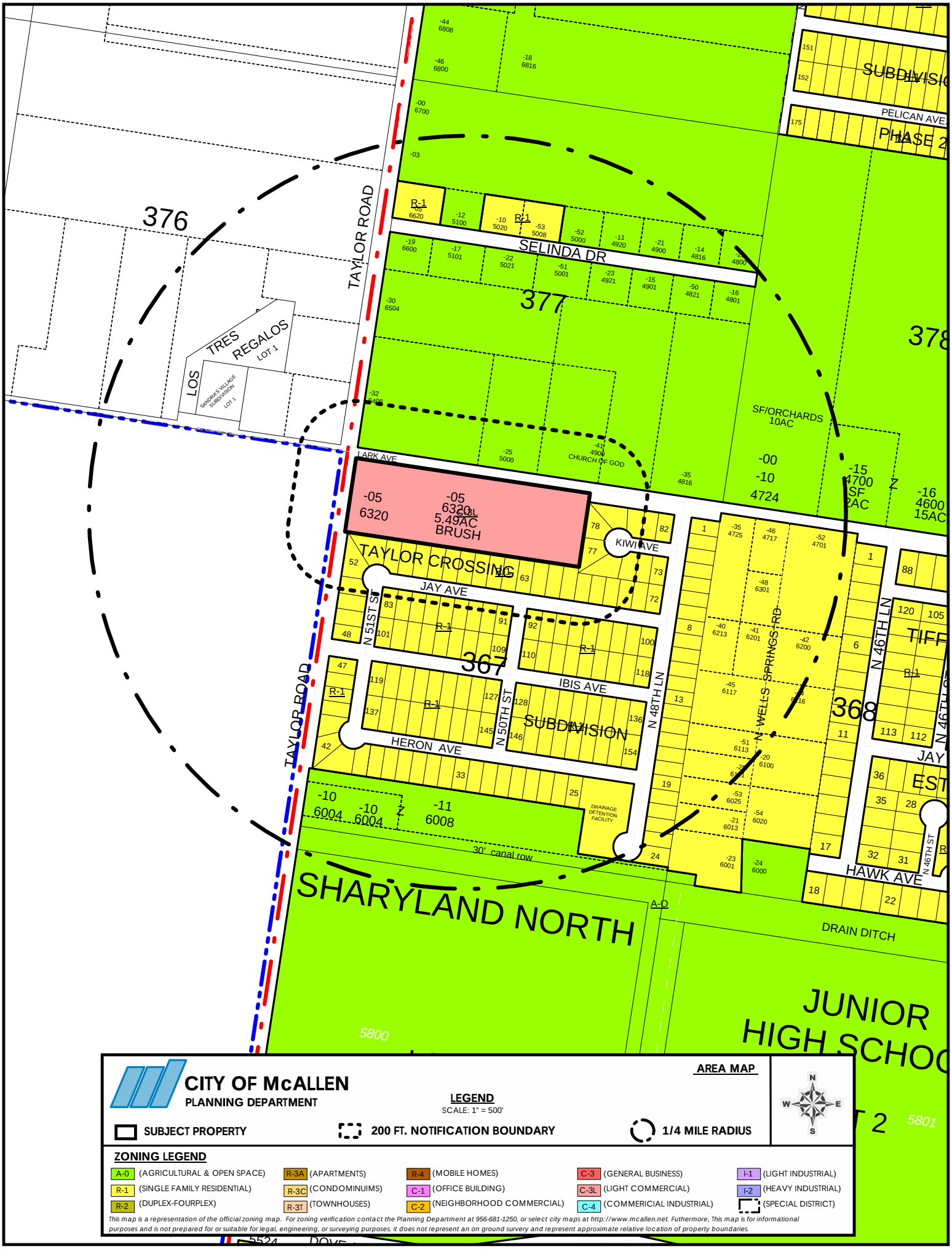
DEVELOPMENT TRENDS: The development trend in the area is single family on rural tracts, single family residential subdivision, and institutional uses. The property was rezoned C-3L (light commercial) District as part of the city initiated A-O District rezoning project in September 2015. The property to the south was rezoned for R-1 (single family residential) District in 2008 for Taylor Crossing Subdivision.

ANALYSIS: The requested zoning does not conform to the Suburban Commercial and Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The maximum number of apartment units ranges from 183 1-bedroom units to 124 3-bedroom units. The number of vehicle trips generated by low-rise apartments is 6.59 vehicle trips per day or 1,232 to 817 trips per day. The number of apartment units likely to be constructed would be limited based upon parking and landscaping requirements. Taylor Road is designated as a major collector with 80 feet of right-of-way and currently has currently 50 feet of right-of-way and is constructed as a rural collector with two travel lanes and no shoulders. Lark Avenue is designated as a minor arterial with 100 feet of right-of-way and is currently 40 feet of right-of-way with two travel lanes and no shoulders. There is a pattern of commercial use along Taylor Road at arterial intersections. Commercial uses are more suitable at arterial intersections due to large traffic volume and high visibility.

PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 20, 2016: At the Planning and Zoning Commission meeting of September 20, 2016 one person spoke in opposition of the rezoning request. Cynthia Contreras Gutierrez stated that apartment zoning would change the character of single family residential for this area. She stated that people wanted single family for this area and she was in opposition to the apartment zoning. David Salinas, representative for the applicant, stated that the best use for this location was apartments and not commercial use. Mr. Salinas acknowledged that 48 apartments may not be feasible after consideration of all development requirements but they would adjust the development as necessary for compliance. Planning Department has received two phone calls regarding the rezoning request and one of the calls was in opposition of the request. The Board voted to recommend disapproval of the rezoning request with six members present and voting.

CITY COMMISSION MEETING OF OCTOBER 10, 2016: At the City Commission meeting of October 10, 2016 no one appeared in opposition of the rezoning request. At the request of the applicant, the City Commission sent the rezoning request back for reconsideration by the Planning and Zoning Commission.

RECOMMENDATION: Staff recommends disapproval of the rezoning request. The applicant has requested that the item be tabled in order to complete a revised site plan.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: 1" = 500'

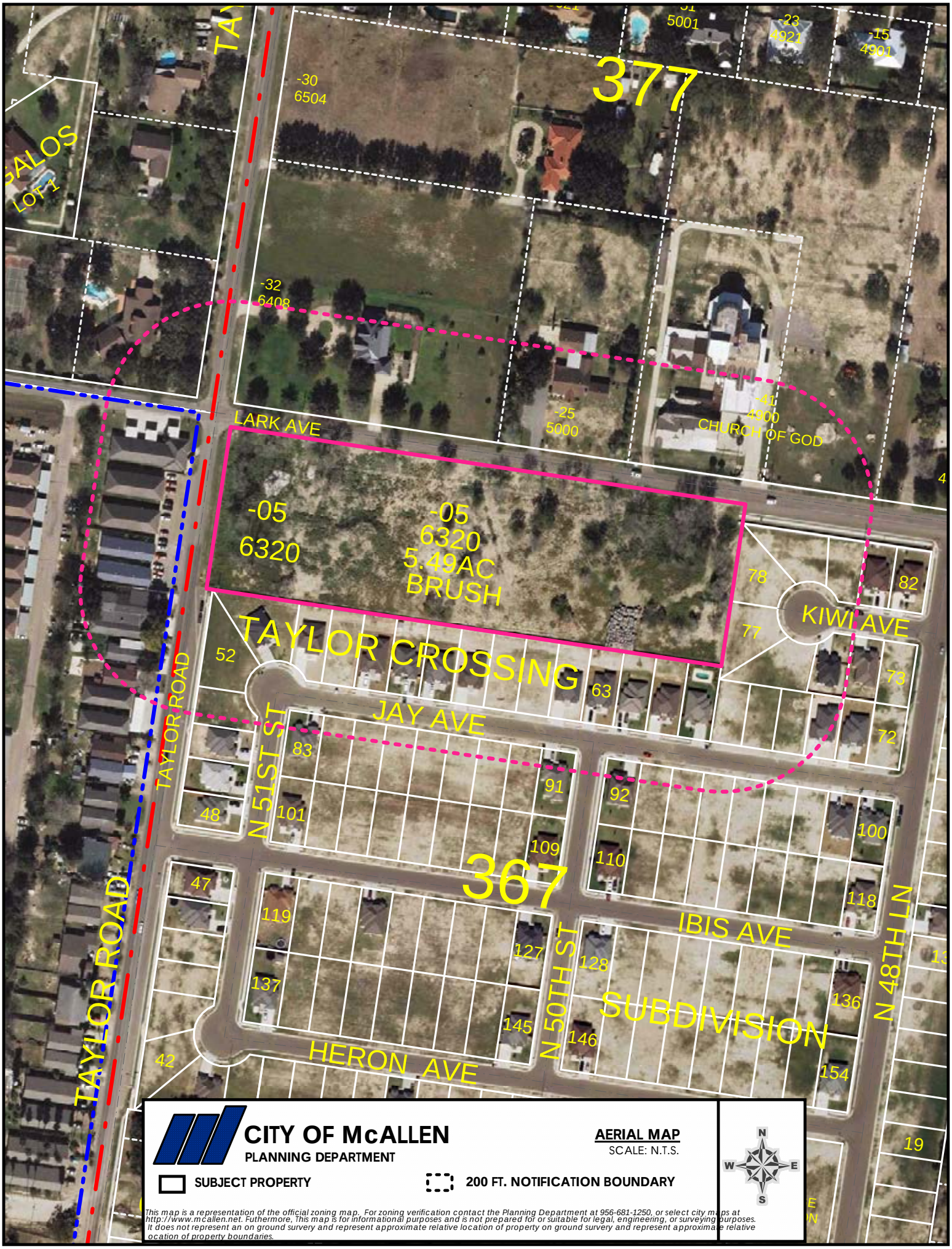
SUBJECT PROPERTY | **200 FT. NOTIFICATION BOUNDARY** | **1/4 MILE RADIUS**

N W E S

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 (CONDOMINUIMS)	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 (COMMERICIAL 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. Futhermore, 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 survery and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

N W E S

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

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Planning Department

Memo

TO: Planning & Zoning Commission

FROM: Planning Staff

DATE: October 27, 2016

SUBJECT: REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT 10, BLOCK 45, HAMMOND'S ADDITION, HIDALGO COUNTY, TEXAS; 2237 CHICAGO AVENUE. (REZ2016-0036)

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

LOCATION: The property is located along the south side of Chicago Avenue approximately 100 feet east of South 23rd Street. The tract has 50 feet of frontage along Chicago Avenue and a depth of 140 feet for a tract size of 7,000 square feet.

PROPOSAL: The applicant is requesting C-3 (general business) District in order to expand an existing auto parts store by the name of Frontera Collision Auto Parts located on Lots 11 and 12. The applicant plans to expand the existing building into Lot 10 as shown in the feasibility plan.

ADJACENT ZONING: Adjacent zoning is R-2 (duplex-fourplex residential) District to the north, east, and south and C-3 (general business) District to the west.

LAND USE: The tract contains a single family residence that is to be demolished for commercial use. Surrounding land uses are single family residences, McAllen Groceries, Asap Printing Solutions, and Luxor Beauty Salon.

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

DEVELOPMENT TRENDS: The development trend for this area along Chicago Avenue is single family residential use. This tract was rezoned R-2 (duplex-fourplex residential) District upon comprehensive zoning in 1979. There have been no other rezoning requests for the subject property since that time. Rezoning requests to C-3 District along the east side of 23rd Street into residential areas have been disapproved, 2 cases in 2013 and approved, 3 cases in 1988 and 2013. The commercial corridor was expanded at Fresno Avenue and 23rd Street in

1995 for an existing commercial building.

ANALYSIS: The requested zoning does not conform to the Urban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. The rezoning expands the width of the commercial corridor from 2 lots to 3 lots. Single family residences are located along the north side of Chicago facing the commercial building. The subject property faces a single family residence constructed in 2003. The proposed building expansion is for inventory storage of the existing auto parts store. The proposed addition comprises 4,200 square feet that would require 11 parking spaces for general commercial. Additional parking and curb cut will generate more commercial traffic on to a residential street. Approval of the rezoning may encourage other rezoning requests to widen the commercial corridor into adjacent residential areas.

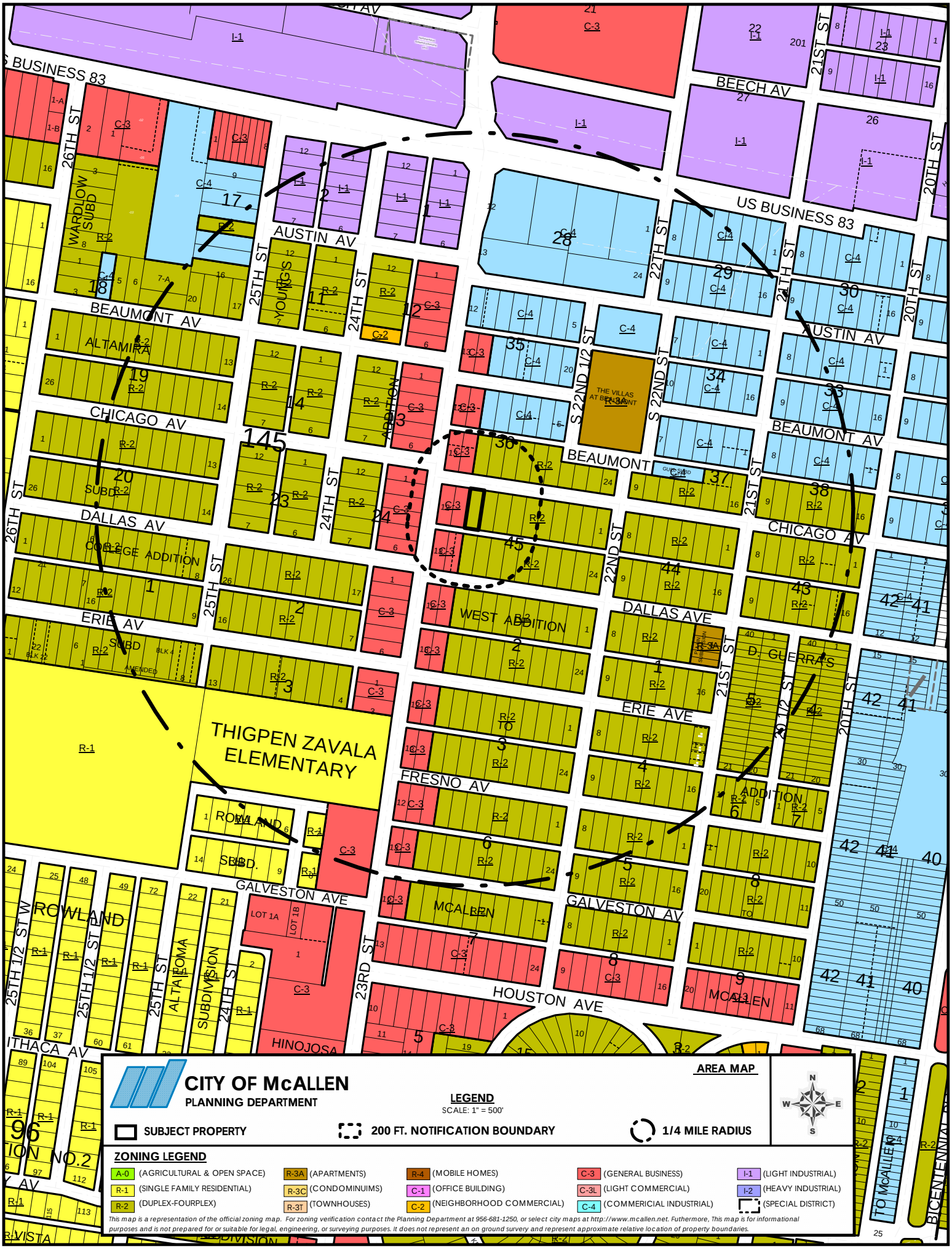
Chicago Avenue is designated as a local street with 50 feet of right-of-way, with 36 feet of pavement providing 2 travel lanes, a parking lane, curb and gutter, and a sidewalk.

An 8 foot masonry wall is required where a nonresidential use has a side property line in common with a single family residential use or zone. Compliance with off-street parking, landscaping, and various building and fire codes are required as part of the building permit process for commercial development.

Approval of the rezoning request allows for expansion of an existing business and strengthens the commercial corridor along 23rd Street.

PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 18, 2016: At the Planning and Zoning Commission meeting of October 18, 2016 no one appeared in opposition of the rezoning request. The applicant was not present and the Board decided to table the rezoning request to allow the applicant the opportunity to be present at the next public hearing.

RECOMMENDATION: Staff recommends disapproval of the rezoning request.


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
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THIGPEN ZAVALA ELEMENTARY
THE VILLAS AT BEAUMONT
US BUSINESS 83
BEECH AV
AUSTIN AV
BEAUMONT AV
CHICAGO AV
DALLAS AV
ERIE AV
FRESNO AV
GALVESTON AV
HOUSTON AVE
ITHACA AV
26TH ST
25TH ST
24TH ST
23RD ST
22ND ST
21ST ST
20TH ST
S 22ND 1/2 ST
WARDLOW SUBD
YOUNGS
ALTAMIRA
COLLEGE ADDITION
WEST ADDITION
D. GUERRAS ADDITION
ROWLAND
ROWLAND SUBD.
MCALLEN
HINOJOSA
ALTAROMA SUBDIVISION
25TH 1/2 ST W
25TH 1/2 ST
24TH S
TO McALLEN
BICENTENNIAL

ADDIT
3
6
12
5
36
13
1
CHICAGO AV
23RD ST
12
4
6
13
45
1
DALLAS AVE
12
WEST
ITIO
CITY OF McALLEN
PLANNING DEPARTMENT
AERIAL MAP
SCALE: N.T.S.
N
W
E
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. Futhermore, 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 survery and represent approximate relative location of property on ground survery and represent approximate relative ocation of property boundaries.

RECEIVED
OCT 10 2016
BY:

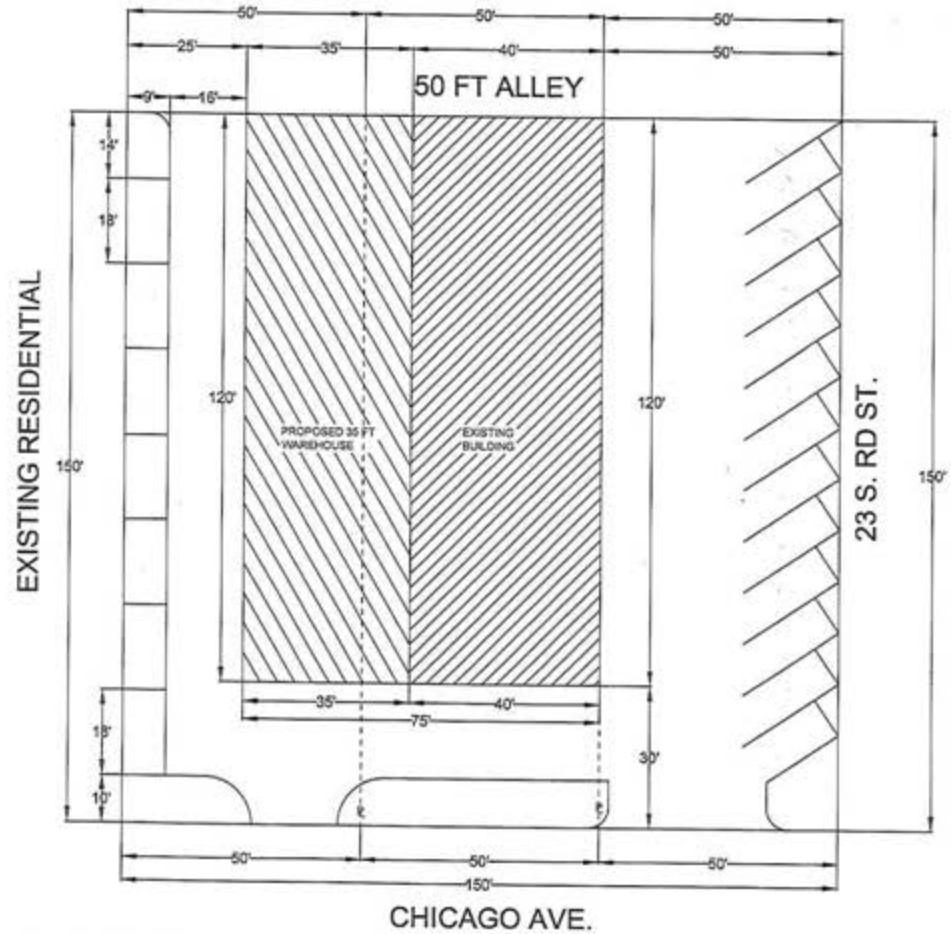
PROPOSED SITE PLAN

SITE LEGEND

- EXISTING BUILDING
- PROPOSED 35 FT WAREHOUSE

LEGAL DESCRIPTION

LOTS 10, 11 AND 12 SUB. WEST ADDITION



DESIGN BY
JORGE
VILLANUEVA

AREAS		
LIVING	0.0	SQ.FT.
GARAGE	0.0	SQ.FT.
PORCH	0.0	SQ.FT.
PATIO	0.0	SQ.FT.
TOTAL	0.0	SQ.FT.

IS THE RESPONSIBILITY OF THE PURCHASER OF THIS PLAN, TO PERFORM THE FOLLOWING BEFORE REMODELING COMMENCES:

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

PLANS INDICATE LOCATIONS ONLY. ENGINEERING ASPECTS SHOULD BE INCORPORATED TO ACTUAL SITE CONDITIONS.

IT IS RECOMMENDED THAT THIS FLOOR PLAN DESIGNS BE REVIEWED BY A STRUCTURAL ENGINEER. THE GENERAL CONTRACTOR NEEDS TO REVIEW ALL PLANS, DIMENSIONS AND NOTES PRIOR TO STARTING ANY WORK. DESIGN BY JORGE VILLANUEVA ASSUMES NO LIABILITY OF ANY KIND FROM THE WORK DONE BY THESE PLANS.

OWNER: ISABEL MALDONADO

PROJECT: WAREHOUSE ADDITION 11-2016

ADDRESS: Street: 3237 CHICAGO AVE.
Subdivision: WEST ADDITION SUBDIVISION
City: MCALLEN, TEXAS 78501

DRAWN BY: JORGE VILLANUEVA
SCALE: 1/16" = 1' 0"
DATE: OCT / 2016
SHEET: 1SI

SITE PLAN

COPYRIGHT. THESE DRAWINGS AND SPECIFICATIONS ARE AND SHALL BE THE PROPERTY OF DESIGN BY JORGE VILLANUEVA CONSTRUCTION. THESE SHALL NOT BE USED, OR COPIED IN ANY FORM OR MANNER WITHOUT WRITTEN PERMISSION, AND PAYMENT OF $1000.00 U.S. DOLLARS TO DESIGN BY JORGE VILLANUEVA. (956) 969-3575

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: October 26, 2016

SUBJECT: REQUEST OF JAVIER QUINTANILLA FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PLANNED UNIT DEVELOPMENT AT THE NORTH 3.956 ACRES OUT OF LOT 267, JOHN H. SHARY SUBDIVISION; 1820 NORTH TAYLOR 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 on the east side of North Taylor Road, approximately 960 ft. south of Vine Avenue and is zoned R-1 (single family residential) District. The adjacent zoning is A-O (agriculture & open space) District to the south and R-1 District to the north and east. The area to the west is outside city limits. Surrounding land uses include, single family residences, vacant land and commercial businesses along Pecan Boulevard. A Planned Unit Development is permitted in an R-1 District with a conditional use permit and in compliance with Article IV Planned Developments of the Subdivision Ordinance.

REQUEST/ANALYSIS:
Currently, the property is vacant. The property is part of Quinta Real Subdivision, which consist of thirty-five (35) lots and received preliminary approval by the Planning and Zoning Commission on June 21, 2016. A note in the plat states 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 develop a Planned Unit Development, which will include only townhouses. Planned unit developments allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. Specific requirements for approval are specified in the Ordinance creating a Planned Unit Development for the subject property and summarized as the following:

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan.

2. PERMITTED USES: Permitted uses are uses permitted in the R-1 District for buildings designated as residential.

3. OFF-STREET PARKING AND LOADING: two spaces per unit.

4. LANDSCAPING: 10% landscape in R-1 District. 50% of front yard landscape. Dumpsters screened. Site plan must indicated landscape areas provided, trees, etc.

5. STREETS AND SETBACKS: Quinta Real Subdivision is in process. Street alignment and pattern is being received as part of the plat and will need to be resolved to determine final details for the PUD. Also, the site plan must identify setbacks and building envelope on each lot. Dimension of pavement and front and rear setbacks must be shown in site plan. As well as sidewalks along within the development and entrance and exists.

6. DRAINAGE: During the Quinta Real Subdivision process final drainage detention and design and drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.

7. ADDITIONAL PROVISIONS: CUP site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by Planning and Zoning Commission for recommendation to Board of Commissioners for final determination.

8. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan.

9. A recorded subdivision plat and Planned Unit Development site plan is required prior to issuance of building permits. During the final stages of Quinta Real Subdivision process must be completed.

DISCUSSION:
The item was tabled at the October 4, 2016 Planning and Zoning Commission meeting. There was surrounding neighbors present to speak in opposition of the request and the applicant was not present.

The surrounding neighbors stated their concerns that dealt with the proximity of the location of the canal, high traffic, the access, safety. A signed petition was also submitted to staff at the meeting.

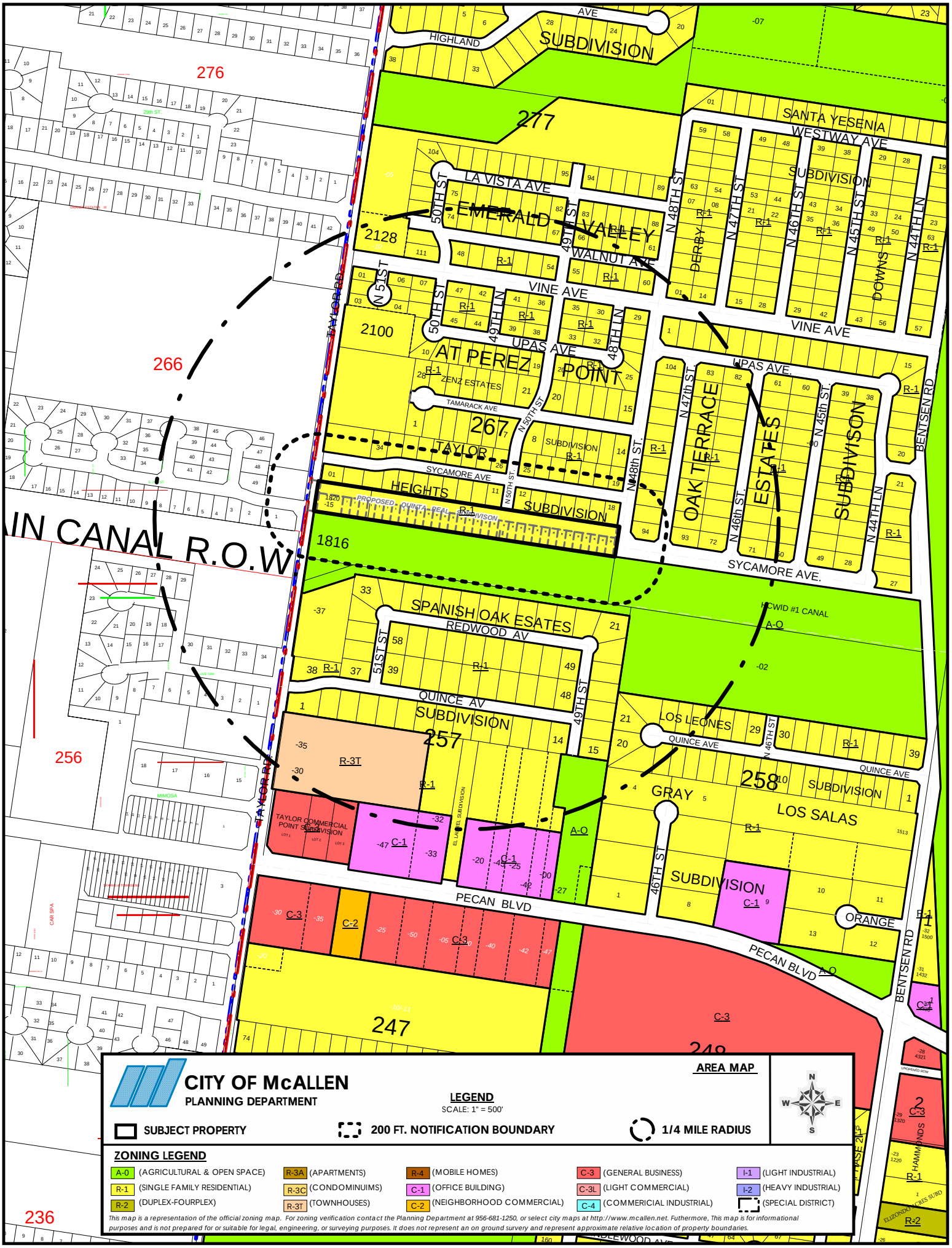
After discussion of the item, the board voted to table the item to allow the applicant time to submit the necessary information to verify compliance.

Staff has verified the petition that showed a 9.8 percent of opposition.

The item remained tabled at the October 18, 2016 Planning and Zoning Commission meeting.

Prior to the submittal of the packet the applicant submitted plans so that staff may verify the information and compliance.

RECOMMENDATION:
Staff recommends that the item remain tabled to allow staff time to review the information submitted in order to verify compliance.


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL 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. Futhermore, 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.
IN CANAL R.O.W
TAYLOR RD
HIGHLAND AVE
SUBDIVISION
SANTA YESENIA
WESTWAY AVE
SUBDIVISION
LA VISTA AVE
EMERALD VALLEY
WALNUT AVE
VINE AVE
UPAS AVE
AT PEREZ
POINT
ZENZ ESTATES
TAMARACK AVE
TAYLOR
HEIGHTS
SYCAMORE AVE
SUBDIVISION
PROPOSED QUINTA REAL SUBDIVISION
OAK TERRACE
ESTATES
SUBDIVISON
SYCAMORE AVE.
HCWID #1 CANAL
SPANISH OAK ESTATES
REDWOOD AV
QUINCE AV
SUBDIVISION
LOS LEONES
QUINCE AVE
GRAY
LOS SALAS
SUBDIVISION
TAYLOR COMMERCIAL POINT SUBDIVISION
PECAN BLVD
ORANGE
BENTSEN RD
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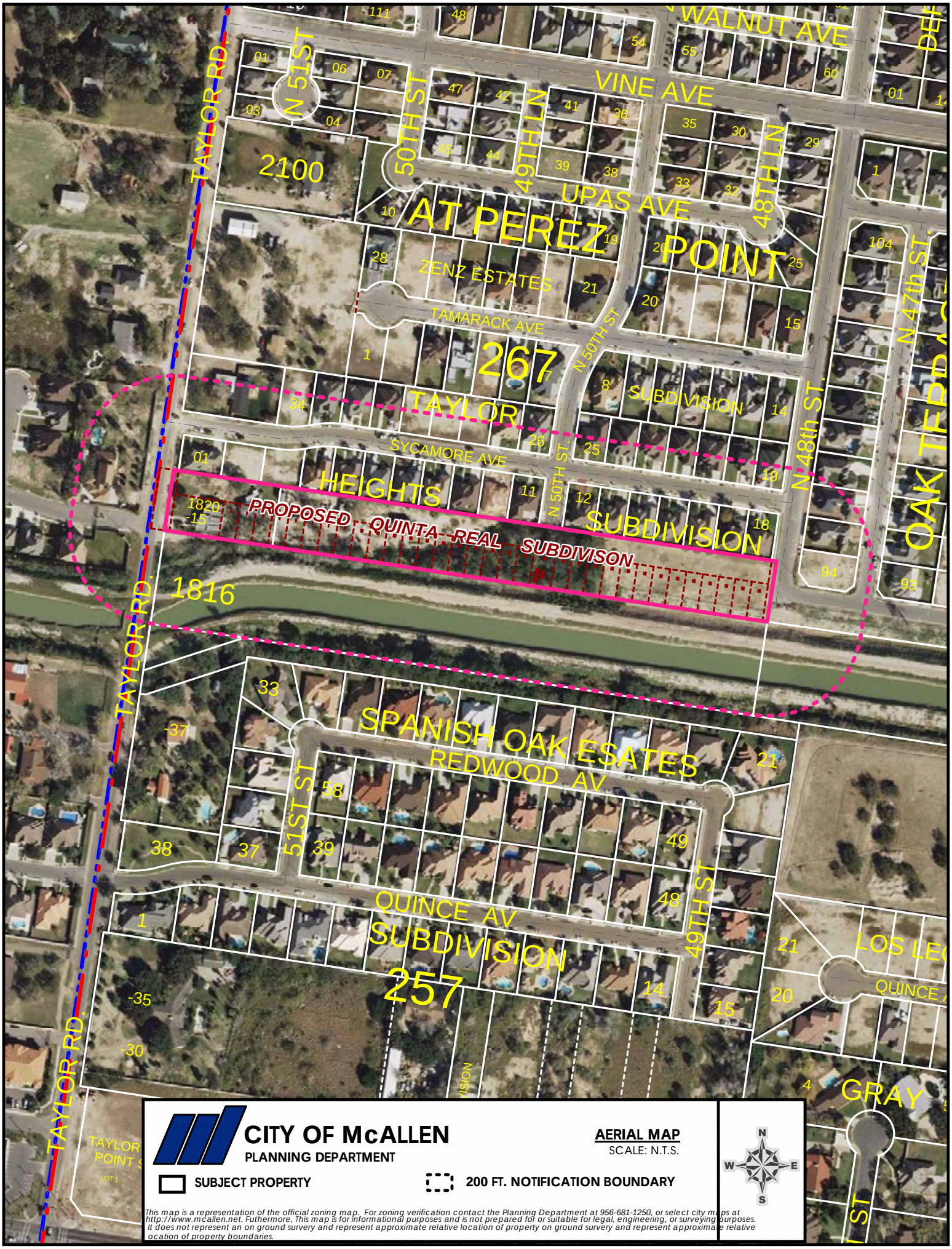

CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

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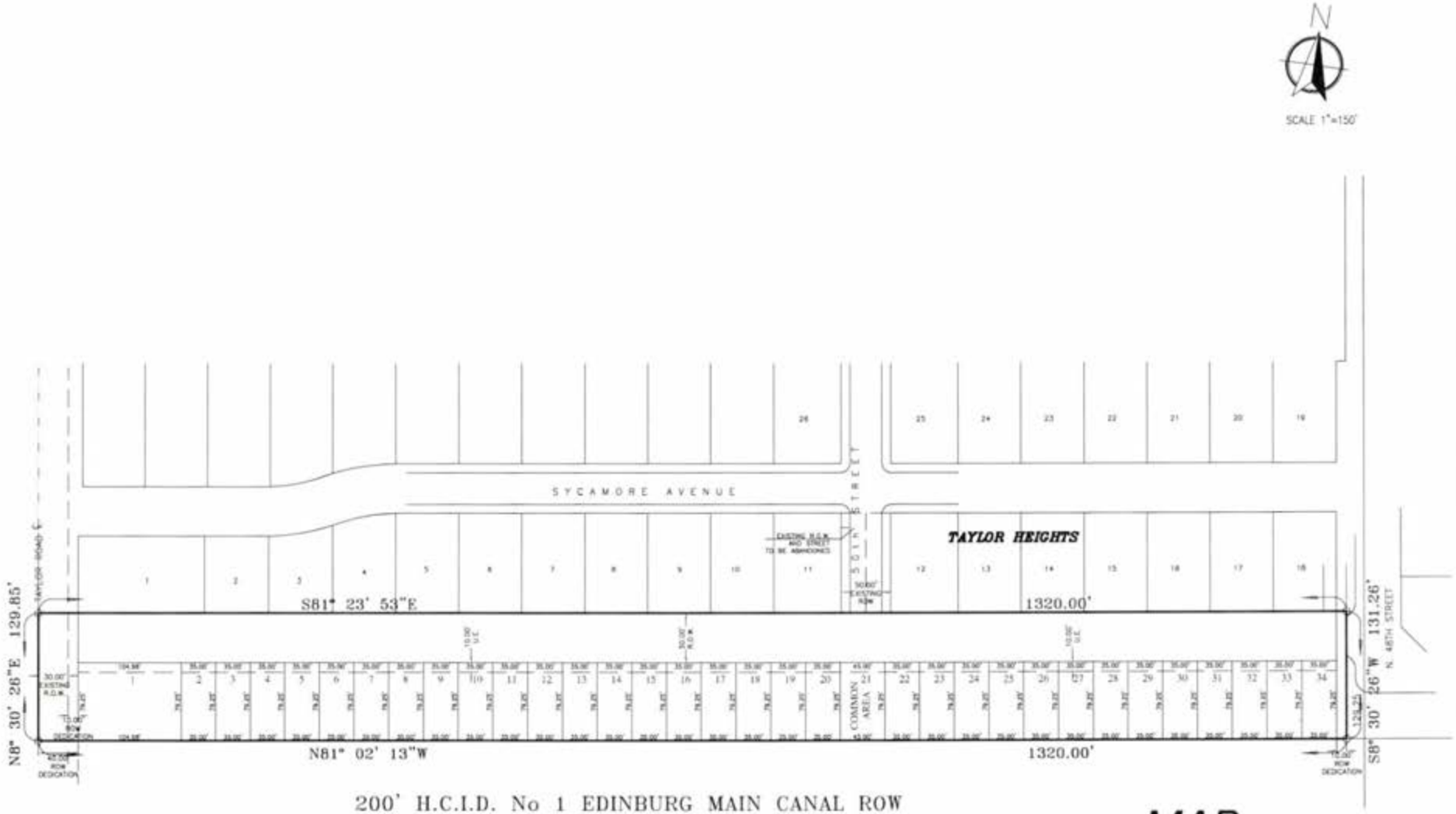
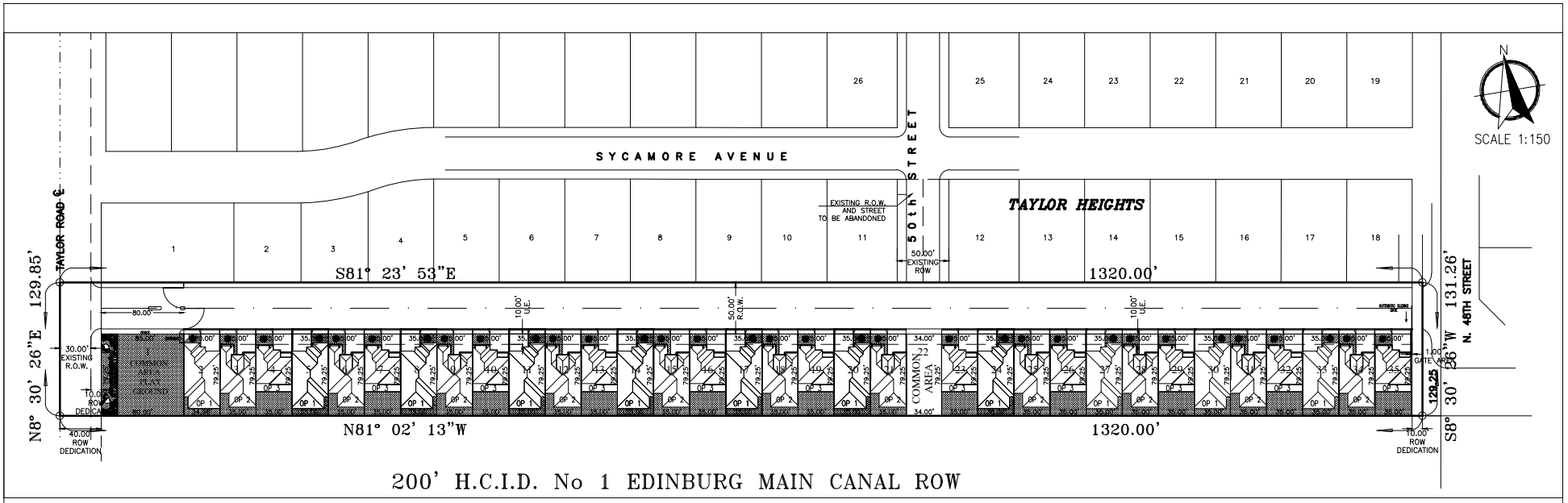


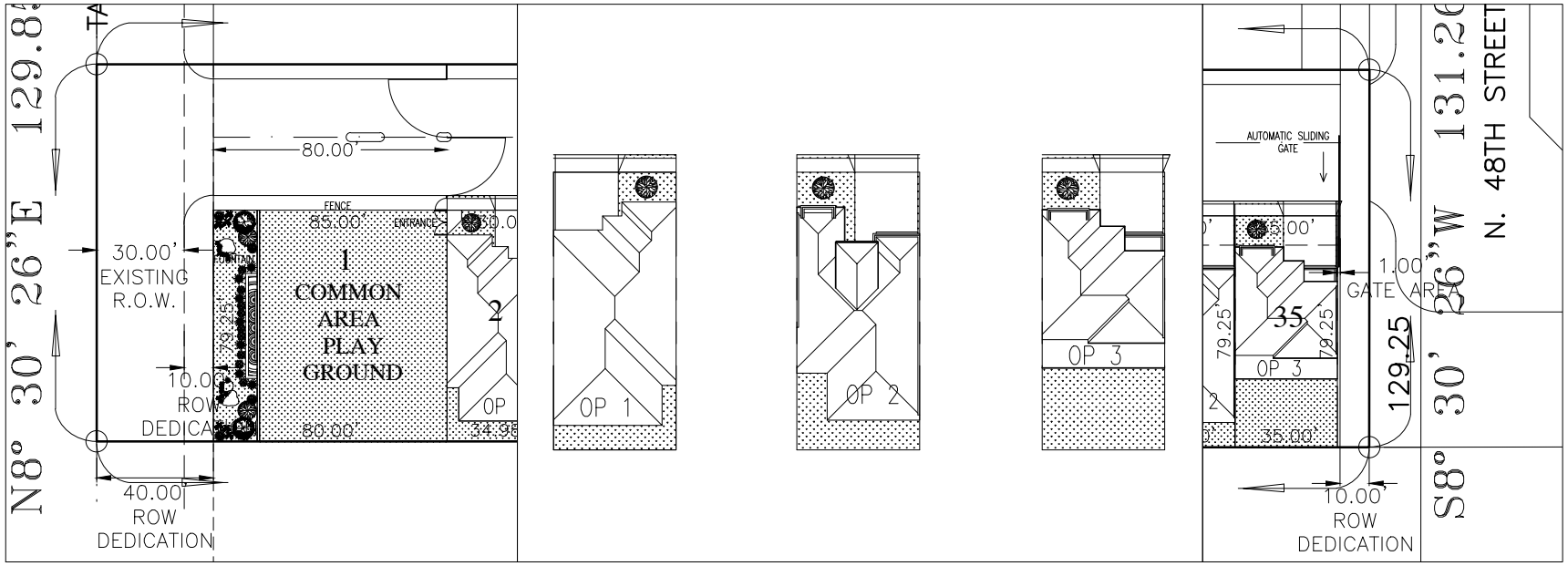
MAP
OF
QUINTA REAL SUBDIVISION
McALLEN, TEXAS

RECEIVED
MAY 3 1 2016
BY:

MAS ENGINEERING LLC.
CONSULTING ENGINEERING
FIRM NO. F-15499
4037 N. EXP.83, SUITE 150
McALLEN, TEXAS 78501
PH. (956) 537-1311
E-MAIL: MSALINAS6973@ATT.NET

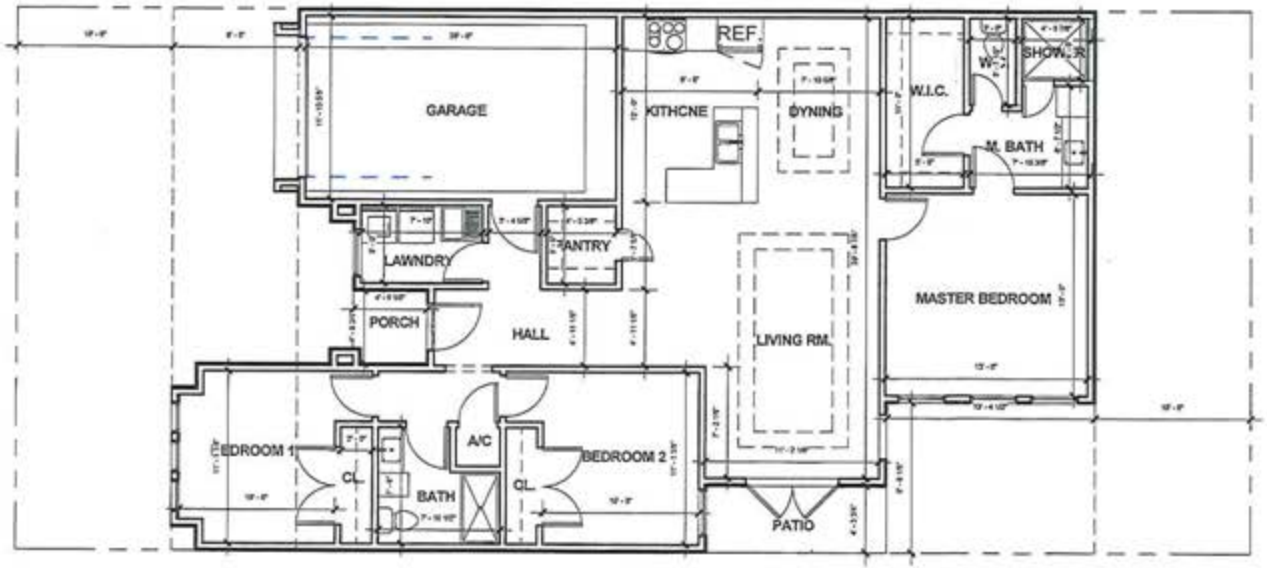


200' H.C.I.D. No 1 EDINBURG MAIN CANAL ROW



MAS ENGINEERING LLC.
CONSULTING ENGINEERING
FIRM NO. F-15499
3911 N. 10TH ST, SUITE H
MCALLEN, TEXAS. 78501
PH. (956) 537-1311
E-MAIL: MSALINAS6973@ATT.NET

1 3D View 5



1 FRONT VIEW
SCALE: N.T.S.

MAS ENGINEERING LLC.
CONSULTING ENGINEERING
FIRM NO. F-15499
4037 EXPRESSWAY 83, SUITE 150
MCALLEN, TEXAS. 78501
PH. (956) 537-1311
E-MAIL: MSALINAS6973@ATT.NET

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No.	Description	Date

RECEIVED
AUG. 26 2016
BY: C 3:52 pm

QUINTANILLA'S

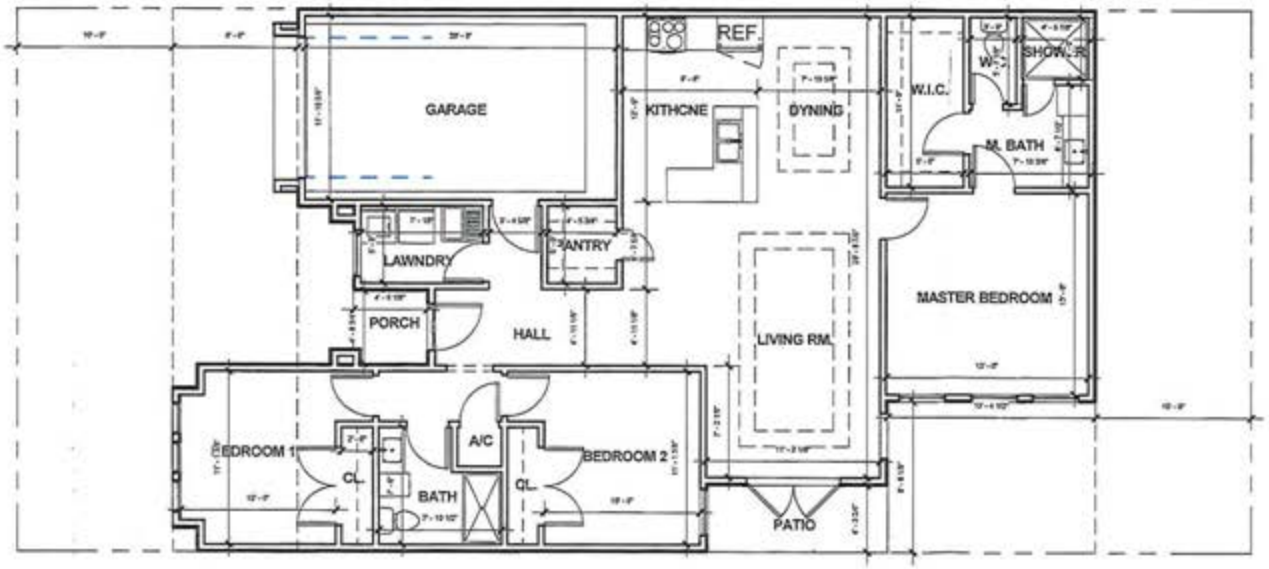
QUINTARREAL

VIEW PLAN

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
Aproved by	Approver

A-9.0

2 3D View 3



Level 1 Copy 1

MAS ENGINEERING LLC.
CONSULTING ENGINEERING
FIRM NO. F-15499
4037 EXPRESSWAY 83,
SUITE 150
MCALLEN, TEXAS. 78501
PH. (956) 537-1311
E-MAIL: MSALINAS6973@ATT.NET

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No.	Description	Date

RECEIVED
AUG 26 2016
BY: 3:52pm

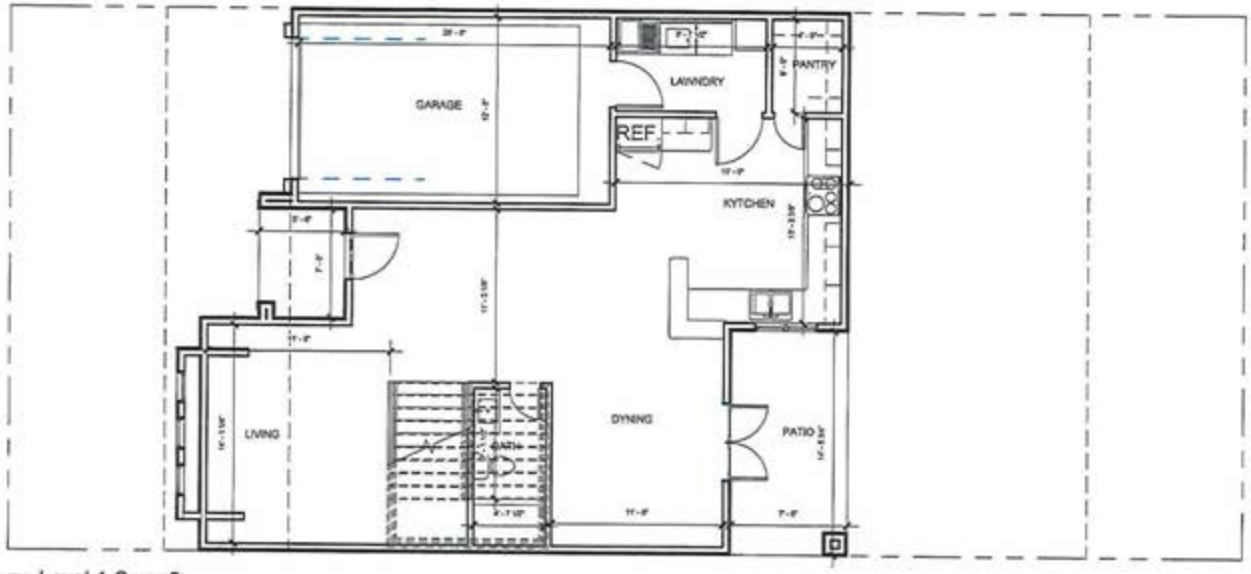
QUINTANILLA'S

QUINTARREAL

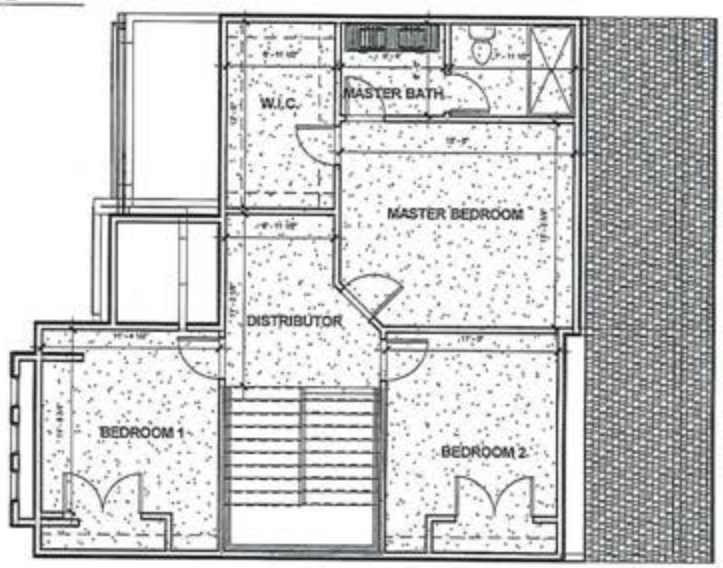
VIEW PLAN 2

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
Aproved by	Approver

A-9.1



1 Level 1 Copy 2
1/8" = 1'-0"



Level 2

3D View 4

MAS ENGINEERING LLC
CONSULTING ENGINEERING
FIRM NO. F-15499
4037 EXPRESSWAY 83,
SUITE 150
MCALLEN, TEXAS. 78501
PH. (956) 537-1311
E-MAIL: MSALINAS0973@ATT.NET

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No.	Description	Date

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AUG. 26 2016
BY: RC 3:52pm

QUINTANILLA'S

QUINTARREAL

VIEW PLAN 3

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
Approved by	Approver

A-9.2

NOTICE
PUD
For
This Property
CUP2016-0133

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: October 25, 2016

SUBJECT: REQUEST OF NORMA MELHART FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A GUEST HOUSE AT LOT 21, ARTHUR TERRACE SUBDIVISION; 3601 HAWK COURT.

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 southwest corner of Hawk Court and North 36th Lane, and is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. Surrounding land uses include single family residences and agricultural & open space.

REQUEST/ANALYSIS:
Currently, there is an existing one story brick residence on the property. The applicant is proposing to construct a 400 sq. ft. guest house on the property. The guest house will serve as an accessory use to the existing main house, and will share the existing driveway and utilities with the main residence. The required setbacks are 10 ft. rear, 6 ft. on the west side, 10 ft. on the east side and 20 ft. on the front. The site plan submitted shows a rear setback of 10 ft. from the property line and 10 ft. on the east side with a 12 ft. building separation.

A guest house is permitted in an R-1 zone with a conditional use permit. A guest house is an accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration. The guest house must meet the requirements set forth in Section 138-118(5) of the Zoning Ordinance and specific requirements as follows:

1) Only one guest house shall be permitted on the property;

2) The proposed use shall comply with setback requirements. Required setbacks

and building separation are being met;

3) The proposed use shall be connected to the same utilities as the primary residence. The guest house will share the utilities with the primary residence;

4) Lot size must be a minimum 8,000 sq. ft. The subject property is approximately 9,400 sq. ft.;

5) Separate driveways or garages for the proposed use shall not be permitted. The guest house will be utilizing the existing driveway;

6) The proposed use shall not be rented; and

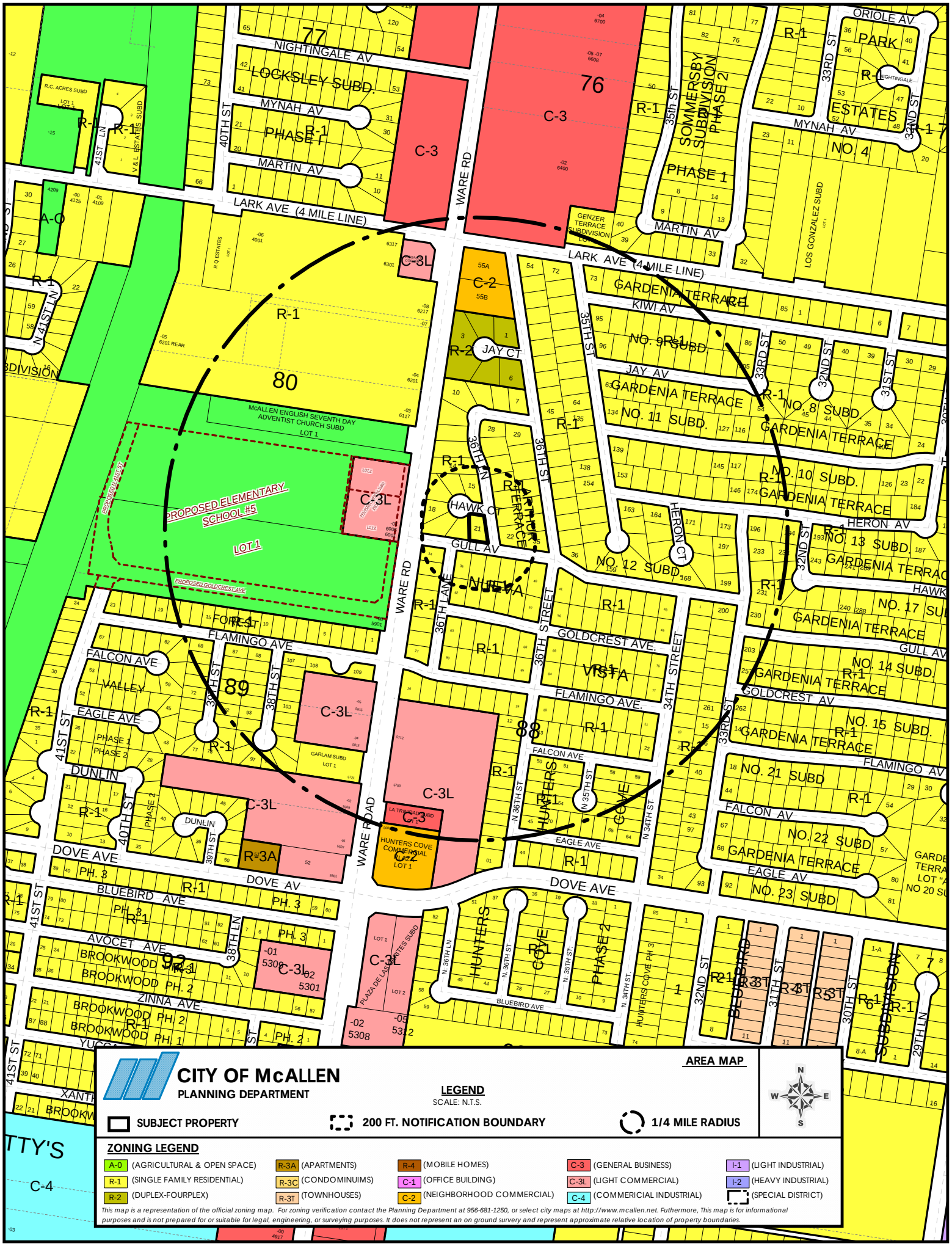
7) The permit shall be revoked if rent is paid or utility expenses are shared with the proposed use.

RECOMMENDATION:
The item was tabled at the October 18, 2016 Planning and Zoning Commission meeting. There was a surrounding neighbor in opposition of the request and the applicant was not present.

The surrounding neighbor stated his concerns with the guest house being a potential permanent living area for someone, it should not be allowed and that the neighborhood is for single family use.

After a brief discussion of the item, the board unanimously voted to table the time to allow the applicant time to be present at the next Planning and Zoning Commission meeting.

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


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: N.T.S.
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL INDUSTRIAL)
I-1 (LIGHT INDUSTRIAL)
I-2 (HEAVY INDUSTRIAL)
(SPECIAL DISTRICT)
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PROPOSED ELEMENTARY SCHOOL #5
LOT 1
PROPOSED GOLDCREST AVE.
McALLEN ENGLISH SEVENTH DAY ADVENTIST CHURCH SUBD
LOT 1
LARK AVE (4 MILE LINE)
WARE RD
NIGHTINGALE AV
LOCKSLEY SUBD.
MYNAH AV
MARTIN AV
40TH ST
41ST LN
41ST ST
N 41ST LN
35th ST
SOMMERSBY SUBDIVISION PHASE 2
PHASE 1
ORIOLE AV
PARK
ESTATES
33RD ST
32ND ST
NO. 4
LOS GONZALEZ SUBD
GENZER TERRACE SUBDIVISION
KIWI AV
GARDENIA TERRACE
NO. 9 SUBD.
JAY AV
JAY CT
NO. 11 SUBD.
NO. 8 SUBD.
NO. 10 SUBD.
HERON AV
HERON CT
NO. 12 SUBD
NO. 13 SUBD.
HAWK CT
GULL AV
NUEVA VISTA
36TH LN
36TH ST
36TH STREET
GOLDCREST AVE.
FLAMINGO AVE.
FLAMINGO AVE
FALCON AVE
VALLEY
EAGLE AVE
DUNLIN
PHASE 1
PHASE 2
38TH ST
39TH ST
40TH ST
GARLAM SUBD
LOT 1
34TH STREET
33RD ST
NO. 14 SUBD.
NO. 15 SUBD.
NO. 21 SUBD
NO. 22 SUBD
NO. 23 SUBD
GOLDCREST AV
FALCON AV
EAGLE AV
HUNTERS COVE PHASE 2
N 36TH ST
N 35TH ST
N 34TH ST
LA TRINIDAD SUBD
HUNTERS COVE COMMERCIAL
LOT 1
DOVE AVE
DOVE AV
BLUEBIRD AVE
PH. 3
AVOCET AVE
BROOKWOOD PH. 2
BROOKWOOD PH. 1
ZINNA AVE.
PLAZA DE LAS CONTITES SUBD
HUNTERS COVE PH. 3
N 36TH LN
N 34TH ST.
32ND ST
31ST ST
30TH ST
29TH LN
R.C. ACRES SUBD
V & L ESTATES SUBD
R Q ESTATES
A-0
R-1
R-2
R-3A
R-4
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C-3L
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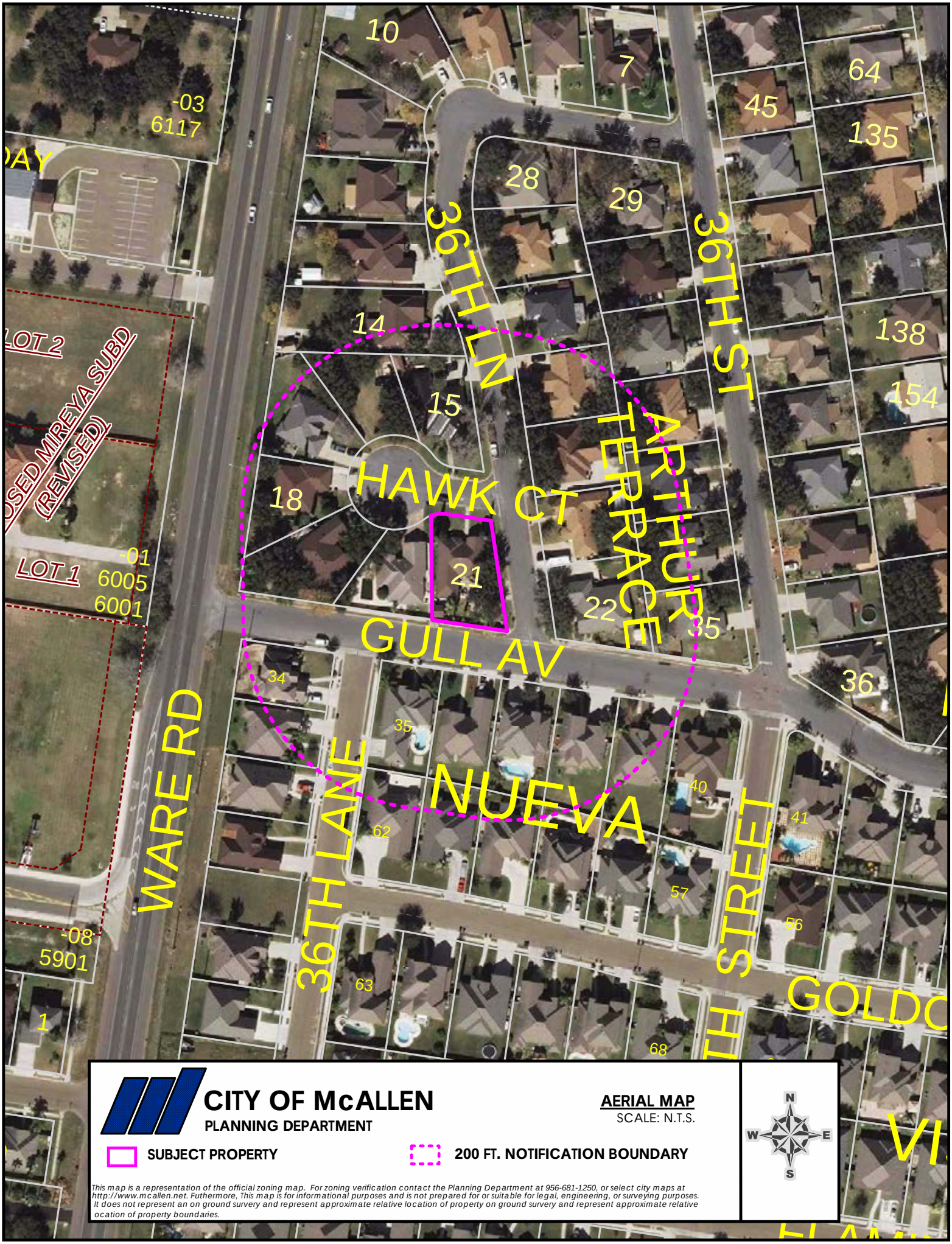
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36TH LN
36TH ST
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154
LOT 2
OSED MIREYA SUBD
(REVISED)
HAWK CT
ARTHUR
TERRACE
18
21
LOT 1
-01
6005
6001
22
35
GULL AV
34
36
35
WARE RD
36TH LANE
NUEVA
40
41
62
57
56
-08
5901
63
GOLDC
1
68
CITY OF McALLEN
PLANNING DEPARTMENT
AERIAL MAP
SCALE: N.T.S.
N
W
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S
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
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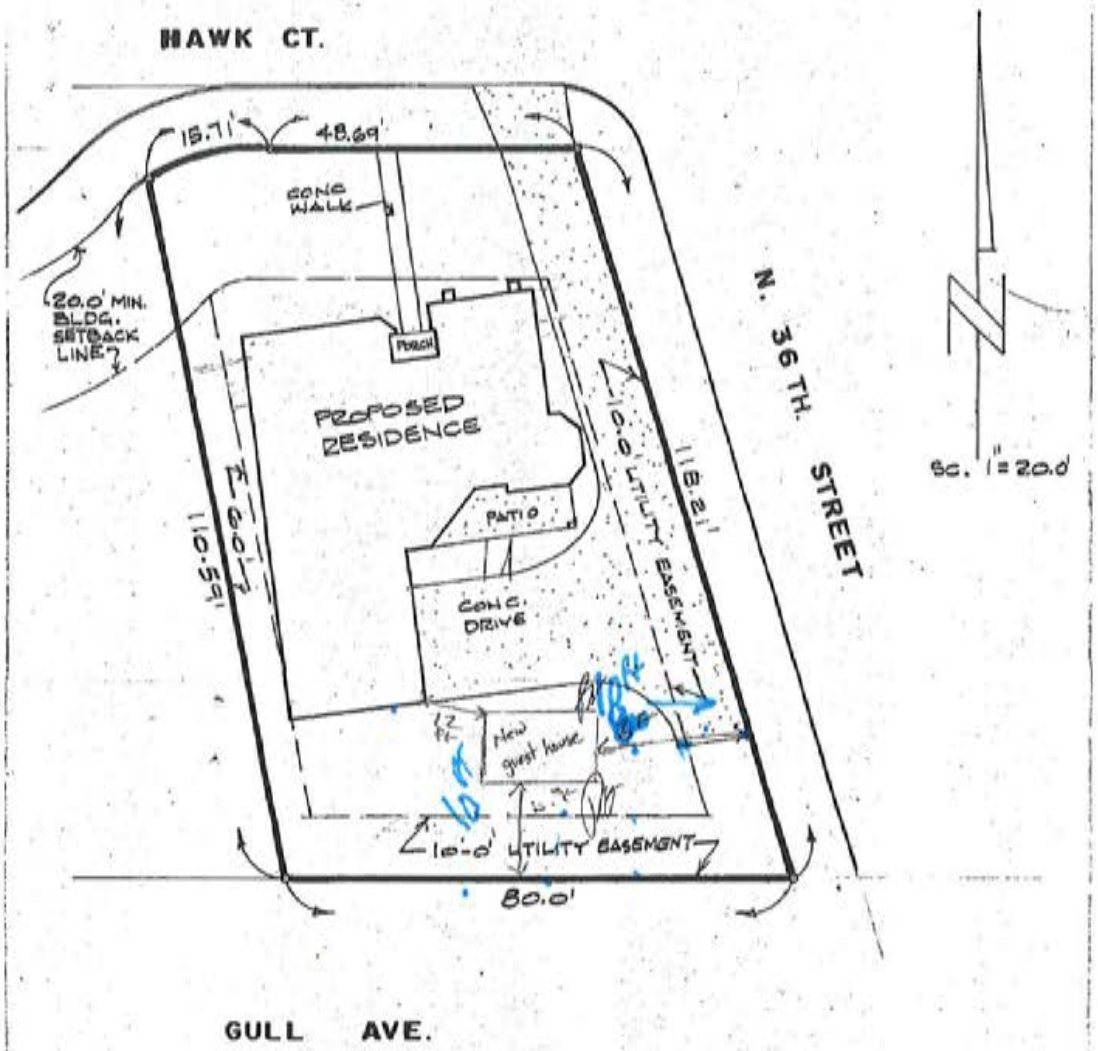
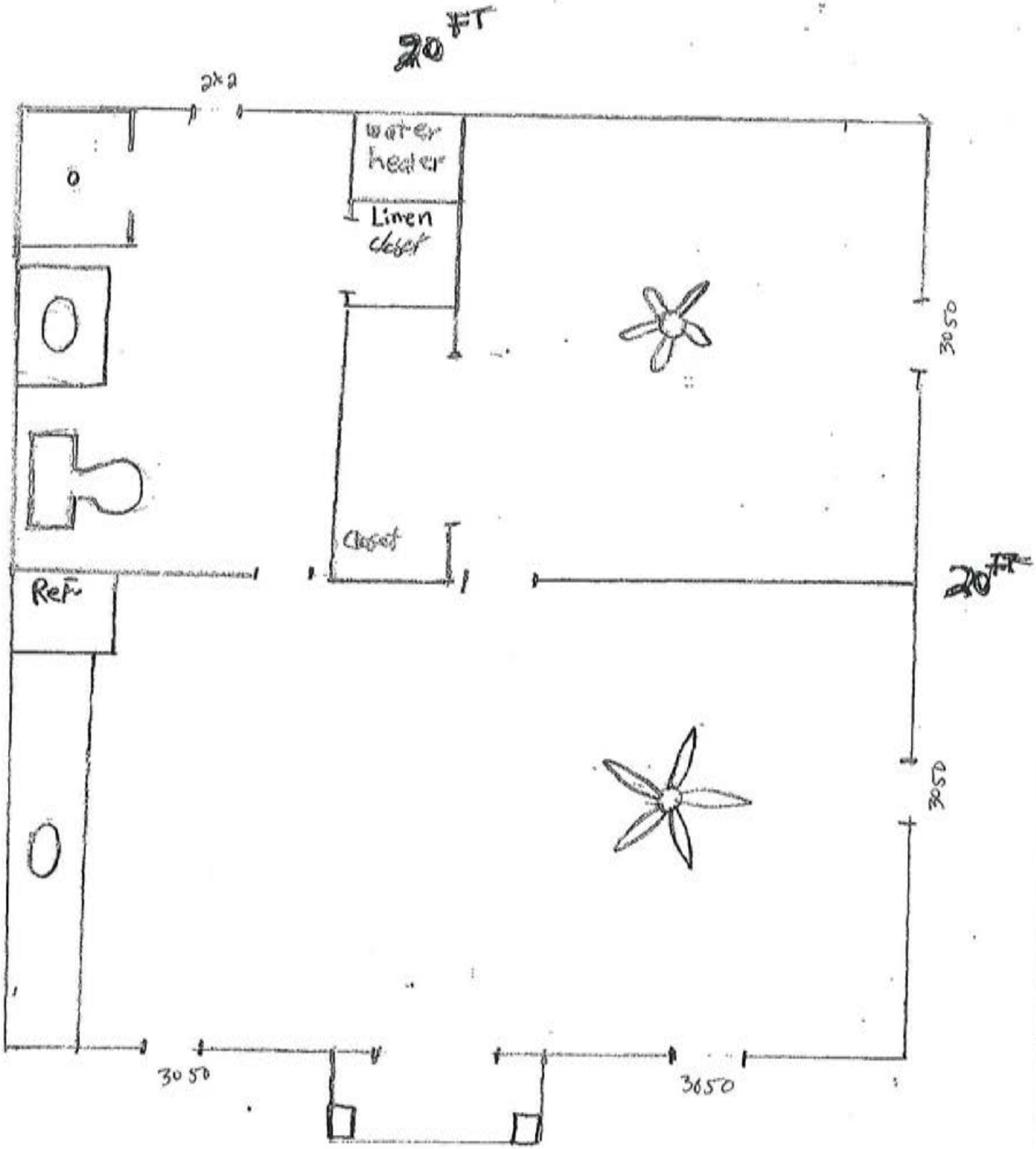


PLOT PLAN

LEGAL: LOT 21 ARTHUR TERRACE SUBDIVISION
MCALLEN, TEXAS.

RECEIVED
SEP 15 2016
BY: GC @ 10:20 am



RECEIVED
SEP 15 2016
BY: 6:10:20 am

3601
3601
NOTICE
GUEST HOUSE
For
This Property
CUP2016-0143
City of McAllen Planning Dept 681-1250
www.mcallen.net
3601

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: October 26, 2016

SUBJECT: **REQUEST OF GRICELDA CASTRO, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (DAYCARE) AT THE NORTH 18 FT. OF LOT 56 AND THE SOUTH 47 FT. OF LOT 57, BLOCK 2, GOLDEN ACRES RETIREMENT #4 SUBDIVISION; 400 NORTH 41ST 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 41st Street, approximately 260 ft. south of Ebony Avenue and is zoned R-2 (duplex-fourplex) District. The adjacent zoning is R-2 District in all directions. The surrounding land uses include single and multi-family residences. A day care is allowed in an R-2 zone with a Conditional Use Permit and in compliance with requirements.

REQUEST/ANALYSIS:
The applicant is proposing to operate a day care facility from the existing residence. The proposed hours of operation are from 7:00 a.m. to 10:00 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 has received a call from a surrounding neighbor in opposition of the request with concerns with traffic, congestion, no parking on site, and wanting to keep the residential area from disruptions resulting from a business.

The Health and Fire Departments have inspected the establishment and has met all the requirements. The business must comply with requirements set forth in Section 138-

118(8) of the Zoning Ordinance and other specific requirements as follows:

1) Meet the requirements of the Department of Human Services;

2) Provide a fenced in area for outside play of children. A fenced area is provided;

3) Provide paved area adjacent to street for pickup and delivery of children. The residence does not have a third parking space for the drop off and pick up 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/TV room for the daycare;

5) Person who applies for permit must reside at location for which the permit is granted. The applicant lives at the residence;

6) There shall be no more than two (2) day care facilities within 600 ft. of each other as measured over the shortest distance of street right-of-way between the facilities. There is no other day care within 600 ft.;

7) No more than one day care shall be located on a dead-end street or cul-de-sac;

8) Day care facilities shall not be located on a half street or a street that is 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.

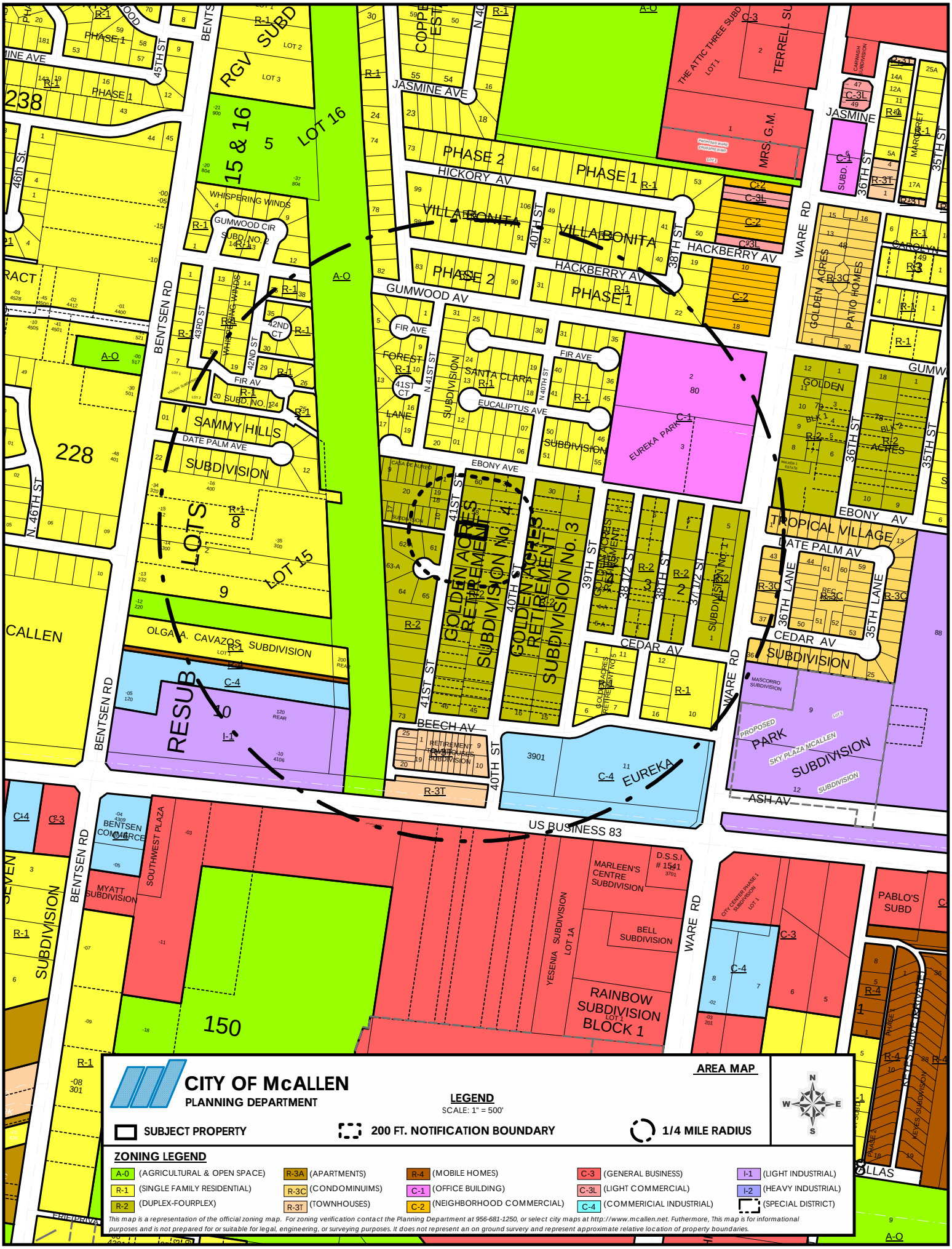
UPDATE:
The item was considered at the Planning and Zoning Commission on August 16, 2016. There were surrounding neighbors in opposition of the request. Staff received letters and signatures of opposition from surrounding neighbors with concerns with traffic, congestion, and wanting to keep the residential area from disruptions resulting from a business. A revised signed petition was submitted and verified on September 26, 2016 with a 35.4% opposition.

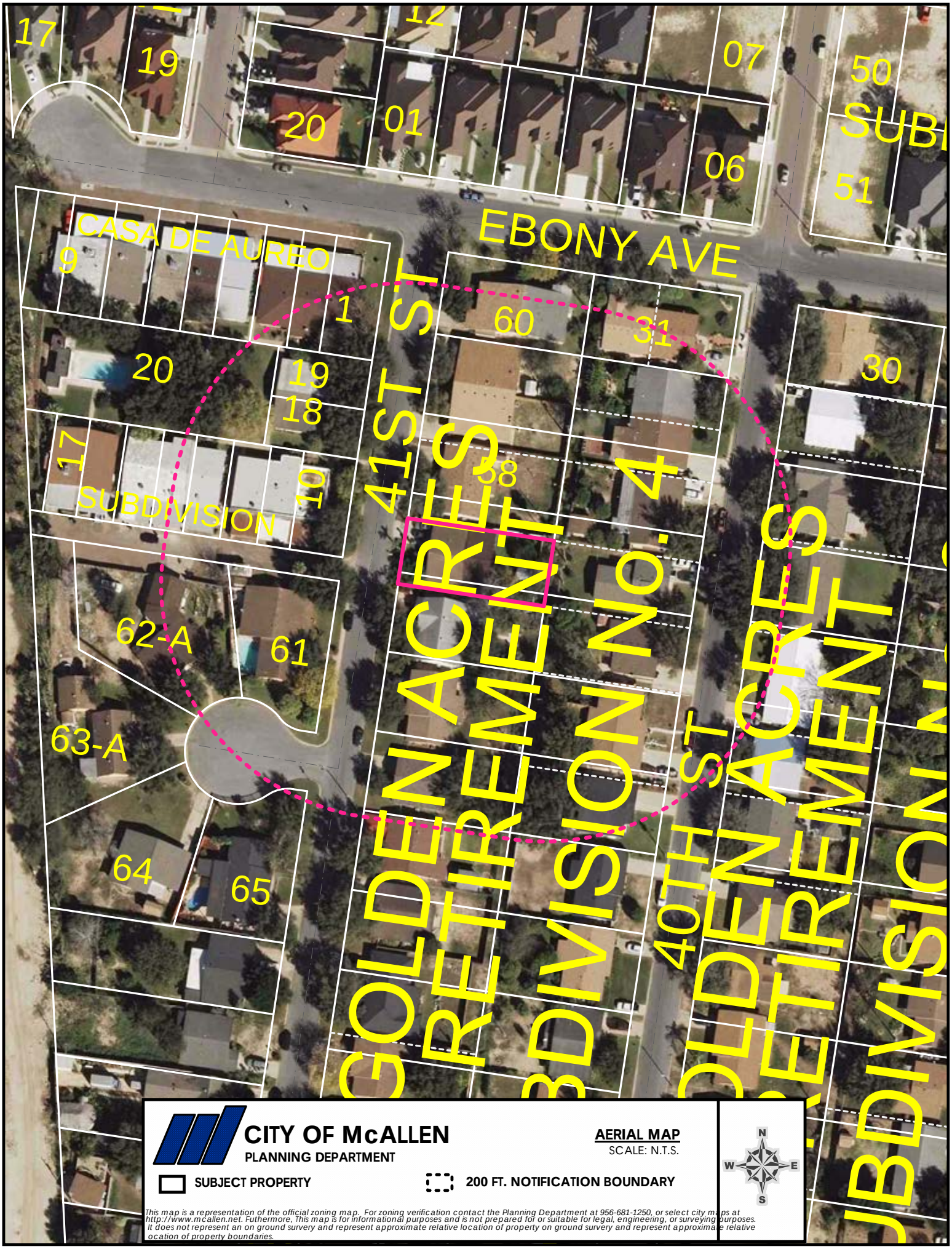
At the City Commission meeting of October 10, 2016, the commission discussed a previous conditional use permit that had been approved for a home occupation with a variance to the parking at this location. As well as how many children the applicant would care for and the hours of operation. The applicant was not sure of the hours of operation or if she would be taking care of the children during school time or year round.

The City Commission referred the item back to the Planning and Zoning Commission so that the board can reconsider the applicants established plan that include the days and hours of operation.

The applicant is still requesting an opportunity to open a day care at her residence with a favorable recommendation to grant the variance to the parking requirement or the opportunity to widening. The hours of operation will be from Monday through Friday from 3:00 p.m. to 8:00 p.m. during school time only.

RECOMMENDATION:
Staff recommended disapproval of the request based on noncompliance with requirement #3 (parking) of Section 138-118(8) of the Zoning Ordinance.


CITY OF McALLEN
PLANNING DEPARTMENT
AREA MAP
LEGEND
SCALE: 1" = 500'
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS
N
S
E
W
ZONING LEGEND
A-0 (AGRICULTURAL & OPEN SPACE)
R-1 (SINGLE FAMILY RESIDENTIAL)
R-2 (DUPLEX-FOURPLEX)
R-3A (APARTMENTS)
R-3C (CONDOMINUIMS)
R-3T (TOWNHOUSES)
R-4 (MOBILE HOMES)
C-1 (OFFICE BUILDING)
C-2 (NEIGHBORHOOD COMMERCIAL)
C-3 (GENERAL BUSINESS)
C-3L (LIGHT COMMERCIAL)
C-4 (COMMERICIAL 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. Futhermore, 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 survery and represent approximate relative location of property boundaries.
BENTSEN RD
WARE RD
US BUSINESS 83
JASMINE AVE
HICKORY AV
HACKBERRY AV
GUMWOOD AV
FIR AVE
EUCALIPTUS AVE
EBONY AVE
DATE PALM AVE
CEDAR AV
BEECH AV
ASH AV
EBONY AV
45TH ST
46th St.
N 46TH ST
43RD ST
42ND ST
41ST ST
40TH ST
39TH ST
38TH ST
37 1/2 ST
36TH ST
35TH ST
36TH LANE
35TH LANE
RGV SUBD
LOT 16
LOT 15
LOTS 8 & 9
SAMMY HILLS SUBDIVISION
OLGA A. CAVAZOS SUBDIVISION
RESUB
CALLEN
VILLARONITA
PHASE 1
PHASE 2
THE ATTIC THREE SUBD
TERRELL SUBD
MRS. G.M.
GOLDEN ACRES PATIO HOMES
GOLDEN ACRES RETIREMENT SUBDIVISION No. 3
GOLDEN ACRES RETIREMENT SUBDIVISION No. 4
EUREKA PARK
TROPICAL VILLAGE
MASCORRO SUBDIVISION
PROPOSED PARK SUBDIVISION
SKY PLAZA MCALLEN
EUREKA
BENTSEN COMMERCE
SOUTHWEST PLAZA
MYATT SUBDIVISION
MARLEEN'S CENTRE SUBDIVISION
D.S.S.I # 1541
BELL SUBDIVISION
YESENIA SUBDIVISION LOT 1A
RAINBOW SUBDIVISION BLOCK 1
PABLO'S SUBD
150
228
238



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

N
W E
S

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

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PEÑA ENGINEERING

1001 WHITEWING · P.O. BOX 4320

(956) 682-8812 · McALLEN, TEXAS 78502 · FAX (956) 631-PENA

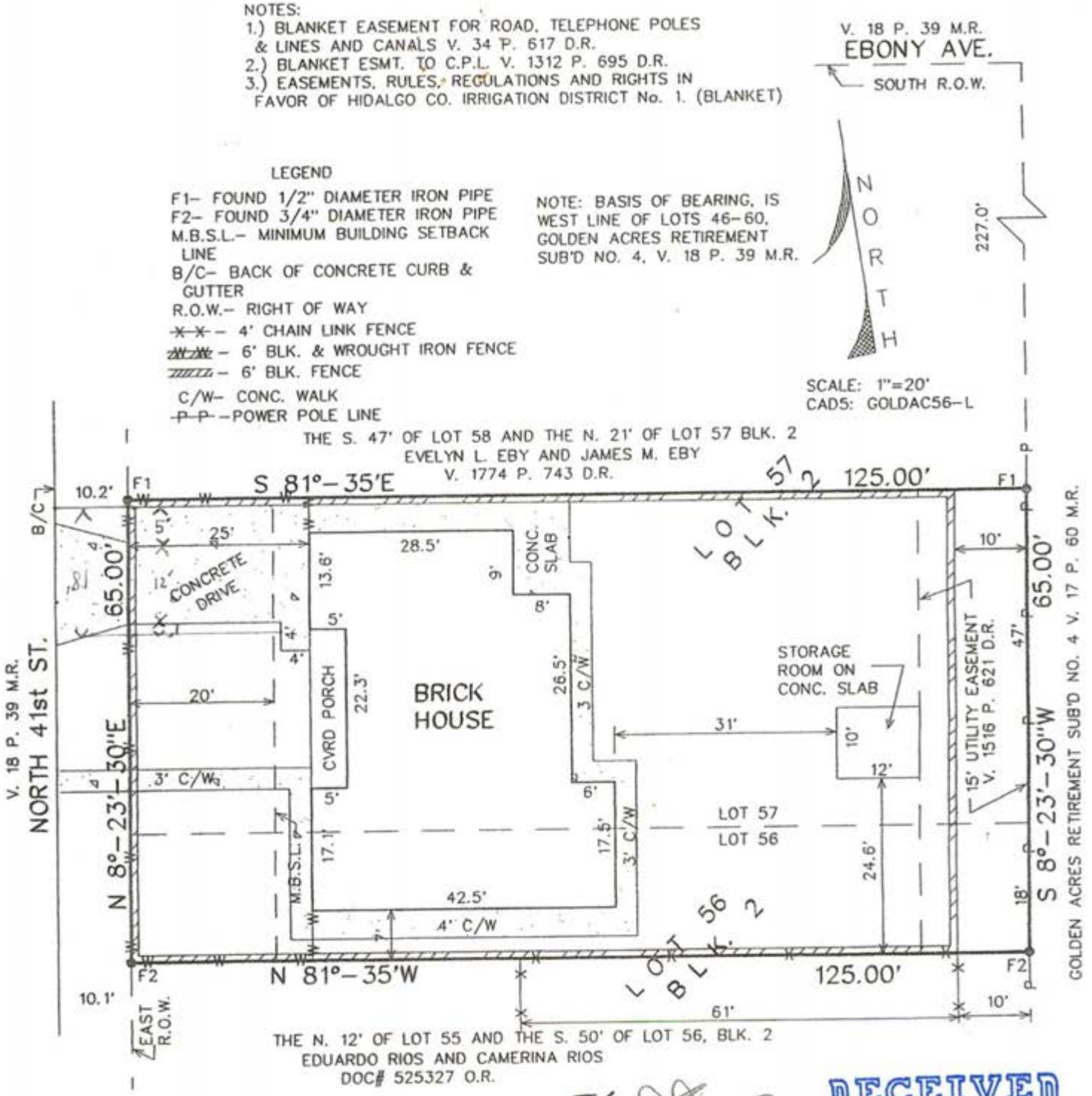
NOTES:
1.) BLANKET EASEMENT FOR ROAD, TELEPHONE POLES & LINES AND CANALS V. 34 P. 617 D.R.
2.) BLANKET ESMT. TO C.P.L. V. 1312 P. 695 D.R.
3.) EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF HIDALGO CO. IRRIGATION DISTRICT No. 1. (BLANKET)

LEGEND

F1– FOUND 1/2" DIAMETER IRON PIPE
F2– FOUND 3/4" DIAMETER IRON PIPE
M.B.S.L.– MINIMUM BUILDING SETBACK LINE
B/C– BACK OF CONCRETE CURB & GUTTER
R.O.W.– RIGHT OF WAY
–X–X– 4' CHAIN LINK FENCE
–W–W– 6' BLK. & WROUGHT IRON FENCE
– 6' BLK. FENCE
C/W– CONC. WALK
–P–P– POWER POLE LINE

NOTE: BASIS OF BEARING, IS WEST LINE OF LOTS 46-60, GOLDEN ACRES RETIREMENT SUB'D NO. 4, V. 18 P. 39 M.R.

SCALE: 1"=20'
CAD5: GOLDAC56-L

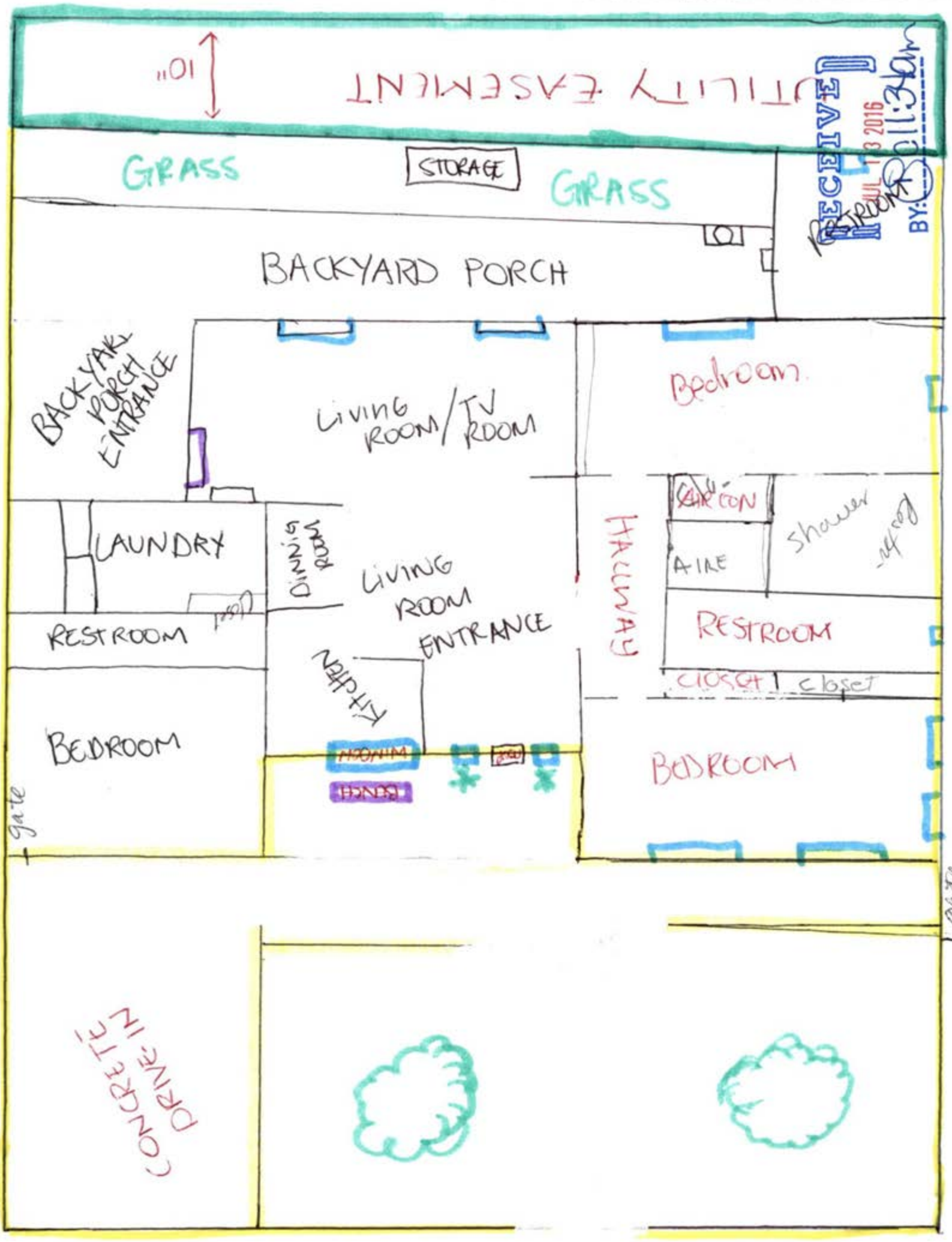


BUYER'S NAME: MARIA CANTU *Maria C Cantu*
GRISELDA CASTRO

RECEIVED
JUL 13 2016
BY: BC 11:34am

FLOOD ZONE: By GRAPHICAL PLOTTING Community Panel No. 480343 0005 C
Map Rev: Nov. 2, 1982

☐ Zone "A" – This is to certify that this property is in a flood prone area.
☐ Zone "B" – This is to certify that this property is not in a flood prone area. However limits between the 100 year and 500 year flood are subject to flooding with average


UTILITY EASEMENT
10"
GRASS
STORAGE
GRASS
BACKYARD PORCH
BACKYARD PORCH ENTRANCE
LIVING ROOM/TV ROOM
Bedroom
LAUNDRY
DINING ROOM
LIVING ROOM ENTRANCE
HALLWAY
AIR CON
AIRE
shower
RESTROOM
RESTROOM
closet
closet
Kitchen
BEDROOM
BEDROOM
gate
gate
CONCRETE DRIVEWAY
RECEIVED
JUL 13 2016
BY:

City of McAllen
1300 Houston Ave.
McAllen Texas, 78501

August 21, 2016

Dear Commissioner's,

I, Gricelda Castro am writing this appeal letter to appeal the decision that was previously made regarding an application to the city of McAllen that was filed on July 13, 2016 for a permit to open a children's' daycare at my current domicile located at 400 N. 41st McAllen, Texas 78501. I went before the city board on August 16, 2016, and my permit was rejected with the recommendation to modify my parking space from two vehicles, to three vehicles. I am writing to you all today pleading for an opportunity to have your approval to open the daycare, without the recommended modification of the parking space. I have obtained several estimates for the recommended modification, to redesign the current parking space I have for two vehicles, and turn it into a parking space for three vehicles. These estimates have proven to be too expensive due to the amount of material and labor that is required for the recommended modification.

I am fully compliant with all the other requirements needed for this permit, with the exception of the parking space. I am currently a licensed therapist and a licensed esthetician working self -employed in a space I currently rent on a month- to month basis. During the past months the work flow has diminished significantly, leaving me with no other choice but to look for another place of employment, and I am currently working part time at a children's daycare. The proposed daycare is not expected to have exceeding, or any traffic at all due to the fact that, the children' parents will only be dropping off or picking up their children briefly. I am asking for your upmost consideration in allowing me the opportunity to begin this business with your approval for this permit. I reiterate, I am fully compliant on all the other requirements for this permit, making me a considerable applicant. Thank you for your time, and comprehension.

Gricelda Castro 08/22/16

RECEIVED
AUG 22 2016
BY: 09:49

City of McAllen
Planning Department
District 3
PO Box 220
McAllen, Texas 78505-0220

August 29, 2016

To Planning Commissioner of District #3
Re: CUP2016-0106

Dear Commissioners:

I am pleased to tell you that we have a lovely neighbor at this address in question. They are quiet and friendly and fit into our neighborhood very well.

However, I am opposed to my neighbor having a day care on this property. My reasons:

1. This location is meant to be a residential area and we value that. Once zoning for business is opened up for one, there will be more wanting the same privilege.

2. The street is already very busy. Directly across the street from the proposed day center there is an alley way that is the parking area for 9 homes. Private cars and garbage trucks enter and leave the alley directly in line with the proposed center. Overall, the traffic there is an all day affair.

3. Again owing to alley traffic, the safety of the children attending the day care will be at risk when being left off and picked up unless off-street parking can be provided.

4. A blind lady lives next to the alley on the south. She regularly takes a bus to and from her work, and additional traffic and parking will make this more difficult for her.

5. The garbage trucks picking up containers on 41st Street already have difficulty owing to the number of cars parked there. More cars will make it worse.

I am sorry to object to Mrs. Castro's request, but I feel strongly her day care would be better located somewhere else.

Thank you.

Sincerely,

Grace Sondreal

Grace Sondreal
405 N. 41st St.
McAllen, TX 78501

RECEIVED
SEP 01 2016
BY: aw

Gerald and Laura Dahle
190 South Lake Drive
Watertown, SD 57201
August 29, 2016

RE: Owners of property located at 407 North 41st Street, McAllen, Texas

This letter is in response to a letter we received notifying us of a meeting on Monday September 12, 2016 at 5 pm at the McAllen City Hall concerning a request of Griselda Castro appealing a decision denying a Permit to operate a Daycare in her home which is located across the street from our home. We will be unable to attend this meeting, but we are submitting a letter to the City of McAllen stating our concerns about this proposal and why we feel that the permit should again be denied.

This area of McAllen was originally designed as Golden Acres Retirement, a community of small homes and multiplexes designed for senior citizens, usually two people to a home. We bought our home from my parents, so this property has been in our family since the mid 1970's when this area was developed. Over time the demographics of the neighborhood has changed, but the layout and density of the neighborhood has remained the same, especially the complex in which we live. Our concerns are as follows.

Casa De Aureo is made up of 18 units with 8 units on the ~~west~~ South side of this development. The 8 units on the ~~west~~ South are connected by an alley/ drive way that exits onto 41st street close to this proposed daycare site. There is also a house on the southwest side of the alley that exits onto 41st Street. On any day of the week there could be as many as 18 vehicles using the driveway and street (2 cars per household) at this location. The garbage pickup for these residents is also accessed through this alley/driveway and at times these large oversized trucks have all they can do to get in and out of this alley. This definitely would not be an ideal location to have to monitor or look after children coming and going from vehicles trying to drop them off or pick them up from a daycare.

The residents of the house on the SW corner of the alley have a daughter who is blind and uses public transportation to go to and from work during the week. A city transportation vehicle picks her up and drops her off and this could be an issue if extra cars are parked in the area.

During the school year, there is a School bus that travels down this street and it also does not leave room for a lot of additional traffic.

RECEIVED
SEP 06 2016
BY BC 3:49pm
via mail
CUP2016-0106

The proposed Daycare does not have additional off street parking to accommodate this type of business, especially in a residental neighborhood. A number of years ago, someone proposed a beauty salon in this same area and it was denied for some of the same reasons we are listing here. We are hopeful that again, this permit will be denied for the above stated reasons. Congestion and the safety of children are the main concerns that we have with this issue.

Sincerely,

Laura J Dahle

Gerald V and Laura J Dahle

CUP 2016-0106

City of McAllen / September 7, 2016

In Reference to : Cup 2016-0106 - Conditional use permit for a Day care at 400 N. 41st Street

To Whom It May Concern:

As the neighbors located up and down 41st street we would like to voice our protest to the afore mentioned consideration for the conditional use permit for a Day Care to be located at 400 N 41st street. The reasons for protest are listed below.

1. As 400 N 41st does not have ample parking space for more than two cars, and they themselves have two cars one of which they park in a neighbor's driveway who is a part time resident. People dropping off children would have to park in the street .
2. The Golden Acres subdivision was built as a residential community but we do not have sidewalks outside our homes. People love to walk, jog, bike and walk their dogs up an down our street, especially in the early morning when young mothers would be dropping their children off in a hurry to get to work!! Two of our residents are undergoing chemotherapy and walk to regain their strength. They are in no physical condition to avoid motorists that can not see them walking due to double parked cars or heavy traffic.
3. The front drive of 400 N 41st is aligned with an alley in which residents of the condominiums across said street use as their sole exit and entrance to their parking areas. People are coming and going at all times of the day and night and sometimes do not pay attention to their speed - causing a very dangerous situation to anyone who may be parked, especially double parked outside 400 N 41st. Considering the fact that small children sometimes dart in and out when unattended makes the situation even more undesirable.
4. There are small children in our neighborhood that are picked up and dropped off by school busses more than likely at the same time mothers would be dropping off and picking up children at said day care. Once again this creates more congestion which in turn creates a dangerous and inconvenient situation for not only the property owners of our community but also for the drivers of said vehicles and the children getting in and out of busses and cars simultaneously.
5. No one wants strangers parked outside their homes no matter how short a period of time .
6. We have a nice quiet neighborhood and anyone who moves here appreciates that, the noise level of many children playing outside, increased traffic, increased strangers in and out of the neighborhood, increased inconvenience due to customer automobiles blocking driveways completely negates what a residential neighborhood is supposed to be, it would discourage anyone who would normally be interested in buying property here. Resulting in our property values decreasing and our homes being very hard to sell.

Our neighborhood is an older one and we have all tried very hard to keep it a nice and safe one, we thank you for being sensitive to our position and ask you to please consider the majority of property owners in this neighborhood's feelings and deny this request.

RECEIVED
SEP 23 2016
BY: CW

Gerald and Laura Dahle
190 South Lake Drive
Watertown, SD 57201
August 29, 2016

RE: Owners of property located at 407 North 41st Street, McAllen, Texas
This letter is in response to a letter we received notifying us of a meeting on November 1, 2016 at 4 pm at the McAllen City Hall concerning a request of Griselda Castro appealing a decision denying a Permit to operate a Daycare in her home which is located across the street from our home. We will be unable to attend this meeting, but we are submitting a letter to the City of McAllen stating our concerns about this proposal and why we feel that the permit should again be denied. This is the second letter we have sent regarding this matter and the conditions remain the same.

This area of McAllen was originally designed as Golden Acres Retirement, a community of small homes and multiplexes designed for senior citizens, usually two people to a home. We bought our home from my parents, so this property has been in our family since the mid 1970's when this area was developed. Over time the demographics of the neighborhood has changed, but the layout and density of the neighborhood has remained the same, especially the complex in which we live. Our concerns are as follows.

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Sincerely,

Gerald V and Laura J Dahle

Gerald V Dahle
Laura J Dahle

RECEIVED
OCT 24 2016
BY: @ 10:44 AM

CITY OF
McALLEN

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

ROEL RODRIGUEZ, P.E., City Manager

CUP2016-0106
400 North 41st Street
Golden Acres Retirement #4 N 18' of Lot 56 & S 47' of 57 Blk 2

---

200 Ft. Radius: 204,990 Sq. Ft.
Subject Property: 6,990 Sq. Ft.
Total Area of Opposition: 70,217 Sq. Ft.

---

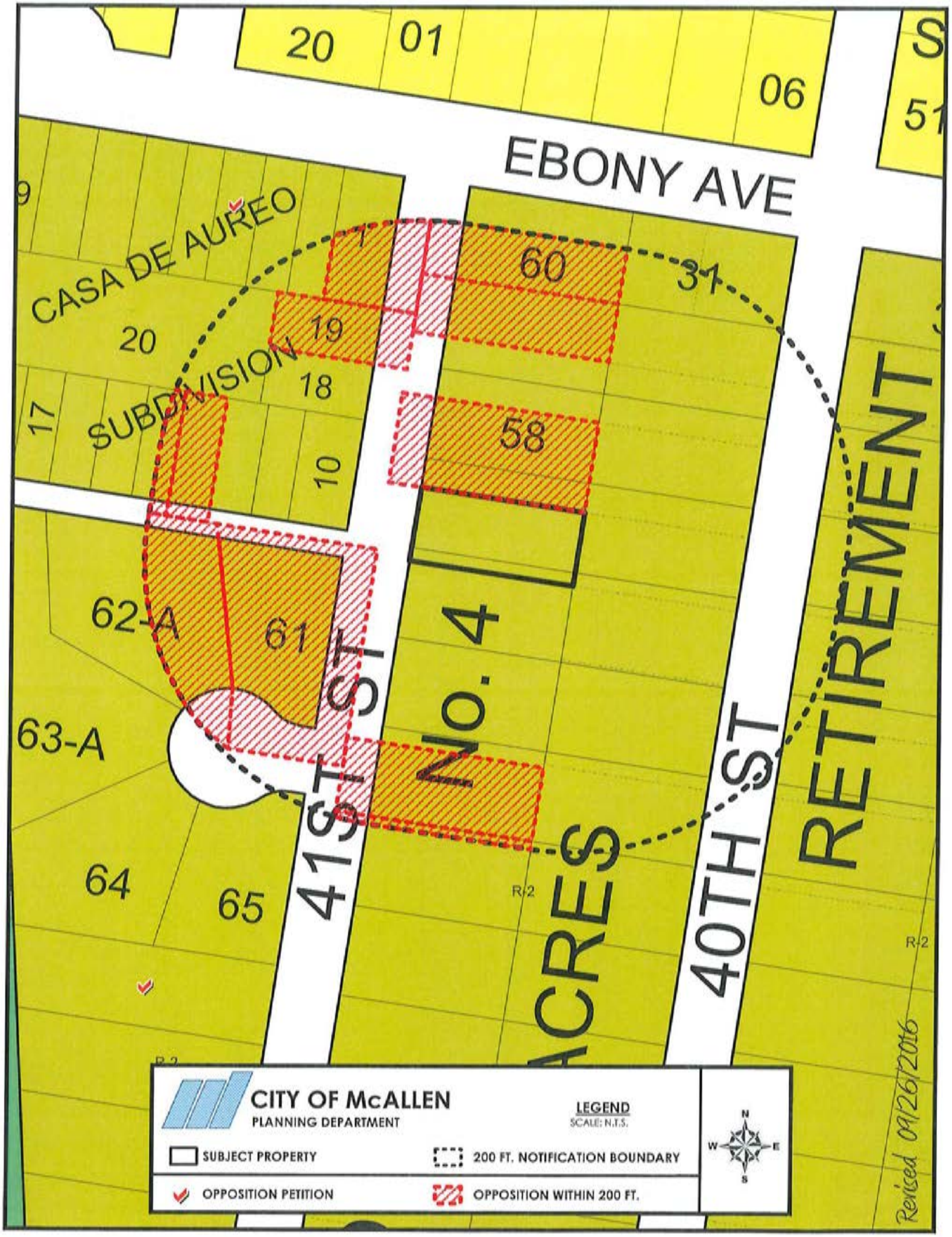
200 Ft Radius - Subject Property Total Adjusted Area	Total Area of Opposition / Total Adjusted Area = 0.*** x 100 =	Percentage for Opposition

---

204,990 Sq.Ft. - 6,990 Sq.Ft. 198,000 Sq.Ft.	70,217 Sq.Ft. / 198,000 Sq.Ft. = 0.354 x 100 =	**35.4% Opposition**

Prepared By: Jose F. Ortega
Planning Technician III/GIS

Rev. 09/26/2016


EBONY AVE
CASA DE AUREO
SUBDIVISION
20
01
06
51
9
20
19
18
17
10
7
60
31
58
62-A
61
63-A
64
65
41ST ST
NO. 4
ACRES
40TH ST
RETIREMENT
R-2
R-2
R-2
CITY OF McALLEN
PLANNING DEPARTMENT
LEGEND
SCALE: N.T.S.
SUBJECT PROPERTY
200 FT. NOTIFICATION BOUNDARY
OPPOSITION PETITION
OPPOSITION WITHIN 200 FT.
N
W
E
S
Revised 04/26/2016

NOTICE
HOME BUSINESS
For
This Property
CUP2016-0106
City of McAllen Planning Dept 681-1250
www.mcallen.net
4007

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: October 27, 2016

SUBJECT: REQUEST OF MELANIE R. RAMIREZ, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN EVENT CENTER AT LOT 1, NIGHTGALE COMMERCIAL SUBDIVISION; 6601 NORTH 10TH 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 west of North 10th Street, approximately 165 ft. south of Martin Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east, and south, C-3L (light commercial) District and R-1 (single family residential) District to the northwest, and R-3A (apartments) District to the west. Surrounding land uses include commercial businesses, restaurants, single and multi-family residences, and vacant land. A lounge is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

REQUEST/ANALYSIS:
There is currently a multi-tenant commercial building on the property. The buildings use is primarily retail and a kid's party place. The applicant is currently leasing Suite A1 for kid's parties; however, she is proposing to have other events for other age groups. Therefore, a conditional use permit is required. The days and hours of operation are Monday thru Sunday 7:00 p.m. to 12:00 a.m.

A police activity report was not requested since the establishment has not been open to other age groups. The Health and Fire Departments have inspected and cleared the establishment. Should the Conditional Use Permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

1) The property line of the lot of any of the above mentioned businesses must be at least 600 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 600 ft. of residential zones and uses;

2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has access to North 10th Street and Nightingale Avenue and; does not generate traffic into residential areas;

3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently there is a multi-tenant commercial building on the property. Based on the square footages and existing uses, 53 parking spaces are required and 63 parking spaces are provided on site. The proposed event center requires 39 parking spaces for a total of 92 spaces for the plaza, having a deficiency of 29 parking spaces. The applicant has been advised about the deficiency and stated she would submit a parking agreement for the 29 spaces with the property across Nightingale Avenue;

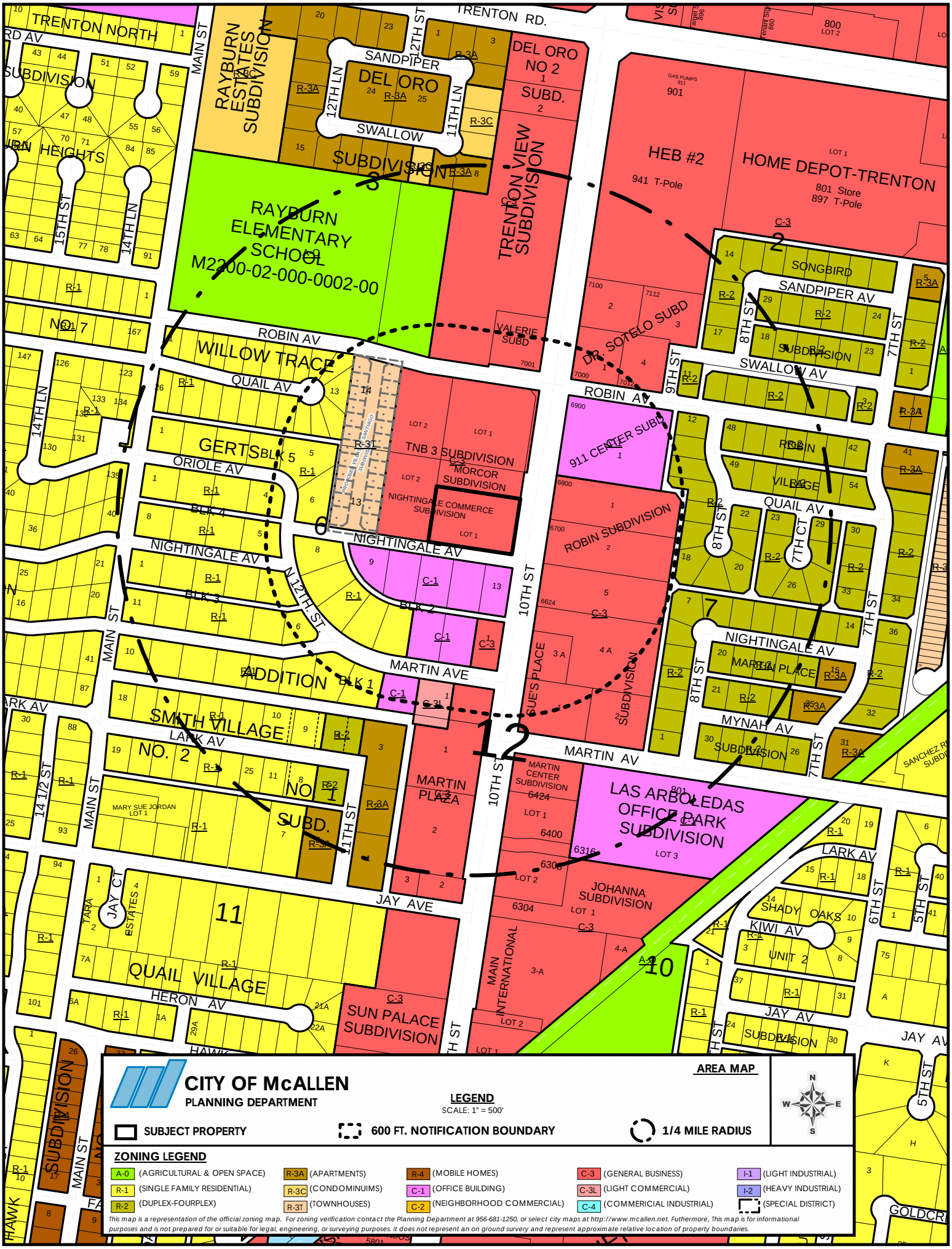
4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;

5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;

6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and

7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum capacity for this establishment would be determined at the time of building permit prior to occupancy of the building.

RECOMMENDATION:
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.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: 1" = 500'

SUBJECT PROPERTY | 600 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 (CONDOMINUIMS)	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 (COMMERICIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

SUBJECT PROPERTY

600 FT. NOTIFICATION BOUNDARY

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LEGEND

INTENDED USE OF LAND	RETAIL
ZONING CLASSIFICATION	C3
FLOOD ZONE	ZONE 'B'
LEGAL DESCRIPTION	LOT 1 NIGHTINGALE COMMERCE SUBDIVISION HIDALGO COUNTY, TEXAS ACCORDING TO PLAT RECORDED IN VOL. 5, PG. 8 MAP RECORDS HIDALGO COUNTY, TEXAS
PARKING AS REQUIRED	LEASABLE TOTAL SQ. FOOTAGE DIVIDED BY 400 PLUS 3 (23,732 SF DIVIDED BY 400 + 3 = 63 REQD. PARKING SPACES 64 ACTUAL PARKING SPACES
PREPARED FOR	MR. GEORGE MASSO PHONE (956) 783-1113 McALLEN, TEXAS
DESIGN BY	DNC - DESIGNERS / GEN. CONTRACTORS GROUP (956) 458-3361 5318 ROSELINE DR. BROWNSVILLE, TEXAS 78526

BUILDING CALCULATIONS

BUILDING	23,732 SQ. FT.
BUILD-OUT	518 SQ. FT.
WALKWAYS	1,468 SQ. FT.
SIDE WALKS	3,527 SQ. FT.
PARKING AND ROADS	40,268 SQ. FT.
TOTAL SQ. FT. OF PROP. DEVELOP. AREA	69,509 SQ. FT.
TOTAL LOT AREA	83,435 SQ. FT.
TOTAL SQ. FT. OF PROP. DEVELOP. AREA	69,509 SQ. FT.
LANDSCAPE AREA AVAILABLE	13,926 SQ. FT. (16.7% OF TOTAL LOT AREA)

NO EXISTING TREES ON SITE

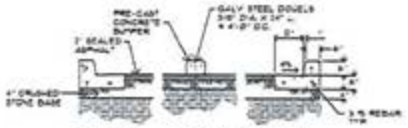
QTY	SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE + CHARACTERISTICS
11		LIVE OAK	LIVE OAK	2.5" CAL. PER. @ HEIGHT

QTY	SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE + CHARACTERISTICS
20		RUELLIA SPP.	MEXICAN PETUNIA	1" CAL. PER. / HEIGHT @ 36" O.C. 1" DEEP LAYER WOOD MULCH

QTY	SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE + CHARACTERISTICS
13,926 SQ. FT.		GRASS	SAINT AUGUSTIN RALEIGH - SUN	SOLID SOD

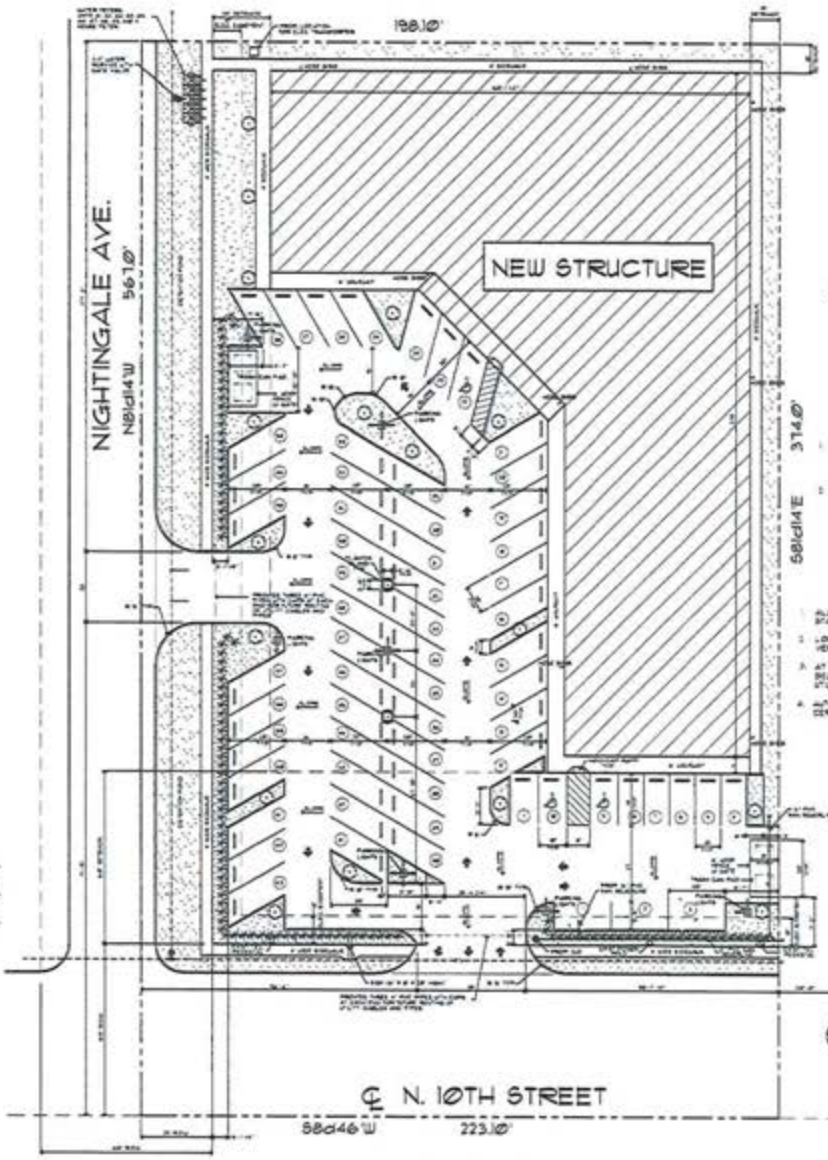
SYSTEM OF IRRIGATION - SPRINKLER SYSTEM

TOTAL LOT AREA	83,435 SQ. FT.		
REQUIRED LANDSCAPE AREA (10% OF TOTAL LOT AREA)	8,344 SQ. FT.	PROVIDED LANDSCAPE AREA (16.7%)	13,926 SQ. FT.
REQUIRED VISIBLE AREA (50% OF REQUIRED LANDSCAPE AREA)	4,172 SQ. FT.	PROVIDED VISIBLE AREA	9,181 SQ. FT.



CONC. BUMPER & CURB DETAIL

SCALE: 1" = 1'-0"



SITE PLAN

SCALE: 1" = 30'-0"

VICINITY MAP

GENERAL NOTES:

1. ALL WORK SHALL BE IN STRICT ACCORDANCE WITH CITY OR COUNTY BUILDING CODES AND ORDINANCES.
2. THE FOLLOWING CODES + AMENDMENTS SHALL BE FOLLOWED FOR THE CONSTRUCTION OF THIS BUILDING STRUCTURE:
   - 2003 INTERNATIONAL BUILDING CODE
   - 2003 INTERNATIONAL ENERGY CONSERVATION CODE
   - 2003 INTERNATIONAL MECHANICAL CODE
   - 2003 INTERNATIONAL PLUMBING CODE
   - 2002 NATIONAL ELECTRIC CODE

SITE PLAN:

1. ALL SUBCONTRACTORS SHALL VERIFY DIMENSIONS AND EXISTING SITE CONDITIONS PRIOR TO THE STARTING OF WORK. SHALL MEAN ACCEPTANCE OF SUCH CONDITIONS.
2. LOCATION OF STORM SEWAGE DRAINAGE EASEMENTS AND BUILDING SETBACKS VERIFIED AT JOB SITE PRIOR TO CONSTRUCTION.
3. AT BOTH PARKING LOT ENTRANCES, PROVIDE THREE 4" PIPES W/ CAPS AT EACH END BELOW ASPHALT PAVEMENT FOR FUTURE ROUTING OF ELECTRICAL + PLUMBING UTILITIES.
4. AUTOMATIC SPRINKLER IRRIGATION SYSTEM SHALL BE INSTALLED PER A CERTIFIED AND CITY APPROVED SUB-CONTRACTOR.

INDEX

SHEET	DESCRIPTION
1	SITE PLAN W/ PARKING LOT AND LANDSCAPE CALCULATIONS
2	FLOOR PLAN WINDOW + DOOR SCHEDULES
3	RESTROOM ELEVATIONS + WALL DETAILS
4	A.D.A. LEGEND + SPECIFICATIONS
5	ROOF FRAMING PLAN
6	ROOF FRAMING DETAILS
7	ROOF FRAMING DETAILS
8	ROOF FRAMING DETAILS
9	ROOF PLAN + DETAILS
10	ELEVATIONS
11	ELEVATIONS
12	ELEVATIONS
13	FOUNDATION PLAN
14	FOUNDATION DETAILS
15	ELECTRICAL PLAN
16	ELECTRICAL LOADS + DIAGRAM
17	PLUMBING PLAN + DETAILS

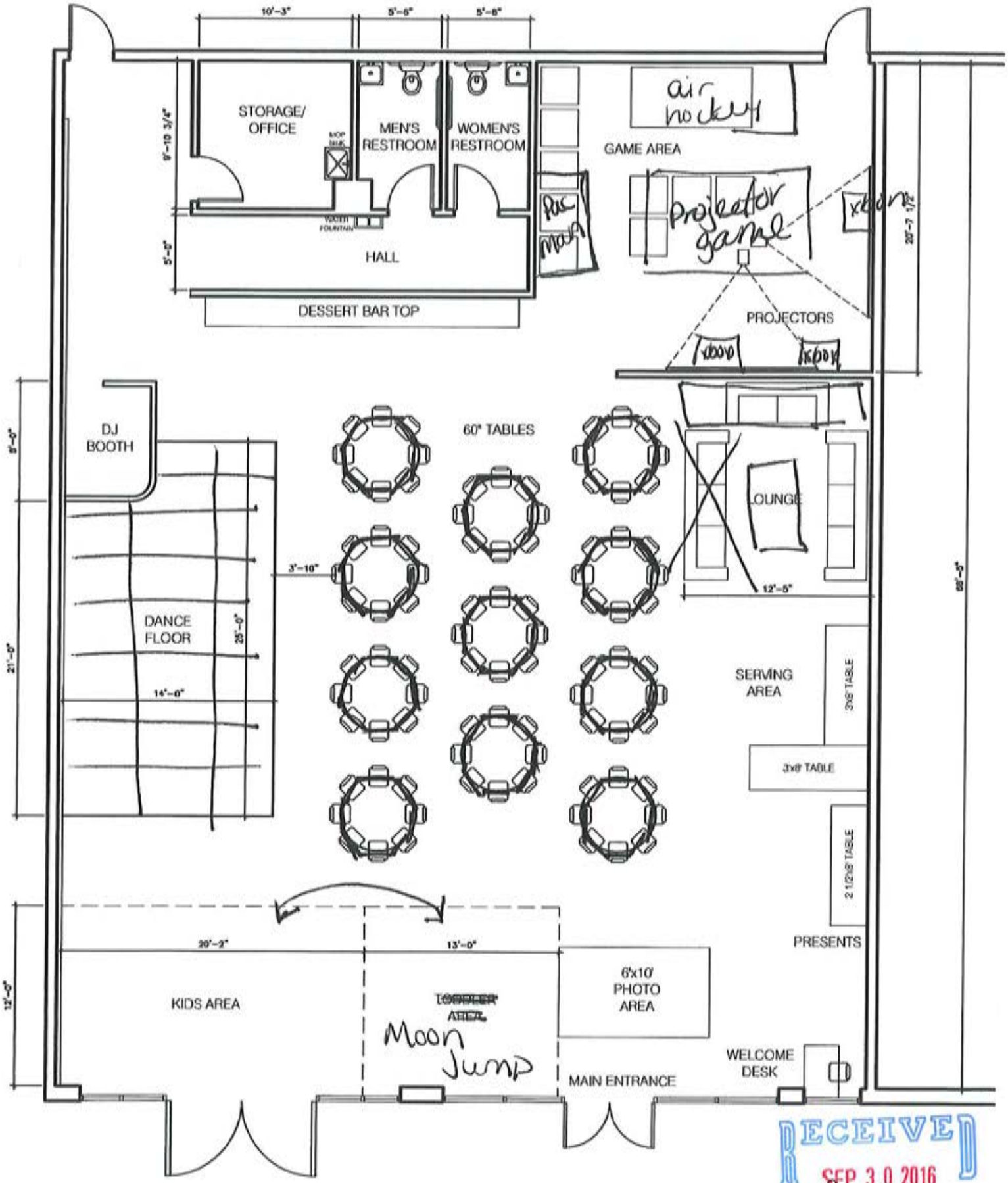
LIVING SPACE	23,732 SF
BUILDOUT	518 SF
WALKWAYS	1,468 SF
TOTAL SQ. FOOTAGE	25,718 SF

DNC
DESIGNERS / GEN. CONTRACTORS GROUP

CONSTRUCTION PLANS FOR
MR. GEORGE MASSO
McALLEN, TEXAS

1
PAGE NUMBER

RECEIVED
SEP 30 2016
BY: 11:35 am



RECEIVED
SEP 30 2016
BY: 11:35 am

GLOW
PARTY & EVENT CENTER
STETSON
NOTICE
EVENT CENTER
For
This Property
CUP2016-0149
19

Planning Department

Memo

TO: Planning and Zoning Commission

FROM: Planning Staff

DATE: October 24, 2016

SUBJECT: **REQUEST OF RACHEL PEÑA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN EVENT CENTER AT THE EAST 20 FEET OF LOT 1, AND ALL OF LOTS 2 – 4, WHALEN ACRES SUBDIVISION; 1314 EAST BUSINESS 83.**

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

DESCRIPTION:
The property is located on the south side of Business 83, approximately 175 ft. west of Whalen Road, and is zoned C-3 (general business) District. The adjacent zoning is C-3 to the east, west, and south and I-1 (light industrial) District to the north. Surrounding land uses include restaurants, retail, and offices. An event center is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

REQUEST/ANALYSIS:
There is an approximate 7,100 sq. ft. vacant brick two story building existing on the property. The applicant is proposing to utilize 3,500 sq. ft. of the building for an event hall. The hours of operation are proposed from 10:00 a.m. to 12:00 p.m. seven days a week. The proposed establishment will required 35 parking spaces, 4 parking spaces are provided on site. During inspection, staff observed that there were paved areas in the front and east side of the building; however, the east side is not striped. At the rear of the building, there were non-working vehicles stored on an unimproved area.

A police activity report was not requested since the event center has not been in operation. The Health and Fire Department have inspected the site; however, a final inspection is pending once the permit is 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 abovementioned businesses must be at least 600 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is not within 600 ft. from the nearest residence and residentially zoned property;

2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment is located on Business 83, 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. The proposed establishment will required 35 parking spaces, 4 parking spaces are provided on site. During inspection, staff observed that there were paved areas in the front and east side of the building; however, the east side is not striped. At the rear of the building, there were non-working vehicles stored on an unimproved area;

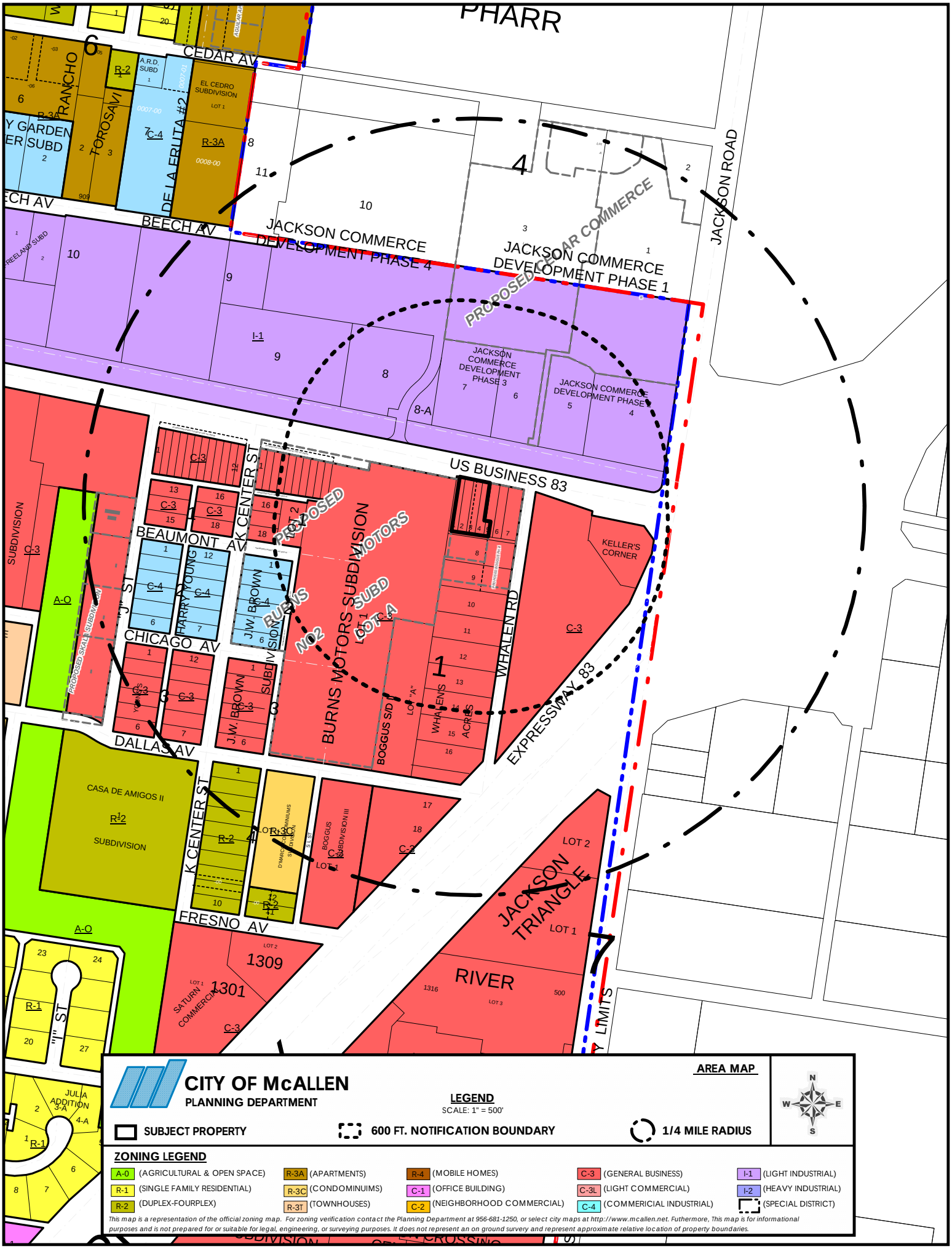
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;

5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;

6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and

7. The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The allowable number of persons within the building for the use will be set during the building permit process.

RECOMMENDATION:
Staff recommends disapproval of the request based on noncompliance with requirement #3 (parking) of Section 138-118(4) of the Zoning Ordinance.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: 1" = 500'

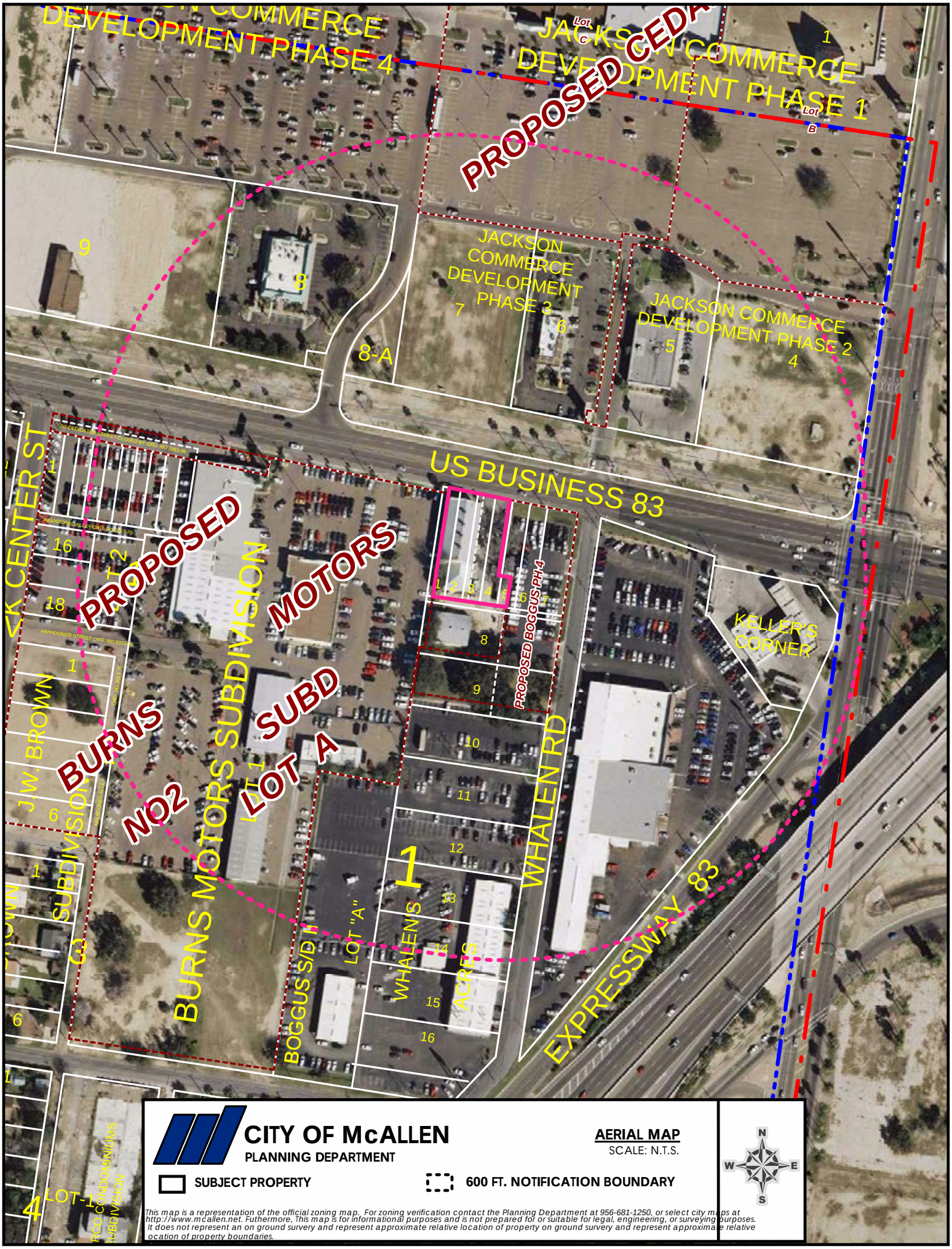
SUBJECT PROPERTY
600 FT. NOTIFICATION BOUNDARY
1/4 MILE RADIUS

N W E S

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 (CONDOMINUIMS)	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 (COMMERICIAL 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. Futhermore, 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 survery and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

SUBJECT PROPERTY

600 FT. NOTIFICATION BOUNDARY

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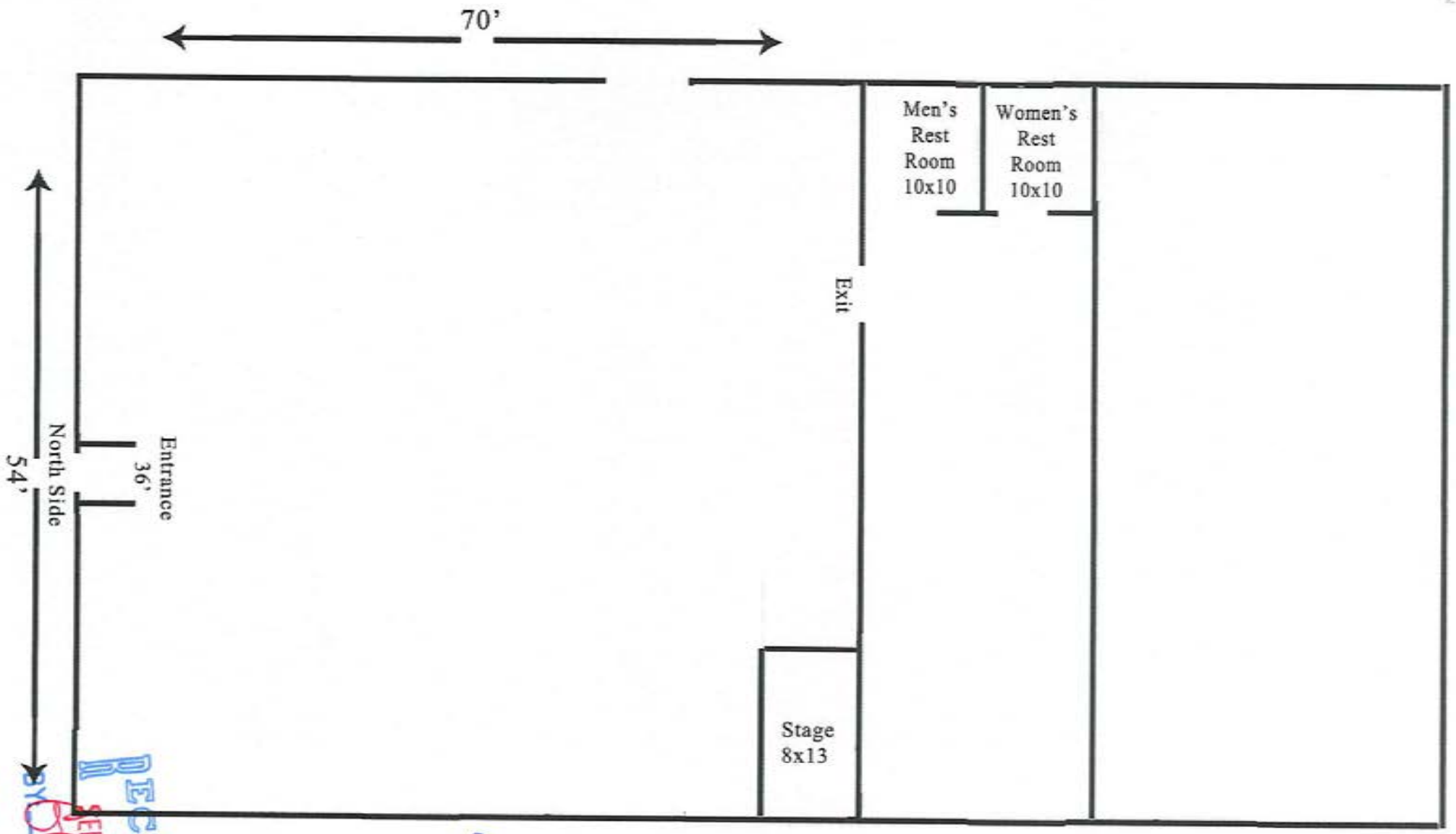

RECEIVED
SEP 30 2016
BY

1314 E. Business 83
McAllen, TX

ph - 320-3000

Floor Plan

ph # 330-3002

SITE PLAN

RECEIVED
SEP 16 2008
BY

Bodega
District
NOTICE
EVENT CENTER
For
This Property
CUP2016-0150
RESERVED
PARKING
VAN
ACCESSIBLE

Planning Department

Memo

TO: Planning & Zoning Commission

FROM Julianne Rankin, Director of Planning

DATE: October 25, 2016

SUBJECT: **City Commission Actions of October 24, 2016**

REZONINGS:

1. Rezone from R-1 (single family residential) District to A-O (agricultural-open space) District: 35.59 acres out of Lot 347, John H. Shary Subdivision, Hidalgo County, Texas; 5200 North Taylor Road.
- **Planning & Zoning Commission recommended approval**
- **City Commission approved rezoning**

2. Rezone from R-1 (single family residential) District to C-2 (neighborhood commercial) District: 2.34 acres out of Lot 59, La Lomita (Hoit) Subdivision, Hidalgo County, Texas; 2801 Auburn Avenue.
- **Planning & Zoning Commission recommended approval**
- **City Commission disapproved rezoning**

3. 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 disapproved rezoning**

CONDITIONAL USE PERMITS:

1. Request of Jose Ricardo Sobrevilla for a Conditional Use Permit, for life of the use, for an institutional use (school) at Lots 4, 5 and 6, Lazy-A-Ranch Subdivision, Hidalgo County, Texas; 1311 North 24th Street.
- **Planning & Zoning Commission recommended approval**
- **City Commission approved**

2. Request of Ernestina Garza, appealing the decision of the Planning & Zoning Commission of the October 4, 2016 meeting, denying a Conditional Use Permit, for one year, for an event center at Lot 7, Las Cañadas Subdivision, Hidalgo County, Texas; 2914 South Jackson Road.

- **Planning & Zoning Commission disapproved and recommended approval of a variance to distance**
- **City Commission approved variance and CUP**

3. Request of Cisco and Damanda, LLC., appealing the decision of the Planning & Zoning Commission of the October 4, 2016 meeting, denying a Conditional Use Permit, for one year, for a bar at Lots 1 & 2, Mejia #1 Subdivision, Hidalgo County, Texas; 2000 Nolana Avenue.

- **Planning & Zoning Commission disapproved and recommended approval of a variance to distance**
- **City Commission approved variance and CUP**

4. Request of Javier Quintanilla for a Conditional Use Permit, for life of the use, for a planned unit development, at the north 3.956 acres out of the south 10 acres of Lot 267, John H. Shary Subdivision, Hidalgo County, Texas; 1820 North Taylor Road.

- **Item was tabled pending action by Planning & Zoning Commission**

2016 ATTENDANCE RECORD FOR PLANNING AND ZONING COMMISSION

	01/05/16	01/19/16	02/02/16	02/16/16	03/01/16	03/15/16	04/05/16	04/19/16	05/03/16	05/17/16	06/07/16	06/21/16	07/05/16	07/19/16	08/02/16	08/16/16	09/06/16	09/20/16	10/04/16	10/18/16	11/01/16	11/16/16	12/06/16	12/20/16
John Millin	P	P	P	P	P	A	P	P	P	P	A	P	P	A	A	P	A	P	P	P				
Mark Wright	P	P	P	P	P	P	P	P	A	P	P	P	P	P	P	P	A	P	P	P				
Pepe Cabeza de Vaca	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Michael Hovar			P	P	A	P	P	P	P	A	A	A	P	A	A	A	A	P	A	P				
Brent Baldree			P	P	P	P	P	P	P	A	P	P	A	P	P	P	P	A	P	P				
Daniel Santos				P	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Robert Luciano					P	P	P	P	P	P	P	P	P	P	P	A	A	P	A	P				

P- PRESENT
A- ABSENT
* NO QUORUM
** NO MEETING

2016 ATTENDANCE RECORD FOR PLANNING AND ZONING WORKSHOPS

	09/14/2016 SP																							
John Millin	P																							
Mark Wright	P																							
Pepe Cabeza de Vaca	P																							
Michael Hovar	P																							
Brent Baldree	P																							
Daniel Santos	P																							
Robert Luciano	P																							

PLANNING DEPARTMENT

1300 W. Houston Avenue McAllen, TX 78501
Phone: 956-681-1250 Fax: 956-681-1279

2016 CALENDAR

Meetings:

- City Commission
- Planning & Zoning Board
- Public Utility Board
- Zoning Board of Adjustment
- HPC - Histoical Preservation Council

Deadlines:

D- Zoning/CUP Application
N - Public Notification

JULY 2016

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

AUGUST 2016

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

SEPTEMBER 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 HOLIDAY	6	7 D - 10/4 & 10/5	8	9	10
11	12 A - 10/4 & 10/5	13	14 N - 10/4 & 105	15	16	17
18	19	20	21 D 10/18 & 10/19	22	23	24
25	26 A 10/18 & 10/19	27	28 HPC N 10/18 & 10/19	29	30	

OCTOBER 2016

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

NOVEMBER 2016

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

DECEMBER 2016

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

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